



NEW UZBEKISTAN AND HUMAN RIGHTS

**UZBEKISTAN'S PROGRESS
TOWARDS COMPLIANCE WITH INTERNATIONAL
OBLIGATIONS ON HUMAN RIGHTS**

Tashkent – 2020

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The present information briefly highlights the basic directions of state policy on the implementation of personal, political, economic and social rights in 2018-2019. It also underlines the development of national human rights institutions, the role of civil society institutions in protecting human rights, as well as Uzbekistan's human rights initiatives at the international arena and the implementation of international human rights treaties.

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“The principle of the rule of law entrenched in our Constitution is an important guarantee of ensuring human rights and freedoms in society, the effective implementation of all ongoing reforms.”

*Sh.M. Mirziyoyev
President of the Republic of Uzbekistan*



INTRODUCTION

Issues related to the promotion, compliance and protection of human rights are considered to be one of the top priorities for state policy in Uzbekistan. Today the country has established its own model of systematic and step-by-step implementation of international standards of human rights within national legislation and law enforcement practice. Currently Uzbekistan has joined more than 70 major international human rights instruments, including 6 major UN treaties and 4 Optional Protocols.

National reports on the implementation of these instruments are submitted to the Human Rights Council and UN Treaty Committees on a regular basis. 2018 was marked across the globe as being an important year in the field of human rights, marking the 70th anniversary of the Universal Declaration of Human Rights, which initiated the international legal regulation on human rights protection and the formation of national policies in this field, by considering democratic principles and the requirements of the given Declaration.

Governmental programs have been of great importance in achieving the goals and objectives determined within the five-year Development Strategy of Uzbekistan, which are dedicated to celebrating the 70th anniversary of the Universal Declaration of Human Rights[1] and the Year of Supporting Active Entrepreneurship, Innovative Ideas and Technologies[2], as well as other program-related documents contributing to ensuring the personal, political, socio-economic and cultural rights of citizens.

The law ‘On International Treaties’[3] provides for international treaties of the Republic of Uzbekistan to be subjected to strict and compulsory implementation by the Republic of Uzbekistan, in compliance with the norms of international law. The Cabinet of Ministers of the Republic of Uzbekistan has taken practical measures to ensure the implementation of international treaties of the Republic of Uzbekistan, and within the framework of its competence, it determines which state bodies and officials are in charge of implementing the international treaties of the Republic of Uzbekistan.

The given information has been prepared in compliance with the Presidential Decree of the Republic of Uzbekistan dated December 10, 2017 ‘On Improving Activities of the National Center of the Republic of Uzbekistan for Human Rights’[4], and contains information on the implementation of international treaties of the Republic of Uzbekistan within the field of human rights and freedoms.

[1] The Presidential Decree of the Republic of Uzbekistan dated May 5, 2018 No. PD-5434 “On the Program of Events Dedicated to the 70th Anniversary of the Universal Declaration of Human Rights”

[2] The Presidential Decree of the Republic of Uzbekistan dated January 22, 2018 “On the State Program for Implementation of the Action Strategy in Five Priority Areas of Development of the Republic of Uzbekistan in 2017-2021 in the ‘Year of Supporting Active Entrepreneurship, Innovative Ideas and Technologies’”

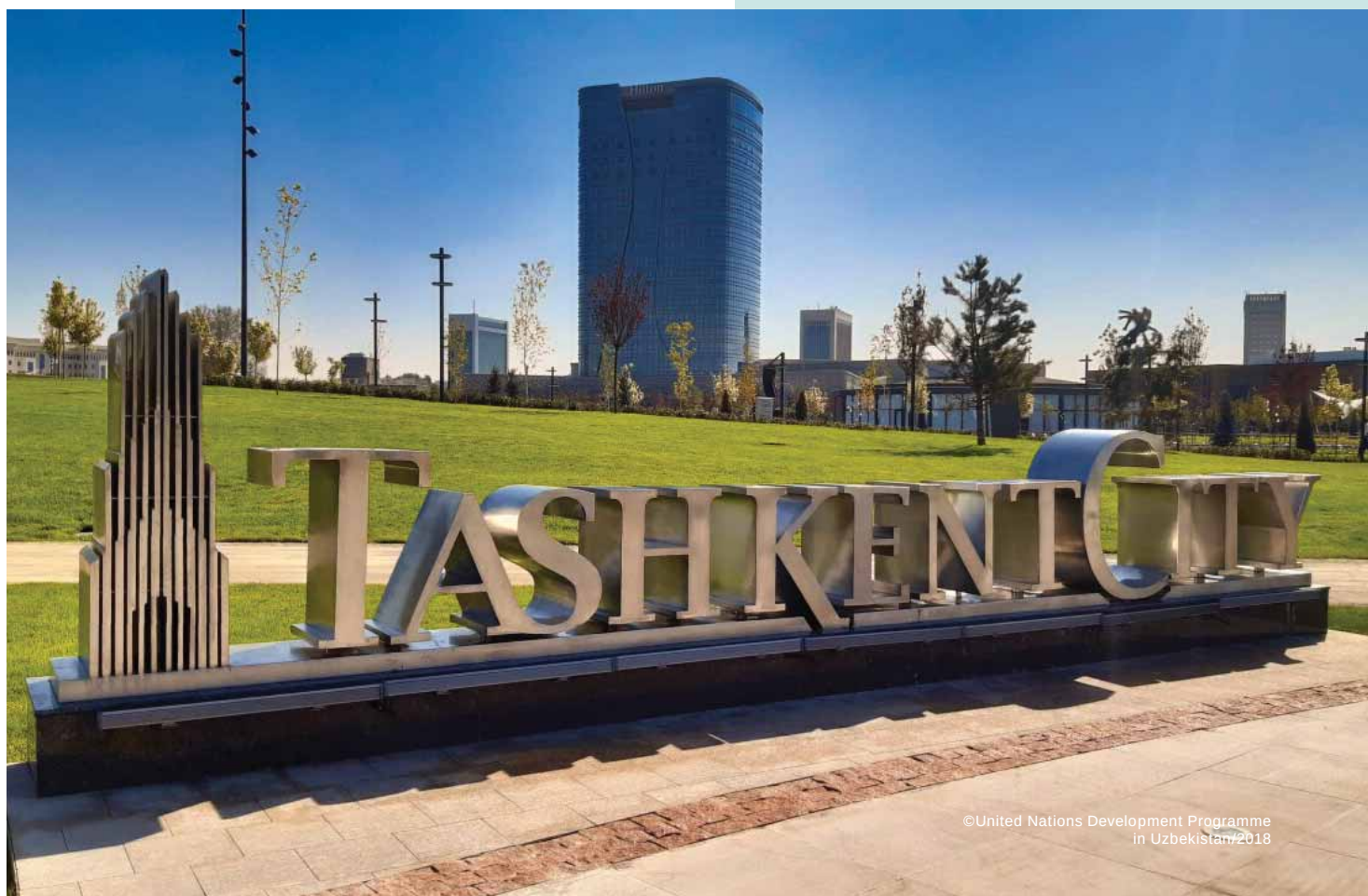
[3] The Law of the Republic of Uzbekistan dated February 06, 2019 No. LRU-518 “On International Treaties”

[4] The Presidential Resolution of the Republic of Uzbekistan dated December 10, 2018 No. PR-4056 “On Improving Activities of the National Center for Human Rights of the Republic of Uzbekistan”

I. THE LEGISLATIVE BASIS FOR THE IMPLEMENTATION OF INTERNATIONAL TREATIES OF THE REPUBLIC OF UZBEKISTAN ON HUMAN RIGHTS

“Over the past two years, our main objective has become to establish the priority of honor and dignity of humans in society and the formation of the justice system which is always capable of ensuring justice.”

*President Republic of Uzbekistan
Sh. M. Mirziyoyev*



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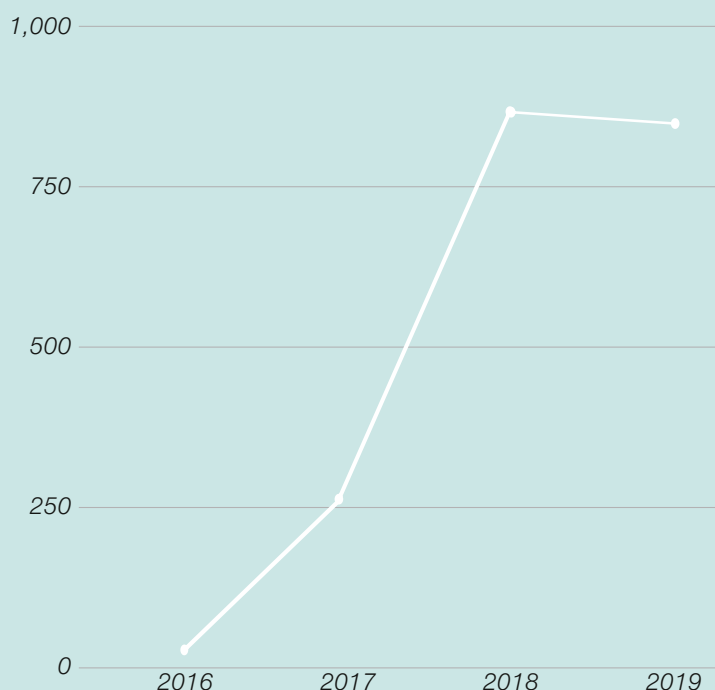
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Priority attention is being paid to deepening reforms within the judicial and legal field, as a result of which specific measures have been taken to incorporate international standards in the field of court independence and the protection of the right to have fair court proceedings. In particular, strict responsibility has been established for using information as evidence of prosecution, obtained via unlawful methods. Article 235 of the Criminal Code (torture) is given in accordance with Article 1 of the UN Convention against Torture[1].

Public commissions have been established in places to learn about the personal and professional qualities of candidates for judge positions. The system of electronic distribution of cases has been incorporated to ensure the fairness, openness and transparency of the examination of cases in courts alongside systems of 'Electronic Criminal Case' and 'Remote Interrogation', which are being incorporated to ensure the reduction of expenditures and bureaucratic red tape.

CIVIL RIGHTS AND FREEDOMS

[1] Adopted by the Law of the Republic of Uzbekistan dated April 4, 2018 No. LRU-470 "On Introducing Amendments and Supplements to some Legislative Acts of the Republic of Uzbekistan in Connection with the Adoption of Measures to Strengthen the Guarantees of Citizens' Rights and Freedoms in Judicial Investigation Activities"



NUMBERS OF INDIVIDUALS ACQUITTED

In 2019, 859 people were acquitted. In 2018, 867 individuals were acquitted, compared to the 28 acquitted in 2016, and the 263 acquitted in 2017.

Overall, innovations included within the framework of legal and judicial reform have expanded guarantees of citizens' access to justice and have established conditions for strengthening independence, while the self-sufficiency of courts has become an important component of society formation and democratization.

In 2018 alone, 1,881 criminal cases were terminated due to insufficient evidence. 867 individuals were acquitted, compared to the 28 acquitted in 2016, and the 263 acquitted in 2017. Unjustified elements of crime provided during the investigation process were excluded from charges against 5,462 individuals, while 3,290 individuals were released in the courtroom. In 2019, 859 people were acquitted, 3,080 people were released in the courtroom.

In accordance with humanism principles, a completely new system has been incorporated under guarantee of the Youth Union, Mahalla and Women's Committees. For the 9 months of 2019, respectively, 1,455 people were released from punishment, including 202 young people and 167 women who had committed crimes out of ignorance and had repented sincerely. 3,333 individuals who have served their sentences, including 646 individuals convicted of participating in the activities of forbidden organizations, returned to their families.

According to the recommendations of international partners, the Presidential Resolution was adopted on closing the detention facility "Jaslyk" in Karakalpakstan.

6,000

INDIVIDUALS

By the acts of Uzbekistan's President, more than 6,000 individuals have received citizenship of the Republic of Uzbekistan.

4,000

INDIVIDUALS

More than 4,000 individuals serving a sentence of imprisonment have been pardoned, as well as individuals who have repented sincerely in their misdeeds and embarked firmly on the correct path.

20,000

CITIZENS

More than 20,000 citizens suspected of having connections with religious extremist groups have been removed from Uzbekistan's preventative watchlist.

The Republican Interdepartmental Commission for Consideration of Citizens' Appeals has been formed for citizens who found themselves to be involved in the structure of forbidden organizations out of ignorance, and who have repented sincerely, while also embarking on the correct path.

36%

The objectives and authorities of state security bodies were completely reviewed in 2019, and an objective evaluation of employees' activities was conducted at all levels. As a result of efforts to protect public order and provide early warning of offenses, a reduction in crime was achieved primarily with the essential participation of the general public.

2,046

OFFICIALS

Precise measures have been taken for the prevention and resolute combatting of corruption, which has had a serious impact on state and society development, undermining people's trust in justice. In addition, 2 046 officials who have committed similar crimes have been brought to criminal responsibility.

The State Anti-Corruption Program for 2019-2020 has been adopted and the structure of the Republican Interdepartmental Commission on Anti-Corruption has been renewed, in order to increase the efficiency of the anti-corruption system, while also creating the most favorable business climate. Parliamentary anti-corruption committees have been established, which should contribute to strengthening combat against corruption at state institutions of all levels. The establishment of commissions within the structure of local representative bodies to combat corruption has been envisaged.

The Concept of Improving the Criminal and Criminal Procedural Legislation of the Republic of Uzbekistan has been approved, according to which there are plans to remove legal gaps in the Criminal and Criminal Procedural Codes which impede the efficient protection of citizens' rights and freedoms, alongside the interests of society and the state.

Uzbekistan fulfills international duties and one of the most vivid examples of this is the work being undertaken in continuing the implementation of the Habeas Corpus procedure, which is aimed towards strengthening judicial control during the investigation process.

THE USE OF PREVENTIVE MEASURES IN THE FORM OF DETENTION WAS REDUCED BY

30%

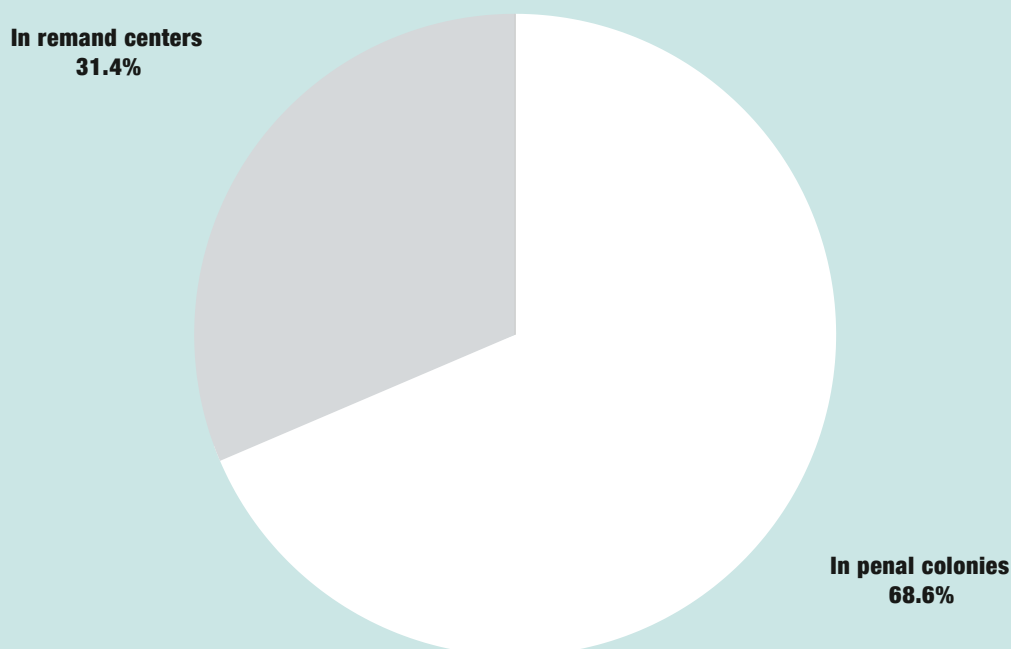
IN 2018

Courts dismissed petitions to use a preventive measure in the form of detention in 42 cases.

Utilizing criminal punishment in the form of custody has been repealed in favor of non-custodial punishments, and the detention terms of individuals that are suspected of committing a crime have been reduced from 72 to 48 hours. In addition, using preventive measures in the form of detention, house arrest, and the application of preventive measures in the form of detention, house arrest, the terms of the preliminary investigation were

reduced from 1 year to 7 months, a separate criminal liability was introduced for falsifying evidence.

With the aim of the timely prevention and interception of violence, torture and unlawful conduct against individuals held in custody, over 2,800 surveillance cameras have been installed in penitentiary institutions, with 1,920 of them in penal colonies and 880 in remand centers.



123 surveillance cameras have been installed in all remand centers of the Ministry of Internal Affairs, and in rooms for conducting investigation activities. In addition, 42 surveillance cameras with recording devices have been installed in investigators' rooms and remand centers, alongside 283 surveillance cameras installed in rehabilitation centers.

Thus, the next stage will be connected with transferring to courts the right to authorize a search and wiretap individuals that are suspected of committing a crime.

Lawyers' powers in ensuring citizens' rights and freedoms have been expanded. Lawyers have been granted the right to take action on the pre-trial settlement of disputes and the reconciliation of parties, while they have also been granted the right to act as an arbitrator. The role of the Chamber of Lawyers has been increased considerably. Henceforth, draft regulations on issues related to advocacy and legal proceedings must be agreed with the Chamber of Lawyers, and the Chairman of the Chamber of Lawyers has been given the right to participate in meetings of the Legislative Chamber of the Oliy Majlis to discuss draft laws.

The Probation Service and its territorial divisions have been established at the General Directorate for the Execution of Punishments of the Ministry of Internal Affairs of the Republic of Uzbekistan to organize work on the execution of punishments not connected with deprivation of liberty and control of the conduct of conditionally convicted and conditionally released individuals.

The Concept of Improving the Penal Enforcement Legislation of the Republic of Uzbekistan in 2019–2021 has been adopted, and work on the development of a new version of the Penitentiary Code has been initiated.

To ensure the right of free movement for citizens guaranteed by the Constitution and International Obligations, difficulties in registering for and obtaining visas have been eliminated. Comprehensive measures are being implemented aimed at optimizing the procedure for issuing permits to foreign citizens to enter the republic, transforming inbound tourism into one of the most important sectors of the national economy, as well as ensuring the widespread promotion of cultural and historical heritage, natural wealth and traditions.



With the aim of implementing international obligations within the field of human rights, the above legislative acts have been adopted.



THE RIGHT TO FREEDOM OF RELIGION

Uzbekistan has accumulated centuries of historical experience of different religious denominations and ethnic groups co-existing together.

Since time immemorial, over the period of countless millennia, various religions and beliefs have co-existed on Uzbekistan's territory. 2,275 religious organizations of 16 different denominations including Islam, the Orthodox, Catholic, Lutheran, Baptist, Full Gospel, Adventist and other Christian churches, the religious communities of Bukharan and European Jews, and Bahai, Krishnas and Buddhists, all operate in the country.

By the Decree of the President of the Republic of Uzbekistan dated November 15, 2019, the Concept of the state policy of the Republic of Uzbekistan in the field of interethnic relations was approved. The concept is aimed at ensuring the rights, freedoms and legitimate interests of man and citizen, strengthening the unity and integrity of Uzbekistan, preserving the ethno-cultural identity of the nations and nationalities living on its territory, maintaining international tolerance, harmony and peace in society.

With the aim of protecting citizens from discrimination and crimes based on hate, criminal responsibility has been established for violating the right to have freedom of conscience.

On December 11, 2018, the US State Secretary Michael Pompeo officially removed Uzbekistan from the list of 'Countries of Particular Concern' (CPC) in connection with violations of religious freedoms. In 2018-2019 the delegation of Uzbekistan also participated in the Ministerial Conference on Promotion of Religious Freedoms, during which Uzbekistan's achievements in the field of religious freedoms received a positive evaluation. The Parliament approved Road Maps for ensuring freedom of religion or beliefs and the following measures have been implemented within their framework:

- **The law on 'Countering Extremism' has been adopted;**
- **The provision on the procedure for registration, re-registration and termination of activities of religious organizations has been approved;**
- **The draft law on 'Freedom of Conscience and Religious Organizations' has been drafted in a new edition;**
- **With the aim of further optimization and simplification of the procedure for state registration, the size of the state tax for registration of religious organizations has been reduced by five times;**
- **The procedure for providing reports by religious organizations to the registering body has been simplified;**
- **The right of the elimination of religious organizations has been excluded from the powers of the registering authority, while a judicial procedure has been established for the termination of their activities.**

16 religious organizations have been registered in 2019 alone, including 9 mosques and 7 non-Islamic organizations, specifically the Church of Sunbagyn and the Church of Evangelical Christian Baptists.

An important factor in the spiritual and moral renewal of society is religious education and enlightenment, alongside the establishment of educational process and the training process for imams and clergymen. In the academic year of 2018-2019, the International Islamic Academy of Uzbekistan opened the departments of 'Koranic Studies and Hadithology', 'History of Islam and Source Study', 'Akida', and others. A hundred students have been enrolled in these religious studies.

A number of major events have been organized for promoting legal culture and officials, in particular roundtables on the topics 'Secular State: Implementation Principles and Mechanisms at the Present Stage', and the Uzbek-American seminars "Rule of law and religion", as well as 'Religious Tolerance: the Experience of Uzbekistan and the United States', with participation of the US Ambassador at large for International religions Freedom S. Brownback.

The Presidential decree of September 4, 2019 “On additional measures to improve the activities of the religious and educational sphere” introduced a new system for the implementation of state policy in the field of religion, as well as the protection of guarantees of freedom of conscience of citizens. The main tasks of the Committee on Religious Affairs have been updated, in particular, taking measures to prevent actions aimed at spreading the ideas of religious fanaticism and

extremism, inciting hostility between different faiths, and promptly taking measures against violations of the guarantees of freedom of conscience; development of religious and secular views of the population, especially young people; ensuring broad promotion of national traditions and values in contrast to radical ideas spread in the media, on Internet sites and in social networks.



POLITICAL RIGHTS

With the aim of implementing international electoral standards, the Parliament has approved the Electoral Code of the Republic of Uzbekistan for the first time in 2019, which meets modern requirements and the international practice of conducting democratic elections. Furthermore, conclusions and opinions have been received from international organizations such as OSCE and ODIHR, the Venice Commission of the Council of Europe, the CIS Executive Committee, and others.

The Electoral Code envisages the following major new provisions:

- The institute of quota allocation of deputy seats in the Legislative Chamber for Ecological Movement representatives has been excluded;
- The procedure for nominating candidates to district (city) kengashes of people's deputies by citizens' self-governing bodies has been repealed;
- The functioning procedure of the Unified Electronic Voter List of the Republic of Uzbekistan has been legislatively regulated;
- The procedure for considering appeals of individuals and legal entities on matters of the organization, conduct and summarization of election results has been introduced;
- The procedure for immediately posting a copy of the protocol of vote counting at polling stations has been established;
- The procedure for electing members of the Senate at the legislative level is determined with the repeal of the Regulation on the procedure for electing members of the Senate of the Oliy Majlis previously approved by a CEC resolution;
- The restriction on the participation in elections of individuals held in prisons for committed crimes, which do not represent a great public danger, and of those who have committed less serious crimes, has been excluded;
- It is envisaged that the procedure for early voting should end 3 days before the election, instead of the current 1 day.

In the upcoming elections of deputies of the Legislative Chamber of the Oliy Majlis and local Kengashes on December 22, 2019, 5 political parties will take part for the first time. More than 20 million voters vote in elections, of which more than two million young people vote for the first time. And also, according to the Electoral Code, the most important institution of civil society - self-governing bodies of citizens will take part in the elections as both the organizer and the election observers, which in turn will ensure openness and publicity of this political and social process. Thus, public control will be exercised over the preparation and conduct of the elections, including during the voting and counting process. A similar measure was introduced taking into account the recommendations of international observers who participated in previous elections.

Legislative measures have been adopted to strengthen the responsibility of Government members, especially members of the Cabinet of Ministers. These have been approved by the President of the Republic of Uzbekistan on the proposal by the Prime Minister of the Republic of Uzbekistan, submitted after receiving the approval provided by the Legislative Chamber. The Parliament is also reviewing the quarterly report of the Cabinet of Ministers on the implementation of the state program for the corresponding year, resulting from the Message of the President of the Republic of Uzbekistan to the Oliy Majlis.

The legal base for organizing elections in citizens' self-government bodies has also been improved. A new version of the law on 'The Election of the Chairman (Aksakal) of Citizens' Assembly' has been adopted. Subsequent elections of the chairman (aksakal) of the citizens' assembly took place in May 2019. At the same time, the new term of office of the chairmen (aksakals) of citizens' assemblies will be 3 years. The voting process for electing a chairman (aksakal) of the citizens' assembly will be held strictly in a secret form, for instance by filling out ballots, while previously both secret and open voting forms were allowed.



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SOCIO-ECONOMIC RIGHTS



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One of the prioritized directions of state policy is increased citizens' welfare by improving the regulation of the economic and social potential of the country, as well as increasing support for socially-vulnerable groups of the population.

With the aim of implementing the UN Agenda by 2030, the Government has adopted the National Goals and Targets of Sustainable Development for the period by 2030[1], which has approved 16 national goals and 125 targets. The Road Map has been adopted for the implementation of National Goals and Targets, and the Coordination Council has been established as well.

[1] Resolution of the Cabinet of Ministers of the Republic of Uzbekistan dated October 20, 2018 No. 841 "On Measures to Implement National Goals and Targets of Sustainable Development for the period by 2030"

MORE THAN

1,200

LEGISLATIVE ACTS

With the aim of establishing favorable conditions for entrepreneurs and business structures, and a system for protecting their rights, more than 1,200 legislative acts have been adopted.

186

LAWS

138

PRESIDENTIAL DECREES
AND RESOLUTIONS

280

RESOLUTIONS OF THE
CABINET OF MINISTERS

These have included 186 laws, 138 Presidential decrees and resolutions, alongside 280 resolutions of the Cabinet of Ministers. In addition, the principle of the priority of entrepreneurs' rights in their relations with state, law enforcement and regulatory bodies has been incorporated as well.

With the aim of accelerating economic development and increasing investment attractiveness, the concept of improving tax policies has been adopted. Instead of the existing maximum income tax rate of 22.5 percent, the personal income tax rate of 12 per cent has been introduced and 8 percent insurance deductibles have been repealed. The high unified social payment rate has been reduced from 25 percent to 12 per cent. Mandatory deductibles to the amount of 3.2 percent for the non-budgetary pension fund, targeted road and educational funds have been repealed.

The human right to have competent housing plays a key role in terms of economic, social and cultural rights. The adoption of special programs 'Obod Qishloq' ('A Well-arranged Village') and 'Obod Mahalla' ('A Well-arranged Mahalla') aim to achieve a gradual improvement of the population's living conditions, and to achieve positive changes in their lifestyle and living standards, in order to give these villages (mahallas) a modern look while also forming new job positions.

As part of the program, construction and improvement works have been intended for

312 549

HOUSES

where more than

**1.6
MILLION**

PEOPLE LIVE.

Considerable work is being implemented to improve regional and district centers, and to renew the architectural appearance of central streets. Meanwhile fair complaints and appeals provided by residents have shown that there are problems connected with creating and improving the population's housing and living conditions.

Thus, as a result of the irresponsibility of local khokimiyats (the municipal governmental body), housing stock has not been repaired for years, which has led to deterioration of house roofing, and their external appearance has ceased to meet set requirements. In addition, frequent accidents in the power grids and transformer units of residential areas have led to numerous power outages, while a shortage of cylinders with liquefied gas has been recognized as well. One of the following urgent problems is the implementation of low quality work in repairing and maintaining roads in areas, as well as the poor condition of networks and water supply facilities, alongside with sewage's non-compliance with sanitary requirements.

Meanwhile, during the period of the large-scale construction and reconstruction of housing stock, fair complaints from owners of houses, apartments and other real estate have entailed actions by local authorities and developers regarding violations of law during house demolition with no notification and open discussion.



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The program on further developing specialized medical care for the population over the period of 2017-2021 has been approved. There is a Program of Measures for stimulating the development of private health care, including its exemption from the payment of all types of taxes and mandatory contributions to state trust funds by January 1, 2022.

As a consequence of raising the level of qualified medical care and comprehensive reforms, the average life expectancy in the country increased from 67 years in 1990 and to 74 years in 2018. Child mortality has decreased by 3 times.

The country has implemented systematic work to strengthen the population's reproductive health and the law on 'Reproductive Health' has been adopted, the basic principles of which are aimed at determining the availability and quality of medical services, ensuring their guaranteed amount, protecting individuals from interference into their private lives, preserving family secrets and humanity, showing general respect towards humanity, and ensuring gender equality.

The Decree of the President of the Republic of Uzbekistan dated November 8, 2019 “On improving the quality and further expanding the coverage of medical care provided to women of reproductive age, pregnant women and children” defines the directions for further improving the system of providing modern high-tech specialized medical care to women of reproductive age, pregnant women and children.

The law on ‘Restriction of Smoking Hookahs and Electronic Cigarettes in Public Places’, which aims to protect citizens’ health from the harmful impact of smoking hookahs and electronic cigarettes due to social or other negative consequences connected with it. In addition, the law aims to establish organizational and legal conditions for the formation and approval of healthy lifestyles in society.

The World Health Organization has acknowledged the elimination of measles and rubella in Uzbekistan, and the country is considered a ‘malaria-free’ territory.

Targeted work is being implemented in the country to further develop the health care system, in order to oppose the spread of HIV/AIDS, alongside protecting the population’s health and protecting it from tuberculosis infection.

The number of people living with AIDS in the republic is more 40,000. A reduction in the rate of HIV infection among children has been observed in Uzbekistan over recent years. The number of children under the age of 18 among newly-registered HIV cases is equal to 13.4%. The country pays special attention to preventing HIV transmission from mother to child, which contributes to the birth of healthy children.

The Concept on the Development of the Mental Health Care Service of the Population of the Republic of Uzbekistan for 2019-2025 is being implemented. One of its main directions is to eliminate the discrimination and stigmatization of people based on the presence of mental disorders.

One of the most urgent issues remains the implementation of the right to have a pension. In particular, starting from January 1, 2019, the maximum amount of pension payments increase from 8 to 10 times, based on the minimum wage, and working pensioners are paid a pension to the full amount.

LABOR RIGHTS



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Effective measures are being taken to implement annually-approved programs for providing employment, improving employment mechanisms for vacant and quota-based job positions, and developing efficient forms of self-employment in Uzbekistan. A number of legal acts have been adopted aimed towards stimulating the population's business activity and entrepreneurial initiative, providing employment to socially vulnerable segments of the population, and increasing the availability, quality and efficiency of public services to ensure the population's employment. The 'E-workbook' system has been introduced, with NGOs having been granted the right to provide services within the field of citizens' employment both in the country and abroad on a license basis, and the Public Works Foundation under the Ministry of Employment has been established.

With the aim of developing and implementing the state order to ensure the population's permanent employment and the establishment of new job positions, a procedure for allocating subsidies and grants at the expense of the State Employment Promotion Fund is being implemented.

Work on the preparation of a draft of a new Labor Code that meets modern requirements and ILO recommendations has been initiated. With the aim of implementing the recommendations of international organizations, the ban on hiring citizens who do not have a temporary or permanent residence permit, or citizens who have not registered a place of stay, has been repealed. Meanwhile the employer's responsibility for hiring citizens who live without a temporary or permanent residence permit or without having a registered place of stay, has been repealed as well.

The law on 'Private Employment Agencies' has been adopted, which is aimed towards the legal regulation of activities of non-governmental organizations that provide recruitment services, as well as to assist job seekers in obtaining employment alongside other services in the labor market. The foundation to support and protect citizens' rights and interests that are engaged in labor activities abroad has been established.

Nevertheless regions still maintain a high level of tension in the labor market. In addition, the issues of establishing permanent job positions, providing employment for young people, women and members of low-income families, especially in rural areas, alongside aligning the process of external labor migration, still remain unresolved.

The attitude to issues of labor migration has radically changed in the country. Meanwhile, the legislation does not have concepts of legal and regulatory principles to regulate external and internal labor migration. An example of this is unified migration legislation aimed at regulating migration processes on the basis of unified principles and rules alongside the implementation of a unified migration policy.

The Republic of Uzbekistan has managed to advance considerably in protecting the rights of adults and children from forced forms of labor. Uzbekistan's implementation of its international commitments within the framework of the International Labor Organization conventions include their submitted recommendations based on the results of monitoring the cotton harvest campaign alongside the Country Programme on Decent Labour in Uzbekistan for 2017–2020, which has contributed to positive evaluations provided by international partners.

The Resolution of the Cabinet of Ministers on 'Additional Measures to Eliminate Forced Labor in the Republic of Uzbekistan' by a separate paragraph, has noted the prevention of all types of citizens' forced involvement, in particular of employees in education and health fields alongside either budget or other organizations, as well as preventing pupils and students of educational institutions from being involved in forced labor .

Administrative responsibility increased and criminal penalties imposed for forced labor. In accordance with article 51 of the Code of Administrative Responsibility, the fine for coercion to work increased 10 times. Also, the Criminal Code introduced two new articles that criminalize forced labor and the involvement of minors in labor.

On September 20, 2018, the US Department of Labor published the 17th edition of its annual findings on the worst form of child labor (TDA report). The report notes that Uzbekistan, for the first time, has made moderate progress as a result of a significant reduction made by the Government of Uzbekistan in regards to the mobilization of forced child labor to pick cotton. The US Department of Labor has excluded Uzbek cotton from the 'List of Goods Produced by Child Labor or Forced Labor'.



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Large-scale work in the field of combating human trafficking is being implemented in the country, and comprehensive measures have been taken to prevent crimes in this area. This has made it possible to achieve positive results in ensuring the rights and freedoms of victims of human trafficking as well as achieving a significant improvement to the criminogenic situation in the country. For 10 months of 2019, 1996 appeals were received on human trafficking (2018 - 1824, 2017 - 2272, 2016 - 2131). There is a tendency towards a decrease in criminal prosecution of persons convicted of this crime for 10 months of 2019 - 109 (2018 - 201, 2017 - 405, 2016 - 510), as well as the identification of victims of trafficking for 10 months of 2019 - 109 (2018 - 250, 2017 - 440, 2016 - 664). Within a year, 190 victims of human trafficking were rehabilitated at the Republican Rehabilitation Center to assist victims of human trafficking.

In the Annual Report on the Situation of Human Trafficking in 2017, the US State Department raised Uzbekistan's level from the third category to the second category of countries.

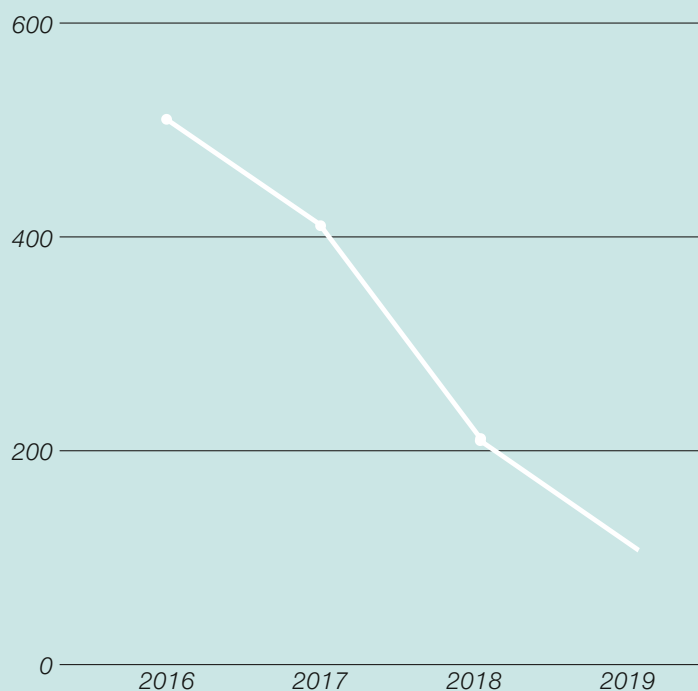
Meanwhile, work forms and methods of state bodies involved in the prevention of offenses in the field of human trafficking, do not fully meet modern requirements. This underlines the need to fundamentally improve the institu-

tional and legal frameworks of support within the area of combating human trafficking.

In accordance with the Decree of the President of the Republic of Uzbekistan dated July 30, 2019 No. UP 5775 "On Additional Measures to Further Improve the System for Combating Trafficking in Persons and Forced Labor," the National Commission on Countering Trafficking in Persons and Forced Labor was established and its composition was approved. Furthermore, the institution of the National Rapporteur on combating trafficking in persons and forced labor was established. The duties of the Chairperson of the National commission and the National rapporteur are carried out by the Chairperson of the Senate of the Oliy Majlis.

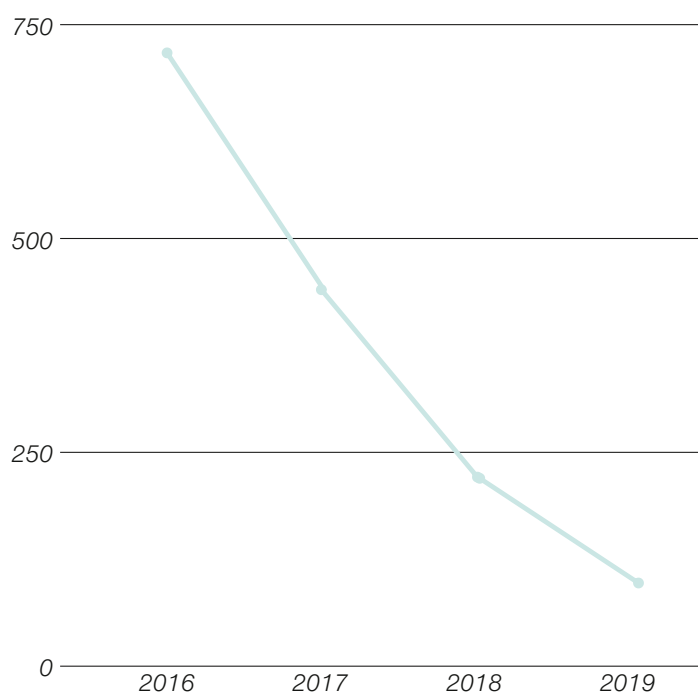
Insufficient initiatives by authorized bodies and a lack of proper interdepartmental cooperation, as well as inconsistencies in the implementation of measures, requires radical improvement of activities in the field of crime prevention and combatting human trafficking.

Currently, work is underway to prepare a draft new version of the Law "On Combating Trafficking in Human Beings" and a draft law on introducing relevant amendments and additions to the Criminal Code taking into account international standards and the experience of foreign countries.



NUMBERS OF INDIVIDUALS THAT ARE CONVICTED OF HUMAN TRAFFICKING TO CRIMINAL PROSECUTION

10 month at 2019 - 109,
10 months of 2019 -
109 (2018 - 201, 2017 -
405, 2016 - 510)



NUMBERS OF IDENTIFIED VICTIMS OF HUMAN TRAFFICKING

207 in 2018, 432 in 10
month at 2019 - 109,
2017, and 717 in 2016



©Technovation Girls Uzbekistan/2019

Legislative, organizational and other measures are being implemented in the country to strengthen guarantees for providing reliable protection of women's rights, and for enhancing their social, political and social activity .

In particular, the Public Foundation to Support Women and Families has been established alongside the badge 'Mutabar Ayol' (honorable woman), and a new support system for winners of the Zulfiya State Award.

As part of the implementation of the 5 initiatives of the President, additional conditions are being created to educate young people and increase women's employment.

In order to prevent gender discrimination of women, the Commission on Gender Equality of Women was established.

On September 2, 2019, the President signed the laws “On the Protection of Women from Harassment and Violence” and “On Guarantees of Equal Rights and Opportunities for Women and Men”. The purpose of these laws is to protect women from all forms of oppression and violence in life, at work, in the field of education and the regulation of social relations in the field of guaranteeing equal rights and opportunities for men and women in all spheres of society, including politics, economics, law, ideology and culture, education and science. A mechanism for protecting women’s rights has been created.

In 2019, on behalf of the President of the Republic of Uzbekistan Shavkat Mirziyoyev, more than 260 citizens of Uzbekistan, mainly women and children, were returned to their homeland from the zone of armed conflicts in the Middle East. This humanitarian operation was carried out in accordance with international documents in the field of human rights, including the principles of international humanitarian law.



©Wing Yu Leung/United Nations Development Programme in Uzbekistan/2019

The concept on Strengthening the Family Institution is being implemented, in accordance with which 195 centers for women's social adaptation (crisis centers) have been established.

Meanwhile, the state of affairs in this area indicates the existence of a number of system problems and shortcomings that impede the establishment of efficient mechanisms to provide women with legal advice and full support, as well as protecting their rights, alongside organizing targeted support for women who are in need of help and for those who are in difficult social situations.

With the aim of implementing recommendations by treaty committees of UN and ILO to strengthen guarantees for protecting women's labor rights and increasing the access level to justice, the following measures have been taken:

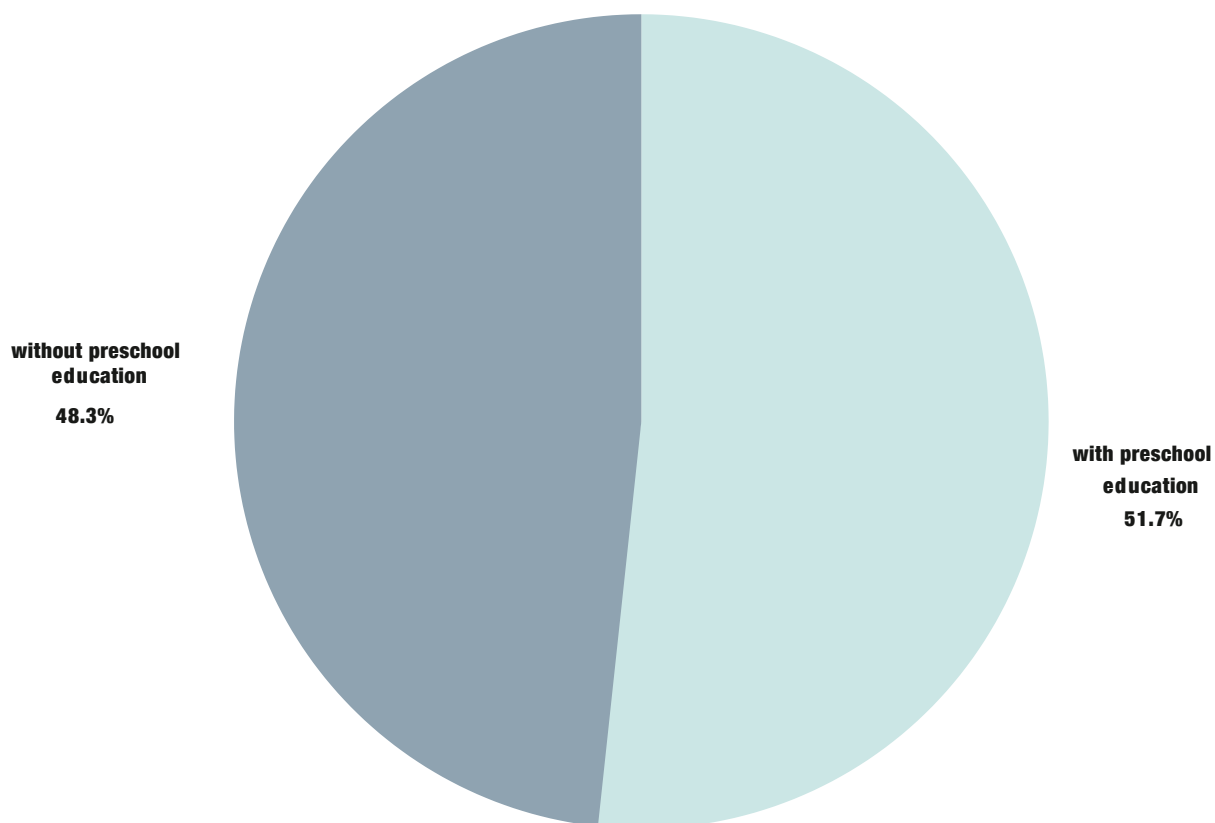
- **Repealing bans on women's employment in certain industries or professions;**
- **A recommended list of industries or professions that may adversely affect women's health has been approved;**
- **If at least three months of parental leave are used by the father, one parent is granted additional parental leave for one month with payment of benefits, in the manner indicated by Article 234 of the Labor Code of the Republic of Uzbekistan;**

- **One of the parents raising a child under the age of two years is given the right to set a break time that is used during the day, with the use of breaks for resting, meals and feeding children, which are provided during work time in consultation with the employer;**
- **It is prohibited to terminate an employment contract at an employer's initiative, which has been signed for an indefinite period of time, due to women reaching retirement age or due to the right for women to have an old-age pension before they reach the age of 60 in emergency circumstances (in compliance with legislation). It is also prohibited to terminate a fixed-term employment contract prior to the given expiration date;**
- **In cases of equality violation for men and women in courts, the payment of legal services provided by lawyers to women is covered at the expense of the state at the woman's request.**



RIGHTS OF THE CHILD

The country is carrying out large-scale work to support motherhood and childhood, create conditions for the spiritual and physical development of children, and ensure compliance with the requirements of the UN Convention on the Rights of the Child.



Today in Uzbekistan there are 13,164 preschool educational institutions, of which 5,882 (45 %) are state-owned and 6,471 (49 %) are public-private partnerships. Of the total number of children aged 3 to 7 years (2.7 million), 1,332,672 (51,7 %) are enrolled in preschool education.

The monitoring shows that there are still a number of systemic problems and shortcomings hindering the development of the preschool education system, including an insufficient number of preschool educational institutions to ensure full coverage of children, inadequate material and technical condition of these institutions, low level of technical equipment and methodological support of existing institutions for children with special needs.

9,691

SECONDARY SCHOOLS

There are 9,691 secondary schools in the country ,

5.8

MILLION

PEOPLE

in which 5.8 million people are enrolled.

86 21

SPECIAL SCHOOLS

BOARDING SCHOOLS

The public education system operates 86 special schools and 21 boarding schools for children with physical or mental developmental disabilities,

20,610

CHILDREN

where 20,610 children are educated.

13,437

CHILDREN

Also, 13,437 children with physical or mental developmental disabilities, and needing long-term treatment, are educated at home.

2

SPECIALIZED EDUCATIONAL INSTITUTIONS

The education of children in need of special conditions for upbringing and education is carried out at two specialized educational institutions.

2,557

ORPHANS AND CHILDREN WITHOUT PARENTAL CARE

19

'MEHRIBONLIK' HOME (MERCY ORPHANAGES)

3

CHILDREN'S CAMPS

The education of children in need of special conditions for upbringing and education is carried out at two specialized educational institutions. 2,557 orphans and children without parental care are brought up in 19 'Mehribonlik' (mercy orphanages) homes and at 3 children's camps.



©Uzbekistan National News Agency/2018

At the same time, the need for a radical improvement in the institutional and legal foundations for ensuring the protection of the rights and legitimate interests of children, and in upbringing a harmoniously-developed generation, is growing. Additional measures are also required to widely introduce familial and other alternative forms of child placement, especially taking them into a family upbringing (patronage), as well as creating favorable conditions for preparing children for independent living.

In the year of the 30th anniversary of the adoption of the UN Convention on the Rights of the Child, the President of Uzbekistan adopted a resolution 'On Additional Measures to Further Strengthen the Guarantees of the Rights of the Child' on April 22, 2019. This resolution aims to ensure the best interests of children, who constitute 40% (12.2 million) of the population of Uzbekistan.

In order to implement the provisions of the Convention on the Rights of the Child, and to ensure real guarantees of the rights of children as provided in the Constitution and laws of the Republic of Uzbekistan, a number of legal and institutional measures have been adopted to further strengthen the protection of children's rights. These include the following:

- Children without parental care, until they reach the age of eighteen years, will be given the right to reserve residential premises in purpose-built municipal and communal housing funds, in which they lived for the entire period of stay in 'Mehribonlik' (mercy orphanages) homes or places of residence, with the consent of the guardianship and custody authority with a custodian or trustee;
- Children without parental care are provided with a full range of social services, regardless of their place of registration and citizenship;

- Children without parental care are guaranteed full consideration of their direct appeals to state bodies, and they cannot be left without consideration of such appeals, due to the child's lack of full legal capacity;
- In the absence of an agreement between parents regarding the payment of alimony to persons under the age of eighteen years, or at the failure to pay alimony voluntarily, as well as in the case where neither parent has applied to the court with a claim for alimony, children who have reached the age of 14 have the right to independently file claims for the recovery of alimony for maintenance from his mother or father, and in cases of separation, simultaneously with each parent to the amount established by law;
- When applying to courts for the protection of children, plaintiffs are exempt from paying state duty and other payments.

In line with recommendations from UN treaty bodies, the minimum age of marriage for both men and women is fixed at eighteen years.

The expulsion of a foreign citizen and a stateless person under the age of eighteen years from the Republic of Uzbekistan is not allowed, if one of their parents or a guardian or custodian has the right to reside lawfully in the territory of the Republic of Uzbekistan.

In order to implement the provisions of international standards of children's rights, the following measures are envisaged:

- **The development of the draft law 'On the Social Protection of Orphans and Children Without Parental Care', which provides the social and legal status of orphans and children left without parental care, as well as the form of their upbringing, and ensures the rights of orphans and children without parental care to receive legal assistance and judicial protection;**
- **The establishment of a reservation procedure for children left without parental care until they reach the age of eighteen years, dwelling in the municipal and communal housing fund in which they lived, for the entire period of stay in the 'Mehribonlik' (mercy orphanages) homes, or staying with the consent of the guardianship authority to a guardian or trustee;**
- **The implementation of effective public control mechanisms aimed at preventing abuse and ensuring the rule of law in children's homes, 'Muruvvat' (kindness orphanages) boarding schools for children with disabilities, children's tuberculosis sanatoriums, 'Mehribonlik' (mercy orphanages) homes, children's campuses, and pre-school educational institutions;**
- **The development of proposals for amendments and additions to the Law of the Republic of Uzbekistan 'On Guarantees of the Rights of the Child', addressing types of harassment and violence against children, as well as measures to prevent them, and additional guarantees for the protection of children who are participants in criminal proceedings during pre-trial and trial proceedings;**
- **The introduction of amendments and additions to the criminal code on toughening the norms of responsibility for recruiting a person under eighteen years old as a mercenary, as well as their training, financing, provision of materials, and use in armed conflict or hostilities;**
- **The development of the national action programme for the protection of the rights of children and the creation of favorable conditions for them, as well as a concept for the implementation of the juvenile justice system.**

Within the framework of the program of activities approved by the resolution of the Cabinet of Ministers of the Republic of Uzbekistan, dated 17 August 2019, events dedicated to the celebration of the 30th anniversary of the adoption of the UN Convention on the Rights of the Child were held.

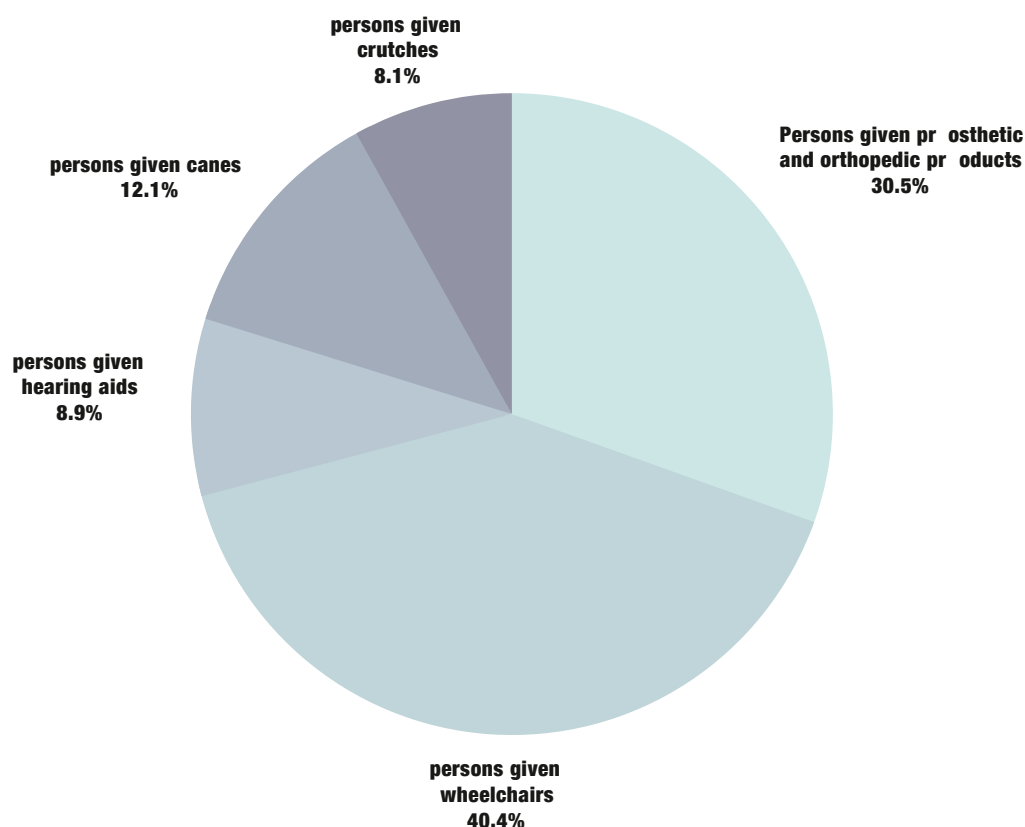
RIGHTS OF PERSONS WITH DISABILITIES

Currently the most important consideration is to take concrete measures in ensuring the protection of the equality of human rights in relation to persons with disabilities. In particular a system has been created for organizing medical and social assistance to persons with disabilities.

38,752

PERSONS IN NEED

*have been provided with
prosthetic-orthopedic
products and technical
rehabilitation equipment,*



SHARE OF MEDICAL AND SOCIAL ASSISTANCE TO PERSONS WITH DISABILITIES

with 11,805 persons given prosthetic and orthopedic products, 15,664 given wheelchairs, 3,457 given hearing aids, 4,706 given canes, and 3,120 given crutches.

However, measures taken for the early detection and prevention of congenital and hereditary diseases have not achieved expected results. Shortcomings in organizing and conducting continuous comprehensive screening for young children has led to the omission of a favorable time for rehabilitation and prevention of childhood disability. The bureaucratic procedures for activities of medical advisory commissions and medical labor expert commissions in identifying groups of persons with disabilities, and providing prosthetic, orthopedic and rehabilitation equipment have not been eliminated.

In practice, the norms of the law 'On the Social Security of Persons with Disabilities in the Republic of Uzbekistan' are not fully implemented, providing for the prevention of the designing and building settlements and the production of vehicles without facilities for the disabled. Adequate access for persons with disabilities to sports, and to cultural, educational and other social facilities that provide meaningful leisure for them, is not properly provided. The current education system for persons with disabilities does not meet modern requirements, with their level of involvement in the workforce being extremely low.

In order to realize the rights, freedoms and legitimate interests of persons with disabilities, it is necessary:

- **To prevent discrimination on the basis of disability, thereby ensuring equal conditions for realizing the rights, freedoms and legitimate interests of persons with disabilities, and the inevitable responsibility for their violation;**
- **To introduce transparent, modern methods and criteria for medical labor expertise and the determination of disability, increasing the level and quality of medical and social assistance to persons with disabilities;**
- **To create necessary conditions for strengthening the relationship of persons with disabilities with family, society and the state of their stay in a supportive environment, easy access to urban passenger transport, objects of social and other forms of infrastructure, and equipping public transportation by special means including ramps, separate space, sound stops and route electronic scoreboards;**
- **To improve the system of inclusive education and employment of persons with disabilities, ensuring their involvement and active participation in the socio-economic life of society;**
- **To introduce on the official websites of state bodies and organizations, additional opportunities for persons with disabilities as related to the available information on the information posted on them, and the use of services.**

II. NATIONAL COMPLIANCE MECHANISMS AND PROTECTION OF HUMAN RIGHTS

“Nowadays, we are at the new stage of national development, guided by the main principle: ‘People should not serve the state bodies, but the state bodies should serve the people’.”

*President Republic of
Uzbekistan
Sh. M. Mirziyoyev*



In accordance with the recommendations of international bodies, over the past two years concrete measures have been taken to improve the legal status and strengthen the personnel, material and financial support for the activities of national human rights institutions, in particular:

- The National Centre of the Republic of Uzbekistan for Human Rights;
- The Commissioner of the Oliy Majlis of the Republic of Uzbekistan for Human Rights (Ombudsman);
- The Commissioner under the President of the Republic of Uzbekistan to Protect the Rights and Legitimate Interests of Entrepreneurs.

On International Human Rights Day and the 70th anniversary of the adoption of the Universal Declaration of Human Rights, the President of Uzbekistan adopted a resolution on improving the activities of the National Centre for Human Rights. This was in response to an appeal by the UN High Commissioner for Human Rights to strengthen national reporting and follow-up mechanisms.

The National Center for Human Rights is entitled to monitor penitentiary institutions, as well to train government officials and representatives of civil society institutions on human rights issues. A procedure has been introduced in accordance with draft laws regarding the observance and restriction of citizens' rights and freedoms, subject to mandatory coordination with the center.

The center has prepared the following in order to accomplish its international commitments:

- The draft law on 'Ratification of the UN Convention on the Rights of Persons with Disabilities'
- The draft law on 'The Rights of Persons with Disabilities';
- The draft law on 'The Establishment of the Institution of the Ombudsman for the Rights of Children and Youth under the President of the Republic of Uzbekistan';
- The draft law on 'Free Legal Aid' (legal clinics);
- The Presidential Decree on 'The Program of Events Dedicated to the 70th Anniversary of the Universal Declaration of Human Rights';
- The Presidential Resolution on 'The Improvement of the Activities of the National Center of the Republic of Uzbekistan for Human Rights';
- The Presidential Decree on 'The Additional Measures to Further Strengthen the Guarantees of the Rights of the Child'.



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in Uzbekistan/2018

Legislative measures have been taken to strengthen the legal status of the Parliamentary Ombudsman, staff numbers have doubled, and a new organizational structure for the Secretariat has been approved. The mechanisms for protecting the rights of convicts and persons in custody are enshrined in law, through strengthening the role of the Ombudsman and non-state non-profit organizations in preventing torture and other cruel, inhuman or degrading treatment or punishment.

The structure of the Parliamentary Ombudsman has established the position of the Commissioner for Children's Rights.

The powers and staffing of the Commissioner under the President of the Republic of Uzbekistan to protect the rights and legitimate interests of business entities has been expanded. In particular, the Commissioner fulfills the functions of coordinating and controlling the inspections of businesses.

A rule was introduced in the Code of the Republic of Uzbekistan on administrative responsibility providing for liability for obstructing the activities of the parliamentary Ombudsman and the Business Ombudsman.

III. ENHANCEMENT OF THE ROLE OF CIVIL SOCIETY INSTITUTIONS IN PROMOTING HUMAN RIGHTS

“Constant dialogue with the people, as a solution to the urgent issues of people, and a means of meeting their needs and requirements, has become the main criteria of our activity.”

*President Republic of Uzbekistan
Sh. M. Mirziyoyev*



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in Uzbekistan/2018

MORE THAN
9,200
NON-GOVERNMENTAL ORGANIZATIONS

function at the present day and play an important role in protecting the rights and legitimate interests of individuals and legal entities, of protecting democratic values, and of achieving social, cultural and educational goals.

Over the past period, comprehensive and consistent work has been undertaken in the country in developing and strengthening independent civil institutions, providing guarantees for their free activities and close cooperation of state bodies with citizens, ensuring the implementation of open, transparent and public operations, and establishing effective public control over the activity of state bodies.

In particular, there were organized the activities of the Virtual Reception and the People's Reception of the President of the Republic of Uzbekistan, the Reception of the Prime Minister to review the appeals of entrepreneurs.

The Advisory Council for the Development of Civil Society under the President of the Republic of Uzbekistan has been established, in order to fundamentally enhance the role and importance of civil society institutions in the comprehensive and advanced development of Uzbekistan, and to strengthen their interaction with state authorities and administration. The badge 'For Contribution to the Development of Civil Society' was established, with 'Houses of NGOs' being created locally .

The Law on 'Public Control' was adopted, regulating relations within the field of organizing and implementing public control over the activities of state bodies and institutions.

It is envisaged that all drafts of regulatory legal acts affecting the rights and legal interests of non-governmental non-profit organizations are necessarily coordinated with the National Association of NGOs of Uzbekistan. Measures have been taken to create a public council at each state body, including law enforcement agencies, the Council of Ministers of the Republic of Karakalpakstan, regional khokimiyats (municipal governmental body), and the City of Tashkent.

In accordance with the Decree of the President of the Republic of Uzbekistan dated October 4, 2019 “On additional measures to increase the effectiveness of public control over ongoing reforms in the socio-economic sphere, as well as the activity of citizens in the implementation of democratic transformations in the country,” measures have been identified for introducing widespread international practice effective forms of public control, detailed regulation of mechanisms for implementing forms of public control, their effective application in practice, issues in state agencies and organizations of the Public Council, its role and effective participation in the improvement of the state of affairs in their respective industries.

By the decree of the President of the Republic of Uzbekistan dated October 30, 2019, the Center for the Development of Civil Society was transformed. The Center annually submits a report on the status and development trends of civil society in Uzbekistan for consideration by the Presidential Advisory Council on the Development of Civil Society, which, in turn, informs the head of state.

Also, a draft Code on non-governmental non-profit organizations is being developed. At the same time, the monitoring of legislation in this area indicates the presence of a number of systemic problems and shortcomings that impede the active participation of civil society institutions in exercising public control, enhancing the political culture and legal consciousness of citizens. Particularly:

- **No systematic analysis of the needs of NGOs is carried out, while effective platforms for exchanging opinions on the most important issues of further state and social development have not been created;**
- **Despite the creation of an adequate legislative framework, social partnership has failed to become an effective means of interaction between government agencies and NGOs which intend to address a wide range of citizen's social problems, and the real progress of their initiatives and modern ideas, especially those focused on youth;**
- **The norms of legislation governing the registration procedures for NGOs and the procedures for their activities, providing for excessive bureaucratic requirements and obstacles, are outdated and do not meet modern requirements.**

The reference standards should be audited in current legislation governing the activities of non-governmental non-profit organizations and other civil society institutions, including the identification and termination of 'empty' exiles.

It seems expedient to develop and adopt the concept of the development of legislation on NGOs for the period of 2020 to 2025, in which to determine the basis of state legal policy regarding NGOs and the priority areas of lawmaking for NGOs, and to develop criteria and stages for the transfer of certain functions of the state system of state and public monitoring and control over the implementation of laws on NGOs.

In order to eliminate various obstacles within the process of registering NGOs, it is recommended to transfer the functioning of the registration of the NGOs to Agency of Public Services, and carry out the registration of the NGOs in accordance with the order of registration of business entities.

IV. HUMAN RIGHTS EDUCATION

“We have to form in our society a legal culture in which compliance with the Constitution and laws, and respect for rights and freedoms, honor and dignity, is not an obligation but rather an integral part of everyday life.”

*President Republic of Uzbekistan
Sh. M. Mirziyoyev*



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in Uzbekistan/2018

The priority directions of state policy for the development of a human rights culture are expressed in specific forms of state activities. These including the activities of the education system at all levels and types (including at universities, schools, colleges and high schools, along with the mass media and training systems), and at national human rights institutions.

The UN Declaration on Human Rights Education and Training, and the World Program for Human Rights Education, provide for the cooperation of all interested parties at local, national, regional and international levels, in promoting and spreading human rights education.

Forming a human rights culture in society is one of the important conditions for ensuring observance and protection of the rights of citizens, and strengthening rule of law. In recent years, significant work has been carried out in the country to fundamentally reform the national legal system, form a legal culture in society, and train qualified legal personnel.

The National Center for Human Rights, together with the committee of the Legislative Chamber of the Oliy Majlis (Parliament), has conducted a study on teaching human rights at educational institutions and departmental training centers for the retraining and advanced training of personnel. The results of the study showed the presence of serious

problems in the organization of the educational process on human rights, the lack of students, and the missing necessary knowledge and skills on these issues.

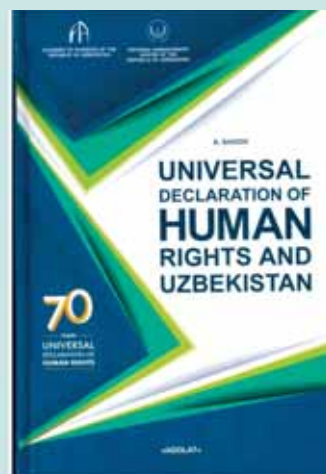
Despite the significant work being done in the country in regards to forming a human rights culture, there are still a number of unresolved issues or issues that receive insufficient attention. In their midst:

- The lack of systematic work to improve legal culture within the field of legal education and training (one-sided development with an emphasis on law and some other public bodies, which excludes the role of the family, mahallas (local self-administrative bodies) and other civil society institutions);
- The exclusion from school curriculums of such subjects as 'The Alphabet of the Constitution', "Constitution lessons" or 'Journey into the World of the Constitution';
- The exclusion from the curriculum of higher educational institutions of the education programme on 'Human Rights';
- The lack of a unified approach to work to improve the legal immunity of youth, and to foster respect for laws and the need for compliance with them.

More than 20 UN Member States have developed and adopted national action plans or strategies for human rights education, indicating that states are strengthening their attention to human rights education.

A parliamentary decree approved the National Program of Action for implementing the provisions of the United Nations Declaration on Human Rights Education and Training, the measures set by the Roadmap of the program are being implemented.

In accordance with the Decree of the Cabinet of Ministers of August 12, 2019, Training courses for personnel in the field of observance and protection of human rights were organized at the National Center for Human Rights of the Republic of Uzbekistan. The purpose of these courses is to organize training for representatives of state bodies and civil society institutions on the basics of preparing national human rights reports of the Republic of Uzbekistan to the UN charter and treaty bodies, preparing alternative reports, and responding to requests from international and regional human rights institutions.



V. INTERNATIONAL COOPERATION ON HUMAN RIGHTS

“The Asian Forum introduced into international practice on human rights such a concept as the ‘Samarkand Spirit’.”

*President Republic of Uzbekistan
Sh. M. Mirziyoyev*



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Uzbekistan has entered a new level in its development as a subject of international law, and has initiated international agreements as an active participant in international rule making.

During the 73rd session of the UN General Assembly, at the initiative of Uzbekistan an important document was adopted - the Resolution 'Enlightenment and Religious Tolerance'. This was a practical implementation of an initiative by the President of the Republic of Uzbekistan Sh. Mirziyoyev. The resolution stressed the importance of promoting education, peace, human rights, tolerance and friendship, as well as recognizing the importance of integration, mutual respect, human rights, tolerance and mutual understanding, in order to strengthen security and peace in the world.

As part of the anniversary celebration in November 2018 the Asian Forum on Human Rights was held in Samarkand, the first event of its kind organized on the Asian continent during the 70 years of the UN's existence.

During the forum the Samarkand Declaration on Human Rights was adopted, which was approved as a document at the 73rd session of the UN General Assembly. The Parliament of Uzbekistan approved the 'Roadmap' for the implementation of the 'Samarkand Spirit' of human rights, where it was emphasized once

again that there are no civilizations and states where the ideas of freedom, equality, and protection of human rights are not of primary importance.

During the 72nd session of the General Assembly, Uzbekistan initiated the development of the UN International Convention on the Rights of Youth, a draft of which was sent for discussion to all interested parties.

In 2018, Uzbekistan became a full member of the International Organization for Migration.

There is close cooperation between the charter and treaty bodies of the United Nations, as well as with the Office of the High Commissioner for Human Rights.

Uzbekistan has announced its candidacy for election to the Human Rights Council for the period 2021-2023. Currently, political and diplomatic measures are being taken to promote the candidacy for this Council.

In September 2019, the UN Special Rapporteur on Independence of Judges and Lawyers Mr . Diego Gar cía-Sayán visited Uzbekistan. The UN Special Rapporteur was received by the President of the Republic of Uzbekistan Sh. M. Mirziyoyev , visited 3 regions of the country , held more than 40 meetings with the heads of the chamber of the Oliy Majlis, the judiciary, ministries and departments. The special Rapporteur also met with judges, lawyers and representatives of civil society institutions. A briefing was held for media representatives, which presented the preliminary results of the visit to Uzbekistan. The official report will be presented by Mr . Diego Gar cía-Sayán to the UN human rights Council in June 2020.



From 2018 to 2019 Uzbekistan prepared and submitted five national reports on human rights and freedoms:

- **The third National Report of Uzbekistan under the Universal Periodic Review;**
- **The fifth National Report of Uzbekistan on the implementation of the Convention on the Rights of the Child;**
- **The fifth National Report of Uzbekistan on the implementation of the Covenant on Civil and Political Rights;**
- **The combined tenth to twelfth National Report of Uzbekistan on the implementation of the Convention on the Elimination of All Forms of Racial Discrimination;**
- **The third National Report on the Implementation of the Covenant on Economic, Social and Cultural Rights.**

Following the recommendations of the Human Rights Council under the UPR, a draft National Action Plan ('Roadmap') was prepared which will be approved by parliament in accordance with recommendations of the Inter-Parliamentary Union.

In 2019, the UN Treaty Committees considered the fifth report on the implementation of the provisions of the Convention Against Torture and the ninth-twelfth reports on the implementation of the provisions of the Convention on the Elimination of All Forms of Racial Discrimination.

Within the framework of the International Covenant on Civil and Political Rights, the Human Rights Committee registered 125 complaints in respect to Uzbekistan. Out of these:

- **Four were declared unacceptable, being unfounded complaints, or incomplete internal mechanisms for the protection of rights;**
- **Consideration was terminated for 46, at the request of the applicant, or due to the lack of a timely response from their side;**
- **30 complaints are pending;**
- **Decisions were made in favor of the applicant for 42 complaints, and were made in favor of the state for 3 complaints.**

Currently, an unprecedented deepening of regional cooperation within Central Asia is being carried out in all areas. That is why in November 2018 the first meeting of the national human rights institutions of the countries of Central Asia was held in Tashkent, in order to strengthen cooperation regarding human rights.

Uzbekistan's cooperation with the Independent Permanent Human Rights Commission (IPHRC) of the Organization of Islamic Cooperation (OIC) has intensified. In particular, Uzbekistan actively participated in the preparation of the OIC Declaration on Human Rights, proposing to include provisions on education in the field of human rights and youth rights in the declaration text.

On October 7-8, 2019, Tashkent hosted the 6th annual seminar of the IPHRC on the 'Importance of promoting and protecting the rights of youth for building peaceful democratic societies and sustainable development'. As a result of the seminar, the Tashkent Declaration on the Rights of Youth in the States Parties to the Organization of Islamic Cooperation was adopted.



GENEVA
JULY 11, 1947

**International Labour Organization Convention
No. 81 on labour inspection in industry and
trade'**

BRUSSELS
OCTOBER 19, 1953

**International Organization for Migration
Constitution**

GENEVA
JUNE 25, 1969

**International Labour Organization Convention
No. 129 on labour inspection in agriculture'**

GENEVA
OCTOBER 29, 1971

**'Convention for the Protection of Producers
of Phonograms Against Unauthorized
Duplication of Their Phonograms**

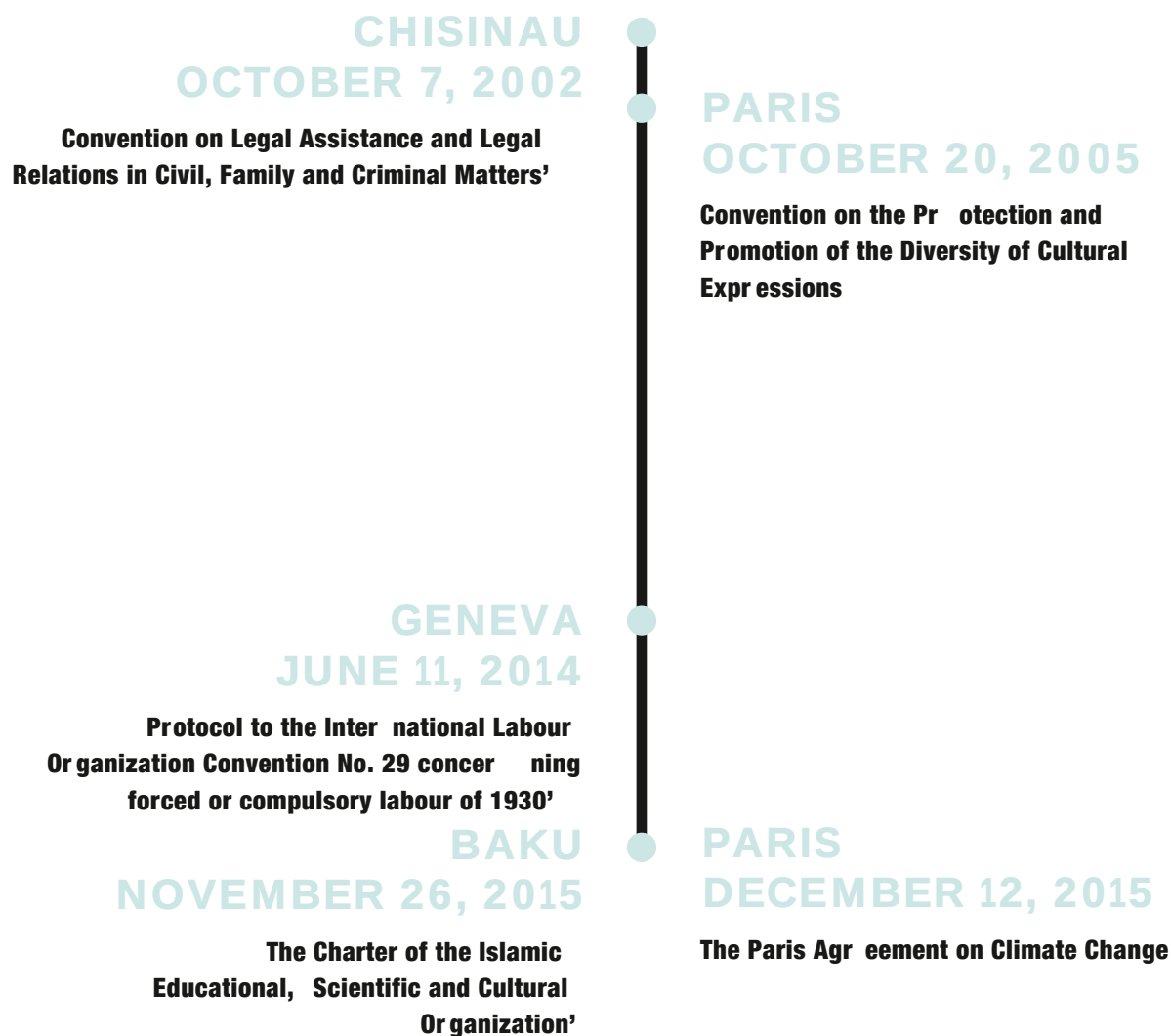
GENEVA
JUNE 21, 1976

**International Labor Organization Convention
No. 144 "Tripartite Consultations to Promote
the Implementation of International Labour
Standards"**

GENEVA
DECEMBER 20, 1996

**World Intellectual Property Organization
Copyright Treaty;
World Intellectual Property Organization
Performances and Phonograms Treaty**

Over the past period, the above international legal instruments on human rights have been ratified.



Over the past period, the above international legal instruments on human rights have been ratified.

Over the past period, cooperation between Uzbekistan and international non-governmental human rights organizations has intensified. Delegations from 'Human Rights Watch', 'Amnesty International', 'Cotton Campaign', the Norwegian Helsinki Committee, the International Commission of Jurists, the International Partnership for Human Rights, and others, have visited Uzbekistan.



VI. CONCLUSIONS AND RECOMMENDA- TIONS

In recent years Uzbekistan has undertaken considerable measures to ensure national compliance with international human rights commitments, and has created legislative, educational and institutional frameworks for observing and protecting citizens' rights and freedoms. Furthermore it has established a system for monitoring compliance with human constitutional rights and freedoms, and has implemented gradual steps to develop cooperation with international and regional mechanisms for the protection of human rights, as well as international non-governmental human rights organizations.



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Simultaneously, research into the actual state of affairs indicates the presence of systemic problems regarding the implementation of international human rights treaties that negatively impact the effective implementation of international standards, ensuring the reliable protection of the rights and freedoms of citizens, and impeding the efficient implementation of democratic reforms and the sustainable development of a national model for protecting human rights. In particular there is:

- A lack of coordination and collaboration between public authorities in regards to the realization of international obligations on human rights, and of awareness of the inconsistency between the institutional framework and the principles of the activities of state bodies with current requirements, results in a lack of the qualitative fulfillment of these obligations;
- The Parliament, state bodies, civil society institutions are not carried out the systematic and inter-connected work in the field of human rights. It is necessary to improve legislation and law enforcement practice in the field of ensuring effective parliamentary and public control over the activities of state bodies, the quality of the tasks and international obligations of Uzbekistan in the field of human rights, freedoms and legitimate interests;
- There are gaps in the regulation of constitutional and legal mechanisms and procedures for ensuring the human rights protection, the implementation of international human rights standards in legislation and law enforcement;
- Inadequate knowledge and skills leads to the perfunctory implementation of the recommendations put forward by international and regional human rights mechanisms;
- A statistical reporting system for state bodies that does not meet international requirements for collecting data, in regards to qualitative and quantitative indicators, has a negative impact on the assessment of Uzbekistan's national reports by international and regional human rights protection mechanisms;
- The system of the participation of NGOs and other civil society institutions in the mechanisms for preparing national reports and follow-up actions, including the preparation of 'alternative' reports, has not been developed enough;
- The system for training and raising the level of skills of state bodies on issues regarding the international obligations of the Republic of Uzbekistan on human rights has not been established, while the subject of 'Human Rights' has been excluded from the educational programme;
- An exact mechanism for executing the decisions of treaty committees on individual communications has not been developed, while court practices for the application of the norms of international human rights treaties have not been established;

- **Issues regarding the legal status of foreigners have not been settled at the legislative level, and there is no mechanism for the judicial order of expelling foreign citizens for violating the law, as well as after the execution or serving of punishments imposed by the court for crimes committed in the Republic of Uzbekistan.**

In order to effectively fulfill the commitments arising from international treaties of the Republic of Uzbekistan on human rights, as well as international and regional organizations recommendations, the following points have been proposed:

- **In order to determine the main tasks and directions for the implementation of the consistently pursued state policy of Uzbekistan to ensure human rights and freedoms, it is necessary to adopt the National Human Rights Strategy of the Republic of Uzbekistan;**
- **The International treaties to which the Republic of Uzbekistan has acceded should be accessible to a public and authorities, and this dictates the need for their wider publication. In the Action Plans for the implementation of laws adopted by the chambers of the Oliy Majlis, the order of publication should be regulated, including in the state language, and the entry into force of international acts, the powers of central and local, methods of implementation and bringing into compliance with them of domestic acts, conflict of procedure;**
- **To strengthen the responsibility of local authorities to implement international obligations, it is proposed that the law 'The Power of the Local Government' should be supplemented with a provision on the powers of local authorities regarding the protection of human rights and freedoms;**
- **In order to strengthen the role and place of the Constitutional Court of the Republic of Uzbekistan in ensuring the application of international standards of human rights and freedoms, the range of entities with the right to submit issues for consideration by the Constitutional Court should be expanded. These organizations should include the High Judicial Council, the National Center for Human Rights, the Commissioner for the Protection of Rights and the legitimate interests of business entities, as well as individuals and legal entities, including by introducing a procedure for making collective electronic circulation using the mechanism of the 'My Opinion' portal;**
- **Taking into consideration the importance of the problem of migration affecting the interests of society, the state and the citizen, and in order to ensure the stability and predictability of relations developed in the migration sphere, the adoption of the law 'Labor Migration' should be accelerated;**



- In order to strengthen the guarantees of property rights, it is necessary to fix the order and terms of demolition at the legislative level, clearly defining the concepts of state and public needs when making decisions on the seizure of land, and strengthening the responsibility of khokimiyats (municipal governmental bodies) for violations of the law by officials and developer
- In order to improve the system for combating human trafficking there is need to make changes and additions in the Law “On combating human trafficking” and other acts, providing a mechanism for identification of victim of trafficking in accordance with international standards, the provision of free legal aid and psycho-social support to victims of trafficking
- In accordance with the recommendations of the UN Human Rights Committee, during the trial, the defendants, as a general rule, should not be handcuffed or kept in cage

- or otherwise presented to the court in a guise indicating that they could be dangerous criminals. In this regard, it is proposed to revise the procedure for using metal cells in the courtroom;
- One of the most relevant and sought-after areas of social policy within the field of childhood is the formation and development of a juvenile justice system. In this regard, it is relevant to improve the juvenile justice system, which will more effectively implement in practice the principles of consideration of the best interests of the child, ensuring confidentiality when dealing with juvenile cases, and also taking measures to ensure the social reintegration of convicted juveniles;
- In order to ensure the full participation of persons with disabilities in the public, political, economic, social and cultural life of society, to respect and protect their rights, freedoms and interests, ratification of the UN Convention on

the Rights of Persons with Disabilities and the adoption of the Law “On the Rights of Persons with Disabilities”;

- **With aim of implementation international obligations on prohibition of torture, improve institutional mechanisms for the prevention of torture, it is advisable to consider acceding to the Optional Protocol to the UN Convention against Torture, as well as adopting a law on the National Preventive Mechanism for the Prevention of Torture, incorporating the President of the Republic of Uzbekistan to protect the rights and legitimate interests of business entities, the National Centre for Human Rights, Advisory Council for the development of civil society under the President of the Republic of Uzbekistan;**
- **To resolve issues of implementation of the recommendations of the UN treaty committees for the consideration of individual communications, it is advisable to adopt a legal act on the procedure for the implementation by the Republic of Uzbekistan of decisions of international human rights bodies;**
- **To ensure an effective mechanism to eliminate possible conflicts when the courts implement the principle of primacy of international legal norms over national ones, it appropriates to develop and adopt a special resolution of the Plenum of the Supreme Court of the Republic of Uzbekistan on the application of international law in judicial practice;**



- **To regulate the legal status of foreign citizens in accordance with the Constitution and the international commitments of the Republic of Uzbekistan, consideration should be given to the adoption of a law on the legal status of foreigners.**
- **Systematic organization of the teaching of the special training course “Human Rights” in all educational institutions and the expansion of fundamental and innovative research in the field of human rights, integration into international research in this field, widespread implementation of research results in practical activities.**
- **In order to increase the awareness of the population and representatives of representative and executive state authorities by international treaties ratified by the Republic of Uzbekistan and obliging the implementation of national legislation and law enforcement practice, to ensure the effective implementation of human rights education and training courses.**