



# Economic and Social Council

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## Committee on Economic, Social and Cultural Rights Seventy-first session

### Summary record of the 17th meeting

Held at the Palais Wilson, Geneva, on Thursday, 24 February 2022, at 11 a.m.

*Chair:* Mr. Abdel-Moneim

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### Consideration of reports (*continued*)

- (a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant (*continued*)

*Third periodic report of Uzbekistan (continued)*

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*The meeting was called to order at 11 a.m.*

**Consideration of reports** *(continued)*

**(a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant** *(continued)*

*Third periodic report of Uzbekistan (continued) (E/C.12/UZB/3; E/C.12/UZB/QPR/3; E/C.12/UZB/RQ/3)*

1. *At the invitation of the Chair, the delegation of Uzbekistan joined the meeting.*
2. **The Chair** invited the delegation to continue replying to the questions raised by Committee members at the previous meeting with the State party.
3. **Mr. Mancisidor de la Fuente** said that he would like to know what impact the restrictive measures taken in the context of the coronavirus disease (COVID-19) pandemic had had on the education system and, more specifically, on school-age children, and what steps the State party had taken to counter the potential negative effects, for example, in relation to access to the Internet. Had the State party assessed the disproportionate impact of the restrictive measures on vulnerable groups, such as the Roma population? Did it have data disaggregated by gender regarding the school dropout rate as a result of COVID-19 measures?
4. The first-hand experience shared by the head of delegation at a previous meeting suggested that stereotypes and prejudices regarding homosexuality were deeply ingrained in wide swathes of the population. It would therefore seem advisable to extend human rights training further and to include information on sexual orientation and gender identity diversity, as well as tolerance of and respect for diversity, in all such training. He would be interested to hear whether the State party intended to take any steps in that direction. He would also like to know what measures the State party was planning to take to improve girls' access to and enrolment in preschool and university, as well as to ensure that teaching materials and the curriculum itself promoted gender equality and presented models free of stereotypes and discrimination.
5. It appeared that some implementing decrees for the State party's law on education for persons with disabilities could lead to segregation of such persons from the rest of society. It would be useful to know how the State party would ensure that the development of the regulatory framework and the practical application of the law would involve the participation of those concerned, including the families of students with special needs, and would ensure the broad integration of those students. He would like to know if there was a sufficient number of teachers with the training necessary to support that process. The integration of persons with disabilities required not only political will and human resources but also significant investment in infrastructure, including for accessible buildings and services. According to the information received by the Committee, the lower the level of schooling, the less likely such infrastructure was to exist. He would like to know how the State party planned to ensure the availability of the appropriate school infrastructure for persons with disabilities. It would be useful to learn whether the measures to improve the rank of Uzbekistan with regard to the Programme for International Student Assessment (PISA) rating of the Organisation for Economic Co-operation and Development would be accompanied by measures to improve equality, equity and universal access to education.
6. He would like to know whether the text of the recently adopted law on cultural activities and cultural organizations and any implementing regulations focused on human rights and, more specifically, on cultural rights. It would be useful to learn how the State party ensured that all television channels, newspapers and radio stations working in various languages in the State party not only were able to work freely but also did not disseminate information that reinforced gender stereotypes and prejudice against lesbian, gay, bisexual, transgender and intersex persons.
7. The Committee was interested to learn how the State party was incorporating the best standards of management of cultural heritage, as advocated by the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the International Council

on Monuments and Sites, in order to ensure the participation of and uphold the rights of the local population. According to information received by the Committee, the construction of hotel complexes for tourists sometimes led to forced evictions of the local population, in contravention of the Covenant, and in some cases even destroyed other forms of cultural heritage. He urged the State party to review its management of cultural heritage and to ensure that it was compatible with the Committee's general comments No. 4 (1991) on the right to adequate housing, No. 7 (1997) on forced evictions and No. 21 (2009) on the right of everyone to take part in cultural life.

8. **Mr. Turakhojaev** (Uzbekistan), speaking via video link, said that the Government had adopted wide-ranging measures to address the social problems affecting the more than 50,000 Roma/Lyuli living in Uzbekistan. As a result, work had been found for 2,532 Roma/Lyuli, including 1,193 permanent positions; more than 700 children had been enrolled in school; and some 35,000 persons had been issued identity documents. The Government had identified 3,068 persons who still did not have identity documents and was taking steps to address the issue.

9. Violence against women and children was prohibited under the Administrative Liability Code. The Ministry of Internal Affairs had organized a countrywide service with a staff of 2,000 to provide psychological assistance to minors affected by violence and had 300 inspectors to investigate such violence. A law on the protection of women against violence had been adopted, according to which the relevant ministries must work together with local self-governing bodies and non-governmental organizations to prevent and address the underlying causes of violence against and harassment of women and girls. A total of 19,842 cases of domestic violence had been reported in 2021; some had been prosecuted in criminal courts. Investigations had been conducted into 11 criminal cases of violence against close relatives, including 5 against daughters, 4 against wives and 2 against sisters. Support had been provided to the victims. A series of initiatives had been taken to address violence against women, including the establishment of centres that provided medical, psychological and legal support to victims. A vast awareness-raising campaign had been conducted to ensure the effective operation of those initiatives throughout the country. In order to prevent violence against women and protect their rights, the Administrative Liability Code had been amended to provide for protection orders to be issued to victims of such violence. The Ministry of Internal Affairs had drawn up and submitted to the Cabinet of Ministers a bill that envisaged increased fines for violations of the relevant article.

10. **Mr. Saidov** (Uzbekistan), speaking via video link, said that, under article 217 of the Criminal Code, the rape of a close relative was an aggravating circumstance and was severely punished with custodial sentences of up to 15 years. Marital rape was therefore covered in domestic legislation.

11. **Mr. Adilov** (Uzbekistan), speaking via video link, said that a series of laws addressed the right to housing in Uzbekistan. Subsidized housing was provided to a large part of the population with low income. Public funds had been used to build more than 60,000 social housing units in the previous two years; the construction of 80,000 additional units was planned. Schools and polyclinics were also being built.

12. **Mr. Saidov** (Uzbekistan) said that, in the previous five years, Uzbekistan had launched large-scale housing construction programmes; as a result, in 2021 some 27,000 families had been allocated social housing. The number of homeless people in centres operated by the Ministry of Internal Affairs had fallen sharply in the previous few years, from more than 9,500 in 2019 to just over 7,700 in 2021, thanks to rehabilitation and social support measures specifically targeting them. In 2021, 616 had received jobs – a significant increase as compared to previous years.

13. Uzbekistan had recently adopted a presidential decision that set out ways to ensure equality and transparency in land relations and effective protection of the right to land ownership. A national council on land relations, under the authority of the Procurator General, had been set up to coordinate activities related to the resolution of land disputes. A decision on procedures for the withdrawal of land plots and compensation for property owners had been adopted by the Government, according to which everyone had the right to bring a land claim before the courts and to seek compensation. A bill on the procedures for

the withdrawal of land plots for public needs in exchange for compensation was currently being drafted.

14. **Mr. Gadoev** (Uzbekistan), speaking via video link, said that when a land plot was withdrawn for public needs, compensation for the property owner was calculated by an independent company, which was obliged to take account of the market value. The Legislative Chamber or lower house of the Oliy Majlis, the parliament of Uzbekistan, had recently passed a law establishing that land withdrawal must occur only on the grounds of purely public need; the Senate or upper house was expected to adopt the law shortly. In 2021, four cases of land seizure by the local authorities had gone to court; two had been recognized as illegal and had been declared null and void. The new law would continue to ensure that property owners' rights were upheld.

15. **Ms. Basitkhanova** (Uzbekistan), speaking via video link, said that a new policy framework on development of the health-care system between 2022 and 2026 had been adopted with the aim of improving quality in primary, emergency and specialist care. In 2021, 65 doctors had taken up positions in remote areas, under a new programme offering newly recruited rural doctors a one-off cash payment and free accommodation or a rental allowance for a three-year period.

16. Compulsory medical insurance was being gradually introduced based on World Health Organization (WHO) recommendations. Starting in a single pilot region, a State health insurance fund acting as the single strategic purchaser of health services had been established and a package of State-guaranteed health-care services had been approved. The system would be rolled out nationwide in 2025.

17. In 2017, with technical support from the United Nations Children's Fund (UNICEF), a national nutrition survey had been launched to obtain up-to-date data on micronutrient deficiencies and the outcomes of national food enrichment programmes. Based on the results, a State programme to improve the micronutrient status of the population was being implemented, with annual funding of more than 120 billion sum; measures included the provision of multivitamins to children and pregnant women, deworming treatment for children and micronutrient supplements for infants. From 2022, primary school children would be entitled to free breakfasts or lunches in two regions of the country.

18. Under the Health Care Act, all citizens had the right to receive health care without discrimination, regardless of any illness they might have. Health-care personnel who violated that provision were prosecuted. The Act also provided that foreign citizens and stateless persons had the right to health care under procedures determined by the Ministry of Health.

19. Millions of dollars were allocated from the State budget and the Global Fund to Fight AIDS, Tuberculosis and Malaria to purchase antiretroviral medicines and HIV testing systems. The national AIDS prevention centres complied with the legal requirement to ensure patient confidentiality, including with respect to information about sexual orientation, gender identity and HIV status. However, the competent authorities could require the centres to provide information and documents under the procedures established by law. All citizens, regardless of their HIV status, social status or age, had equal rights of access to prevention, treatment, care and support services.

20. The country had 20 outpatient psychiatric clinics and 25 inpatient clinics with more than 8,000 psychiatric beds. In line with the Psychiatric Care Act, strict confidentiality was observed for all registered outpatients with mental illnesses, of whom there were over 200,000. In 2021, the youth suicide rate had been 6.1 per 100,000 population, with girls accounting for 60 per cent of cases. Although the rates were low compared to many other countries, Uzbekistan would continue to make every effort to combat youth suicide.

21. In the previous five years, significant reductions had been achieved in maternal, neonatal and under-5 mortality. The adolescent birth rate had decreased from 21 per 1,000 women aged 15–19 years in 2016 to 9.4 per 1,000 in 2021.

22. A comprehensive programme to prevent drug abuse and illicit trafficking was being carried out, using a balanced approach of prevention, treatment and law enforcement measures. Opioid substitution therapy was not used because prohibited narcotics, including methadone, could not legally be used for medical purposes. The Ministry of Health was not

currently considering ending compulsory treatment of drug-dependent persons. However, plans to increase the number of beds for treatment of drug dependence were being developed. Mass awareness-raising campaigns were organized on topics such as the International Day against Drug Abuse and Illicit Trafficking. Drug dependence specialists from the Ministry of Health regularly engaged in preventive work in educational institutions and local communities and disseminated information through television appearances and articles in the press and social media.

23. **Mr. Burkhanov** (Uzbekistan), speaking via video link, said that the “corruption-free sector” project had been implemented since 2019 in the sectors most prone to corruption, including health care. Anti-corruption measures were in place in central and local health-care entities. Studies had been carried out to monitor processes for the provision of free and paid-for medical services and measures to eliminate related corruption risks; the current availability of medical equipment and essential medicines in health-care facilities and measures to eliminate related corruption risks; anti-corruption measures in the recruitment of health-care workers; and the implementation of anti-corruption compliance control in the health-care system.

24. The studies had helped to identify issues and had led to improvements. For example, digitization of medical services had reduced the human factor and facilitated the establishment of a corruption prevention system. State procurement was carefully monitored through a special electronic portal. Awareness-raising materials had been produced and distributed to thousands of health-care facilities. A call centre to enable the timely processing of complaints of corruption in the health system, established in 2021, had received more than 1,500 complaints.

25. In 2021, checks carried out in more than 395 health-care establishments had resulted in the identification of financial errors amounting to \$5.5 million. More than \$1 million of that amount resulted from the unauthorized use of resources, of which more than \$800,000 had been recovered by the State. Corruption prevention in health care was a priority and the measures in place were periodically reviewed and improved.

26. **Mr. Saidov** (Uzbekistan) said that a comprehensive anti-corruption system had been put in place. All the key international anti-corruption conventions had been ratified, the necessary laws, presidential decrees and government orders had been ratified and the institutions such as the Anti-Corruption Agency and the National Anti-Corruption Council had been established. The Council was led by the President of the Senate and addressed corruption in both central and local authorities. Uzbekistan consistently fulfilled its international reporting obligations in relation to anti-corruption measures.

27. **Mr. Sharifkhojaev** (Uzbekistan), speaking via video link, said that the new Education Act adopted in 2020 provided for equal rights to receive education regardless of sex, race, ethnicity, language, religion, social origin, beliefs or personal or social status. The provision applied to Roma/Lyuli children, of whom more than 14,000 were currently in education. Roma/Lyuli children had the same opportunities as other citizens. School-leavers who had been cared for in children’s homes had access to reserved places in higher education institutions and were provided with housing.

28. The first cases of COVID-19 in Uzbekistan had been identified during the spring holidays of 2020. Classes had then resumed remotely using several different teaching formats. Three national television channels had been given over to the broadcasting of school programmes, all with sign language interpretation and audio description. It was somewhat premature to assess the impact of the pandemic on education, although the results of a study performed by the International Association for the Evaluation of Educational Achievement and the final grades achieved by school-leavers in the relevant years were encouraging. A more accurate assessment would be available once Uzbekistan had begun to participate in the PISA programme. Although schools had been open throughout 2021, some 9,000 incidents had been recorded of parents preventing their children from attending school, which was an administrative offence.

29. With a view to entering the top 30 countries in the PISA rankings, Uzbekistan had embarked on an overhaul of the school curriculum, in cooperation with international organizations. The new curriculum, which would be fully implemented by 2025, would have

a much greater focus on practical skills and would incorporate content on gender equality, the environment, climate change, inclusivity, media literacy and financial literacy. New textbooks were being produced and gradually introduced.

30. The country currently had 86 special schools for children with different types of disabilities, catering for more than 22,000 children. However, a gradual transition to inclusive education was under way, based on a presidential order issued in 2020. The Government had approved a policy to significantly increase the number of mainstream schools offering inclusive education. Government policy provided that inclusion must be incorporated in all aspects of new school construction projects.

31. Although teaching in the vast majority of schools took place in Uzbek, education was also available in Russian, Karakalpak, Turkmen, Kazakh, Tajik and Kyrgyz. The State provided schools with textbooks in those languages, based on parent or student requests.

32. **Mr. Hakimov** (Uzbekistan), speaking via video link, said that all laws relating to education included clear provisions on the prohibition of discrimination based on sex and other grounds and the requirement to ensure equal opportunities. Currently, 47 per cent of higher education students and 27 per cent of vocational education students were women. The proportion of female employees in the higher education system was 41 per cent. The measures taken to improve women's participation in higher education included the introduction of special quotas for young women from low-income families. The number of places available under the scheme had doubled between the previous and current academic years.

33. As far as inclusive education was concerned, some 5,000 young people with disability were attending courses in 19 different fields of study. They were provided with audio and written material and material in Braille. Four specialized vocational colleges were currently catering to the needs of more than 3,000 students with disabilities. Between 2016 and 2019, 150 university and college buildings had been adapted to make them barrier-free. The Government had set a quota of places in universities and vocational training colleges for persons with disabilities and provided those students with grants. Human rights courses were organized in many universities in an effort to raise the awareness of students and teaching staff about gender equality issues and the value of inclusive education.

34. The whole higher education system had required very rapid adaption to meet the challenges of the COVID-19 pandemic. At the outset of the pandemic, a special platform for distance learning had been set up and financial resources had been allotted for ensuring that the necessary technology was available in all educational establishments. A draft law on distance learning in the field of higher and specialized secondary education had been drawn up and was currently being considered by the Cabinet of Ministers.

35. **Mr. Saidov** (Uzbekistan) said that 30 per cent of school-leavers currently went on to higher education, compared with 9 per cent in 2017. It was hoped that by 2030, 50 per cent would do so.

36. **Mr. Begimkulov** (Uzbekistan), speaking via video link, said that about 2 million children in the 3–6 age group were enrolled in preschool education. The aim was to increase enrolment to 80 per cent of children in that age group by 2026 and to 100 per cent of six-year-olds by 2025. There were more than 20,000 preschool establishments in the country. Alternative modes of preschool education supplied by public-private partnerships, family-based organizations and mobile teams had been created since 2018. A State programme for early childhood education had been formulated with the support of UNICEF. Children could be taught in five different languages. If necessary, in preparation for attending school, children with disabilities received rehabilitation treatment in specialized centres, the first of which had been established in Nukus in 2017. Uzbekistan would host the Global Forum on early childhood care and education in 2022.

37. **Mr. Saidov** (Uzbekistan) said that Uzbekistan had a rich cultural heritage and four of its towns were World Heritage Sites.

38. **Mr. Rasulov** (Uzbekistan), speaking via video link, said that on 15 February 2022 the President of Uzbekistan had signed a law to strengthen the protection of the country's cultural heritage. Under the amended provisions of the Criminal Code and the Administrative Code,

anyone who destroyed or caused significant damage to protected cultural sites could be fined or imprisoned. The Ministry of Tourism was responsible for writing a report on any offences of that nature which had been committed. A programme had been launched to determine cultural sites' level of protection. A national action plan had been approved on the conservation of all the sites in Uzbekistan that were on the World Heritage List and, in June 2021, an interdepartmental agency had been set up to give effect to the plan.

39. **Ms. Saran** (Country Rapporteur) said that the Committee wished to know whether the causes of the collapse of the Sardoba Reservoir dam had been investigated and whether the victims had received any form of assistance, such as social housing and compensation. It would also appreciate an assessment of the reasons why the suicide rate of girls was higher than that of boys. She asked whether the impact of the COVID-19 pandemic on mental health had been analysed. Lastly, the Committee would be grateful for clarification of whether legislation concerning the right to strike had actually been passed.

40. **Mr. Uprimny**, speaking via video link, said that opiate substitution therapy did not infringe the international drug control conventions. The Single Convention on Narcotic Drugs, 1961 permitted the use of methadone for medical purposes. WHO, the Joint United Nations Programme on HIV/AIDS and the United Nations Office on Drugs and Crime all recommended that therapy. He therefore encouraged the State party to use it to treat drug dependency.

41. He wondered whether the criminalization of drug abuse prevented drug-dependent persons from seeking access to harm reduction measures, such as needle exchanges, which might help to reduce HIV/AIDS prevalence. He wished to know whether any measures were planned to expand harm reduction programmes or decriminalize drug abuse.

42. **Ms. Basitkhanova** (Uzbekistan) said that the whole subject of the treatment and rehabilitation of drug-dependent persons would be discussed and international experience would be taken into account when the Public Health Code was drafted.

43. With regard to the higher suicide rate among girls, she wished to clarify that the figure referred to the percentage of the total youth suicide rate.

44. **Mr. Saidov** (Uzbekistan) said that a massive effort was under way to unify all the existing legal provisions concerning health in a single public health code.

45. **Ms. Saran** said that the Committee appreciated the constructive spirit shown by the delegation of Uzbekistan in the dialogue and its detailed replies to the Committee's questions. However, it urged the State party to sign and ratify the Optional Protocol to the Covenant, along with the other important human rights treaties that had been mentioned. The Committee wished to have disaggregated data on the subjects to which it had referred in its questions. It stressed that the independence of the judiciary, the promotion of equality and non-discrimination against persons with disabilities, women, and the lesbian, gay, bisexual and transgender community, and the decriminalization of same-sex relations were of the utmost importance. It also underscored the importance of access to justice in matters of economic, social and cultural rights, in order to fight corruption, protect individual rights against commercial interests and ensure that the business community was called to account for impinging upon those rights.

46. **Mr. Saidov** (Uzbekistan) said that his Government intended to ratify the human rights treaties to which the Committee had referred. Corruption would be tackled and steps would be taken to ensure the independence of the judiciary. The Committee's recommendations on strengthening the protection of human rights would be brought to the attention of parliament and civil society. A great effort would be made to disseminate information about the dialogue and recommendations. In his opinion, the main problem was that of overcoming the gender wage gap and gender stereotypes. Uzbekistan would therefore work hard at improving human rights education in order to advance children's and women's rights. The State party stood ready to do whatever was necessary to implement the Committee's recommendations.

47. **The Chair** said that he commended the development strategy that Uzbekistan was following. With reference to the Covenant, he wished to draw attention to the fact that article 2 made international cooperation an obligation for the fulfilment of economic, social and cultural rights. The State party was entitled to invoke article 17 (2) in order to identify

obstacles and impediments to the implementation of any obligations under the Covenant. Uzbekistan had an impressive cultural heritage. Its progress in the eighth century in the fields of science, astronomy and medicine had helped to fuel the Renaissance. Its thinking on human rights and economic, social and cultural rights was an example for Islamic countries.

*The meeting rose at 1 p.m.*