



Convention on the Rights of the Child

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Committee on the Rights of the Child

Consideration of reports submitted by States parties under article 44 of the Convention

Third and fourth periodic reports of States parties
due in 2010

Uzbekistan^{*, **}

[22 February 2010]

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** Annexes can be consulted in the files of the secretariat.

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Abbreviations

CIS	Commonwealth of Independent States
GDP	Gross Domestic Product
HIV/AIDS	Human immunodeficiency virus / Acquired immune deficiency syndrome
ICRC	International Committee of the Red Cross
ILO	International Labour Organization
NGO	Non-governmental organization
OSCE	Organization for Security and Cooperation in Europe
UNDP	United Nations Development Programme
UNICEF	United Nations Children's Fund
UPR	Universal Periodic Review

I. Introduction

1. The Republic of Uzbekistan is a young independent State, where children and persons up to 30 years of age account for, respectively, 40 and 64 per cent of the population. Accordingly, the creation of optimum conditions suitable for the physical, intellectual and spiritual development of children and young adults, and comprehensive support for families with many children, orphans and children deprived of a family environment constitute a priority area of State policy on human rights and freedoms.

2. Taking into account the concluding observations and general recommendations formulated by the Committee on the Rights of the Child following consideration of the second periodic report of Uzbekistan on the implementation of the Convention on the Rights of the Child, more than 10 acts, 30 presidential decrees and decisions, approximately 40 Cabinet of Ministers decisions and more than 30 departmental legal and regulatory instruments, namely a total of approximately 100 legal and regulatory instruments were adopted in Uzbekistan during the reporting period with a view to enhancing the political, legal, social and economic conditions for the realization of children's rights and basic freedoms and strengthening the family.

3. The following acts, decrees and decisions should be regarded as the most important legal and regulatory instruments governing the rights of the child the:

- Activities of Non-Governmental Non-Profit Organizations (Safeguards) Act of 3 January 2007
- Media Act of 15 January 2007 (new version)
- Voluntary Associations Act of 2 May 2007
- Iodine Deficiency (Prevention) Act of 3 May 2007
- Act of 11 July 2007 amending and completing certain enactments in relation to the abolition of the death penalty
- Act of 11 July 2007 amending and completing certain enactments in relation to the transfer to the courts of the authority to order remand in custody
- Rights of the Child (Safeguards) Act of 7 January 2008
- Human Trafficking Prevention Act of 17 April 2008
- Disabled Persons (Social Welfare) Act of 11 July 2008 (new version)
- Presidential Decree of 5 January on measures to promote cooperation between large industrial enterprises and the provision of services through home-based work
- Presidential Decree of 18 May 2007 on additional measures for the material and moral support of young families
- Presidential Decree of 19 September 2007 on guidelines for pursuing reforms and implementing the State programme for health care development
- Presidential Decision of 18 June 2008 on the State programme for the early detection of congenital and inherited diseases with a view to preventing the birth of persons disabled from childhood
- Presidential Decision of 8 July 2008 on the State programme for strengthening the resource base and further improving the activity of music and art schools for children, 2009-2014

- Presidential Decision of 8 July 2008 on measures for raising effectiveness in preventing human trafficking
- Presidential Decision of 13 April 2009 on additional measures for protecting maternal and child health and shaping a healthy young generation
- Presidential Decision of 1 July 2009 on a programme of measures for more effective efforts for better reproductive health, healthy newborns and a physically and spiritually robust generation, 2009-2013
- Cabinet of Ministers Decision of 17 May 2006 on the creation of the National Rehabilitation and Prosthetics Centre for Persons with Disabilities
- Cabinet of Ministers Decision of 30 March 2007 on the implementation of measures for improving the provision of financial and economic resources to national education establishments
- Cabinet of Ministers Decision of 17 May 2007 on the activity of specialized vocational secondary schools for persons with special needs
- Cabinet of Ministers Decision of 29 November 2007 on the establishment of rules for meeting the material needs of orphans and children deprived of parental care attending special secondary education establishments
- Cabinet of Ministers Decision of 4 August 2008 on improving admission and instruction methods for aliens in Uzbek educational establishments
- Cabinet of Ministers Decision of 5 November 2008 on the establishment of a national rehabilitation centre to assist and protect victims of human trafficking.

4. In support of the relevant message of Mr. Ban Ki-moon, Secretary-General of the United Nations, the President of Uzbekistan promulgated the Decree of 1 May 2008 on the Action Programme Dedicated to the Sixtieth Anniversary of the Adoption of the Universal Declaration of Human Rights, which contributed significantly to strengthening guarantees for children's rights.

5. For Uzbekistan's State bodies and NGOs, the year 2008 was one of special emphasis on human rights protection and promotion. The promulgation of the above Presidential Decree gave fresh momentum to all activities undertaken by the State and society in order to guarantee the legal and organizational conditions necessary for the realization of human rights and freedoms, including the rights of the child.

6. The programme of measures adopted included a comprehensive set of legislative, organizational, legal and information initiatives aimed at strengthening the system of protection of human rights, including children's rights. These measures were implemented under the motto "Human dignity and justice for us all".

7. In 2008, the parliament ratified the following international instruments, which relate, inter alia, to the rights of children:

- ILO Convention No. 138 of 1973 concerning Minimum Age for Admission to Employment (4 April 2008)
- ILO Convention No. 182 of 1999 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (8 April 2008)
- United Nations Convention against Corruption (7 July 2008)
- Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (8 July 2008)

- Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (10 December 2008)
- Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (11 December 2008)
- Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts (12 December 2008)

8. The following programme documents reflect measures aimed at the implementation of legislation and recommendations of international treaty bodies for ensuring the protection of children's rights:

- Year-long State programmes on the Year of medical workers and voluntary associations (2006), the Year of Social Protection (2007), the Year of Young Persons (2008) and the Year of Rural Development and Improvement (2009);
- National Plan of Action for the implementation of recommendations formulated by the Committee following consideration of the second periodic report of Uzbekistan on the implementation of the Convention, 2006-2009;
- National Plan of Action for ensuring the well-being of children, 2007-2011;
- National Plan of Action for the implementation of ILO Conventions No. 138 and 182, 2008-2010;
- National Plan of Action for preventing trafficking in human beings, 2008-2010;
- National Plan of Action for the implementation of recommendations formulated by the United Nations Human Rights Council following consideration of Uzbekistan's national report for the Universal Periodic Review, 2009-2011;
- State programme on the Year of a harmoniously Developed Generation (2010).

9. The following bodies have been created in order to build and develop a national system for monitoring the human rights situation in the country, including with respect to children's rights:

- Institute for Monitoring Legislation, attached to the Office of the President of Uzbekistan
- Centre for Monitoring Implementation of Legal and Regulatory Instruments, attached to the Ministry of Justice
- Research Centre for democratizing and liberalizing judicial legislation and ensuring the independence of Supreme Court judges

10. The scope of special sections set up within the Ministry of Internal Affairs, the Ministry of Justice and the Office of the Procurator-General to guarantee human rights and freedoms includes minors' rights issues.

11. The role of NGOs in helping to realize the rights of the child has expanded considerably. The "Forum for the Culture and Art of Uzbekistan" (currently known as "Fund Forum" in connection with a significant increase in its activity, which has come to include both cultural projects and socially oriented initiatives) contributes extensively to children's harmonious development. Support for children and promotion of the conditions necessary for the realization of their rights and interests form a key area of social action carried out by the Fund Forum in direct and close partnership with the "Women's Assembly" public association, the *Mehr nuri* ("Ray of Mercy") charitable foundation and the Social Initiatives Support Fund (SISF). These organizations combine their efforts to carry out every year several tens of projects aimed at supporting children and covering all

regions of the country. Their joint action in support of children focuses on the following areas:

- Creation of children's creativity and sport centres operating free of charge and facilitating the development of the talents and physical abilities of children
- Introduction into the general system of school instruction of a national inclusive-education model enabling children with special needs to adapt to the social environment
- Provision of material assistance to children from large families in need of social support and families bringing up children with special needs
- Repair, reconstruction and building of kindergartens, schools and clinics
- Support for children's health (Days of maternal and child health, "Health in the family" charity marathon and "Healthy mother - healthy child" project)
- Fundraising programmes and activities in support of children from orphanages ("On behalf of children" charity ball and "Spring Marathon" in the schools)
- Country-wide competitions and festivals for identifying, encouraging (through grants) and providing ongoing support for gifted children (*Yangi Avlod* ("New Generation") Children's Art Festival, *Bolajonlar-Shirintoylar* Children's Fashion Festival, "Baby" international artistic gymnastics children's tournament, International Competition for Contemporary Choreography and Sport Gymnastics, "Snowflake" gymnastics championship (for up to 16-year olds), grants for young athletes in various sports, a programme for children's football team support (including grants, sponsorships and master-classes by world football stars), *Navkiron Uzbekistan* National Festival of Traditional and Contemporary Art, *Kelajak Ovozi* ("Voice of the Future") National Contest for talented youth (mainly children up to age 16), the *Kelajak Ovozi* youth initiatives centre (TSMI) with branches in all regions of the country, and educational grants and scholarships for gifted young persons

12. In accordance with the Committee's recommendations and the national programmes related to children's rights, there are plans to adopt an act on and create the institution of a children's ombudsman.

13. The following annual international forums on urgent issues related to the rights of the child were organized during the reporting period:

- "Reform of the system of social protection for children", held on 15-16 November 2006. Participants included Ms. Alexandra Yuster, senior adviser at the United Nations Children's Fund (UNICEF) headquarters, Mr. David Allonsius, law officer in the French Ministry of Justice, Ms. Judita Reichenberg, senior regional adviser at the UNICEF Regional Office for Central and Eastern Europe and the Commonwealth of Independent States (CEE/CIS), and Mr. Peter Evans, technical adviser at EveryChild, a programme based in the United Kingdom
- "Prospects for the development of the system of social protection for children in Uzbekistan", held on 29-30 November 2007
- "Inclusive education and current trends in the emerging types of social support for children", held on 28-29 October 2008. Participants included Dr. Terry Murphy of the School of Health and Social Care, Teesside University, United Kingdom
- "Moving from childhood to adulthood: social protection, social work, social integration", held on 26-27 November 2009. Participants included a specialist of the

Department of Special Education of Israel University and Dr. Terry Murphy of Teesside University, United Kingdom

14. The following bodies participated in the organization of the above international forums: the national entities *Sen Yolg'iz Emassan* ("You are not alone") Children's Foundation; the National Centre for the Social Adaptation of Children; the Ministries of Education, Labour and Social Protection, and Higher and Special Secondary Education; and the local offices of UNDP, UNICEF and the United Nations Educational, Scientific and Cultural Organization (UNESCO).

15. In order to overcome the impact of the global financial and economic crisis, Uzbekistan adopted the Anti-crisis Programme, 2009-2011, aimed at social and economic protection, particularly of vulnerable social groups, through support measures for domestic producers and the prevention of unwarranted rises in the prices of food products and consumer goods. Despite the crisis, Uzbekistan pays considerable attention to the creation of favourable conditions for the rural population in the framework of the Year of Rural Development and Improvement (2009). More than Uzbek Sum (SUM) 2,612 million were spent in implementing the State programme related to that initiative.

16. As part of State policy on special care for children and young persons, 2010 was declared in Uzbekistan Year of a harmoniously Developed Generation in order to contribute to shaping a new generation with balanced personalities, healthy and true to its development potential. To that end, the State set aside SUM 1,700 million. Overall, more than 50 per cent of the 2010 budget was earmarked for the development of the sectors of health and education. On 9 December 2009, the President of Uzbekistan issued an order on organizational measures for the preparation and implementation of the State programme on the "Year of a harmoniously Developed Generation".

17. Uzbekistan consistently and scrupulously meets its international obligations in the area of human rights, and regularly presents the relevant periodic national reports to the appropriate United Nations treaty bodies, whose recommendations are implemented with the participation of State bodies, civil society organizations, citizens' self-governance bodies, the media and the citizens themselves.

18. In the year of the Sixtieth Anniversary of the Adoption of the Universal Declaration of Human Rights, Uzbekistan presented the following national reports to the treaty bodies concerned:

(a) Fourth periodic report on the implementation of the Convention on the Elimination of all Forms of Discrimination against Women, considered on 20 January 2010

(b) Third periodic report on the implementation of the International Covenant on Civil and Political Rights, considered in March 2010

(c) Sixth and seventh periodic report on the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination

(d) National report to the Human Rights Council in the framework of the Universal Periodic Review, considered in December 2008, the outcome of the review having been adopted on 20 March 2009

19. Since gaining independence, Uzbekistan has acceded to more than 70 international human rights instruments, and presented more than 20 periodic reports on the implementation of six core international documents, including on the rights of the child.

20. This report, prepared with the participation of 29 State bodies and 20 NGOs, provides information on the implementation of the Convention in the period 2006-2009; presents the legislative, organizational, and awareness-raising measures taken by the State to ensure ongoing compliance with the Committee's recommendations; and highlights the

outlook for State policy and the difficulties encountered within society in building an effective system to protect children's rights and basic freedoms. An appendix to the report contains detailed statistics on issues related to the rights of the child and by tables indicating trends with regard to children's rights protection in the social, economic and cultural sectors.

II. Common core document

A. General information about the reporting State

1. Demographic, economic, social and cultural characteristics of the State

21. Uzbekistan is situated in Central Asia between the region's two biggest rivers, the Amu Darya and the Syr Darya. It borders Kazakhstan to the north and north-east, Turkmenistan to the south-west, Afghanistan to the south, Tajikistan to the south-east and Kyrgyzstan to the north-east. Approximately four fifths of Uzbekistan is made up of desert plains; the eastern and south-eastern regions include the hills and foothills of Tien Shan and the Gissar range. Within the Turan plate lie the Ustyurt plateau and the Amu Darya delta on the southern shore of the Aral Sea, and the huge Kyzylkum desert. Uzbekistan has an extreme continental climate.

22. The country has a total area of 447,400 square kilometres and comprises the Republic of Karakalpakstan, 12 provinces (*viloyat*) and the City of Tashkent, 121 towns and cities and 163 rural districts. The population is 27.4 million. The capital is Tashkent.

Historical survey

23. The earliest historical information about the settlement of Central Asia, including Uzbekistan, dates to the middle of the first millennium B.C. In the sixth century B.C. the rule of Persia's Achaemenid dynasty was established in Central Asia; in the fourth century B.C. that dynasty was conquered by Alexander the Great. The territory of Uzbekistan, in its entirety or in part, was subsequently ruled by the great ancient Powers, the descendants of Alexander the Great and Seleucus Nikator (fourth to third centuries B.C.); the Graeco-Baktrian Empire (third to second centuries B.C.); and the powerful central Indian State of Kushan (end of the first to fourth century A.D.).

24. Various cultures and civilizations helped to shape the Uzbek people, an ethnic community with Turkic roots. The history of the Uzbeks has unfolded amidst close contacts and intermingling with Iranian peoples and culture.

25. Central Asia, including what is now Uzbekistan, was invaded by the Arabs in the eighth century and came within the dominion of the Arab Caliphate. Islam was introduced in the wake of the conquest. The new religion spread quickly among the people, although they continued to observe aspects of Zoroastrianism and other religions (Buddhism, Manichaeism and Nestorianism). The spread of Islam brought the region into the realm of Islamic civilization.

26. Local dynasties replaced Arab rulers at the end of the ninth century. The territory of Uzbekistan was ruled by the Samanid, Karakhan and Seljuk dynasties from the ninth to the twelfth centuries.

27. At the beginning of the thirteenth century Central Asia (together with Azerbaijan and Persia) was briefly under the rule of the Khoramshahi State, which was brought down by the onslaught of the hordes of Genghis Khan. Power passed swiftly to the Timur dynasty. This age (the second half of the fourteenth to the fifteenth century) saw peak

economic development and a thriving culture. Samarkand was Emir Tamerlane's capital. In the Middle Ages, the Timur State extended over a vast territory, forming a common legal and economic area. This period and the absolute monarchy that arose at the time may be regarded as the foundation for the Uzbek nation State.

28. At the turn of the fifteenth and sixteenth centuries the Timur State was replaced by the Sheibanid State, which ruled throughout the sixteenth century. For about four centuries, from the sixteenth century until the conquest of Central Asia by Russia in the second half of the nineteenth century, there were three Uzbek khanates in what is now Uzbekistan: the Bukhara (an emirate from the middle of the eighteenth century), the Khivin, and the Kokand.

29. In the second half of the nineteenth century, most of Central Asia, including contemporary Uzbekistan, became part of Russia. The Governorate-General of Turkistan was established.

30. The Bukhara People's and Khorezm People's Soviet Republics were formed in 1920 in the wake of the 1917 revolution in Russia.

31. In 1924, Central Asia was divided up into ethnic States. The Uzbek Soviet Socialist Republic was established on 27 October 1924. Under this ethnic division, land populated chiefly by Uzbeks became part of the Uzbek SSR. The Republic had 82 per cent of all Uzbeks living in the Soviet Union (USSR); they accounted for 76 per cent of the total population of the newly formed Republic. For about 70 years Uzbekistan was part of the USSR, and its demographic, social and economic development were influenced by events proper to the USSR.

32. The country reached a turning point in its history on 1 September 1991 when it declared national independence. The day before, the Supreme Soviet of Uzbekistan had adopted a decision proclaiming the national independence of the Republic of Uzbekistan and a constitutional act on the foundations of independence for the Republic of Uzbekistan as a State.

Population

33. The majority of the population (more than 21 million persons) is Uzbek, a Turkic-speaking people with an ancient and distinctive culture. Uzbekistan is also home to significant numbers of other peoples: Kazakhs, Tajiks, Karakalpaks, Kyrgyz, Turkmen, Russians, Ukrainians, Tatars, Armenians, Koreans, Uighurs and others.

34. In anthropological terms, the Uzbeks are a people of mixed descent, with both European and Asian traits. Anthropologists regard the Uzbeks as southern Europeans from the Central Asian valleys. The Uzbek urban and oasis-dwelling populations have relatively few Asian traits.

35. Uzbek is the official language of Uzbekistan. Literary Uzbek belongs to the Karluk group of the western branch of the Turkic languages. One of the characteristic features of the Uzbek language is its profound historical link with Tajik. The Karakalpak language belongs to the Kipchak group of the Turkic languages.

36. In terms of religious affiliation, the believers among the Uzbeks and Karakalpaks are Sunni Muslims belonging to the Hanafi school of law (madhhab). In Uzbekistan, and indeed throughout Central Asia, the orthodox form of Islam has typically merged with mystical elements such as Sufism and pre-Islamic beliefs.

Demographic indicators

Table 1
Permanent population, by gender and age¹

	As at January 2006			As at January 2007			As at January 2008		
	<i>Both genders</i>	<i>Male</i>	<i>Female</i>	<i>Both genders</i>	<i>Male</i>	<i>Female</i>	<i>Both genders</i>	<i>Male</i>	<i>Female</i>
Total	26 312 688	13 145 068	13 167 620	26 663 823	13 325 604	13 338 219	27 072 172	13 535 261	13 535 261
0-4	2 570 482	1 322 666	1 247 816	2 616 164	1 346 962	1 269 202	2 694 264	1 386 885	1 307 379
5-9	2 759 615	1 414 934	1 344 681	2 643 618	1 354 913	1 288 705	2 576 951	1 321 589	1 255 362
10-14	3 244 610	1 654 319	1 590 291	3 176 436	1 623 806	1 552 630	3 094 166	1 583 356	1 510 810
15-19	3 144 151	1 596 309	1 547 842	3 185 310	1 617 582	1 567 728	3 206 403	1 630 996	1 575 407
20-24	2 682 242	1 348 775	1 333 467	2 804 461	1 411 284	1 393 177	2 919 718	1 470 500	1 449 218
25-29	2 194 791	1 103 322	1 091 469	2 244 445	1 129 013	1 115 432	2 321 216	1 167 253	1 153 963
30-34	1 950 620	979 580	971 040	1 985 467	998 649	986 818	1 999 864	1 003 500	996 364
35-39	1 671 734	818 507	853 227	1 718 778	845 095	873 683	1 780 968	881 233	899 735
40-44	1 621 998	790 523	831 475	1 615 401	783 707	831 694	1 603 274	778 160	825 114
45-49	1 380 960	677 596	703 364	1 454 743	713 514	741 229	1 513 318	740 651	772 677
50-54	945 077	459 719	485 358	1 007 832	490 700	517 132	1 065 906	519 630	546 276
55-59	606 677	292 139	314 538	668 440	321 710	346 730	730 767	351 260	379 507
60-64	355 794	176 605	179 189	343 031	169 198	173 833	356 339	173 940	182 399
65-69	468 036	219 050	248 986	457 345	214 133	243 212	446 913	211 921	234 992
70-74	302 904	134 719	168 185	317 749	143 597	174 152	318 813	144 980	173 833
75-79	224 965	96 413	128 552	223 559	94 432	129 127	226 227	94 211	132 016
80 and older	188 032	59 892	128 140	201 044	67 309	133 735	217 063	75 647	141 416

Table 2
Permanent population, by ethnic composition²

	As at 1 January 2007			As at 1 January 2006		
	<i>Total</i>	<i>Urban areas</i>	<i>Rural areas</i>	<i>Total</i>	<i>Urban areas</i>	<i>Rural areas</i>
Total	26 663 825	9 584 612	17 079 213	26 312 689	9 495 056	16 817 633
Uzbek	21 542 348	6 719 082	14 823 266	21 170 568	6 601 163	14 569 405
Karakalpak	583 790	332 813	250 977	574 671	326 736	247 935
Russian	931 590	876 183	55 407	952 243	895 835	56 408
Ukrainian	86 854	75 230	11 624	88 774	77 006	11 768
Belarusian	20 851	16 721	4 130	21 074	16 926	4 148
Kazakh	879 551	350 887	528 664	899 195	360 760	538 435
Georgian	3 654	2 870	784	3 690	2 903	787

¹ Source: State Statistics Committee (SSCRU).² Ibid.

	As at 1 January 2007			As at 1 January 2006		
	<i>Total</i>	<i>Urban areas</i>	<i>Rural areas</i>	<i>Total</i>	<i>Urban areas</i>	<i>Rural areas</i>
Azerbaijani	40 432	32 051	8 381	40 459	32 117	8 342
Lithuanian	1 156	1 025	131	1 161	1 027	134
Moldovan	4 888	2 586	2 302	4 940	2 623	2 317
Latvian	215	103	112	225	111	114
Kyrgyz	238 322	29 699	208 623	235 395	29 370	206 025
Tajik	1 306 875	440 767	866 108	1 288 801	435 163	853 638
Armenian	39 101	37 944	1 157	39 638	38 469	1 169
Turkmen	160 712	31 060	129 652	158 641	30 623	128 018
Estonian	566	469	97	572	472	100
Tatar	236 223	217 155	19 068	242 332	222 569	19 763
Jewish	10 643	10 018	625	10 781	10 151	630
German	4 861	3 180	1 681	4 951	3 257	1 694
Korean	150 094	123 007	27 087	152 978	125 257	27 721
Others	421 099	281 762	139 337	421 600	282 518	139 082

Table 3
Population up to 18 years of age, by gender³

As at 1 January 2007

Years of age	Persons								
	<i>Total</i>	<i>Including:</i>		<i>Urban areas</i>			<i>Rural areas</i>		
		<i>Men</i>	<i>Women</i>	<i>Total</i>	<i>Men</i>	<i>Women</i>	<i>Total</i>	<i>Men</i>	<i>Women</i>
0	549 889	283 261	266 628	171 181	88 091	83 090	378 708	195 170	183 538
1	523 471	269 608	253 863	161 099	82 892	78 207	362 372	186 716	175 656
2	528 780	271 728	257 052	164 044	84 593	79 451	364 736	187 135	177 601
3	495 794	255 664	240 130	151 692	78 478	73 214	344 102	177 186	166 916
4	518 230	266 701	251 529	158 887	81 849	77 038	359 343	184 852	174 491
5	496 973	255 007	241 966	154 471	79 349	75 122	342 502	175 658	166 844
6	509 638	261 317	248 321	158 349	80 854	77 495	351 289	180 463	170 826
7	524 596	268 452	256 144	163 397	84 012	79 385	361 199	184 440	176 759
8	530 777	271 872	258 905	166 243	85 293	80 950	364 534	186 579	177 955
9	581 634	298 265	283 369	180 792	92 968	87 824	400 842	205 297	195 545
10	609 782	313 395	296 387	191 008	97 927	93 081	418 774	215 468	203 306
11	642 492	328 155	314 337	200 033	101 992	98 041	442 459	226 163	216 296
12	619 684	316 664	303 020	192 191	98 455	93 736	427 493	218 209	209 284
13	643 744	328 565	315 179	195 880	100 319	95 561	447 864	228 246	219 618
14	660 734	337 027	323 707	211 586	108 076	103 510	449 148	228 951	220 197

³ *Ibid.*

Years of age	Persons								
	Total	Including:		Urban areas			Rural areas		
		Men	Women	Total	Men	Women	Total	Men	Women
15	674 184	341 822	332 362	214 056	108 513	105 543	460 128	233 309	226 819
16	641 362	327 049	314 313	203 214	103 714	99 500	438 148	223 335	214 813
17	614 692	313 607	301 085	197 059	100 879	96 180	417 633	212 728	204 905
0-17	10 366 456	5 308 159	5 058 297	3 235 182	1 658 254	1 576 928	7 131 274	3 649 905	3 481 369

Table 4
Population up to 18 years of age, by gender⁴

As at 1 January 2008

Years of age	Persons								
	Total	Including:		Urban areas			Rural areas		
		Men	Women	Total	Men	Women	Total	Men	Women
0	602 734	310 233	292 501	189 040	97 546	91 494	413 694	212 687	201 007
1	546 549	281 359	265 190	170 326	87 605	82 721	376 223	193 754	182 469
2	522 064	268 807	253 257	160 868	82 730	78 138	361 196	186 077	175 119
3	527 817	271 198	256 619	163 889	84 500	79 389	363 928	186 698	177 230
4	495 100	255 288	239 812	151 642	78 462	73 180	343 458	176 826	166 632
5	517 477	266 262	251 215	158 762	81 763	76 999	358 715	184 499	174 216
6	496 402	254 707	241 695	154 352	79 294	75 058	342 050	175 413	166 637
7	508 882	260 890	247 992	158 228	80 808	77 420	350 654	180 082	170 572
8	523 981	268 113	255 868	163 230	83 914	79 316	360 751	184 199	176 552
9	530 209	271 617	258 592	166 061	85 245	80 816	364 148	186 372	177 776
10	581 031	297 966	283 065	180 589	92 862	87 727	400 442	205 104	195 338
11	609 158	313 061	296 097	190 793	97 815	92 978	418 365	215 246	203 119
12	641 868	327 823	314 045	199 890	101 926	97 964	441 978	225 897	216 081
13	619 060	316 307	302 753	191 954	98 311	93 643	427 106	217 996	209 110
14	643 049	328 199	314 850	195 622	100 183	95 439	447 427	228 016	219 411
15	660 009	336 624	323 385	211 337	107 929	103 408	448 672	228 695	219 977
16	672 982	341 180	331 802	213 922	108 437	105 485	459 060	232 743	226 317
17	639 497	326 077	313 420	203 488	103 810	99 678	436 009	222 267	213 742
0-17	10 337 869	5 295 711	5 042 158	3 223 993	1 653 140	1 570 853	7 113 876	3 642 571	3 471 305

⁴ *Ibid.*

Table 5
Population up to 18 years of age, by gender⁵
 As at 1 January 2009

Years of age	Persons								
	Total	Including:		Urban areas			Rural areas		
		Men	Women	Total	Men	Women	Total	Men	Women
0	639 748	329 255	310 493	200 609	103 223	97 386	439 139	226 032	213 107
1	599 638	308 493	291 145	191 006	97 895	93 111	408 632	210 598	198 034
2	545 229	280 650	264 579	266 319	136 674	129 645	278 910	143 976	134 934
3	521 199	268 306	252 893	253 634	130 252	123 382	267 565	138 054	129 511
4	527 121	270 817	256 304	257 390	132 125	125 265	269 731	138 692	131 039
5	494 563	255 026	239 537	238 945	123 137	115 808	255 618	131 889	123 729
6	516 913	265 985	250 928	249 629	128 232	121 397	267 284	137 753	129 531
7	495 898	254 427	241 471	240 076	123 039	117 037	255 822	131 388	124 434
8	508 356	260 603	247 753	246 721	126 014	120 707	261 635	134 589	127 046
9	523 549	267 856	255 693	254 996	130 395	124 601	268 553	137 461	131 092
10	529 764	271 409	258 355	260 037	133 077	126 960	269 727	138 332	131 395
11	580 530	297 691	282 839	283 184	145 115	138 069	297 346	152 576	144 770
12	608 622	312 749	295 873	299 321	153 292	146 029	309 301	159 457	149 844
13	641 418	327 578	313 840	315 280	160 427	154 853	326 138	167 151	158 987
14	618 461	315 958	302 503	302 879	154 472	148 407	315 582	161 486	154 096
15	642 466	327 883	314 583	311 852	158 998	152 854	330 614	168 885	161 729
16	659 381	336 318	323 063	327 391	166 744	160 647	331 990	169 574	162 416
17	671 771	340 526	331 245	332 266	168 111	164 155	339 505	172 415	167 090
0-17	10 324 627	5 291 530	5 033 097	4 831 535	2 471 222	2 360 313	5 493 092	2 820 308	2 672 784

Table 6
Demographic indicators⁶

	2005	2006	2007*
Permanent population at year end	26 312.7	26 663.8	27 071.8
Growth rate	101.1	101.3	101.5
Urban population (%)	36.1	35.9	35.8
Rural population (%)	63.9	64.1	64.2
Population density (inhabitants/km ²) at year end	58.6	59.4	60.3
Birth rate (per 1,000 persons)	20.3	20.9	22.4
Death rate (per 1,000 persons)	5.4	5.3	5.2
Overall fertility rate or total births coefficient	2.36	2.39	

⁵ *Ibid.*

⁶ *Ibid.*

	2005	2006	2007*
Life expectancy at birth:			
Both genders	71.8	72.5	
Male	69.6	70.2	
Female	74.1	74.9	
Dependants (population aged under 15 and over 65 years (%))	36.3	36.1	

* Estimates.

Table 7
Average household size⁷

	2005	2006	2007
Number of persons	5.1	5.1	5.1

Table 8
Percentage distribution of households, by gender of household head, 2006⁸

Gender of household head	Weighted %
Male	82.2
Female	17.8

Social, economic and cultural indicators

Table 9
Infant and maternal death rates⁹

	2003	2004	2005	2006	2007
Infant death rate per 1,000 births	16.3	15.4	14.9	14.5	13.7
Maternal death rate per 100,000 live births	32.2	30.2	29.2	24.8	

Table 10
Contraceptive use and abortion on medical grounds¹⁰

	2005	2006
Women of childbearing age using contraception (%)	60.4	59.1
Abortion on medical grounds (total as % of live births)	0.6	0.6
Women aged:		
Under 15	3.1	-
15-19	0.7	0.9
20-34	0.5	0.5

⁷ *Ibid.*

⁸ *Source:* UNICEF and State Statistics Committee (2207). SSCRU and UNICEF, Uzbekistan *Multiple Indicator Cluster Survey 2006*. Final Report. Tashkent.

⁹ *Source:* State Statistics Committee (SSCRU).

¹⁰ *Ibid.*

	2005	2006
35-50	7.7	5.8
51 and older	-	-

Table 11
Morbidity rates for selected infectious and parasitic diseases¹¹

	Per 100,000 persons			
	2005		2006	
	Total	Women	Total	Women
Intestinal infections				
Typhoid	0.4	0.2	0.3	0.2
Salmonellas	5.5	5.1	6.1	5.7
Acute intestinal infections	139.7	130.3	133.9	124.7
- including bacterial dysentery)	14.6	14.3	12.8	12.7
Viral hepatitis				
Total	115.8	110.3	112.9	108.9
- including:		0.0		0.0
Acute hepatitis-A	105.0	100.5	104.0	101.1
Acute hepatitis-B	8.9	8.2	7.3	6.4
Acute hepatitis-C	1.6	1.3	1.4	1.3
Airborne and droplet-borne infections				
Diphtheria	-	-	-	-
Whooping-cough	0.5	0.5	0.4	0.4
Measles	2.8	2.7	3.2	2.8
German measles	1.7	1.5	1.1	0.9
Scarlet fever	3.5	2.9	3.4	3.2
Epidemic psittacosis	6.8	5.8	6.6	5.4
Chicken pox	15.5	14.6	16.2	14.9
Meningitis	0.2	0.2	0.3	0.2
Acute infections of the upper respiratory tract	2 267.6	2 100.9	2 110.1	1 957.4
Influenza	5.6	4.7	4.7	4.0
Naturally breeding infections and zoonothroponotic infections				
Siberian ulcers	-	-	0.0	0.0
Tularaemia	-	-	-	-
First-diagnosis brucellosis	2.2	0.9	1.8	0.9
Haemorrhagic fever	-	0.0	0.0	0.0
Pediculosis	83.1	138.6	86.5	137.0
First-diagnosis malaria	0.4	0.3	0.3	0.2

¹¹ *Ibid.*

	<i>Per 100,000 persons</i>			
	2005		2006	
	<i>Total</i>	<i>Women</i>	<i>Total</i>	<i>Women</i>
Parasitic diseases				
Ascariasis	24.5	20.8	20.1	18.8
Trichomoniasis	1.7	1.3	1.6	1.5
Enterobiosis	842.7	992.4	800.6	753.0
HIV	7.0	3.2	9.3	6.3
AIDS	0.0	0.0	0.0	0.0

Table 12
Morbidity by main categories of disease¹²

	<i>Per 100,000 persons</i>			
	<i>Total</i>		<i>Women</i>	
	<i>2005</i>	<i>2006</i>	<i>2005</i>	<i>2006</i>
Total recorded ailments including:	46 797.9	47 360.4	53 360.5	53 221.2
Certain infectious and parasitic diseases	1 254.6	1 236.8	1 286.2	1 243.1
Neoplasms	185.3	176.4	221.4	199.4
Diseases of the endocrine system, dietary and digestive system disorders	2 825.7	2 644.7	3 570.3	3 236.6
Diseases of the blood and blood-producing organs and certain diseases of the immune system	8 253.5	8 555.9	11 627.4	12 008.3
Mental and behavioural problems	220.5	208.1	122.5	114.6
Diseases of the nervous system	1 877.6	1 807.2	1 864.7	1 824.7
Diseases of the eye and its appendages	1 342.5	1 376.4	1 378.5	1 422.4
Diseases of the ear and mammiform appendix	1 145.3	1 240.4	1 158.5	1 264.1
Diseases of the circulatory system	1 451.4	1 541.8	1 438.5	1 528.8
Diseases of the respiratory organs	12 000.2	11 990.2	12 820.1	12 371.5
Diseases of the digestive organs	5 944.9	5 759.8	6 304.4	6 168.5
Diseases of the genito-urinary system	2 554.0	2 662.2	3 352.0	3 525.6
Diseases of the skin and epidermis	2 115.6	2 219.6	2 117.1	2 188.2
Diseases of the skeleto-muscular system and connective tissue	833.9	878.0	842.1	836.6
Congenital abnormalities (developmental defects), deformities and chromosome disorders	57.7	56.1	58.2	54.5
Symptoms, signs and deviations from the norm, unclassified under other headings and identified during clinical and laboratory tests	125.3	116.0	121.7	117.0
Trauma, poisoning and certain other effects of external causes	3 319.8	3 548.7	2 964.3	2 935.8

¹² *Ibid.*

Table 13
Deaths, by main categories of cause¹³
 Per 100,000 persons

	2005	2006
Total deaths from all causes including deaths from:	535.3	525.2
Diseases of the circulatory system	301.3	304.1
Neoplasms	37.7	36.5
Accidents, poisoning, trauma	38.7	36.5
Diseases of the respiratory organs	43.7	40.6
Diseases of the digestive organs	33.5	33.4
Infectious and parasitic diseases	15	15.4
Diseases of the genito-urinary system	10.6	10.2
Diseases of the nervous system	10	10.1
Diseases of the endocrine system	13	13.8
Mental disorders	1.3	1.2
Diseases of the blood	1.2	1.0

Table 14
Teacher/pupil ratio in State educational institutions¹⁴
 At the start of the school year

	2005/06	2006/07	2007/08
Pupils per teacher:			
General education schools	12.5	12.3	11.7
Lycées (academic secondary schools)	8.4	9.4	10.6
Colleges (vocational secondary schools)	15.3	16.6	15.3
Higher-education institutions	10.5	10.8	10.7

Table 15
Literacy rate¹⁵

	2005	2008
Adult literacy rate	0.994	0.995

Table 16
Employment and unemployment rates¹⁶

Indicator	2005	2006	2007*
Official unemployment rate (%)	0.3	0.2	0.2
Numbers of employed persons, by economic branch (1,000s):	10 196.3	10 467.0	10 735.4

¹³ *Ibid.*

¹⁴ *Ibid.*

¹⁵ *Ibid.*

¹⁶ *Ibid.*

<i>Indicator</i>	<i>2005</i>	<i>2006</i>	<i>2007*</i>
- Manufacturing	1 347.5	1 402.4	1 445.5
- Agriculture and forestry	2 967.4	2 935.9	2 930.1
- Transport and communications	488.1	506.9	527.7
- Construction	848.5	876.6	910.1
- Commerce, catering, sales, procurement	903.9	977.2	1 055.4
- Domestic, community and household services	316.4	331.2	346.4
- Health, physical education, sports, recreation	735.5	768.1	801.4
- Finance, credit, insurance	1 385.1	1 434.5	1 481.8
- Other	54.2	54.9	58.4
Numbers employed in the formal sector (1,000s)	1 149.7	1 179.3	1 178.6
Numbers employed in the informal sector (1,000s)	4 642.8	4 562.8	4 587.7
Economically active population (1,000s)**	5 553.5	5 904.2	6 147.7

* Estimates.

** The economically active population is defined as the number of employed persons plus the number of persons officially recognized as unemployed.

Table 17
Trade union membership by industry, 2007¹⁷

<i>Trade union</i>	<i>Total number of workers and students</i>	<i>Of whom, trade union members (in parenthesis, as a proportion of the total number of workers and students)</i>
Air transport	23 153	23 122 (99.8%)
Road, river and electrical transport and road maintenance	102 853	102 853 (100%)
Agro-industry	2 230 150	2 229 993 (99.99%)
State institutions and social services	269 580	268 561 (99.6%)
Railway and transport engineers	73 229	73 229 (100%)
Health workers	709 457	709 457 (100%)
Cultural workers	98 745	97 505 (98.7%)
Light industry, furniture industry and public utilities	212 909	212 909 (100%)
Metallurgy and mechanical engineering	120 371	116 820 (97%)
Education and science	1 882 051	1 882 051 (100%)
Communications	60 896	60 879 (99.9%)
Construction and building materials	75 206	73 064 (97.1%)
Fuel and energy, chemicals and geology	242 284	241 659 (99.7%)
Trade, consumers' cooperatives and private entrepreneurs	302 689	302 567 (99.9%)

¹⁷ Source: Federation of Trade Unions of Uzbekistan.

Table 18
Per capita monetary income¹⁸

According to the balance of monetary incomes and expenditure

	2005	2006	2007
Average per capita monetary income (SUM thousand)	371.8	489.1	628.0

Table 19
GDP, 2003-2007¹⁹

	Unit	2003	2004	2005	2006	2007
GDP	SUM billion	9 837.8	122 661.0	15 923.4	20 759.3	28 186.2
GDP growth rate	%	104.4	107.7	107.0	107.3	109.5

Table 20
Consumer price index (%)²⁰

2003	2004	2005	2006	2007
3.8	3.7	7.8	6.8	6.8

2. Constitutional, political and legal structure

37. The Republic of Uzbekistan was constituted on 31 August 1991 in the territory of the former Uzbek Soviet Socialist Republic, which had been part of the USSR. Uzbekistan is a unitary State with a presidential form of government. The acquisition of State sovereignty marked the beginning of fundamental reforms and political changes.

38. The Constitution, adopted on 8 December 1992, reflects the people's will, spirit, social awareness and culture. The first thing to stress is the Constitution's adherence to the universal values and generally accepted principles and standards of international law. There is no imposition of a single political ideology, class conflicts or party dictatorship; or of the crushing dominance of the State over the people.

39. The Constitution establishes the principle of the separation of powers between the Legislature, the Executive and the Judiciary.

40. *The Legislature.* Legislative power is exercised by the Oliy Majlis (parliament), the highest representative organ of the State. Following the conduct of a referendum, a two-chamber parliament was established, consisting of an upper chamber (the Senate) and a lower chamber (the Legislative Chamber) of the Oliy Majlis. The establishment of this two-chamber parliament significantly strengthened the stability of the State of Uzbekistan. Firstly, it extended the constitutional powers of parliament and improved markedly the checks and balances between the legislative, executive and judicial branches. Secondly, it extended the democratic representation of the regions. Thirdly, it enhanced considerably the quality of the legislative process. Fourthly, it marked a transition to a professional parliament.

41. The procedure for the formation and the legal status of the parliament of the Republic of Uzbekistan are set out in the Constitution (arts. 76-88), in the Constitutional

¹⁸ Source: State Statistics Committee (SSCRU).

¹⁹ Source: Ministry of the Economy.

²⁰ *Ibid.*

Acts on the Senate of the Oliy Majlis and the Legislative Chamber of the Oliy Majlis, as well as in the Oliy Majlis (Elections) Act, and the Legislative Chamber and Senate Members (Status) Act.

42. Members of the Legislative Chamber and the Senate serve for a term of five years. The Chamber has 150 deputies, elected to represent their constituencies on a multi-party basis. Its proceedings rely on the professional and consistent work of all the deputies.

43. The Legislative Chamber is structured around committees and commissions. Its rules of procedure call for the following 10 committees: Budget and Economic Reforms; Legislation and Judicial Questions; Employment and Social Questions; Defence and Security; International Affairs and Interparliamentary Relations; Agrarian and Water Supply Questions and the Environment; Industry, Construction and Trade; Science, Education, Culture and Sports; Democratic Institutions, Non-Governmental Organizations and Citizens' Self-Governance Bodies; and Information and Communication Technology.

44. Commissions consisting of members of the Legislative Chamber are set up to deal with specific matters.

Table 21

Composition of the Legislative Chamber of the Oliy Majlis²¹

<i>Area or grouping</i>	<i>Men</i>		<i>Women</i>		<i>Total</i>	
	<i>2005</i>	<i>2010</i>	<i>2005</i>	<i>2010</i>	<i>2005</i>	<i>2010</i>
Tashkent City	10	10	1	2	11	12
Andizhan	11	10	-	2	11	12
Bukhara	5	6	2	2	7	8
Djizzak	3	3	1	2	4	5
Kashkadarya	9	8	1	4	10	12
Navoi	2	5	2	-	4	5
Namangan	7	8	2	3	9	11
Samarkand	13	14	-	-	13	14
Syrdarya	3	3	-	1	3	4
Surkhandarya	7	8	1	1	8	9
Tashkent	8	10	4	3	12	13
Fergana	11	9	3	6	14	15
Khorezm	5	5	2	2	7	7
Karakalpak Republic	5	5	2	3	7	8
Ecological Movement of Uzbekistan	-	13	-	2	-	15
Total	99 (82.5%)	117 (78%)	21 (17.5%)	33 (22%)	120	150

45. The Senate of the Oliy Majlis consists of senators representing geographical constituencies. Six senators each are elected for the Karakalpak Republic, the provinces, and the City of Tashkent by secret ballot at joint sessions of the members of the *Jokargy Kenes* (parliament) of the Republic of Karakalpakstan and of the citizens' self-governance bodies in the provinces, districts and towns, from among their own number. Sixteen members of the Senate are appointed by the President of Uzbekistan from among the most

²¹ Source: Central Electoral Commission.

distinguished citizens having broad practical experience and special merit in the fields of science, the arts, literature, industry and other areas of the life of the State and society.

Political parties

46. Four political parties are currently represented in the Legislative Chamber.

47. *Adolat, the Social Democratic Party of Uzbekistan*, constituted on 18 April 1995. As at 1 August 2009, this party had 77,210 members. It draws its membership from the middle and poorer strata of the population and endeavours to represent their political and social wishes and promote their social protection on the basis of the principles of social justice.

48. *Milli Tiklanish, the Democratic Party of Uzbekistan*, constituted on 20 June 2008 by decision of the joint congress resulting from a merger of the Democratic Party of Uzbekistan *Milli Tiklanish* and the National Democratic Party *Fidokorlar*. On 11 August 2008, the Democratic Party of Uzbekistan *Milli Tiklanish* was registered with the Ministry of Justice (certificate No. 194- P). The Party's constitution was adopted on 20 June 2008 by decision of the joint congress. As at 1 August 2009, this party had 108,390 members. The party's basic aims are to promote national self-awareness; develop and strengthen the citizens' pride in, devotion to and love for their country; and unite in its ranks patriots to mobilize their intellectual and creative potential in the service of the country for the enhancement its international standing.

49. *The Movement of Entrepreneurs and Business People (UzLuDep)*, registered on 3 December 2003. As at 1 August 2009, this party had 161,758 members. It is a nation-wide political organization expressing and defending the interests of property-owners, small-scale entrepreneurs, owners of farms and *dekhans* (small family farms), highly skilled manufacturing workers and managerial personnel, and business people.

50. *The National Democratic Party of Uzbekistan*, founded on 1 November 1991. It represents the left wing in the country's politics and expresses the political wishes of a number of social strata and groups. As at 1 July 2009, this party had 364,800 members; in comparison to 2005, the proportion of party members with a higher education increased from 36.8 to 37.8 per cent, while women accounted for 40.3 of the membership. The party has a multiethnic composition in so far as it comprises members from 53 ethnic groups living in the country.

51. The activities of political parties in Uzbekistan are regulated by the Constitution, the Political Parties Act, the Political Parties (Funding) Act, and the Constitutional Act on strengthening the role of political parties in the renewal and further democratization of State administration and in the modernization of the country.

Table 22

Membership of the Legislative Chamber of the Oliy Majlis, by political party and movement²²⁾

<i>Political parties</i>	<i>Adolat</i>	<i>UzLiDep</i>	<i>DPMT</i>	<i>NDPU</i>	<i>Ecological movement</i>	<i>Total</i>
Number	19	53	31	32	15	150

²² *Ibid.*

The Executive

52. The current President of Uzbekistan has been head of State since 1 January 2008. Under article 90 of the Constitution, the President is elected by the citizens of Uzbekistan on the basis of universal, equal and direct suffrage in a secret ballot for a term of seven years; and any citizen of Uzbekistan who has reached the age of 35, is fluent in the official language and has resided permanently in the territory of Uzbekistan for at least 10 years immediately prior to the election may stand for election to the post of President. Under the Constitution, a person may not be President for more than two consecutive terms.

53. Under article 93 of the Constitution, the President is the guarantor of the rights and freedoms of citizens and of the Constitution and the law. The President's powers include:

- Adopting measures necessary for the defence of the country's sovereignty, security and territorial integrity
- Representing the Republic domestically and in international relations
- Negotiating and signing the Republic's agreements and guaranteeing their observance
- Forming and leading the apparatus of the Executive
- Ensuring cooperation among all the higher organs of power and governance
- Establishing and disbanding ministries, State committees and other Government bodies
- Appointing and dismissing judges of the province, inter-district, district, city, military and economic courts
- Acting as Supreme Commander of the Armed Forces
- Establishing the National Security and State Control Service
- Decision-making on citizenship issues.

54. Executive power is exercised by the Cabinet of Ministers. It consists of the Prime Minister and his or her deputies, ministers, chairpersons of State committees, and the head of the Government of the Republic of Karakalpakstan.

55. The Cabinet is appointed by the President. The candidacy of the person nominated to the post of Prime Minister is examined and confirmed by the chambers of the Oliy Majlis on the proposal of the President of Uzbekistan following consultations with each of the party groups in the Legislative Chamber and the deputies of the Ecological Movement. The Prime Minister may be removed from office on the initiative of the party groups in the Legislative Chamber if a presidential motion to that effect receives more than two thirds of the votes of the total membership of the two chambers.

56. The Cabinet is responsible for managing the economy and the social and intellectual spheres and ensuring application of the Constitution, the law and other decisions adopted by the Oliy Majlis, and the decisions and instructions issued by the President; and it issues, in accordance with the legislation in force, decisions and instructions which have binding force throughout the national territory on all organs, enterprises, organizations, officials and citizens. The Cabinet's work is regulated by chapter XX of the Constitution and by the Cabinet of Ministers Act.

57. The Cabinet of Ministers resigns when a new Oliy Majlis is elected.

The Judiciary

58. Uzbekistan's Judiciary is independent of the legislative and executive branches and of political parties and other civil society organizations (Constitution, arts. 106-116). The judicial power is exercised by a system of courts, namely:

- (a) The Constitutional Court, which considers questions of the Constitutionality of the acts of the Legislature and the Executive;
- (b) The Supreme Court, which is the highest judicial organ with respect to civil, criminal and administrative matters;
- (c) The Higher Economic Court, which adjudicates on disputes in the economic sphere;
- (d) The Supreme Court of the Republic of Karakalpakstan;
- (e) The Economic Court of the Republic of Karakalpakstan;
- (f) The provincial, Tashkent City, district, city and economic courts.

59. Since 1 January 2000, following the adoption of the Presidential Decree on improvement of the judicial system, which led to amendments and additions to the Courts Act, the courts have specialized in the separate consideration of civil or criminal cases. The following courts of general jurisdiction were established: the Supreme Civil Court of the Republic of Karakalpakstan; the Tashkent City civil court; and the provincial and inter-district civil courts.

60. Specialization among courts of general jurisdiction was also introduced for criminal cases. The following courts were established: the Supreme Criminal Court of the Republic of Karakalpakstan; the Tashkent City criminal court; and the provincial, district and city criminal courts.

61. Under article 112 of the Constitution and the Courts Act, "judges are independent and subject solely to the law. Any interference in the work of judges in administering justice shall be inadmissible and punishable by law. The immunity of judges shall be guaranteed by law. Judges may not be senators or members of the representative bodies of State power. Judges may not belong to any political parties or participate in political movements or engage in any type of paid activity other than scientific and educational. Judges may be removed from their post prior to the end of their term of office only on the grounds specified by law".

Local-level State authorities

62. In addition to the higher representative organs of State power - the Oliy Majlis, the Office of the President and the Cabinet of Ministers - the system of organs of State power also includes local bodies and officials dealing with social problems at the provincial, district and city levels: councils of peoples' deputies and regional chief administrators (*khokims*). Their rights and powers are set out in the Constitution and in the Local-level State Authorities Act. Nominees for the post of regional administrator are submitted by the President of Uzbekistan for approval by the provincial council of peoples' deputies following consultations with representatives of the party groups operating within the council. The party groups in provincial councils are entitled to initiate the submission of observations to the President concerning unsatisfactory performance by the provincial regional administrator.

63. All regional administrators exercise their powers in accordance with the principle of sole authority. The decisions they take within the limits of the authority conferred on them

are binding on all enterprises, institutions, organizations, associations, officials and citizens in the area concerned (Constitution, art. 104).

64. The local representative bodies - the councils of peoples' deputies - perform their functions under the authority of the regional administrator.

The elections system

65. The bases of the organization of the elections system and its principles are enshrined in the Constitution, chapter XXIII of which is devoted to this matter, and in the Referendums Act (1991), the Presidential Elections Act (1991), the Oliy Majlis (Elections) Act (1993), the Councils of Peoples' Deputies (Provincial, District and City Elections) Act (1999), the Citizens' Voting Rights (Guarantees) Act (1994) and the Central Electoral Commission Act (1998).

66. In establishing the principles of the elections system the Constitution guarantees all citizens:

- The right to elect members of and to be elected to the representative organs of State power
- Equality and freedom in the expression of their will
- The right to membership in representative bodies (not more than two simultaneously)

67. Rights under the Constitution may be exercised by all citizens who have reached the age of 18. The Constitution provides for exceptions only with respect to certain categories of person. The following persons may not vote in elections:

- (a) Citizens deemed by a court to lack the capacity to possess rights and be bound by obligations;
- (b) Persons held in places of deprivation of liberty.

68. The results of the most recent presidential election, held on 23 December 2007, show that more than 16 million persons have the right to vote in Uzbekistan.

Table 23
Number of voters, 2002-2007²³

No. Region/Province	Legislative Chamber		
	Referendum, 27 January 2002	elections, 26 December 2004	Presidential elections, 23 December 2007
1. Karakalpak Republic	785 707	841 310	960 000
2. Andizhan	1 205 846	1 297 947	1 485 100
3. Bukhara	770 042	828 978	972 300
4. Djizzak	471 547	510 243	609 800
5. Kashkadarya	1 104 091	1 226 010	1 404 20
6. Navoi	433 766	474 086	514 700
7. Namangan	1 041 553	1 137 009	1 283 100
8. Samarkand	1 420 285	1 534 761	1 724 300
9. Surkhandarya	893 726	967 762	1 107 500

²³ *Ibid.*

<i>No. Region/Province</i>	<i>Legislative Chamber</i>		
	<i>Referendum, 27 January 2002</i>	<i>elections, 26 December 2004</i>	<i>Presidential elections, 23 December 2007</i>
10. Syrdarya	326 328	338 307	409 500
11. Tashkent	1 246 756	1 446 440	1 597 200
12. Fergana	1 535 684	1 629 942	1 803 600
13. Khorezm	744 579	829 920	894 700
14. Tashkent City	1 246 732	1 233 947	1 531 400
Total	13 226 642	14 302 662	16 297 400

69. Only citizens may vote. Aliens and stateless person do not enjoy that right.

70. The Councils of Peoples' Deputies (Provincial, District and City Elections) Act set out the basic principles for the conduct of elections, namely:

- Plurality of parties
- Universal, equal and direct suffrage
- Secrecy of the ballot
- Publicity.

71. All voters have the same legal status. All citizens of Uzbekistan have the same voting rights, regardless of social origin, racial or national affiliation, gender, language, education or individual or collective property status.

72. Under the law, at least 30 per cent of candidates on party lists must be women.

73. Uzbekistan's election system is a majority-vote system. Pursuant to the Oliy Majlis (Elections) Act, a candidate obtaining more than half of the votes of the voters participating in the election is deemed elected.

Legal status and legal regulation of the activities of NGOs

74. To date the Ministry of Justice and its local subdivisions have officially registered 1,587 non-profit NGOs and have also recorded the existence of 3,446 such organizations. The legal regulation of non-profit NGOs is based on both public and private law.

75. The State pursues a policy of social partnership and actively promotes the development of institutions of civil society. Under the Non-Profit Non-Governmental Organizations (Safeguards) Act, the State may support the activities of non-profit NGOs through subsidies, grants and procurement of social services. June 2005 saw the formation of the Uzbek National Association of Non-Profit NGOs, representing the interests of non-profit NGOs in their relations with the State. On 3 July 2007, by joint decision of the Oliy Majlis Legislative Chamber and Senate on measures for strengthening support for non-profit NGOs and other civil society bodies, the Public Support Fund for Non-Governmental Non-Profit Organizations and Other Civil Society Institutions and a Parliamentary Commission responsible for managing the finances of the Fund were created and attached to the Oliy Majlis. Fund support is provided directly, in the form of subsidies, grants and social service commissions based on applications filed by non-profit NGOs and other civil society bodies in accordance with decisions of the parliamentary commission.

76. Uzbekistan has adopted a number of legal instruments consolidating and safeguarding the activities of NGOs: the Constitution, the Civil Code, the Public Associations Act, the Non-Profit NGOs Act, the Voluntary Foundations Act, the Property Owners' Associations Act, the Citizens' Self-Governance Bodies Act, the Citizens' Self-

Governance Bodies (Election of Presiding Officers) Act, the Non-Profit NGOs (Safeguards) Act, and the Voluntary Associations Act. Chapter XII of the Constitution is devoted in its entirety to civil society organizations.

77. In accordance with the Constitution, the State guarantees the observance of the rights and legitimate interests of public associations and ensures that they have equal legal opportunities to participate in public life. Interference by State bodies or officials in the activities of such associations and vice versa is prohibited. Article 57 of the Constitution prohibits "the creation and operation of civil society organizations established for the purpose of changing the constitutional order by force, impairing the sovereignty, integrity and security of the Republic and the rights and freedoms of its citizens under the Constitution, making propaganda for war or social or religious enmity or hostility between nationalities and races, or undermining the health and morality of the people, as well as militarized organizations operating under the banner of a nationality or religion.

78. The formation of secret societies or associations is prohibited.

79. The Ministry of Justice is the chief agency for the registration of non-profit NGOs.

80. Pursuant to the Non-Profit NGOs Act, the judicial body receiving the papers for the official registration of a non-profit NGO must examine them and take a decision on approval or rejection within two months; it must then, within three days of that decision, issue to the founders a certificate of official registration or a document stating the specific provisions of the legislation on which rejection is based. Under article 62 of the Constitution, disbanding, prohibiting or restricting the activities of a civil society organization requires a court decision.

81. Article 2 of the Act clearly and consistently stipulates that an organization may be deemed non-profit when:

- (a) The fundamental purpose of its activity is not to produce income (profits);
- (b) It does not distribute any income received among its members.

82. As legal entities, non-profit NGOs are assessed for taxation after deduction of expenditure for socially useful statutory activities. Only the income (profits) from their business activity is taxed.

Administration of justice

83. Under the Constitution, the basic principles of judicial proceedings and administration of justice are:

- Independence of the courts and immunity of judges (arts. 106 and 108)
- Independence of judges and their subordination only to the law (art. 112)
- Prohibition of judges from holding representative office (arts. 108 and 112)
- Prohibition of judges from membership in political parties or movements (arts. 108 and 112)
- Openness and publicity of all court proceedings; hearings behind closed doors are permitted only in the cases specified by law (art. 113)
- Conduct of judicial proceedings in the official language of the State or in the majority national language of the locality (art. 115)
- Participation of a lawyer at all stages of preliminary and court proceedings (art. 116)

- Binding nature of decisions of judicial authorities for all State bodies, enterprises, establishments and organizations, civil society organizations, officials and citizens (arts. 109, 110 and 114)

84. Uzbekistan's judicial system is rather complicated. It has three sections, for the country's composition also comprises the Republic of Karakalpakstan and 12 provinces. In addition, the Tashkent City court has the status of a provincial court and a higher status than the district courts within the boundaries of the capital.

85. Cases are heard by several different instances. The district and inter-district criminal courts have only one function - that of courts of first instance. The Supreme Court of the Republic of Karakalpakstan, the provincial courts and the Tashkent City court act as courts of first instance for cases falling within their jurisdiction at the appeals, judicial review and supervisory levels. They supervise the proceedings of the district, city and inter-district courts (Courts Act, article 30). The Supreme Court, as the highest judicial authority for civil, criminal and administrative justice, is empowered to consider cases both in first instance and in its supervisory-review capacity. Furthermore, cases heard by the Supreme Court in first instance may also be considered by it as court of appeal or judicial review; but cases heard on appeal may not be considered in judicial review (Courts Act, article 13).

86. All cases are heard by the appropriate court in accordance with specific procedural rules and with a clearly defined purpose. Procedural rules are set out in several pieces of legislation: the Code of Criminal Procedure (1994), the Code of Civil Procedure (1997) and the Code of Economic Procedure (1997).

87. As a general rule, a case may be heard in two instances - first and second. Permitted only in exceptional circumstances, supervisory review of cases is not regarded as a third instance.

88. The courts of first instance consider the merits of the case with a view to establishing the defendant's guilt or innocence in criminal cases and the success or failure of the action in civil cases. Any court may consider in first instance cases falling within its jurisdiction.

89. The most complicated cases are heard by the higher courts, up to and including the Supreme Court.

90. In considering the merits, it is usual for a court, with or without the participation of the people's assessor²⁴, to examine the evidence and establish all the important facts of the case. On the conclusion of its proceedings the court imposes a sentence in criminal cases and makes an award in civil cases.

91. Before judicial decisions become enforceable, appeals may be lodged against them to a higher court of appeal within 10 days of their issuance in criminal cases and 20 days in civil cases.

92. Once they become enforceable, court decisions and sentences which have not been reconsidered on appeal may be the subject of an application to a higher court for judicial review within one year of the issuance of the decision or sentence.

93. Judicial decisions which have become enforceable may be reviewed at the supervisory level, but only following an objection by the prosecutor or court president or their deputies to whom this right is accorded by law.

²⁴ Under article 13 of the Code of Criminal Procedure, criminal cases involving crimes that do not present a great public danger and crimes of lesser gravity are heard by a judge acting alone.

94. Judicial proceedings in the Constitutional Court are conducted in accordance with the Constitutional Court Act.

Crime statistics

Table 24

Total number of first-degree murders



95. Over the past five years, the total number of first-degree murders has declined from 963 and 962 in 2003 and 2004 respectively to 910 in 2005, 891 in 2006 (5.4 per cent fewer than in 2005) and 815 in 2007 (5.3 per cent fewer than in 2006).

96. Under article 15 of the Criminal Code, offences are classified, according to their nature and the degree of social danger which they represent, into offences representing no great social danger, offences of minor gravity, serious offences, and extremely serious offences.

97. Offences representing no great social danger include deliberate crimes for which the law prescribes a penalty of deprivation of liberty for up to three years and crimes committed out of negligence for which the law prescribes a penalty of deprivation of liberty for up to five years.

98. Offences of minor gravity include deliberate crimes for which the law prescribes a sentence of deprivation of liberty exceeding three and up to five years and crimes committed out of negligence for which the law prescribes a penalty of deprivation of liberty for more than five years.

99. Serious offences include deliberate crimes for which the law prescribes a penalty of deprivation of liberty exceeding five and up to 10 years.

100. Extremely serious offences are deliberate crimes for which the law prescribes a penalty of deprivation of liberty exceeding 10 years or for life.

Table 25

Total recorded offences, by degree of social danger and perpetrator's gender and age²⁵

	2003	2004	2005	2006	2007
Total recorded offences	78 925	79 129	79 883	82 352	83 905
Including:					
Representing no great social danger	35 084	36 080	38 098	40 209	40 492
Of minor gravity	24 636	24 642	23 892	24 615	25 747

²⁵ Source: Ministry of Internal Affairs.

	2003	2004	2005	2006	2007
Serious	12 716	12 030	11 618	11 224	11 089
Extremely serious	6 489	6 377	6 275	6 304	6 600
Identified perpetrators	71 688	70 486	71 405	74 558	78 044
Per 100,000 of population, including:	28.0	27.3	27.3	28.2	29.3
Men	62 383	64 413	61 720	64 097	66 517
Per 100,000	24.4	24.9	23.6	24.3	24.9
Women	9 305	9 073	9 685	9 461	11 527
Per 100,000 (%)	3.6	3.5	3.7	3.6	4.3
Minors	2 974	2 837	2 727	2 826	2 853
Repeat offenders	11 579	10 797	10 485	10 355	9 326
Employed	27 553	25 701	24 705	27 950	31 496
Under the influence of alcohol	6 140	5 750	5 558	5 257	4 775
Aged 13-15	624	614	582	580	604
Aged 16-17	2 350	2 223	2 145	2 246	2 249
Aged 18-24	12 333	11 824	14 734	14 919	14 958
Aged 25-29	9 718	9 410	12 908	12 905	13 283
Recorded murders	963	962	910	891	815
Per 100,000	3.8	3.7	3.4	3.4	3.1
Cases of violent assault	986	1 069			
Per 100,000	3.8	4.1	5.49	5.60	6.23
Cases of robbery	1 436	1 430	1 439	1 712	1 805
Per 100,000	5.6	5.5	5.5	6.4	6.7
Preventive arrests	12 899	11 195	10 518	10 353	10 087
Per 100,000	50.5	43.3	40.2	39.2	37.8
Criminal prosecutions	40 777	39 888	40 118	39 787	39 753
Convictions	51 024	42 687	48 880	48 463	48 763
Per 100,000	199.9	165.4	187.1	183.5	182.8
Recorded rapes	572	576	492	506	475
Prosecutions for rape	568	627	739	711	829
Per 100,000	2.2	1.0	2.8	2.7	3.1

Maximum and average duration of remand in custody

101. As part of the reform of the judicial system, the time limit for preliminary investigations in criminal cases was cut from two years to one year and for remand in custody from 18 to 9 months (in exceptional cases 12 months); the scope of application of this measure was also reduced.

102. In addition, in order to ensure effective protection of constitutional rights and freedoms, in particular the rights to inviolability of the person and due process, on 1 January 2008 the power to order remand in custody was transferred to the courts, and corresponding amendments were made to Act No. 3RU-100 of 11 July 2007 and to the articles of the Code of Criminal Procedure regulating the duration of remand in custody and the procedure for its extension. Article 245 of the Code now reads as follows:

103. "The duration of remand in custody during investigation of an offence may not exceed three months.

104. Applications for extension of the three-month period of remand in custody established by law shall be considered by the courts as follows:

- Up to five months if made by a procurator of the Republic of Karakalpakstan or a procurator of a province or of Tashkent City or a procurator of equivalent rank;
- Up to nine months if made by the Procurator-General of Uzbekistan;
- Up to 12 months if made by the Procurator-General of Uzbekistan during the investigation of particularly complicated cases involving persons charged with serious or extremely serious offences. No further extension of the period shall be permitted. In considering all such applications, courts shall take into account the weight of the evidence submitted and compliance with procedural rules and requirements.

105. Article 247 of the Code specifies the procedure for extension of the duration of remand in custody.

106. Procurators must issue orders for the preparation of applications for extension of remand in custody and their submission to the courts at least six days before the expiry of the current period. Such applications must state the reasons for the unusual length of the investigation, and elements and circumstances justifying the application.

107. Applications are considered by a judge of a district or city criminal court sitting alone or of an area or territorial military court at the place where the offence was committed or where the pre-trial investigation is being conducted. In the absence of the judge or under circumstances preventing the judge from participating in the examination of the case file, the application is considered by the judge of some other equivalent court designated by the President of the Supreme Criminal Court of the Republic of Karakalpakstan, a criminal court of Tashkent City or a province, or the Military Court of the Republic of Uzbekistan.

108. Applications are considered by the court in closed session within 72 hours of the submission of the case file.

109. Applications are considered in the presence of the procurator and the accused and his or her counsel, if any. When necessary, investigators may be summoned to appear before the court.

110. The court may consider applications in the absence of the accused if he or she is being held in a medical institution for completion of a forensic psychiatric assessment as an inpatient. In such cases it is mandatory for a defence counsel to attend the hearing.

111. On completion of its consideration of an application, the court issues one of the following orders:

- (a) To extend the period of remand in custody
- (b) To reject the application for extension

112. An order to extend or not to extend the period takes effect from the moment it is issued and is subject to immediate enforcement. The order is transmitted to the procurator for enforcement and to the accused and his or her counsel for information. The court's decision is subject to appeal or may be contested under the procedure described in the second part of article 241 of the Code within a time limit of 72 hours.

113. Having considered an appeal or objection, the appeals court may in its ruling:

- (a) Leave the lower court's decision unchanged and reject the appeal or objection;

(b) Revoke the lower court's decision by refusing to extend the period of remand in custody or by extending the period set in that decision. If extension of the period of remand in custody is ordered in respect of an accused person who has been released from custody on the expiry of an earlier period of remand, the court must issue a new remand order against such person.

Number of deaths during remand in custody

114. In the period 2005-2007, three persons held on remand in temporary detention units committed suicide by hanging.

115. The number of convicts who died in correctional institutions was 10 in 2005, 15 in 2006 and 10 in 2007. In 29 of these cases, the causes of death were tuberculosis, infections of the gastro-intestinal tract and cardiovascular disease, while the other six prisoners committed suicide or were killed in accidents.

Numbers of employees of the Ministry of Internal Affairs per 100,000 of the population

116. The Ministry's agencies have 111 officers fighting crime and safeguarding the public order for every 100,000 members of the population.

Table 26

Total amount of material damage caused by criminal offences and claimed in judicial proceedings²⁶

	<i>Total amount awarded</i>	<i>Total amount claimed in court decisions</i>	
	<i>(SUM million)</i>	<i>SUM million</i>	<i>%</i>
2005	17 444.5	11 649.6	66.8
2006	74 246.0	72 040.2	97.0
2007	33 062.0	29 557.4	89.4

B. General framework for the protection and promotion of human rights

1. Adoption of international human rights rules

Table 27

<i>Treaty</i>	<i>Notification of accession</i>	<i>Reservations and declarations</i>	<i>Derogations, restrictions, or limitations</i>
International Covenant on Economic, Social and Cultural Rights (1966)	31 August 1995	-	-
International Covenant on Civil and Political Rights (1966)	31 August 1995	-	-
International Convention on the Elimination of All Forms of Racial Discrimination (1965)	31 August 1995	-	-

²⁶ Source: Department of Judgement Enforcement, Logistics and Finance, Ministry of Justice.

<i>Treaty</i>	<i>Notification of accession</i>	<i>Reservations and declarations</i>	<i>Derogations, restrictions, or limitations</i>
Convention on the Elimination of All Forms of Discrimination against Women	6 May 1995		
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984)	31 August 1995	-	-
Convention on the Rights of the Child (1989)	9 December 1992	-	-
International Convention on the Protection of the Rights of All Migrant Workers and Their Families (1990)	-	-	-
Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts (2000)	12 December 2008	-	-
Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (2000)	11 December 2008	-	-
Optional Protocol to the International Covenant on Civil and Political Rights concerning communications from individuals (1966)	31 August 1995	-	-
Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty (1989)	10 December 2008	-	-
Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women concerning communications from individuals (1999)	-	-	-
Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment concerning regular visits undertaken by independent national and international bodies to places of detention (2002)	-	-	-

(a) Ratification of other United Nations human rights treaties and related treaties

Table 28

<i>Treaty</i>	<i>Notification of accession</i>	<i>Reservations and declarations</i>	<i>Derogations, restrictions, or limitations</i>
Convention on the Prevention and Punishment of the Crime of Genocide (1948)	20 August 1999	-	-
Slavery Convention (1926)	-	-	-
Convention for the Suppression of the Traffic in Persons and of the Exploitation and the Prostitution of Others (1949)	12 December 2003	-	-
Convention relating to the Status of Refugees (1951) and its Protocol (1967)	-	-	-
Convention relating to the Status of Stateless Persons (1954)	-	-	-
Convention on the Reduction of Statelessness (1961)	-	-	-
Rome Statute of the International Criminal Court (1998)	-	-	-
United Nations Convention against Transnational Organized Crime (2000)	Signed 13 December 2000; ratified 30 August 2003	-	-
Protocol against Smuggling of Migrants by Land, Sea and Air	Signed 28 June 2001	-	-
Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children	Signed 28 June 2001	-	-

(b) Ratification of other relevant international treaties

Table 29

<i>Treaty</i>	<i>Notification of accession</i>	<i>Reservations and declarations</i>	<i>Derogations, restrictions, or limitations</i>
Conventions of the International Labour Organization			
Weekly Rest (Industry) Convention (No. 14, 1921)	-	-	-
Forced Labour Convention (No. 29, 1930)	30 August 1997	-	-
Forty-Hour Week Convention (No. 47, 1935)	6 May 1995		
Holidays with Pay Convention,	6 May 1995		

<i>Treaty</i>	<i>Notification of accession</i>	<i>Reservations and declarations</i>	<i>Derogations, restrictions, or limitations</i>
(No. 52, 1936)			
Labour Inspection Convention (No. 81, 1947)	-	-	-
Migration for Employment Recommendation (No. 86, 1949)	-	-	-
Freedom of Association and Protection of the Right to Organize Convention (No. 87, 1948)	-	-	-
Migration for Employment Convention (Revised) (No. 97, 1949)	-	-	-
Right to Organize and Collective Bargaining Convention (No. 98, 1949)	30 August 1997	-	-
Equal Remuneration Convention (No. 100, 1951)	30 August 1997	-	-
Social Security (Minimum Standards) Convention (No. 102, 1951)	-	-	-
Maternity Protection Convention (Revised) (No. 103, 1952)			
Abolition of Forced Labour Convention (No. 105, 1957)	30 August 1997		
Weekly Rest (Commerce and Offices) Convention (No. 106, 1957)	-	-	-
Discrimination (Employment and Occupation) Convention (No. 111, 1958)	30 August 1997	-	-
Equality of Treatment (Social Security) Convention (No. 118, 1962)	-	-	-
Employment Policy Convention (No. 122, 1964)	6 May 1995		
Labour Inspection (Agriculture) Convention (No. 129, 1969)	-	-	-
Minimum Wage Fixing Convention (No. 131, 1970)	-	-	-
Holidays with Pay Convention (Revised) (No. 132, 1970)	-	-	-

<i>Treaty</i>	<i>Notification of accession</i>	<i>Reservations and declarations</i>	<i>Derogations, restrictions, or limitations</i>
Workers' Representatives Convention (No. 135, 1971)	30 August 1997		
Minimum Age Convention (No. 138, 1973)	Approved by the lower chamber, (Mar. 2008)	-	-
Migrant Workers (Supplementary Provisions) Convention (No. 143, 1975)	-	-	-
Migrant Workers Recommendation (No. 151, 1975)	-	-	-
Labour Relations (Public Service) Convention (No. 151, 1978)	-	-	-
Collective Bargaining Convention (No. 154, 1981)	30 August 1997		
Occupational Safety and Health Convention (No. 155, 1981)	-	-	-
Workers with Family Responsibilities Convention (No. 156, 1981)	-	-	-
Indigenous and Tribal Peoples Convention (No. 169, 1989)	-	-	-
Worst Forms of Child Labour Convention (No. 182, 1999)	Approved by the lower chamber, (Mar. 2008)	-	-
Maternity Protection Convention (No. 183, 2000)	-	-	-
Geneva Conventions and other international humanitarian law treaties			
Geneva Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (1949)	3 September 1993	-	-
Geneva Convention (II) for the Amelioration of the Condition Wounded, Sick and Shipwrecked Members of the Armed Forces at Sea (1949)	3 September 1993	-	-
Geneva Convention (III) relating to the Treatment of Prisoners of War (1949)	3 September 1993	-	-
Geneva Convention (IV) relating to the Protection of Civilian	3 September 1993	-	-

<i>Treaty</i>	<i>Notification of accession</i>	<i>Reservations and declarations</i>	<i>Derogations, restrictions, or limitations</i>
Persons in Time of War (1949)			
Additional Protocol to the Geneva Convention of 12 August 1949 relating to the Protection of Victims of International Armed Conflicts (Protocol I) (1977)	3 September 1993	-	-
Additional Protocol to the Geneva Convention of 12 August 1949 relating to the Protection of Victims of Non-State Armed Conflicts (Protocol II) (1977)	3 September 1993	-	-

2. Legal framework for the protection of human rights at the national level

Legal bases of the protection of human rights

117. As at 1 February 2007, Uzbekistan had in force 15 codes, 368 acts, 631 presidential decrees and 156 presidential decisions, 2,445 decisions of the Cabinet of Ministers, and 1,206 sets of departmental regulations. This vast body of legislation, constituted during the years of independence, has laid the foundations for the comprehensive regulation of social, economic and political relations. Almost all the provisions of the Universal Declaration of Human Rights are embodied in the Constitution and have been further developed in the legislation in force.

118. The State Independence (Foundations) Constitutional Act of 31 August 1991 provides as follows: "In Uzbekistan, Uzbek citizenship is established in accordance with the Universal Declaration of Human Rights.

119. All Uzbek citizens, regardless of nationality, social origins, religious faith, or opinions, have equal civil rights and enjoy the protection of the Constitution and the law."

120. National and State values and all the generally recognized ideals of humanity's legal culture are organically interlinked in the Constitution.

121. The special status of the generally recognized rules of international law on human rights and freedoms is established in the preamble to the Constitution, worded as follows: "The people of Uzbekistan, solemnly declaring its adherence to human rights and the principles of State sovereignty, aware of its great responsibility to the present and future generations, relying on the historical experience of the development of Uzbek statehood, affirming its commitment to the ideals of democracy and social justice, recognizing the priority of the generally recognized rules of international law, wishing to provide a decent life for the citizens of the Republic, assuming the task of creating a humane and democratic State with a view to civil peace and national accord, represented by its plenipotentiary deputies, adopts this Constitution".

122. The Constitution was drafted in accordance with the basic principle that "the human being, human life, freedom, honour, dignity and other inalienable rights" constitute "the ultimate value" (the Constitution, art. 13). This fundamental position is one of the pillars of Uzbekistan's constitutional order. It preordains the role and the importance which the Constitution attaches to human rights and freedoms.

123. Under article 31 of the Constitution, "freedom of conscience is guaranteed for all. Everyone has the right to profess any religion or none. The imposition of religious views by force is prohibited."

124. Article 43 of the Constitution establishes the obligation of the State to guarantee the human rights and freedoms embodied in the Constitution and the law. Article 44 accords to everyone the legal protection of his or her rights and freedoms, and the right to complain to the courts concerning unlawful acts of State agencies or officials or civil society organizations.

125. In addition to these general provisions on guarantees, the establishment of virtually every specific right and freedom is accompanied by an indication of the conditions and means of its realization.

126. The human rights guarantees set out in the Constitution encompass all legal remedies and ensure the realization and protection of human rights and freedoms in the various branches of the law.

127. Guarantees of civil rights and freedoms are of course not regulated by the Constitution alone.

128. Human rights are legally established in Uzbekistan by constitutional acts, legal codes and a solid body of primary legislation. Parliament has adopted more than 300 acts regulating fundamental human rights. The general measures for the delivery and protection of civil rights and freedoms are set out in legislation on the various branches of activity. The most important principles in this regard are embodied in the Criminal Code, the Code of Criminal Procedure and the Administrative Liability Codes.

129. The socially oriented programmes adopted on annual basis by the Government as part of dedicating the current year to resolving a specific social problem form an integral part of the country's legal system. Such programmes usually contain a legislative part and specific measures to improve the well-being of socially vulnerable population groups, families, mothers, children, the elderly, persons with disabilities, and young persons. Such programmes receive State funding, and NGOs participate in their implementation.

130. January 2008 saw the entry into force of legislative acts on the abolition of the death penalty, on the transfer to the courts of the power to order remand in custody and on guarantees of human rights, as well as of a constitutional act on strengthening the role of political parties in the renewal and further democratization of State administration and in the modernization of the country.

131. In practice, inter-agency implementation arrangements take the form of national programmes and plans of action to carry out the recommendations made by the United Nations treaty bodies following their consideration of Uzbekistan's periodic reports.

Status of international human rights treaties in domestic law

132. By the beginning of 2008, Uzbekistan had concluded over 5,340 multilateral and bilateral treaties and agreements and had acceded to more than 186 of the most important international conventions and treaties, including more than 70 on the protection of human rights and freedoms.

133. An analysis of the domestic legislation underpinning and giving effect to the primacy of international law over national law shows that Uzbekistan's sectoral legislation is generally based on an acknowledgment of the primacy of the rules contained in international treaties over domestic laws. Under article 1.1 of the Criminal Code, Uzbekistan's criminal legislation is based on the Constitution and the generally recognized rules of international law and consists in the Code itself.

134. Article 4 of the Code of Criminal Procedure contains the following mandatory injunction: "The Code of Criminal Procedure shall take into account the principles and rules of international law relating to the enforcement of sentences and the treatment of prisoners."

135. The criminal sentence enforcement rules set out in the legislation may not conflict with international instruments providing protection against torture and other inhuman or degrading treatment of prisoners.

136. If an international treaty to which Uzbekistan is a party provides otherwise than the legislation on enforcement of criminal sentences, the provisions of the international treaty must be followed.

137. The language most frequently found contains a reference to the rules of international law. For instance, use is commonly made of language along the lines of article 9 of the Family Code: "If an international treaty to which Uzbekistan is a party contains rules which differ from the rules set out in domestic legislation on the family, the rules of the international treaty shall apply". Such wording merely addresses precedence of application when a treaty contains "rules which differ" only with respect to a specific case, without affecting the force of the given act as a whole. In other words, an exception is made for a particular situation. Here, the treaty does not take precedence over the law: the point at issue is the precedence to be accorded in a specific case. Accordingly, "rules which differ" means rules which abolish or alter the rules of the given act rather than create an exception for a specific case.

138. The precedence of international treaties in specific situations is clearly established in, for instance, such legislation as the Labour Code and the Land Code. Such precedence is accorded to all international instruments which have entered into force for Uzbekistan, since the rules contained in such instruments have been declared a part of domestic law and are consequently of direct application.

139. In the words of the International Treaties Act of 25 December 1995, "the international treaties of Uzbekistan are subject to direct and mandatory application by Uzbekistan in accordance with the rules of international law".

System of State agencies taking decisions on human rights issues

140. The bodies authorized to deal with human rights issues in Uzbekistan include:

- The Legislative Chamber and the Senate of the Oliy Majlis and the local-level State authorities
- The President of Uzbekistan
- The Cabinet of Ministers and the ministries, departments and agencies of the Executive
- The institutions of the Judiciary
- The Office of the Procurator-General.

141. The **Oliy Majlis** - Uzbekistan's highest elected representative body - creates the legal basis for the realization and protection of human rights. Since independence, the Oliy Majlis has drafted and adopted more than a thousand acts, most of them designed to provide direct protection of specific rights and freedoms of citizens. The procedure for the ratification of international human rights treaties is implemented by the country's parliament. Committees of the lower and upper chambers of parliament regularly conduct procedural checks on the application of such treaties and the human rights legislation in force. In 2006, for instance, the Senate carried out a monitoring exercise to check on the

application of the Convention in the provinces of the Fergana valley, and in 2005/06 the Interparliamentary Relations Committee of the Legislative Chamber checked on the application of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in Tashkent province.

142. In the period of 2006-2009, compliance with the Convention was monitored as part of scrutiny by, in particular, the Committee on Democratic Institutions, Non-Governmental Organizations and Citizens' Self-Governance Bodies, which reviewed the implementation of the Convention by the Ministry of Health (2008), by the Ministry of National Education (2007) and in the Surkhandarya province (2009); and by the Committee on International Affairs and Interparliamentary Relations, which reviewed such implementation in the Kashkadarya province (2006).

143. In 1995, the Oliy Majlis established the Commission on the Observance of the Human Rights and Freedoms of Citizens (later re-organized as the Commission on the Observance of the Human Rights and Freedoms of Citizens attached to the Office of the Commissioner for Human Rights of the Oliy Majlis (Parliamentary Ombudsman)).

144. In 1995 the Oliy Majlis established the post of Commissioner for Human Rights of the Oliy Majlis (Parliamentary Ombudsman), invested with the power to consider complaints of violations of human rights. The Parliamentary Ombudsman operates in accordance with the law. When a complaint is received, the Parliamentary Ombudsman conducts an independent investigation. On the basis of the findings of this investigation, recommendations for correction of the situation are transmitted to the relevant officials and State agencies. The Parliamentary Ombudsman monitors cases of human rights violations in the light of the complaints received. Statistics on complaints, an analysis of their content, and the recommendations issued are transmitted in the form of an annual report to both chambers of the Oliy Majlis and published on the Internet.

145. Under article 93 (1) of the Constitution, "the President of Uzbekistan shall act as guarantor of the observance of the rights and freedoms of citizens and of the Constitution and law of Uzbekistan".

146. The President of Uzbekistan initiated the drafting of a bill on the introduction of priority measures for the reform and further liberalization of the judicial system. In that connection, seven presidential decrees, three presidential decisions and three presidential orders have so far been issued. The Death Penalty (Abolition) Act and the *Habeas Corpus* Act became law as a result of initiatives by the President. National human rights institutions were also established on the President's initiative. Special attention is always given to the realization of human rights in the President's statements to joint sessions of parliament.

147. **The Cabinet of Ministers** — the highest body of executive power — attends to the direct application of the laws and subsidiary legislation adopted by the country's parliament and of the decrees, decisions and orders issued by the President of Uzbekistan.

148. The Government has adopted a whole array of socially oriented State programmes in connection with the incorporation of the generally accepted rules of international human rights law into domestic legislation and their comprehensive application.

149. **Judicial bodies** form part of the system of State agencies for the protection of human rights. A considerable role in this system is played by the Constitutional Court, which is responsible for examining questions of the constitutionality of the acts of the Legislature and the Executive. Since its establishment, the Constitutional Court has adopted 14 orders and decisions on the interpretation of provisions of legislation and consequently on the protection of various human rights and freedoms.

150. The system of courts of general jurisdiction attends to the defence of rights and redress for their violation. When considering in plenary session the practice of the courts,

the Supreme Court of Uzbekistan pays particular attention to the protection of human rights in all their forms. The decisions taken by the Supreme Court at these sessions constitute official interpretations of the law and are binding on all law-enforcement and judicial bodies. In 2007, for instance, in connection with the introduction of the remedy of *habeas corpus* and the abolition of the death penalty, the Supreme Court plenary adopted decisions on "certain issues related to the imposition of punishment in the form of life imprisonment" and on "the use by the courts of preventive measures in the form of remand in custody during pre-trial investigations".

151. In 2009, in connection with the adoption of the Human Trafficking Prevention Act, the Supreme Court plenary adopted a decision on "judicial practice in cases of trafficking in human beings".

152. The **agencies of the Office of the Procurator-General** are required to attend to the specific protection of the rights of persons involved in criminal proceedings. The legal status of this Office is established in the Constitution and in the Office of the Procurator-General Act of 29 August 2001, under which "the Procurator-General of Uzbekistan and the subordinate procurators shall ensure scrupulous and uniform application of the law by all ministries, State committees, departments, State monitoring bodies, and regional administrators and by all establishments, enterprises and organizations regardless of their hierarchical status, affiliation or form of ownership, as well as by military units, civil society organizations, officials and citizens". In addition to its responsibility for general monitoring of compliance with the law, the Office of the Procurator-General has two special departments concerned directly with human rights: the Department for supervising the implementation of the law in places of detention and remand in custody and in the enforcement of sentences and other court-ordered coercive measures; and the Department for the protection of the legitimate interests of individuals, society and the State.

153. **The Ministry of Justice** is invested with considerable powers regarding the realization and protection of human rights and freedoms. Under paragraphs 2 and 6 of its Regulations, one of that Ministry's main tasks is to ensure the protection of the human rights and freedoms enshrined in the Constitution and the law, and the comprehensive development, and consolidation of the legal foundations, of civil society institutions.

154. The Department for the Protection of Human Rights is a specialized unit in the Ministry of Justice, concerned with direct protection of human rights and freedoms. It was established on the basis of Cabinet of Ministers Decision No. 370 of 27 August 2003 on measures for further improving the work of the Ministry of Justice. Under that decision, human rights protection units under the Department were established in the Ministry of Justice of the Republic of Karakalpakstan and local agencies of the Judiciary and Tashkent City.

155. The Department exercises the following main functions:

- Analyzing human rights legislation and its state of implementation and making proposals for developing the law and improving its application
- Ensuring the protection of the human rights and freedoms enshrined in the Constitution and the law
- Developing measures to enhance the public's awareness of the law on human rights and freedoms and promoting the concept of respect for human rights and freedoms in society
- Seeking to strengthen the role of lawyers in the defence of human rights and freedoms, developing civil society institutions and consolidating their legal foundations

- Cooperating with international organizations and NGOs working in Uzbekistan to promote human rights and freedoms.

156. By a presidential decision of 15 December 2005, the Centre for Monitoring Compliance with Legislative Acts was set up under the Ministry of Justice in order to establish a system for monitoring the compatibility of the emerging legal and legislative basis and law-enforcement practice with the aims and challenges of the country's modernization.

157. The **agencies of the Ministry of Internal Affairs** play an important role in the protection of human rights and freedoms in the country. The investigation of offences is the most visible area of the work of these agencies, often affecting the rights and freedoms of citizens involved in criminal proceedings. Under paragraphs 2 and 1 of the Regulations of the Ministry of Internal Affairs, adopted by a Cabinet of Ministers decision of 25 October 1991, "within the limits of its jurisdiction, the Ministry shall guarantee the protection of the rights and legitimate interests of citizens, public policy and public security, and shall support the fight against crime".

158. On 21 August 2003, the Ministry's Chief Investigations Department and the national Bar Association approved, in a joint protocol, regulations on the procedures for safeguarding the defence rights of detainees, suspects and accused persons at the stage of initial inquiry or pre-trial investigation. Under these regulations, lawyers were recruited for every investigation unit of the Ministry's agencies. A system of lawyers on duty was introduced in these agencies. From the moment of his or her first contact with an investigation agency, every detainee is now guaranteed access to a defence counsel at all times. This procedure is now in place in all the agencies of the Ministry.

159. On instructions from the Ministry issued on 30 September 2005, the Office for the Protection of Human Rights and Cooperation with International Organizations was established in the Department for the Protection of Rights and Relations with the Media. The main functions of this Office include: monitoring of the observance of human rights and freedoms in coordination with the Parliamentary Ombudsman and the National Centre for Human Rights; cooperation and exchange of information with international organizations regarding the protection of human rights and freedoms; promotion of a culture of legality among the Ministry's personnel and their education in the core legal provisions on the realization and protection of human rights and freedoms.

Reliance on international human rights instruments by judicial bodies

160. Uzbekistan's legal system recognizes the precedence of international law over domestic law. In order to be applied, an international instrument must be incorporated in domestic law. Following incorporation, the rules of international law become part of domestic law with binding force. Yet citing specific international instruments has not become standard practice for the country's judicial bodies and remains an extremely rare practice.

Legal remedies against human rights violations

161. Uzbekistan's legislation spells out clearly the legal remedies against violation of protected rights. These remedies are established in legislative instruments such as the Civil Code, the Code of Civil Procedure, the Courts Act, the Office of the Procurator-General Act, the Citizens' Applications Act, the Human Rights and Freedoms (Reporting of Violations to the Courts) Act, the Parliamentary Ombudsman Act, the Legal Profession Act, the Non-Profit NGOs Act, the Regulations of the Ministry of Justice, and the Regulations of the Ministry of Internal Affairs.

162. Uzbekistan provides several forms of legal protection against violations of human rights. These forms of legal protection may be subdivided into administrative and legal remedies which are consistent and supplement one another. The means of legal protection in question include intermediation and conciliation procedures and more formal legal procedures.

163. There is an **administrative procedure** for reporting violations of human rights. In the event of such violation by an official of any agency, the person concerned may apply to a higher agency in the hierarchy. Complaints must be considered within 30 days, and the applicant must receive a reasoned reply in writing. This procedure is used quite frequently and works effectively.

164. The person concerned may also apply to the procurator's office, which must likewise consider the complaint within 30 days. The office considers individual complaints as part of its supervisory role, and this procedure may result in the issuance of an instruction by the office for legal action to be taken against the official in question. Lodging a complaint with the procurator's office also constitutes a sufficiently powerful and effective means of correcting infringements of rights.

165. Since 2005, the Ministry of Justice has had a Department for the Protection of Human Rights, one of whose functions is to deal with applications and complaints concerning human rights violations. When necessary, the Department's services include free legal assistance with applications to the courts. A considerable volume of such assistance has been furnished in recent years to business persons, farmers and members of the rural population.

166. The Office for the Protection of Human Rights and Cooperation with International Organizations of the Ministry of Internal Affairs is involved in the consideration of complaints of human rights violations found admissible by Ministry officials.

167. The Parliamentary Ombudsman and the National Centre for Human Rights are also active in the extrajudicial protection of civil rights in the system of State agencies. When considering complaints, the Parliamentary Ombudsman conducts a separate and independent inquiry and then issues a decision of a recommendatory nature to the officials responsible for ruling on the case. The number of complaints considered by the Parliamentary Ombudsman and the number of positive outcomes demonstrate the public's trust in her Office. The National Centre also considers complaints regarding human rights violations from the public as part of its monitoring work.

168. There is also a **court procedure** for the protection of violated rights. Recourse to an administrative procedure does not exclude the possibility of application to the courts for redress. Unlike the administrative procedure, the court procedure triggers costs, and consideration of cases may be lengthy.

169. Recourse to the legal profession, with its network of State and non-State lawyers' firms and offices, offers another means of legal protection. In addition, the country's law faculties operate legal clinics providing free legal assistance to members of the public. Protection of human rights is also furnished by civil society organizations, which may appear in court as legal representatives.

Institutions and national bodies monitoring the exercise of human rights

170. In accordance with the Vienna Declaration and Programme of Action, Uzbekistan established several national human rights institutions: the Parliamentary Ombudsman, the National Centre for Human Rights, and the Institute for Monitoring Legislation, attached to the Office of the President of Uzbekistan.

171. The **Parliamentary Ombudsman** plays a significant role in the monitoring of compliance with human rights legislation. Using the resources placed at her disposal, the Parliamentary Ombudsman is involved not only in the restoration of violated rights but also in the improvement of domestic legislation.

172. The consideration of applications from citizens and the provision of assistance in the correction of infringements of their rights and freedoms are two of the priority areas of the Parliamentary Ombudsman's efforts to promote cooperation between her Office and State bodies, the courts and law-enforcement agencies, with a view to achieving full and effective observance and protection of human rights and freedoms in the country.

173. In 2008, for instance, the Parliamentary Ombudsman received 9,962 applications (including 5,676 at the central office, 5,383 at the regional offices), of which 2,370 concerned repeat complaints, and provided legal advice or explanations over a helpline in 770 cases. The Parliamentary Ombudsman admitted for investigation 1,891 of the complaints addressed to her concerning infringement of the human rights and freedoms or the legitimate interests of citizens. During the reporting period, a positive outcome was reached in respect of 302 complaints, while the remainder are still under consideration. The Parliamentary Ombudsman received 207 applications from foreign citizens, 692 from penal institutions and 292 handed in at reception offices.

174. The **National Centre for Human Rights** was established by presidential decree on 31 October 1996.

175. This institution was created in order to coordinate the activities of all the governmental organizations and NGOs involved in the protection of human rights. It conducts research on the various aspects of the realization and protection of human rights at the national and the international levels; prepares the national reports on Uzbekistan's fulfilment of its international human rights obligations for submission to the United Nations treaty bodies; organizes educational programmes, seminars, courses of lectures and study trips; provides assistance in developing and implementing human rights study programmes; compiles and disseminates information on human rights; develops technical cooperation and information links with international human rights centres and organizations; coordinates locally the activities of international agencies providing technical assistance in the areas of democratization, governance and human rights protection; and receives and considers complaints from the public concerning human rights violations.

176. The **Institute for Monitoring Legislation** is a research body of the Executive. In addition to monitoring functions, the Institute provides expert opinions on legislation during the enactment process.

177. The **Research Centre on the Democratization and Liberalization of Judicial Legislation and the Independence of the Judicial System** is an independent establishment for information analysis and advice, attached to the Supreme Court.

178. **The National Child Welfare Centre** deals with issues affecting socially vulnerable children. It is an independent organization established by a decision of the Cabinet of Ministers. Its chief functions are to coordinate, monitor and evaluate the social protection of children and to study and draft legislation to protect and give effect to the rights and interests of socially vulnerable groups of children.

179. Uzbekistan also has a network of NGOs involved in the protection and promotion of specific areas of human rights. Such NGOs work in close coordination with the State agencies.

180. The **Uzbek National Association of Non-Profit NGOs** was established in 2005 in order to coordinate the activities of non-profit organizations. It currently has 330 members,

covering all aspects of public life and working in such areas as social support and legal, women's, youth, environmental and other issues.

181. The **Women's Committee of Uzbekistan** provides the Government with advisory services on gender policy issues. It was established in 1991 and is publicly funded. The unique feature of this national body is that its chairperson is also Deputy Prime Minister, a circumstance which entitles it to coordinate the social partnership between State bodies, voluntary associations and NGOs. The Women's Committee of Uzbekistan initiates, coordinates and implements Government policy, programmes and projects to improve the situation of women, advises the Government on women's issues, and disseminates among women relevant information on problems affecting them. In order to maintain a steady improvement in the status of women, the Committee gives particular attention to five priority programme areas: women's employment and economic welfare; the protection of women's reproductive rights and reproductive health; women and participation in public life, with special emphasis on their involvement in management and decision-making; women and the law, with special emphasis on the elimination of discrimination against women; and women and education, with special emphasis on the development of professional qualifications and skills. The Women's Committee of Uzbekistan bears the primary responsibility for Uzbekistan's participation in international efforts to address women's problems.

182. The Women's Committee of Uzbekistan is the country's largest women's organization and has branches in every district.

183. A number of non-profit NGOs work in the field of children's rights.

184. The Fund Forum, established in February 2004, plays a notable role in the children's rights protection system. It is a voluntary, independent, non-governmental, open association of public organizations and citizens cooperating in order to provide support for national scientific research, culture, education and sport.

185. The Fund Forum aims to contribute to the revival of the intellectual heritage and national traditions of the Uzbek people, consolidate the creative potential of eminent social and cultural figures, support talented young persons and traditional artistic nuclei, and disseminate abroad objective information on modern Uzbekistan's national culture, rich historical heritage and pronounced diversity. Moreover, the Fund Forum organizes numerous children's and youth projects, including under the aegis of UNESCO and UNICEF.

186. The Fund Forum's main lines of action conducive to improving compliance with the rights of the child include:

- Support for children's creativity and development in the area of sport;
- Inclusive education;
- Projects for the youth;
- Charitable activities and social projects;
- Grant and micro-credit allocation programmes;
- Development of traditional and contemporary fashion and design, and promotion of sport;
- International activities (exhibits, presentations, participation of winners of children's competitions in events organized by the Fund Forum or partner structures abroad);
- Festivals, fairs, concerts and related productions;

- Publishing;
- Volunteer work.

187. A network of free-of-charge artistic centres for children has been set up and attached to the Fund Forum. The centres contribute to the development of young talent, and creative abilities and potential.

188. Currently, two centres, in Tashkent and Samarkand, develop such activities, attended by more than 2,000 children aged 6-16 who receive training in, inter alia, computer use, acting, drawing, chess and dance.

189. The Fund Forum sponsors the youth symphony orchestra of Uspensky RSMAL ("National Special Musical Academic Lyceum"), attended by children aged 8-16. The orchestra, which comprises 60 of the school's most talented students, aged 9-16, has performed at events organized by the Fund Forum in Tashkent, Samarkand, Vienna and Moscow, where the young musicians were directed by the well-known Russian conductor Vladimir Spivakov.

190. The international non-governmental foundation *Soglom Avlod Uchun* ("For a Healthy Generation") was set up in 1993 with broad public support in order, basically, to promote the creation and development of a well integrated personality in children. To that end, the foundation formulates and implements humanitarian, medical and educational programmes and projects to support gifted children and encourage a healthy lifestyle, and programmes targeting vulnerable population groups, children and young persons.

191. The foundation operates in 14 regions of the country, and every region has a focal point. In total, the foundation has more than 180 local offices and 250 persons (physicians, teachers and economists) working throughout the country on the implementation of the existing programmes and the formulation of new ones.

192. Coordination is ensured by the foundation's central headquarters, which comprises the following departments: protection of mother and child; humanitarian aid; organization and methodology; and financial control and accounting.

193. Most of the work is funded by financial support from local and international sponsors, and from statutory activities of subsidiary enterprises set up under the foundation's auspices.

194. The foundation is currently one of Uzbekistan's leading charitable organizations and takes an active part in tackling the tasks set in the State's social policies and the pressing problems of society.

195. The foundation is the founder of a number of publications, such as the magazine *Soglom Avlod Uchun*, the newspapers *Soglom Avlod* ("Healthy Generation"), *Oila Va Zhamiyart* ("Family and Society"), *Tong Yulduzi* ("Morning Star") and *Klass!* ("Class!").

196. The *Kamolot* public youth movement is one of the biggest NGOs dealing with issues related to young persons' rights. The chief priority of its work is to unite the country's progressive youth; develop physically healthy and spiritually mature citizens of an independent Uzbekistan; educate them in a spirit of dedication to the national idea and an ideology based on national and universal values and democratic principles; champion the interests of young persons; and turn *Kamolot* into an authentic support mechanism for them.

197. *Kamolot* has a decentralized structure, with 14 provincial and 199 district branches and 1,200 staff members. Its lead organizations working with children have 15,800 units and are represented in all of the country's educational establishments, military units and Government departments, as well as in a number of industrial and agricultural enterprises.

198. *Kamolot* currently numbers more than 4.5 million members (aged 14-30) and, together with the *Kamalak* ("Rainbow") children's movement (four million members aged 10-14), constitutes one of the largest civil society organizations working to develop various forms of local self-government and encourage the formation of model institutions of civil society.

199. *Kamolot* has reached out to some six million young persons nationwide, carrying out approximately 7,800 spiritual and educational events, round tables, discussions, seminars and conferences, and large-scale cultural and sport activities. It has produced 20 technical handbooks as well as booklets and posters and has published more than 200 articles on specific topics.

200. *Kamolot* receives active support from the State. In 2006, for instance, the President of Uzbekistan issued a decree on support for the *Kamolot* civil society movement and enhancement of the effectiveness of its work, under which a fund was established to raise funds from small businesses, the first such fund to operate as a partnership. Moreover, under an agreement with the Ministry of Finance, the Taxation Committee and the Central Bank, *Kamolot* is exempt from audits and pays a lower rate for banking services.

201. The national *Sen Yolg'iz Emassan* ("You are not alone") Children's Foundation started operations in 2002. Its main mission is to furnish comprehensive assistance to create the conditions for children to lead decent lives and achieve their full development, support family priorities, and ensure that necessary action is taken to secure the protection of the best interests of children in acute need of support from society (orphans, children deprived of parental care, neglected or disabled children, and children from vulnerable families).

202. This foundation's work is based on long-term programmes of charitable assistance for children.

203. Its fundamental aims and challenges involve tackling various problems affecting children by:

- Protecting the rights and legitimate interest of children in need of social protection
- Developing a well integrated personality in children
- Attending to children's spiritual and moral education
- Furnishing material, medical, legal and other assistance
- Providing preventive and other health care for children
- Enhancing children's moral and mental well-being.

204. This foundation's activities are funded from charitable contributions by residents of Uzbekistan (legal entities and individuals) and by non-residents. It has 15 staff members.

205. Uzbekistan is a country of many nationalities and has more than 140 national cultural centres. The **Uzbekistan Inter-Ethnic Cultural Centre**, established by Cabinet of Ministers Decision No. 10 of 10 January 1992, coordinates the activities of the national cultural centres and provides them with practical and methodological assistance, thus taking an active part in satisfying the needs of members of the country's various nations and ethnic groups. It currently has a staff of 33 and is funded by the Ministry of Finance.

206. The **Uzbek Association for the Disabled** was founded in 1991. It has 114 branches in all regions of the country, with a total membership of 120,000 (Uzbekistan has 850,000 persons with disabilities) and operates approximately 100 subsidiary enterprises employing persons with disabilities. The Association is concerned primarily with the rehabilitation of disabled persons, as well as with providing them with educational assistance and creating equal opportunities for them to exercise their rights.

207. The *Nyroniy* foundation for social support for veterans was established by a presidential decree of 4 December 1996 aimed at enhancing the effectiveness of State policies on the social protection of veterans and boosting their role in consolidating the country's independence and sovereignty.

208. According to the presidential decree and the foundation's statutes, the foundation is a self-governing and self-financing non-profit NGO pursuing independent activities.

209. Its main purpose is to provide active assistance to implement an effective social policy focused on respect for veterans, persons with disabilities and the elderly, to establish a favourable social environment for them, and to carry out measures to furnish them with material, medical and moral support.

Recognition of the jurisdiction of regional human rights courts

210. Uzbekistan is not a party to any regional human rights agreements and consequently does not recognize the jurisdiction of regional human rights courts.

3. Framework within which human rights are promoted at the national level

Dissemination of information on human rights treaties

211. More than 100 of the core international legal instruments on human rights have been translated into Uzbek and published in Uzbekistan in large runs, in close collaboration with international partners such as UNDP, UNESCO, UNICEF, OSCE and ICRC. The following compilations of international treaties have been published in Uzbek over the past eight years:

- Declaration on the Principles of Tolerance; Tashkent, 2000
- International instruments on the rights of minors; Tashkent, 2002, 232 pp.
- Uzbekistan and the international human rights treaties; Tashkent, *Adolat*, 2002, 270 pp.
- International humanitarian law: a compilation of the Geneva Conventions; Tashkent, 2000
- OSCE, "The Human Dimension"; Helsinki, 1975-1999; Tashkent, 2002
- Documents on UNESCO international standards; Tashkent, *Adolat*, 2004, 298 pp.
- International instruments on the work of law-enforcement agencies; Tashkent, *Adolat*, 2004, 212 pp.
- International human rights instruments: a compilation; Tashkent, *Adolat*, 2004, 520 pp.
- International human rights instruments; Tashkent, 2004
- Convention on the Rights of the Child; Tashkent, 2004
- Protection of the rights of the child: handbook for parliamentarians; Tashkent, 2007
- Human rights: handbook for parliamentarians; Tashkent, 2007
- Democracy and parliament in the twenty-first century. Handbook for parliamentarians; Tashkent, 2007
- Compilation of the core ILO conventions and recommendations; National Centre for Human Rights, Tashkent, 2008, 240 pp.

- Eradication of the worst forms of child labour: practical guidance on the application of ILO Convention No. 182. Handbook for parliamentarians No. 3/2002; National Centre for Human Rights, Tashkent, 2008
- Anniversary edition of the Universal Declaration of Human Rights; Tashkent, 2008
- Compilation entitled "United Nations Convention on the Rights of the Child. Uzbekistan's Rights of the Child (Safeguards) Act"; Tashkent, 2008
- Convention on the Rights of the Child and Optional Protocols thereto; Tashkent, 2009
- Electronic book entitled "The Rights of the Child: compilation of international treaties"; Tashkent, 2009
- Commentaries on Uzbekistan's Rights of the Child (Safeguards) Act; Tashkent, 2009.

Study of human rights by civil servants and members of law-enforcement agencies

212. Uzbekistan has a network of educational establishments for the training and further training of jurists and members of law-enforcement agencies. This network includes the law faculties of the universities, the Tashkent State Institute of Law, the Academy of the Ministry of Internal Affairs, the Institute of the National Security Service, the National Centre for the Further Training of Legal Specialists, and the Advanced Courses of the Office of the Procurator-General.

213. The **Academy for State and Social Construction**, attached to the Office of the President, teaches a human rights course for its students. This course includes practical work experience at the National Centre for Human Rights and the Office of the Commissioner for Human Rights.

214. In its courses on the application of the rules of international law in the work of the Ministry's agencies, the **Academy of the Ministry of Internal Affairs** teaches "General human rights theory" (40 hours), "Criminal procedure" (180 hours), "Criminal law" (270 hours), "International law" (50 hours) and "Preliminary investigations in the agencies of the Ministry of Internal Affairs" (234 hours).

215. Students taking higher educational courses in the special subject "Administrative organization of law-enforcement agencies" are taught the subject "International cooperation in the fight against crime" (24 hours). Students taking higher academic courses are taught the subject "Human rights and the work of law-enforcement agencies" (30 hours).

216. The legal training given to personnel of the Ministry of Internal Affairs in the advanced courses for non-commissioned officers includes instruction in the subsidiary subject "Human rights and the work of the Ministry's agencies" (16 hours).

217. Special attention is given in these courses to international legal standards relating to human rights and freedoms, in particular the international legal safeguards of the rights of persons who have been indicted, are standing trial or have been convicted, the Standard Minimum Rules for the Treatment of Prisoners, and the safeguards against torture and other cruel, inhuman or degrading treatment or punishment.

218. The faculty of the Academy of the Ministry of Internal Affairs for the further training of officers of the Ministry's agencies runs regular study sessions for the further training and retraining of officers. The curricula agreed with the relevant internal affairs services provide for 176 hours of instruction, including the subjects "International human rights standards in criminal proceedings" and "Application of the rules of criminal-

procedure legislation on the admissibility of evidence in accordance with of the Supreme Court Plenary Decision No. 12 of 24 September 2004".

219. Instruction in safeguarding human rights in the work of internal affairs agencies on the basis of international human rights standards is provided primarily for personnel directly involved in criminal inquiries, namely criminal investigation and anti-terrorism agents and inspectors, neighbourhood crime-prevention officers, and members of sentence-enforcement agencies.

220. The **National Centre for the Further Training of Legal Specialists** is the State educational establishment responsible for the further training and retraining of personnel of the Ministry of Justice, the courts and the Bar, teachers of law and legal-services personnel.

221. The Centre gives particular attention to the subject of the international legal system for the protection of human rights and freedoms. The curriculum includes the following courses: "National legislation of Uzbekistan and international standards of justice"; "Basics of international humanitarian law"; "Legal basis of the fight against international crime"; "Place and role of international standards in the activities of law-enforcement agencies"; "National legislation of Uzbekistan and international human rights law"; and "Legal status of the public in international law".

222. Students are taught theory and practice of the incorporation of international standards in Uzbekistan's domestic legislation: the right to life; the right to liberty and security of person; the right to protection of honour and dignity, the right to privacy of family life; the rights of due process and presumption of innocence; the right to protection against torture; and the freedoms of thought, speech, opinion, conscience and religious belief.

223. The National Centre, which had been dealing with problems of the consolidation of legality and upgrading of the qualifications of prosecution and investigation personnel, was dissolved by a presidential decision of 7 November 2007 on the introduction of the **Advanced Courses of the Office of the Procurator-General**. The courses in question were established in accordance with this decision.

224. The programme on the further training of managerial personnel provides for six months of instruction, while the programme on upgrading of qualifications lasts up to one month.

225. In the period 2005-2007, the Centre taught the following courses: "International standards of juvenile justice"; "Problems of the use of *habeas corpus* during preliminary investigations"; "Cooperation between agencies of the Procurator-General and the Parliamentary Ombudsman in safeguarding civil rights and freedoms"; "International legal instruments relating to the human dimension"; and "United Nations standards relating to officials conducting initial inquiries and other criminal investigations".

226. The curriculum of the **Institute of the National Security Service** includes the subject "Human rights" as a separate course of 24 hours of instruction.

227. Instruction proceeds on an interdisciplinary basis and covers both the general aspects of human rights and the concrete practical requirements for their observance, by which future members of the agencies of the National Security Service must be guided in their law-enforcement work.

228. In addition to being taught as separate subjects, some aspects of human rights are covered under other topics of law, such as "Theory of the State and law", "Criminal law", "Administrative law", "Civil law" and "Civil procedure".

229. The Institute of the National Security Service has a unit on the law of armed conflicts, which also teaches human rights courses.

230. At the faculty of International law and international relations of the **University of World Economics and Diplomacy** of the Ministry of Foreign Affairs, a subject focused on children's rights is taught as part of the "Human rights" course under the bachelor's degree programme and in the master's degree programme.

231. In addition to its inclusion in the courses for investigation personnel and judges, the subject of international standards also appears in the curriculum of the military schools of the **Ministry of Defence**. Since the 2005 academic year, the courses have included as optional subjects (from the 2006 academic year as part of the core "Basics of military law" curriculum) components on "Humanitarian law" and "Law of armed conflicts" covering human rights topics (10-12 hours).

232. The **Ministry of Health** devotes special attention to the study of human rights as part of the training and further training of physicians. In particular, in the first-degree courses in all medical schools the students are instructed, under "Forensic medicine", in the rights of specialists, consultants and junior consultants. One of the subjects is entitled "Legal foundations of medical practice". Special attention is paid in this area to the rights and freedoms of the individual, including the rights to life, liberty and security of person, the right to protection against interference, and the inadmissibility of the use of torture or violence. Another topic is the inadmissibility of the conduct of medical or scientific experiments on a person without his or her consent. These issues are considered from the standpoint of both patient and medical personnel.

Study of human rights in educational establishments of various categories (schools, academic and vocational secondary education establishments and universities)

233. Under the decisions of the Oliy Majlis on the National Programme to Enhance a Culture of Law in Society and on the National Programme for Personnel Training and in accordance with the Education Act, Uzbekistan has established a five-stage system of continuing legal education and training:

- **Stage I:** Legal training in the family
- **Stage II:** Initial legal education and training in preschool institutions
- **Stage III:** Legal education in secondary schools
- **Stage IV:** Legal education and training in lycées (academic secondary schools) and colleges (vocational secondary schools)
- **Stage V:** Legal education and training in higher education establishments.

234. The **first stage** of legal education and training begins in the family. As the nucleus of society, the family is regarded as the foundation for the formation of the child's personality and his or her development into a fully rounded moral person. In the light of these goals and challenges the family occupies a special place at every stage of the design and development of legal education and training courses.

235. Initial legal education and training is imparted in **preschool institutions** as part of everyday games and activities. These games and activities are organized for children in the middle, older and preparatory groups. The subject "Lessons of the Constitution" in the middle and older groups includes 16 activities per year in the form of games, together with seven half-day (morning) and two free-time activities; the preparatory group also has 16 activities a year and two half-day (morning) and two free-time activities.

236. Instruction in concepts such as law, duty and obligation, tailored to the pupils' age, is introduced in **years 1-4** of general secondary education. Forty lessons a year are allocated for study of the "Constitution ABC".

237. The content of the lessons becomes more complex in **years 5-7** of general secondary education with the addition of actual examples of the inter-relationship between the State and the individual and the introduction of the subjects of personal autonomy, equality of rights, freedom of speech, right to receive information, and criminal liability of minors. Every year, 51 hours are allocated to the course "Journey into the world of the Constitution".

238. The chief aims of legal education and training in **years 8-9** of general secondary education are to:

(a) Teach students about the State's social, economic, political, legal, scientific and cultural development;

(b) Raise persons thinking creatively and capable of expressing their views on important issues of life.

239. In each of these years, 34 hours are allocated to the study of "Basics of the Constitutional law".

240. **Years 10-11** of general secondary education spend 68 hours on legal topics spread over two years in the course on "Jurisprudence".

241. Every November, the Ministry of National Education, in coordination with the regional branches of the Children's Foundation of Uzbekistan, holds a study week in all schools, out-of-school institutions and *Mekhrisonlik* children's homes on the Convention. During that week, competitions are organized on such subjects as "Do you know your rights?" and "What is law?".

242. Since 2005, the Ministry has been running a "Child-friendly schools" programme, with assistance from UNICEF, with the aims of teaching teachers and students how to solve problems in a friendly and tolerant manner and avoid conflict situations and enhancing teachers' awareness of the inadmissibility of cruel treatment of their charges.

243. In accordance with the State's educational standard, the curricula of higher education and specialized secondary education also include the study of human rights as part of the following subjects:

- In year 4 of the bachelor's degree: "Human rights" (81 hours); "Jurisprudence" and "The Constitution" (108 hours); and "Constitutional law" (120 hours);
- In year 2 of the master's degree: "Human rights" (40 hours); and "The Constitution" (27 hours);
- In academic and vocational secondary schools (lycées and colleges): "Jurisprudence" and "The Constitution" (80 hours).

Use of the media to enhance awareness of human rights issues

244. The National Television and Radio Corporation makes the necessary arrangements for the most important issues of the country's political, social and economic development and the protection of human rights and freedoms to be aired on radio and television. The Corporation broadcasts various radio and television programmes to ensure that the population is supplied with extensive and systematic information about human rights issues. Over recent years there has been a steady improvement in the indicators of both the quality and the quantity of programmes on economic, social, cultural, personal and political rights. Constant attention is given to increasing the effectiveness, content and accessibility of the various programmes, with the aim of stimulating a broad debate on problems of the enhancement of persons' standards of education and their political and legal awareness.

245. Most of the radio and television programmes on human rights issues are produced and broadcast by the *O'zbekiston* radio and television station. For instance, in the period 2005-2007 a total of 1,837 programmes on such issues were broadcast. A total of 752 series was broadcast on the exercise of economic, social, cultural, personal and political rights, together with 414 programmes dealing with the issues addressed in the international human rights treaties and 2,820 news items on human rights. It should be noted that items and reports on this topic are regularly broadcast in such news programmes as *Akhborot*, *Takhlilnoma*, *Assalom Uzbekiston!* and *Okshom tulkinlarida*.

246. Television and radio programmes on human rights are also broadcast regularly on the television channels *Yoshlar*, *Sport* and *Toshkent*. In 2007, the total numbers of programmes broadcast were 410 for *Yoshlar*, 84 for *Sport*, and 34 for *Toshkent*. News items and reports are also included regularly in such news programmes as *Davr*, *Davr kharta ichida*, *Poitakht* and *Mashal*.

247. Much attention is given to the production of **television newsreels** and publicity items on human rights. A total of 29 current affairs programmes were devoted to nine basic topics: protection of consumer rights; environment and health, support for talented students; education grants; promotion of entrepreneurship; support for orphans and disabled children; culture and the arts; support for teachers; and support for women.

248. More than 30 law newspapers and magazines containing material on the protection of rights are published in Uzbekistan.

249. A database on Uzbekistan's current legislation has been established and is available on the Internet.

The role of civil society in promoting and protecting human rights

250. Uzbekistan's over 5,000 civil society organizations, many of them with regional and local branches, are invested with an array of rights and duties enabling them to take an active part in the social reforms.

251. In the course of Uzbekistan's administrative reforms, practical steps have been taken to make the procedures of governmental consultation more democratic. Working groups are being set up as an effective means of securing consultation and cooperation between agencies of the Executive and civil society organizations; representatives of civil society organizations are included in the consultative bodies of the agencies of the Executive; public commissions are established to monitor the implementation of targeted programmes; and debates are held on questions of granting access for non-profit organizations of civil society to specific procedures connected with the use of budgetary resources.

252. Under the organizational and legal arrangements for the participation of civil society in State governance increasing importance is being attached in decision-making by the central authorities to the expert knowledge of members of the public concerning social issues. For instance, environmental associations are entitled to nominate representatives to contribute to the production of official expert reports on the environment, to produce environmental assessments (which become legally binding following approval of their findings by the expert State bodies) and to call for the production of environmental assessments by the State.

253. The practice of involving independent outside organizations in the production of expert reports on draft legislation has been gaining ground in the Oliy Majlis in recent years.

254. The national human rights institutions, such as the Parliamentary Ombudsman and the National Centre for Human Rights, are developing and extending their cooperation both with NGOs and with other civil society organizations.

255. These institutions use the following measures to improve the work of NGOs and furnish them with comprehensive support to improve their skills in handling human rights issues:

- Organization of special seminars and training sessions for NGOs;
- Involvement of NGOs in human rights information measures for members of the law-enforcement agencies;
- Involvement of NGOs in the monitoring of human rights legislation;
- Recruitment of NGOs as executing agencies in national plans of action to implement the recommendations of United Nations treaty bodies with respect to Uzbekistan's periodic reports on the fulfilment of its international human rights obligations;
- Collection of information on the observance of human rights for inclusion in Uzbekistan's periodic human rights reports;
- Joint awareness-raising activities to improve the public's knowledge of human rights issues.

256. In Uzbekistan, the work of human rights protection is done mostly by volunteers of various NGOs, who not only defend the rights of their members but have also come to understand the importance of establishing in the country a system of community monitoring and control of the activities of State agencies. These are chiefly children's, women's and environmental NGOs, associations of the disabled and the elderly, gender-equality organizations, and special-interest professional associations, foundations, unions and committees.

257. The following NGOs, among others, make extensive contributions to the protection of human rights: International Red Crescent, Association for the Blind, Association for the Deaf, Association for the Disabled, Federation of Trade Unions of Uzbekistan, *Makhalla* charitable foundation, NGO "Ecosan Services Foundation", *Soglom Avlod Uchun* international foundation, *Nyroniy* foundation, Centre for the Study of Human Rights and Humanitarian Law, *Izhtimoi fikr* Centre for Public Opinion Studies, Association of Judges of Uzbekistan, *Tadbirkor ael* association of businesswomen, National Bar Association, Women's Committee of Uzbekistan, Chamber of Trade and Industry of Uzbekistan, Association of Women Jurists of Uzbekistan, *Mekr* association of women's NGOs, *Olima* women's union, and *Kamolot* youth movement.

258. One important form of NGO participation in efforts to establish international human rights standards in Uzbekistan is the research work done by individual NGOs to identify the causes and conditions which lead to the violation or restriction of the rights of certain categories of citizen.

259. In 2005, for instance, the *Oila* ("Family") Centre for Applied Research (a national NGO), in coordination with the Children's Foundation, carried out research on child disability issues, analyzing the findings of monitoring work by the *Muruvvat* children's homes and the Tashkent boarding schools on the extent to which children with disabilities exercise their rights to education, medical treatment, and cultural activities.

260. In the same year, the Centre for the Study of Legal Problems (another NGO), with ILO assistance, analyzed the existing legislation and law implementation machinery to align them with ILO conventions.

261. NGO research helps to identify in time the factors obstructing the realization of human rights and uncover the causes and conditions which lead to violations of the rights of various categories of citizen; and facilitates the formulation of proposals for improving human rights legislation and its practical application.

262. NGOs take an active part in the formulation and improvement of draft legislation on the definition of their legal status and their inter-relationship with the State. NGOs were directly involved in the discussion of the following acts:

- Public Associations Act
- Non-Profit NGOs Act
- Citizens' self-governance bodies Act
- Public Foundations Act
- Human Rights (Safeguards) Act
- Voluntary Associations Act.

4. Reporting process at the national level

263. Pursuant to a Government decision, the National Centre for Human Rights is the body responsible for gathering information and preparing periodic reports on the application of the international human rights treaties. The Centre is a coordinating body. Its duties include the preparation of periodic reports on Uzbekistan's fulfilment of its international human rights obligations.

264. Over the 10 years of its existence, the Centre has succeeded in establishing an adequate system for the collection and analysis of information to be included in periodic human rights reports. This has facilitated the preparation and timely submission of such reports to the United Nations treaty bodies.

265. Periodic reports are prepared in accordance with the following documents:

- (a) Guidelines on the form and content of reports to be submitted to international human rights treaty bodies;
- (b) General recommendations of treaty bodies;
- (c) Concluding observations of treaty bodies following consideration of Uzbekistan's periodic reports;
- (d) International treaties in the area of human rights;
- (e) New domestic legislation on human rights;
- (f) Most recent practice in law implementation and human rights protection.

266. Over the period of its existence, the National Centre has developed special procedures for the preparation of periodic reports on Uzbekistan's fulfilment of its international human rights legislation. These procedures may be divided into several stages:

- Receipt of a communication from the United Nations treaty body in question on the need to submit a periodic report for consideration at a given session of the body;
- Creation of a working group by the Centre to prepare a draft periodic report;
- Issuance of requests by the Centre for the analytical, statistical and expert information needed for the drafting of the various sections of the report, and receipt of this information from the relevant State agencies and NGOs;
- Preparation of a draft report based on the material received, in accordance with the reporting requirements prescribed by the United Nations;
- Submission of the draft report for expert examination by the relevant State agencies and NGOs;

- Further work on the draft report in the light of the comments and proposals received from these bodies;
- Production of the final version of the report and its submission to the Ministry of Foreign Affairs for dispatch to the treaty body in question in accordance with the established procedure;
- Receipt of notification from the treaty body of the date of its consideration of the report and additional questions from its rapporteur in connection with that consideration;
- Transmission of the rapporteur's questions to the relevant State agencies and NGOs and receipt of their replies;
- Preparation of replies to the rapporteur's questions and their transmission to the Ministry for dispatch to the treaty body in question;
- Consideration of the report by the treaty body and responses to the questions put by its members;
- Receipt of the treaty body's concluding observations and recommendations resulting from its consideration of the report;
- Preparation of comments on these observations and recommendations and their transmission to the Ministry;
- Formulation of a national plan of action to give effect to the treaty body's recommendations;
- Continuous monitoring of the implementation of this plan of action.

267. As is clear from this list, the preparation of periodic reports on the fulfilment by Uzbekistan of its international obligations forms the basis and core of the work of the National Centre for Human Rights and is a reflection of the performance of its functions of coordination and analysis. The preparation of such an important document as a periodic report takes quite a long time and calls for hard work by a large number of State agencies and NGOs and academic research organizations, as well as by specialists and experts in various fields.

268. A comprehensive and systematic approach to the preparation of periodic reports must be underpinned by an insistence on the reliability and objectivity of the information obtained from both State and non-governmental sources and on its smoothly coordinated use. This is precisely the National Centre's approach to the compilation of information for the preparation of these reports. It attaches particular importance to the material obtained as a result of intensive academic and sociological research.

269. Having studied the various opinions and views on individual questions of the realization of human rights and the various interpretations of their definitions and categories, the National Centre reflects in the report the development of social, political and legal thinking in Uzbekistan with regard to various aspects of human rights. This helps the international bodies to understand Uzbekistan's current situation in terms of the promotion, observance and protection of human rights.

270. Special care is taken in the preparation of the reports to explain the legislative and organizational arrangements for the realization of human rights in Uzbekistan. The reports fully describe the current human rights legislation, indicate the goals and mandates of the institutions which must apply that legislation in practice, and furnish information on the forms and areas of coordination of the activities of the State agencies responsible for delivering human rights. This information provides a full picture of the national human

rights machinery and the effectiveness of the application of the international standards in this field.

271. The national plans of action to give effect to the concluding observations of United Nations treaty bodies are confirmed by the Interdepartmental Working Group on the observance of human rights by law-enforcement agencies, which was established by Government Decision No. 12-R of 24 February 2004.

272. The records of the meetings and the decisions taken by this Working Group form the foundation of the periodic reports. Draft versions are discussed by the Working Group at various stages of the preparation of the reports. The decisions of interdepartmental bodies established by order of the Cabinet of Ministers are binding on their member agencies.

273. In July 2004, this Working Group discussed and approved:

- The National Plan of Action for the implementation of the recommendations made by the United Nations Human Rights Committee following its consideration of the second periodic report of Uzbekistan
- The National Plan of Action for the implementation of the recommendations made by the United Nations Committee on Economic, Social and Cultural Rights following its consideration of the first and second periodic reports of Uzbekistan
- The National Plan of Action for the implementation of the recommendations made by the United Nations Committee on the Elimination of Racial Discrimination following its consideration of the third to fifth periodic reports of Uzbekistan
- The National Plan of Action for the implementation of the recommendations made by the United Nations Committee on the Elimination of All Forms of Discrimination against Women
- The National Plan of Action for the implementation of the recommendations made by the Committee on the Rights of the Child.

274. In December 2007, the Interdepartmental Working Group discussed at one of its meetings the implementation status of the National Plan of Action for the implementation of the recommendations of the Committee on the Rights of the Child.

275. The National Plan of Action for the implementation of recommendations formulated by the United Nations Human Rights Council following consideration of Uzbekistan's national report for the Universal Periodic Review, 2009-2011, was adopted in August 2009.

276. In order to improve the National Centre's work on the preparation of Uzbekistan's periodic reports on the fulfilment of its international human rights obligations, regular round tables and seminars are held for representatives of State agencies and NGOs to discuss urgent problems of the application of the recommendations of United Nations treaty bodies and aspects of the national plans of action.

C. Information on non-discrimination and equality and effective remedies

277. The Constitution establishes the principles of equality before the law, equal protection of the law and the prohibition of discrimination. Under article 18, all citizens have equal rights and freedoms and are equal before the law, regardless of gender, race, ethnicity, language, religion, social origin, opinions, or personal or social status." A separate article, article 46, establishes the equality of rights of men and women.

278. All fundamental principles of equality before the law and prohibition of discrimination deriving from international instruments to which Uzbekistan has acceded are enshrined in the Constitution. Uzbekistan is currently a party to and implements the

following international instruments on prohibition of discrimination: International Convention on the Elimination of All Forms of Racial Discrimination; Convention on the Elimination of All Forms of Discrimination against Women; Convention against Discrimination in Education; Discrimination (Employment and Occupation) Convention; Convention on the Political Rights of Women; and Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief. As an OSCE member, Uzbekistan has assumed obligations regarding ethnic minorities (under the principles set forth in article VII of the Final Act of the Conference on Security and Cooperation in Europe, signed in Helsinki on 1 August 1975) and other OSCE documents on the human dimension.

279. The Uzbek legal framework prohibiting discrimination provides protection not only for individuals, but also for social groups as such. Article 18 and chapter X of the Constitution, on safeguards of the rights and freedoms of citizens, are designed to create a legal framework for the protection of individual and collective rights, including the rights of such groups as minors, the elderly and persons with disabilities.

280. The principle of the equality of citizens before the law and the prohibition of discrimination is embodied in sector-specific legislation regulating personal, political, economic, social and cultural rights: the Labour Code; the Civil Code; the Family Code; the Criminal Code; the Education Act; the Youth Policy (Foundations) Act; the Citizens' Applications Act, and others. It is also embodied in procedural legislation, including the Code of Criminal Procedure (art. 16), the Code of Civil Procedure (art. 6) and the Code of Economic Procedure (art. 7).

281. The principle of non-discrimination and equality of rights is implemented not only through specific legal provisions affirming it, but also through safeguards for all constitutional rights and freedoms, such as the rights to life, liberty, security, and freedom of thought. Although it does not establish a separate right to equality, article 18 of the Constitution emphasizes the protection of all human rights and freedoms.

282. The Uzbek legal system includes serious penalties for violations of citizens' equality. The Administrative Liability Code prescribes fines for violating the right to free choice of language in upbringing and education, for obstructing or restricting the use of a language, and for showing disrespect towards the State language or other languages of the various ethnic groups and peoples living in Uzbekistan.

283. Under article 141 of the Criminal Code, it is a crime to violate equality of rights. The offence is addressed in chapter VII of the Code, which lists offences against constitutional rights and freedoms.

284. The concept of discrimination as set out in article 141 of the Criminal Code is practically the same as in article 1 of the International Convention on the Elimination of All Forms of Racial Discrimination. The difference between the two wordings lies in the fact that the Convention defines discrimination as aimed at "nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life". The omission of such aims in article 1 of the Constitution does not affect the definition of the act itself.

285. Under article 156 of the Criminal Code, incitement to ethnic, racial or religious hatred, namely wilful action offending the honour and dignity of ethnic groups, taken for the purpose of arousing hatred, intolerance or discord with respect to any group, and the direct or indirect restriction of rights or granting of direct or indirect privileges on the basis of national origin, race and ethnicity, is a criminal offence.

286. Under article 153 of the Criminal Code, genocide - the deliberate establishment of living conditions designed to bring about total or partial physical extermination, the forcible prevention of births or the transfer of children from one group of persons to another - is punishable by a prison sentence of 10 to 20 years, as is ordering such actions to be performed.

287. The following public policies are designed to prevent discrimination in all its forms and manifestations:

- Ban on the establishment of political parties along racial or ethnic lines (art. 57 of the Constitution) and on voluntary associations seeking to foment racial and religious division (art. 3 of the Public Associations Act)
- Prohibition against the use of religion to foment enmity, hatred or ethnic division (art. 5 of the Freedom of Conscience and Religious Organizations Act)
- Prevention of using the media to spread ethnic, racial or religious hatred (Media Act)
- Regulation, by the Freedom of Information (Principles and Safeguards) Act, of the exercise in the media of everyone's constitutional right to seek, obtain, study, transmit and disseminate information freely and without hindrance
- Prohibition against hindering citizens from exercising their right to free choice of language in communication, the upbringing of children and education (art. 24 of the State Language Act)
- Promotion of gender equality in political and social life. For instance, the Oliy Majlis (Elections) Act provides that at least 30 per cent of every party list of candidates for parliament must be women.

288. Every year in the past decade has been devoted to tackling a major social problem and the protection of a specific vulnerable population group. For instance, 1999 was proclaimed Year of Women; 2000, Year of a Healthy Generation; 2002, Year of Older Persons; 2006, Year of Philanthropy and Health Workers; 2007, Year of Social Relief; 2008, Year of Young Persons; 2009, Year of Rural Development and Improvement; and 2010, Year of a harmoniously Developed Generation. The Government adopts a special national programme in keeping with each year's concept and symbol, comprising measures to support the vulnerable group concerned, financing, and the formulation of appropriate laws and regulations.

289. Under the State programme on the Year of Social Relief, 35,000 veterans were treated in nursing homes, 50,000 poor families were given cattle, 3,000 jobs were created for persons with disabilities but able to work, and charitable assistance was provided to 3 million older persons living alone, persons with disabilities, pensioners and poor families.

290. Public funding for education under this programme accounted for 40 per cent of all budget outlays. The programme included building renovations and the provision of furniture, special equipment and transport facilities to every home for orphans and children with disabilities in Uzbekistan.

291. More than SUM 3,612 million were spent in implementing the State programme on the Year of Rural Development and Improvement.

292. Similar measures have been taken in previous years for the vulnerable groups being targeted at the time.

293. The Nyroniy social support foundation for veterans backed the drive by the *Kamolot* youth movement to create local "Care" groups offering material and moral support to very old persons living alone, persons with disabilities, war veterans and retired workers. In

2007, more than 23,000 persons were taken under the wing of these groups. The following instruments were adopted: the Cabinet of Ministers decision No. 520 of 7 December 1999 on a programme of measures for 2000-2005 to increase targeted social protection for very old persons living alone, pensioners and persons with disabilities; Presidential Decision No. 459 of 7 September 2006 on a programme of measures for 2007-2010 further strengthening targeted social protection and social services for such persons; Presidential Decree No. 3864 of 19 March 2007 on measures for improving and consolidating the social protection system; Presidential Decree of 18 May 2007 on additional measures for the material and moral support of young families; Presidential Decision No. 1047 of 26 January 2009 on additional measures for expanding the production of foodstuffs to meet the needs of the domestic market; and Presidential Decision No. 1096 of 13 April 2009 on additional measures for protecting maternal and child health and shaping a healthy young generation.

294. In an effort to promote equality, the parliament is currently in the stage of drafting and adopting legislation on equal rights and opportunities for men and women, on social partnership, on social protection and on a children's ombudsman.

III. Information on the implementation of the Convention on the rights of the child

A. General measures of implementation

295. In the period 2006-2009, Uzbekistan carried out targeted activities in line with the concluding observations formulated by the Committee following consideration of the second periodic report of Uzbekistan and with the Committee's general recommendations regarding the implementation of the Convention.

296. The following programme documents were adopted in compliance with the recommendations of the Committee:

- National Plan of Action for the implementation of recommendations formulated by the Committee following consideration of the second periodic report of Uzbekistan on the implementation of the Convention, 2006-2010
- National Plan of Action for ensuring the well-being of children, 2007-2011
- National Plan of Action for preventing trafficking in human beings, 2008-2010
- National Plan of Action for the implementation of ILO Conventions No. 138 and 182, 2008-2010
- Action Programme Dedicated to the Sixtieth Anniversary of the Adoption of the Universal Declaration of Human Rights
- National Plan of Action for the implementation of recommendations formulated by the United Nations Human Rights Council following consideration of Uzbekistan's national report for the Universal Periodic Review, 2009-2011.

297. As part of implementing the above programme documents, unprecedented measures were taken to improve the situation of children and strengthen the family, including the following steps:

- The Rights of the Child (Safeguards) Act of 7 January 2008, the Combating trafficking in persons Act of 17 April 2008, the Act of 11 July 2007 amending and completing certain enactments in relation to the abolition of the death penalty, and the Act of 11 July 2007 amending and completing certain enactments in relation to the transfer to the courts of the authority to order remand in custody were adopted in

accordance with the recommendations contained in paragraphs 5-7 of the Committee's concluding observations

- Taking into account the Committee's recommendation to establish a body at the inter-ministerial level with a mandate to coordinate all activities related to the implementation of the Convention, it was decided to adopt the Children's Ombudsman Act and to prepare the creation of the institution of the Children's Ombudsman
- Measures were taken in support of the institution of the Children's Ombudsman and the National Centre for Human Rights for strengthening their resource base for considering complaints by children and their legal representatives on the basis of Cabinet of Ministers Decision No. 219 of 30 September 2008 on a set of measures for State support for national human rights institutions
- Measures were taken for the development of a data collection system covering all areas addressed by the Convention through publication and dissemination among the State bodies and Government organizations, with UNICEF support, of a checklist permitting to determine the level of implementation of the Convention in the legislation and law-enforcement practice. On 22 December 2009, at a round table organized by the Committee on Democratic Institutions, Non-Governmental Organizations and Citizens' self-governance bodies of the Legislative Chamber, the National Centre for Human Rights and UNICEF, a discussion of that checklist helped to identify problems in the area of implementation of the Convention
- Extensive awareness-raising and educational activities in the area of children's rights are carried out in the country. Awareness-raising action includes the publication of international legal documents on the rights of the child, and related conferences, seminars and training

298. The following books were published in the period 2006-2009:

- Protection of the rights of the child: handbook for parliamentarians
- Convention on the Rights of the Child, in Uzbek, 2,000 copies
- Convention on the Rights of the Child and Optional Protocols thereto, in Uzbek, 2,000 copies
- Rights of the child for parliamentarians, in Uzbek, 2,000 copies
- Compilation of the core ILO conventions and recommendations
- Eradication of the worst forms of child labour: practical guidance on the application of ILO Convention No. 182. Handbook for parliamentarians
- Anniversary edition of the Universal Declaration of Human Rights
- Compilation entitled "United Nations Convention on the Rights of the Child and Uzbekistan's Rights of the Child (Safeguards) Act"
- Commentaries on Uzbekistan's Rights of the Child (Safeguards) Act
- Electronic book entitled "The Rights of the Child: compilation of international treaties"
- Rights of the Child textbook for bachelor's and master's degree candidates.

299. In 2008, as part of the Action Programme Dedicated to the Sixtieth Anniversary of the Adoption of the Universal Declaration of Human Rights, a monograph on "The Universal Declaration of Human Rights and the national system of the protection of human rights in Uzbekistan" was prepared and appeared in Uzbek, Russian and English; and a

series of 15 pamphlets on "Human rights in Uzbekistan" was published, addressing various aspects of the implementation of the Universal Declaration of Human Rights and related international instruments. One of the pamphlets was entitled "Children's rights guarantees".

300. The subject of children's rights is treated in many Uzbek legal, economic and pedagogical journals and newspapers. For instance, it is a priority topic for writers contributing to the journals "Democratization and human rights" and "Public opinion and human rights", published by the National Centre for Human Rights, the Office of the Parliamentary Ombudsman and the Council of the Federation of Uzbek Trade Unions and the "Public Opinion" Centre. Every year, one journal issue is consecrated to issues related to compliance with the rights of the child in the country. The following measures were taken in order to enhance the awareness-raising and educational action taken with respect to the rights of the child:

- On 25-26 November 2008, an international conference on the theory and practice of "Democratization and human rights guarantee - the experience of Uzbekistan" was organized by the Ministry of Justice, the National Centre for Human Rights and the OSCE Project-Coordinator in Uzbekistan to commemorate the sixtieth anniversary of the Universal Declaration of Human Rights. The conference was attended by the following international experts: Professor R. Myullerson of Royal College, London, United Kingdom; Sh. Chen, Deputy Chair of the Chinese Society of Human Rights Studies; K. Bern, comparative and international private law research specialist at the Max Planck Institute, Germany; and I. Wenzel, OSCE Project-Coordinator in Uzbekistan. The various aspects of human rights discussed at the conference including issues related to the realization of the rights of the child.
- On 3-4 June 2009, in the framework of the International Year of Human Rights Learning, an international conference on "current problems in human rights education" was organized by the National Centre for Human Rights and the OSCE Project-Coordinator in Uzbekistan. Foreign experts participating in the conference included Professor R. Myullerson of Royal College, London, United Kingdom, and Professor K. Osakwe of Tulane University, United States.
- On 15-25 July 2009, the staff of the Ministry of Justice, of the National Centre for the Further Training of Legal Specialists of the Ministry, and of the National Centre for Human Rights, with the support of the OSCE Project-Coordinator in Uzbekistan were briefed on methods and forms of human rights education, including on the rights of the child, as part of a visit to Switzerland, Hungary and Slovenia.
- The National Centre for Human Rights and the OSCE Project-Coordinator in Uzbekistan prepared the publication of an educational methodology handbook entitled "Human rights education: national and international experience", containing an analysis of the human and children's rights education system in Uzbekistan and recommendations for further improvement in the light of international experience.
- Issues related to the rights of the child, the provisions of the Convention and related national legislation are part of the curriculum of preschool establishments, general and specialized secondary educational institutions, professional and higher education, and the further training system for teachers, medical and social workers, journalists, law-enforcement personnel and judges.
- The reporting period was characterized by active participation of the legislative bodies in children's rights promotion as part of law-making and oversight activities. A children's rights resource centre created in the Legislative Chamber of the Oliy Majlis with UNICEF support provides deputies with information on children's rights issues and contributes to the coordination of related activities of State bodies and NGOs.

301. In 2009 alone, approximately 10 seminars and training events on children's rights protection issues were carried out in cooperation with UNICEF in the Legislative Chamber and included seminars held, in the Committee on Democratic Institutions, Non-Governmental Organizations and Citizens' self-governance bodies, on 10 September 2009 on "Children's rights guarantees at the preschool stage", with the participation of R. Winter, international expert on juvenile justice; on 16 June 2009 on the "Legal basis for the protection of the rights of the minor: monitoring national legislation and implementation practices"; and on 21 May 2009 on "The role of parliamentarians in implementing the Convention on the Rights of the Child and other related international agreements".

302. On 25 June 2009, as part of a discussion held in the above committee on the outcome of monitoring the implementation of article 10 (3) of the International Covenant on Civil and Political Rights, the activities of penitentiary establishments for children were addressed and proposals were formulated for further improving the exercise of the rights of under age detainees.

303. The Committees on International Affairs and Interparliamentary Relations and on Democratic Institutions, Non-Governmental Organizations and Citizens' Self-Governance Bodies of the Legislative Chamber addressed the monitoring of the implementation of the Convention in, respectively, 2006 and 2007-2009.

304. On the initiative of the committees of the Legislative Chamber, more than 30 conferences, seminars and round tables on various aspects of the rights of the child were organized in the Chamber in the period 2006-2009. In that period, Uzbekistan's international relations in the area of children's rights were upgraded through strengthened and expanded interaction within the framework of the Uzbek Government's programme of cooperation with the local UNICEF office, UNICEF headquarters and the UNICEF Regional Office for Central and Eastern Europe and the CIS, whose director Steven Allen visited Uzbekistan in July 2009; with the United Nations Human Rights Council regarding the provision of information on Uzbekistan's human rights education system; and with Mr. V. Muñoz-Villabos, United Nations Special Rapporteur on the right to education, in preparing Uzbekistan's reply to the questionnaire on issues related to the right to education in the context of detention.

Measures were taken to allocate adequate financial and human resources to the effective protection of the children's rights, taking into account the Committee's recommendations. Funding of health, preschool and school education, social welfare, gymnastics and sport more than doubled between 2006 and 2009²⁷.

With a view to a coordinated approach to the adoption of measures for the implementation of the Convention, an inter-agency coordination council headed by the Deputy Prime-Minister has been created and attached to the Cabinet of Ministers, with the participation of directors of the appropriate ministries and departments, and NGOs.

Measures are taken to make available to the Parliamentary Ombudsman the necessary infrastructure and human resources through the provision of an independent building, appropriate technology and increased staff to examine complaints of children's rights violations.

Measures are also taken to facilitate, at the legal and organizational levels, the introduction of the institution of the Ombudsman for Children. The draft Children's Ombudsman Act, due to be submitted in 2010 by the Cabinet of Ministers to the Legislative

²⁷ Cf., in the appendix, the table of budget allocations earmarked for meeting children's needs, 2006-2009.

Chamber of the Oliy Majlis for consideration, has been drawn up and subjected to extensive legal and international analysis.

Uzbek legislation is subject to various examinations and analyses to ensure that Family Code provisions on marriage age are compatible with the provisions of the United Nations Convention on the Rights of the Child and the Convention on the Elimination of all Forms of Discrimination against Women. Proposals to enshrine in the law the principle of equal rights for women and men with regard to marriage and the prohibition of child marriage are currently under public discussion.

The Centre for Monitoring Implementation of Legal and Regulatory Instruments attached to the Ministry of Justice has carried out a comparative analysis of international legal standards and Uzbek legislation in the area of education and protection of children's work-related rights.

In line with the Committee's recommendations, the Rights of the Child (Safeguards) Act established for the first time the following principles and guidelines for State action: prohibition of discrimination against children; respect for children's views and participation of children in resolving all issues affecting their interests, including judicial and administrative proceedings; inviolability of a child's person and private life; and prohibition of torture or other forms of cruel treatment of children and of their economic, sexual or other exploitation. Uzbekistan took into consideration the Committee's recommendations, ratifying the two Optional Protocols to the Convention, and ILO Conventions No. 138 and No. 182.

Non-profit NGOs created in Uzbekistan assist the State in ensuring the exercise of the entire range of children's rights provided for in the Convention. In particular, such NGOs significantly contribute to social support for children living in vulnerable settings. Since 2008, the Fund Forum, in cooperation with the Women's Assembly association, carries out the "Maternal and child health days" initiative, providing women and children with free diagnostic medical examinations by outstanding foreign specialists (from Germany, the United States, Russia and Israel) in the areas of paediatrics, ophthalmology, gastroenterology, gynaecology and breast care. Such physicians have also offered masterclasses for talented young Uzbek specialists on a free-of-charge basis thanks to Fund Forum support. These masterclasses have been attended by 120 medical workers of Tashkent clinics, who thereby obtained international level certificates.

B. Definition of the child (article 1)

305. On 7 January 2008, although it has more than 100 acts which regulate various rights and freedoms of the child, Uzbekistan adopted the Rights of the Child (Safeguards) Act, the need for which had been highlighted by the Committee.

306. That Act, first special enactment on children's rights in the country's legal history, aims to regulate relations connected with the determination of the child's legal status and to provide legal guarantees for the exercise of the child's rights and freedoms. The Act, whose main objective is to lay down guarantees ensuring the actual fulfilment of the child's rights and interests, elevates the protection of the rights of the child to the rank of State policy and broadly outlines the main thrusts of that policy.

307. The Rights of the Child (Safeguards) Act became in a sense the Children's Constitution in Uzbekistan.

308. The Act defines the concepts of, inter alia, "child", "orphan", "socially vulnerable child" and "child with disabilities".

309. "Child", as a defined term, was first introduced by the above Act. Earlier, that concept was used in Uzbek legislation without a specific content ascribed to the term.

310. The definition of the child in article 3 of the Act fully coincides with the one provided in article 1 of the Convention, namely every human being below the age of 18 unless, under the law applicable to the child, majority is attained earlier.

C. General principles

1. Non-discrimination (article 2)

311. The Constitution defines the fundamental principles of the protection of the rights of the child, which include the following:

- Supremacy of the universally accepted principles and norms of international law in the protection of the rights and freedoms of the child
- Safeguarding and protection of the rights of the child by the State
- Welfare services provided by the State and society for orphans and children deprived of parental care
- Prevention of discrimination against children on the basis of their background or the civil status of their parents
- Encouragement of charitable activities for the benefit of children
- The parents' obligation to support and bring up their children.

312. State policy on children's rights is mainly aimed at safeguarding the rights, freedoms and legitimate interests of children; protecting their life and health; prohibiting discrimination against them; defending their honour and dignity; and guaranteeing equal rights and opportunities for them. Attaining each such target presupposes implementing a whole series of legal, organizational, social, economic and financial measures.

313. Non-discrimination among children regardless of race, colour, gender, language, religion, political or other views, ethnic or social background, birth or other circumstances relating to a child or his or her family is a basic international requirement, enshrined in the Convention, for ensuring the equality of all children.

314. The fulfilment of this requirement of the Convention is facilitated by article 18 of the Constitution, which establishes the principle of non-discrimination for all Uzbek citizens, including children, and states that all such citizens shall have equal rights and freedoms and shall be equal before the law, without discrimination on grounds of gender, nationality, language, religion, social origin, views or personal or social status; and that any privileges may be granted solely in accordance with the law and the principles of social justice.

315. Under article 65 of the Constitution, children are equal before the law regardless of origin and the civil status of their parents.

316. Non-discrimination, including towards children, is provided for in article 4 of the Rights of the Child (Safeguards) Act and also regulated by, inter alia, article 6 of the Labour Code, article 3 of the Family Code, article 13 of the Health Care Act, article 2 of the Citizenship Act and article 11 of the Citizens' Applications Act.

317. Measures are taken in order to raise awareness of international anti-discrimination standards among judges, law-enforcement personnel and legal profession trainees. Accordingly, a special "Rights of the child" training course was introduced in the State Legal Institute of Tashkent in 2007 and is currently being organized in other law faculties

(in the National University of Uzbekistan, the Samarkand and Namangan State Universities and the University of World Economics and Diplomacy.

318. Special training courses and classes where the provisions of the Convention and of domestic legislation regarding various aspects of the rights of minors, including non-discrimination towards children are studied in detail have been included in the curricula of the University of World Economics and Diplomacy, the Academy for State and Social Construction attached to the Office of the President, the Academy of the Ministry of Internal Affairs, the Advanced Courses of the Office of the Procurator-General, the National Centre for the Further Training of Legal Specialists in the Ministry of Justice, and the Central Institute for Teacher Training and Retraining of the Ministry of National Education. These training establishments organize related conferences and seminars, and popular scientific literature on issues related to children's rights is published.

319. Thus, as part of the Advanced Courses of the Office of the Procurator-General, a conference was held on 17 June 2009 on the theory and practice of "guaranteeing the rights of rural youth: experience, problems and solutions". Of the 15,461 awareness-raising events held in 2009, 115 were dedicated to children's rights.

320. A comprehensive campaign to raise awareness of the provisions of the Convention and the Rights of the Child (Safeguards) Act on the prevention of discrimination against children has been launched, targeting society, the local authorities, and citizens' self-governance bodies. In the period 2007/08, 80,000 lectures and open classes and more than 1,500 seminars were carried out as part of the "Family, neighbourhood, school" programme.

321. Within the framework of the "Child-friendly schools" programme, training seminars for teachers are conducted periodically in cooperation with UNICEF in 16 teacher training and retraining institutes and courses. Approximately 800 representatives of citizens' self-governance bodies and more than 1,050 staff members of provincial regional administrations, trained with UNICEF cooperation under a human rights project of the Academy for State and Social Construction attached to the Office of the President, have received advice on the creation of administrative committees in the area of mothers' and children's rights.

322. In all citizens' self-governance bodies, meetings and round tables for the dissemination of the Rights of the Child (Safeguards) Act are carried out with the participation of the chairpersons of neighbourhood committees, advisers to citizens' and women's groups, and neighbourhood leaders and crime prevention inspectors. With UNFPA financial support, 1,423 neighbourhood advisers and regional administrator representatives of the Khorezm, Andizhan and Namanga provinces were trained through the work of the Women's Committee of Uzbekistan. In that framework, it was stressed that, in cases of violation of children's rights, the parents, persons engaged in work related to the interests of children, and the *Kamolot* and *Kamalak* NGOs may resolve the problem in three manners, namely on an amicable basis (the victim may turn to the parent's or neighbourhood committee, the regional administration, the juvenile affairs commission or an NGO); through administrative measures with the help of the procuratorial authorities; and through a court of law.

323. Furthermore, in general education schools and academic and vocational secondary education establishments, specific measures are taken to raise the legal literacy of children themselves, including on issues related to their right to non-discrimination.

324. No statistical data are available on citizens' applications to State bodies regarding discrimination or explicit manifestations thereof in society.

2. Best interests of the child (article 3)

325. State policy is aimed at implementing the key principle of the protection of children's rights, namely safeguarding a child's best interests, in line with article 3 of the Convention: in any action concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be the prevailing consideration.

326. The children's rights and fundamental freedoms protection system includes the following authorities:

- The Chambers of the Oliy Majlis, and local representative bodies of State authority, namely the provincial, district and urban councils of peoples' deputies
- The President of Uzbekistan
- The Cabinet of Ministers, ministries, departments, other State structures related to the Executive, and the local authorities of the State represented by the regional administrations
- The bodies of the Judiciary which form the judicial system consisting of the Constitutional Court; the Supreme Court; the Higher Economic Court; the courts of the Republic of Karakalpakstan; the provincial and Tashkent City courts for civil and criminal matters; and the military and economic courts
- The Office of the Procurator-General and its subordinate procuratorial agencies
- National human rights institutions, namely the Parliamentary Ombudsman, the National Centre for Human Rights, and the Institute for Monitoring Legislation, attached to the Office of the President of Uzbekistan.

327. All of the above State bodies and organizations exercise, in the area of the protection of children's rights, powers vested in them, and their action must be based on the principle of the child's best interests.

328. The bodies of State power and administration ensure the implementation of legislation and of State or regional programmes on ensuring the rights, freedoms and legitimate interests of the child. The children's rights to, inter alia, life, health care, education, protection from violence and exploitation, rest and leisure, and the children's freedoms, are regulated by the relevant legislation and realized by the Ministries of National Education, Health, Labour and Social Protection, Justice and Internal Affairs, the procurator's offices, the civil and criminal courts, the Parliamentary Ombudsman, the guardianship and custody bodies and the local bodies of State power and administration.

329. Non-profit NGOs and the citizens' self-governance bodies contribute greatly to safeguarding the rights of children. Such NGOs as the Children's Fund, Fund Forum, *Kamolot*, *Makhalla* ("Neighbourhood") and "*Sen Yolg'iz Emassan*" ("You are not alone") actively participate in improving the situation of children.

330. The Fund Forum has set up the "Forum Junior Sport" children's sport complex, in which approximately 100 children exercise in callisthenics, wushu and other sports. The Fund Forum also set up the "Champions' Forum" sport complex, which meets international standards, for various types of martial arts, and boxing. In that facility, the most talented young athletes exercise with the country's best trainers. The project is funded with grants by Uzbek legal entities.

331. There is currently a national system for monitoring and supervising compliance with the rights and legitimate interests of the child. These functions are carried out by the Parliamentary Ombudsman, the National Centre for Human Rights, the Centre for Monitoring Implementation of Legal and Regulatory Instruments attached to the Ministry

of Justice, the Institute for Monitoring Legislation attached to the Office of the President of Uzbekistan, special structures on human rights protection which are supervised by the Ministry of Justice, the Office of the Procurator-General, the Ministry of Internal Affairs (human rights departments), and the Research Centre for democratizing and liberalizing judicial legislation and ensuring the independence of Supreme Court judges.

332. In 2009, the Centre for Monitoring Implementation of Legal and Regulatory Instruments attached to the Ministry of Justice conducted a comparative analysis of international legal standards and Uzbek legislation on the protection of children's work-related rights. The gaps thus identified in the law on issues related to the protection of children against the worst forms of child labour led to the formulation of proposals and eventually, in the best interests of the child, to the adoption, through a 12 May 2009 decision of the Ministries of Labour and Social Protection and of Health, of a regulation establishing maximum limits for weights to be lifted and carried by persons under 18; and to the establishment on 29 July 2009, by the same ministries, of a list of types of work characterized by untoward working conditions and which may not be performed by persons in that age category.

333. The State guarantees the principle of the best interests of the child not only in respect of the activities of the relevant State bodies, but also, according to appropriate procedures, in the area of family relations. The Family Code lays down the rights of the child and the parents' obligations within the family, and regulates the cases in which the legitimate interests of a child are protected.

334. Under articles 65-70 of the Family Code, a child's right to, inter alia, live and grow up in a family, be with his or her parents or relatives and express his or her views must not conflict with the child's interests. Under article 65 of the Family Code, in particular, a child is entitled to being brought up by his or her parents, and to a guarantee of his or her interests, comprehensive development and respect for his or her human dignity. Under the Family Code, parents, guardianship and custody bodies, procuratorial authorities, courts, and educational or other children's establishments must, in resolving issues involving children, proceed on the basis of the children's legitimate interests.

335. State and public institutions promote the principle of seeking the child's best interests in society, particularly in the case of vulnerable categories of children. Such Uzbek NGOs as, inter alia, the *Sen Yolg'iz Emassan* ("You are not alone") and *Soglom Avlod Uchun* ("For a Healthy Generation") foundations and the State National Centre for the Social Adaptation of Children carry out considerable work with vulnerable families and children. For instance, the above Centre monitors the implementation of State programmes and public projects which examine in depth the problems faced by children in vulnerable social groups (disabled children, orphans, children deprived of parental care, and children of disadvantaged families) and formulates proposals for improving the relevant legislation and the activity of establishments dealing with issues related to the social protection of children.

3. Right to life, survival and development (article 6)

336. The children's right to life is enshrined in article 24 of the Constitution, under which "the right to life is an inalienable right of every human being. Attacks on life shall be the gravest crime".

337. In Uzbekistan, the realization of children's rights to life and healthy development are ensured through:

- Broad medical and health-improvement action for the protection of mothers and children

- Reduction of child mortality
- Measures ensuring children's healthy development and rational and safe nutrition
- Disease prevention, advocacy for healthy living, and appropriate free medical care for children
- Avoidance of accidents involving children in daily life and in education and training establishments
- Criminal charges against perpetrators of crimes involving acts against a child's life or health
- Measures for preventing criminal attacks by adults against the life of a child
- Prohibition of torture and other cruel, inhuman or degrading treatment or punishment of children
- Other measures aimed at protecting the life and health of children.

338. The State creates conditions conducive to the birth and development of healthy children. The State promotes the child's right to life through, primarily, a set of mother and child protection measures. The basic principles underlying the protection of maternal and child health consist in: compliance with human rights in the area of health care; accessibility of specialized medical attention; priority of preventive approaches to children's diseases; and reduction of child mortality²⁸.

339. The State, represented by health care administration bodies, adopts measures aimed at, inter alia, the protection of the life and health of children, the implementation of specific State programmes in the area of child health care, and the development of the network of medical establishments for children.

340. In the area of the protection of the health of mothers and children, the President of Uzbekistan adopted in 2009 the Presidential Decisions of 13 April 2009 on additional measures for protecting maternal and child health and shaping a healthy young generation; of 21 May 2009 on the organization of the activity of national specialized medical research and treatment centres; and of 1 July 2009 on a programme of measures for more effective efforts for better reproductive health, healthy newborns and a physically and spiritually robust generation, 2009-2013.

341. These presidential decisions are aimed at introducing further specific measures to improve the activity of mother and child protection system establishments, maternity wards, perinatal and screening centres, and reproductive health care centres for women; creating a national specialized medical research and treatment centre for obstetrics and gynaecology, and paediatric centres; and setting up centres for therapy and medical rehabilitation, dermatology, venereology, physiatrics, pulmonology and endocrinology.

342. The above Presidential Decision of 1 July 2009 also provided for the development of regional and sectoral reproductive-health programmes designed to upgrade the infrastructure and operation of, inter alia, rural medical centres, family health centres and regional medical associations.

343. The State attends to the minors' right to health protection through the creation of favourable conditions for their physical and intellectual development and the prevention of

²⁸ Cf., in the appendix, tables on the decline in the mortality of children at various ages from specific diseases.

diseases, and through the organization of medical care in preschool facilities, schools and other establishments.

344. Persons with disabilities, including disabled children and persons disabled from the childhood, are entitled to medical and social assistance, all forms of rehabilitation, medication and prosthetic or orthopaedic articles, transportation under favourable terms, and vocational training and retraining.

345. Moreover, the State promotes the children's inalienable right to life through measures for the protection of their health and safety at work. Under the Labour Code, children may not engage in hard labour prejudicial to their health, physical development or school education. Working children are offered conditions necessary for combining work with learning and health protection.

346. In line with article 32 of the Convention, measures are taken to protect children from economic exploitation and the performance of any work that is likely to be hazardous or to interfere with the child's education, or to harm the child's health or physical, mental, spiritual, moral or social development. The minimum age for admission to employment is based on the Convention and other international instruments, the hours and conditions of employment are appropriately regulated, and administrative liability is incurred for violations of the law on minors (art. 49 of the Administrative Liability Code).

347. Uzbekistan's 2008 accession to ILO Conventions No. 182 and No. 138 made it possible to intensify State and social action for the eradication of forms of child labour which threaten the life, health, security and morals of children.

348. Causing harm to the life and health of persons, including children, is punishable under the Criminal Code, 26 per cent of the provisions of which address liability for causing harm to life, including: intentional homicide and aggravated intentional homicide (art. 97), intentional homicide committed in a state of extreme emotional disturbance (art. 98), maternal infanticide (art. 99), intentionally causing death by exceeding the limits necessary for self-defence (art. 100), intentionally causing death by exceeding the measures necessary to apprehend the perpetrator of a socially dangerous act (art. 101), causing death by reckless conduct (art. 102), incitement to suicide (art. 103), and intentional infliction of bodily harm endangering life during commission of an offence (art. 104).

349. A further safeguard of the right to life in Uzbekistan is provided by the criminalization of propaganda for war, namely the dissemination in any form of opinions, ideas or appeals in order to cause aggression by one country against another (Criminal Code, art. 150), aggression (art. 151), violation of the law and customs of war (art. 152), genocide (art. 153), recruitment of mercenaries (art. 154) or terrorism (art. 155).

350. State policy on crime is characterized by a particularly humanitarian approach to juvenile criminals, who are not exposed to the exceptional penalty of capital punishment.

351. Pursuant to the adoption of the Presidential Decree of 8 August 2005 on the abolition of the death penalty and the Act of 11 July 2007 amending and completing certain enactments in relation to the abolition of the death penalty, that form of punishment was discontinued, including in the case of adults, and was replaced by life or long-term imprisonment, penalties not imposed on women, offenders under 18 at the time of the crime and men over 60.

352. A child's right to survival and healthy development is also respected through the adoption of measures necessary for protection from the illicit use of narcotic drugs and psychotropic substances as defined in the relevant international treaties, for prevention of the use of children in the illicit production of and trafficking in such substances, in line with article 33 of the Convention. Under article 56 of the Administrative Liability Code and articles 273 and 276 of the Criminal Code, administrative and criminal liability is incurred

for the illegal production, acquisition and storage of drugs and psychotropic substances or other related acts. In particular, article 273 of the Criminal Code provides for longer prison sentences if such offences are committed in educational establishments or other facilities used by pupils or students for educational, sport or social events. Article 274 of the Criminal Code specifically deals with encouraging minors to use narcotic drugs or psychotropic substances.

353. Under the Family Code, a child's right to life and healthy development is protected, first and foremost, by the parents or persons in loco parentis. They must look after their children's health and physical, mental, spiritual and moral development. In exercising parental rights, parents may not harm the child's physical or mental health. Upbringing methods must preclude contemptuous, cruel, coarse or degrading treatment, insults or exploitation. Parents may forfeit parental rights, if they treat their children with cruelty, including the use of physical or mental violence, or if they deliberately commit a crime against the children's life or health (arts. 74, 75, 79 and 87 of the Family Code).

354. In the event of a direct threat to a child's life or health, the guardianship and custody body may immediately remove the child from one or both parents or from other persons responsible for the child's care. Such immediate removal takes place on the basis of an appropriate document issued by a citizens' self-governance body.

D. Civil rights and freedoms

1. Name and nationality (article 7) and preservation of identity (article 8)

355. A child's right to identity is actually the basis for guaranteeing the child's other fundamental rights and freedoms, namely the rights to a name, acquisition of citizenship, and to know and be cared for by one's parents. The State implements these rights in accordance with the Convention and the current legislation.

356. Under the Rights of the Child (Safeguards) Act, every child has upon birth a right to a surname, given name, patronymic, nationality, citizenship and preservation of these attributes (art. 9).

357. The right to a surname, given name and patronymic constitute personal non-property rights. Every child is registered immediately after birth and, from the moment of birth, has a right to a surname, given name and patronymic. The Family Code specifies the procedure for their determination.

358. A child's surname is given by parental agreement; the patronymic is based on the father's given name.

359. The surname is that of the parents. When the parents have different surnames, the child is given the surname of the father or of the mother, subject to parental agreement. If the parents so wish, the child may be given a surname derived from the name of the paternal or maternal grandfather, in keeping with ethnic traditions. If the parents disagree on the child's given name and/or surname, the matter shall be decided by a guardianship and custody institution.

360. If both parents so request, before a child reaches the age of 16, civil registration offices may, acting in the interests of the child, change the child's given name and may also change his or her surname to the surname of the other parent.

361. If parents live separately, and the parent with whom the child lives wishes to give the child his or her surname, the guardianship and custody body shall resolve the issue in accordance with the child's best interests and taking into account the opinion of the other parent. Consideration of the other parent's opinion is not required if he or she can not be

located, has been deprived of parental rights, has been recognized as legally incompetent or without valid reasons avoids meeting his or her obligations in relation to the child's upbringing and maintenance.

362. If a child is born to persons who are not married to each other and legal paternity has not been established, the authority responsible for tutelage or guardianship, acting in the interests of the child, may decide to change the child's surname to the surname of the mother at the time the request is made.

363. The given name or surname of a child aged 10 or older may be changed only with the child's consent.

364. Under article 205 of the Family Code, the birth of a child must be entered in the civil registry of the place of birth or the place of residence of one of the parents within one month.

365. Stillborn infants are registered, on the basis of a certificate issued by the medical establishment, in the local population registry within 24 hours.

366. After childbirth, the mother may not check out from the maternity facility unless she is issued a birth certificate, indicating the child's and the parents' surname and names.

367. With regard to birth certificate fees, article 332 (2) of the Tax Code exempts individuals from State fees for the issue of civil status certificates in the case of birth, death, or changes, additions or corrections to birth records subsequent to adoption, establishment of paternity, change of gender or registration error.

368. Under paragraph 2 of Cabinet of Ministers Decision No. 249 of 5 June 2003 on the form of stamped certificates and the amount of stamp fees, the stamp fee charged for the issue of a stamped birth certificate amounts to 20 per cent of the minimum wage.

369. A child's right to the acquisition and preservation of citizenship is regulated by Constitution and the Citizenship Act.

370. Uzbek citizenship is equal for all, regardless of the basis for its acquisition.

371. Where both parents are Uzbek citizens, Uzbek citizenship is acquired by the child upon birth, regardless of whether he or she was born in Uzbek territory or abroad.

372. Where the parents have different citizenships and one of them was an Uzbek citizen when the child was born, the child is an Uzbek citizen if born:

(a) In Uzbek territory;

(b) Abroad but at least one of the parents was at that time a permanent resident of Uzbekistan.

373. Where the parents have different citizenships, one of them was an Uzbek citizen when the child was born, both parents at that time resided permanently outside Uzbekistan, and the child was also born outside Uzbekistan, the child's citizenship is determined by written agreement between the parents.

374. Where one of the parents was an Uzbek citizen when the child was born and the other parent was a stateless person or was unknown, the child is an Uzbek citizen regardless of the place of birth.

375. If the paternity of the child is established, the mother is a stateless person and the father is recognized as an Uzbek citizen, the child, if under 14, becomes an Uzbek citizen regardless of the place of birth.

376. A child born in the national territory to stateless persons who are permanent residents of Uzbekistan is an Uzbek citizen.

377. A child both of whose parents are unknown and who is in the national territory is an Uzbek citizen.

378. With a change in the parents' citizenship and a resulting acquisition or abandonment of Uzbek citizenship by both, the citizenship of their children who are under 14 changes accordingly.

379. If one of a child's parents is known, his or her citizenship changes and the child is under 14, the child's citizenship changes accordingly.

380. Where both parents, or the sole parent, of a child residing in Uzbekistan relinquish, or relinquishes, Uzbek citizenship and do not, or does not, participate in bringing up the child, whose guardianship or custody is given to Uzbek citizens, the child preserves his or her Uzbek citizenship at the request of the parents or the guardian or custodian.

381. If one of the parents becomes an Uzbek citizen and the other remains a foreign citizen or stateless person, the child may acquire Uzbek citizenship at the request of the parent who becomes an Uzbek citizen. A child residing in the territory of Uzbekistan becomes an Uzbek citizen.

382. If one parent relinquishes and the other maintains his or her Uzbek citizenship, the child maintains his or her Uzbek citizenship.

383. At the request of the parent who relinquishes Uzbek citizenship, the child may be allowed to relinquish Uzbek citizenship.

384. A child who is a foreign citizen or a stateless person and is adopted by Uzbek citizens acquires Uzbek citizenship.

385. A child who is a foreign citizen and is adopted by spouses, one of whom is an Uzbek citizen and the other a stateless person, is an Uzbek citizen.

386. A child who is a stateless person and is adopted by spouses, one of whom is an Uzbek citizen, acquires Uzbek citizenship.

387. A child who is a foreign citizen and is adopted by spouses, one of whom is an Uzbek citizen and the other a foreign citizen, is an Uzbek citizen if the adoptive parents so agree.

388. A change in the citizenship of children aged 14-18 subsequent to a change in the citizenship of their parents or to adoption is possible only subject to the consent of the children (arts. 14, 15, 16 and 23-28 of the Citizenship Act of 2 July 1992).

389. Applications for Uzbek citizenship are considered by the Ministry of Internal Affairs if filed by persons residing in the country and by the Ministry of Foreign Affairs, diplomatic missions and consular offices if filed by persons residing abroad. After such consideration, these State bodies transmit the requests, the necessary documents and the relevant conclusion to the Commission on Citizenship Issues attached to the Office of the President of Uzbekistan. The Commission submits to the President of Uzbekistan a proposal for every request. Citizenship issues are the subject of presidential decrees.

2. Respect for the views of the child (article 12)

390. A child's right to express his or her opinion is enshrined in article 35 of the Constitution, article 68 of the Family Code and article 15 of the Rights of the Child (Safeguards) Act.

391. Uzbekistan, in view of the Committee's recommendations, established for the first time through the Rights of the Child (Safeguards) Act the children's right to express their own opinion (art. 15). Under those provisions, every child has a right to be heard in the family and in the course of any judicial or administrative proceedings on matters affecting

his or her interests. A child's freedom to have and express opinions may be limited according to the procedure established by law.

392. The Act does not specify the minimum age at which a child possesses that right. Under the Convention, that right is given to a child who is capable of forming his or her own views. Consequently, as soon as he or she attains a stage of development sufficient to that purpose, a child may express his or her opinion when the family makes a decision affecting his or her interests, particularly with respect to the choice of, *inter alia*, an educational institution or type of instruction. At the same time, the child may be heard in the course of any judicial or administrative proceedings, directly or through a representative or appropriate body according to the relevant procedural rules.

393. Under the Family Code, the opinion of a child who has reached the age of 10 is required in the cases of dissolution of marriage (art. 75), change of surname or given name (art. 71), restitution of parental rights (arts. 78 and 82), exercise of parental rights (art. 76), adoption (arts. 155, 169 and 171), registration of adoptive parents as the adopted child's parents (art. 172), appointment of a guardian (art. 179) and placement of a child in a foster family (arts. 194 and 197) or a children's community (para. 21 of the children's communities regulation, established by a Cabinet of Ministers decision of 22 May 2008).

394. Taking a child's opinion into consideration implies, first, that the child is heard and, second, that, if they disagree with the child's opinion, those making a decision affecting the child's interests must state the grounds on which they think it unnecessary to honour the wishes of child.

395. In criminal proceedings, the child has the same procedural rights as any party to such action but, under criminal procedure law, a child may participate in the process only with his or her legal representative. Participation of the legal representative is compulsory in the treatment of cases involving crimes by minors (art. 549 of the Code of Criminal Procedure). Criminal procedure law stipulates the child's right to free expression of his or her opinion in court hearings. In certain cases, cases involving crimes by minors are heard in private (arts. 560, 561 of the Code of Criminal Procedure). The court may order investigations into the circumstances of a case to take place without a minor's presence in the courtroom, if the procedure may have a negative effect on the minor. After the minor's return to the courtroom, the presiding judge informs him or her of the substance of what transpired in his or her absence and of his or her right to ask the persons having been interrogated during that absence any questions.

396. Administrative proceedings, an intradepartmental procedure for considering an application filed by a person in connection with a specific matter, are based on clear rules, principles and time limits for examining and deciding on the matter in question. Under the Citizens' Applications Act, any submission must be examined by the given State body within one month and the applicant must receive an answer on the merits of the submission.

397. The State and society make every effort to encourage, through the inculcation of specific knowledge, the development of the children's capacity to express themselves.

398. In April 2008, a country-wide essay competition was carried out among school children on the subject of "What I know about my rights". For the upper grades, the contest focused on a discussion of the Rights of the Child (Safeguards) Act.

399. An Uzbek children's forum, during which the Rights of the Child (Safeguards) Act was discussed, took place in May 2008. The forum was attended by more than 100 children from all regions of the country.

400. Within the framework of Mekhribonlik children's homes, vocational orientation seminars and round tables for ninth-graders are conducted on an annual basis; and pupils receive training, and meetings with alumni are organized, on the subject of the social

integration of graduates. In November 2008, training was offered (in cooperation with UNICEF) on the following topic: "How I live: presentation to the Forum on the development of the system of children's social protection", and a brochure entitled "Children's voices" was published. Student self-governance boards have started to be set up in Mekhribonlik homes to address vital issues regarding life in the establishments concerned.

401. In May 2008, a meeting was held in the Samarkand provincial national education administration, in cooperation with the health administration authorities and the parents of students leaving the ninth grade, to address problems related to promotion to the next level of education. The students and their parents participated in that event.

402. In January-May 2008, events entitled "My rights" and "Do you know your rights?" were carried out in the Navoi province; and a seminar on the rights of the child was held for the staff and the children of six Mekhribonlik homes in Tashkent.

403. In July 2008, 1,040 children participated in talks held in Mekhribonlik homes on the rights of the child in the Mekhribonlik camp run by the Ministry of National Education.

404. In October 2008, more than 9,000 students participated in a country-wide drawing competition held by the Ministry of National Education on the topic "Children's rights through the eyes of children". The contest was organized for general education grades 1-4, 5-7 and 8-9. The drawings reflected the themes of children's rights, healthy living and family life.

405. On 9-11 February 2009, the national education administration in Andizha province organized "fathers' meetings" in all educational establishments. Participating fathers, members of neighbourhood committees and internal affairs representatives discussed the right of children to have their views taken into account and to participate in resolving issues affecting them. The meetings were attended by 93,000 teachers.

3. Freedom of expression (article 13)

406. Uzbekistan provides the conditions necessary for the realization of the child's rights to freedom of expression, including freedom to seek, receive and transmit information and ideas of all kinds, regardless of frontiers, whether orally, in writing or in print, through art or through any other media of the child's choice.

407. The child's right to seek, receive and transmit information is based on article 30 of the Constitution, article 8 of the Freedom of Information (Principles and Guarantees) Act of 12 December 2002, article 16 of Rights of the Child (Safeguards) Act and other legal and regulatory instruments.

408. Article 8 of the Freedom of Information (Principles and Guarantees) Act of 12 December 2002 is worded as follows: "The State shall protect the every citizen's right to seek, obtain, study, disseminate, use and save information. Restrictions on the right to information on the grounds of gender, race, ethnic origin, language, religion, social origin, beliefs or individual or social status or other circumstances shall be prohibited."

409. State authorities and agencies, citizens' self-governance bodies, public associations, other non-profit NGOs and officials are required by law to make use of every opportunity to become familiar with information relating to their rights, freedoms and legal interests, to create adequate information resources, and to disseminate to users public information on questions of the rights, freedoms and responsibilities of citizens, their security and other matters of public interest.

410. Under article 16 of the Rights of the Child (Safeguards) Act, any child may obtain information not damaging to his or her health, moral or intellectual development; and seek, obtain and disseminate any information, save in the case of restrictions stipulated by law.

411. Use of the media for purposes of war propaganda or violence, cruelty, or ethnic, racial or religious hatred is prohibited by law.

412. Under article 7 of the Advertising Act of 25 December 1998, restrictions are placed on advertisements aimed at minors. In particular, advertisements that use images of minors consuming or using products not intended for them or products whose acquisition or consumption by minors is prohibited, or contain appeals to minors to obtain products or images of third parties asking them to use such products, or that use actual or toy weapons are prohibited.

413. The Act also prohibits the dissemination of free samples of tobacco products and alcoholic beverages for the purpose of advertising them to persons who are under the legal age, or the placement of print advertisements for tobacco products or alcoholic beverages in publications intended for minors (art. 23).

414. Production and dissemination of pornographic materials to persons under 21 are punishable under administrative and criminal law.

415. The State and the public bodies contribute to the realization of the children's right to disseminate information, ideas and opinions, including in the form of works of art.

416. Within the framework of the *Yangi Avlod* ("New Generation") Children's Art Festival, which it has conducted since 2004, the Fund Forum pays considerable attention to the realization of the children's right to artistic self-expression. The Festival helps children to develop their abilities in music, singing, mastery of national musical instruments, dancing, fine and applied arts, poetry and prose. The Festival covers 37 genres and, during its existence in the period 2004-2009, more than 51,000 children participated in it. UNICEF is a partner of the Festival. In 2009, the Festival was dedicated to the twentieth anniversary of the adoption of the Convention; and more than 20,000 talented young persons from all parts of the country participated in the project's qualifying stages.

417. In the period 2007-2009, the *Kamolot* youth movement and its affiliate, the *Kamalak* children's organization, carried out more than 2,000 large-scale events, attended by 4,307,444 children and aimed at raising children's awareness.

418. In 2007, within the framework of the State programme on the "Year of social relief", *Kamolot*, together with the Ministry of Labour and Social Protection, the *Nyroniy* foundation, the *Soglom Avlod Uchun* foundation, the *Sen Yolg'iz Emassan* Children's Foundation, the Uzbek Association for the Disabled, the Ministries of National Education and Culture and Sports, and the Art Academy for Disabled Children, organized an artistic creation contest entitled "World of fascinating colours" and a free exhibit of works by contest participants.

419. On 8 April 2009, as part of World Health Day (7 April), a drawing, sculpture and poetry contest was organized among Tashkent Kindergarten No. 499 pupils on the theme of "Preserve health and nature" in cooperation with the *Soglom Avlod Uchun* foundation and the national education department of the Yunusabad region, attracting 90 child participants. Interactive methods were used to encourage children to take care of nature. The winners were awarded prizes.

420. On 23 April 2009, in the Alisher Navoi National Park, in cooperation with the National Association of Non-Profit NGOs and the *Kamolot* movement, a children's drawing-on-asphalt contest was held under the motto of "Let's preserve the earth for future generations" and an ecological quiz entitled "What do we know about the earth?" was

organized. More than 250 children from 14 Tashkent schools participated in the event, aimed at encouraging Tashkent children and adolescents to get involved in ecological activities, raising their awareness of the value of environmental protection, and promoting familiarization with environmental learning and knowledge on the preservation of nature in the schools.

421. On 5 June 2009, more than 1,000 persons participated in the celebration of World Environment Day in the Gafoor Gulyam municipal culture and leisure park in Tashkent. The programme included children's contests and quizzes on environmental subjects. The winners of the "Home town ecology" children's contest, the *Tabiat bolalar nigokhida* ("Nature through children's eyes") children's drawing-on-asphalt contest and an ikebana competition were awarded special prizes. Festival participants received tee shirts with the "Eco-movement" symbols.

422. For the thirteenth consecutive year, the "Enrag" international humanitarian foundation, in cooperation with the Ministry of Labour and Social Protection, carried out, for children aged 7-17 with locomotor apparatus disorders, a drawing competition entitled "World of fascinating colours", in whose implementation in the provinces the Uzbek Association for the Disabled actively participates in support of talented and capable children seeking to obtain an education and to cultivate their workmanship in order to occupy a decent place in society.

423. Children's participation and appearances at international and national forums, conferences and essay contests on the current problems of childhood and in related inquiries and tests make it possible to hear the children's voice and to protect their interests when decisions are made.

4. Access to appropriate information (article 17)

424. In Uzbekistan, children's access to appropriate information is ensured through support for media which contribute to the social, intellectual and moral well-being of minors; encouragement of the production of children's literature; and protection of children from information and material which is harmful to their physical health and their morals.

425. In Uzbekistan, freedom of speech is ensured on the basis of the Freedom of Information (Principles and Guarantees) Act, the Citizens' Applications Act and the Media Act.

426. Under the Media Act of 26 December 1997, any person may present and express his or her opinion and views openly through the media, which are responsible for the objectivity and reliability of the information provided and may not abuse the rights conferred on them in the area of inquiry and dissemination of information.

427. The media may not call for a violent change to the existing constitutional order; propagandize for war, violence or terrorism; transmit information which stirs up national, racial, ethnic or religious hostility; publicize drugs or pornography; tarnish a citizen's honour, dignity or business reputation; or publish pre-trial proceedings material and bring influence to bear on a court before the judgement becomes enforceable (arts. 5 and 6 of the Administrative Liability Code).

428. Censorship of the media is prohibited. None may require prior agreement with respect to material published (art. 7).

429. Under article 34 of the Act, legal entities and individuals having been the subject of unfounded media reports damaging to their honour, dignity or business reputation may require the editors to retract.

430. Freedom of speech implies that anyone may express opinions and views on all social and political matters and State life, comment on events and documents, draw attention to shortcomings and improvements in the work of State agencies, make proposals for improving their work, and participate in the discussion of important issues.

431. The restrictions imposed by the State on the exercise of the right freely to express opinions (see general comment No. 2 of the Human Rights Committee) do not threaten the principle of this right as such.

432. The Freedom of Information (Principles and Safeguards) Act of 7 February 2003 develops article 29 of the Constitution by establishing the right of access to information and specifying the procedure and time frame for such access. Information may be withheld only when it is confidential, namely when access to it is restricted by law, or when its disclosure may harm the rights and legitimate interests of individuals or the interests of society or the State.

433. The Citizens' Applications Act of 12 December 2002 accords everyone the right to submit applications, proposals and complaints to State agencies. Such communications may be made orally or in writing by individuals or groups. Every State agency makes arrangements for the reception of members of the public at convenient times, when any citizen may exercise the right to freedom of speech. Citizens are entitled to be informed about the status of the consideration of their applications, state their arguments in person, give explanations, study the documents used to verify the grounds of their applications, submit additional documents, and use the services of a lawyer or other representative.

434. Television and radio broadcasting is in the hands of State and non-State electronic media, including 50 television studios, 13 radio stations and 36 cable-TV studios.

435. The country's largest broadcaster is the Television and Radio Corporation of Uzbekistan, which currently employs some 6,000 journalists and other creative and technical staff. It broadcasts on four television channels and four radio services, providing a daily average of 54 and 93.2 hours of programming respectively and covering up to 98 per cent of the country.

436. Where the news and information media are concerned, the necessary organizational, legal and technical framework has been established for the creation and development of community and other non-State institutions and organizations. There is, for instance, the Creative Union of Journalists, the Writers' Union of Uzbekistan, the National Electronic Media Association, the Foundation for the Support and Development of the Electronic Media, and an array of other such bodies.

437. The profound changes taking place in this area are having a positive impact on the development of the national printed media, the volume of which has doubled over the past 10 years. Today the country has 683 newspapers, 198 magazines, 55 publishing houses and four news agencies.

438. A voluntary fund for the support and development of independent printed media and news agencies was set up on the initiative of the Writers' Union and the Creative Union of Journalists. The following are the main purposes of this fund: to promote and support the efforts of the independent printed media and news agencies to provide broad reporting of the processes of democratization and the renewal of society and the reform and modernization of the country; to strengthen the role and the significance of the media in the building of a strong civil society and defending human rights; to determine and report public opinion; and to enhance the public's legal and political awareness and its active participation in social and political affairs.

439. Parliament gives its attention to the work of the media. The Legislative Chamber of the Oliy Majlis is currently considering bills on television and radio broadcasting, public

television, and cable broadcasting. Every year the Chamber's Committees on Democratic Institutions and Local Authorities and its Committee on Information and Communication Technology monitor compliance with the Media Act and hold conferences and seminars on this topic.

440. In Uzbekistan, the printed media publish in Uzbek, Russian, English, Kazakh, Tajik, Karakalpak and Korean.

441. Uzbekistan has some 30 private television stations and 10 private FM radio stations broadcasting in Uzbek, Russian and English. The number of Internet users grows every year. The Internet is becoming increasingly accessible to the Uzbek public. There are currently over 500,000 users.

442. Children's studios have been set up and broadcasts for children are produced in the *Kelajak Ovozi* youth network television facilities, the *Yangi Avlod* children's studio, the *Erkin fikr* television studio, and the non-governmental regional television stations *Istiklol-TV*, *Margilon* and "Samarkand-TV". As part of the "Do you know?" and "That is interesting" programmes, information on the Convention and domestic legislation on children's rights is provided throughout the year, in a language accessible to children and their parents.

443. The Public Fund for Supporting and Developing Independent Print Media and News Agencies in Uzbekistan specifically promotes children's publications and related journalism. In particular, the editorial team of the *Gulkhan* newspaper received a grant to acquire a computer, printer, scanner, camera, dictaphone and other information and communication tools and created a web site.

444. The above fund also helped to create web sites for such print publications for children as "Class!", *Tong Yulduzi* ("Morning Star"), *Gulkhan*, *Guncha* and *Zhetkinshak*, appearing in three languages. A web site for the *Romashka* ("Camomile") newspaper is currently under construction. Thereby these publications may potentially enjoy a global readership. An award has been instituted for the best children's publication journalist.

445. The *Kamalak* children's organization has recommended supporting the newspapers entitled *Romashka*, *Binafsha* and *Polvonzhon*.

446. Considerable attention is paid to the improvement of media activity, as the relevant conferences, seminars and round tables testify.

447. On 11 April 2008, in connection with the World Press Freedom Day and the sixtieth anniversary of the Universal Declaration of Human Rights, the National Centre for Human Rights, in cooperation with the Information and Communication Technology Committee of the Legislative Chamber, organized a round table on the exercise of freedom of the press in Uzbekistan.

448. On 2 May 2008, a general meeting of the National Association of Members of the Electronic Media was held in connection with the World Press Freedom Day on the subject of "Experience and prospects regarding the development of non-State electronic media: freedom of speech, the citizens' right to information, and the journalist's active civic role".

449. On 12-13 August 2008, the Parliamentary Commission responsible for managing the finances of the Public Support Fund for Non-Governmental Non-Profit Organizations and Other Civil Society Institutions organized seminars on "The role of the media in fulfilling human rights and interests" in the cities of Gulistan, Djizzak and Tashkent.

450. On 9-10 June 2008, a two-day international seminar on "Media freedom in contemporary democratic society" addressed the implementation of international law provisions regarding freedom of speech, opinion, views, information and the media in legislation and actual practice in Uzbekistan. This event was organized by the Institute for

Civil Society Studies, the Regional Policy Foundation and the National Centre for Human Rights. Participants included representatives of groups of experts from 18 countries, such as China, Egypt, France, Germany, Indonesia, Israel, Japan, Kuwait, Malaysia, Poland, the Republic of Korea, Russia, Turkey, Ukraine, the United Kingdom and the United States, and members of the diplomatic corps and of international organizations accredited in Uzbekistan.

451. On 11 June 2008, an international round table was organized by the National Centre for Human Rights in cooperation with the Regional Policy Foundation on the topic "The Universal Declaration of Human Rights and the exercise of freedom of speech in Uzbekistan". The round table discussed the role and significance of the media in promoting human rights in the country.

5. Freedom of thought, conscience and religion (article 14)

452. The basic principle of freedom of conscience for all, regardless of age, gender, nationality, social origin or other attributes is enshrined in the Constitution.

453. Under article 31 of the Constitution, freedom of conscience is guaranteed to all. Everyone shall have the right to profess or not to profess any religion. The imposition of religious views shall be prohibited.

454. The children's right to freedom of conscience was first specifically provided for in the Rights of the Child (Safeguards) Act, under article 17 of which a child is entitled to freedom of thought, speech, conscience and opinion.

455. The Freedom of Conscience and the Religious Organizations Act develops the provisions of article 31 of the Constitution, specifies mechanisms of cooperation among the State, religion and society and regulates the status of religious organizations under administrative law.

456. Article 3 of the Act prohibits forcing a person to define his or her attitude to religion; to profess or not to profess a religion; to participate or not to participate in acts of worship, religious rites and ceremonies; or to receive religious instruction. It is also prohibited to recruit minors to religious organizations and instruct them in religion against their will or against the will of their parents or persons in loco parentis.

457. Article 5 of the Act prohibits acts aimed at bringing about religious conversion (proselytism) and any missionary activity, since every person independently determines his or her religious affiliation.

458. In view of the separation of religion and the State, the education system is distinct from religion, and education system curricula may not include religious subjects. Regardless of their attitude towards religion, children obtain a secular education.

459. Under article 8 of the Act, children may not be members of religious organizations in so far as such organizations consist of persons having attained 18 years of age.

460. Admission to a religious educational institution for training as a clergyman or member of religious personnel is possible only after completion of compulsory general secondary education.

461. The Committee on Religious Matters under the Cabinet of Ministers is the State body treating issues related to the guarantee of the citizens' right to freedom of conscience and religion and acts in coordination with religious organizations. Attached to the above committee, functions the Social Council for Religious Affairs, composed of the leaders of the country's religious groups.

462. Uzbekistan currently has 16 religious faiths, some of them not traditional.

463. The Moslem religion - Islam - is of course, traditionally and historically, the biggest faith in numerical terms. In institutional terms the country currently has the Moslem Board of Uzbekistan, the Kaziat of Moslems of Karakalpakstan, the Tashkent Islamic Institute, 10 madrasas and 1,862 mosques, 90 per cent of which keep Friday as the sabbath day. The years of independence have seen the construction or restoration of such important central mosques as Kalyan in Bukhara, and Sheikh Zainuddin and Khozhda Akhror in Tashkent, which can accommodate from ten to thirty thousand worshippers.

464. The adherents of Islam have every opportunity to observe the five pillars - the Moslem duty; in other words, believers are free to pray in the mosques, to give zakat, to fast in the month of Ramadan, and to make the pilgrimage, the hajj, to Saudi Arabia.

465. In 2007, a total of 4,075 persons made the umrah pilgrimage and 5,088 made the hajj.

466. The freedom of religion guaranteed by the existing legislation means that every opportunity to satisfy their religious needs is accorded to all other citizens, who represent more than 130 nationalities and ethnic groups, professing almost all the strains of Christianity as well as Buddhism, Baha'ism, Judaism and the teaching of Krishna.

467. Uzbekistan currently has 187 religious organizations, including Orthodox Christians, Catholics, Lutherans, Baptists, Full Gospel Evangelicals, Adventists and other Christian sects, as well as religious communities of Bukhari and European Jews, Baha'is and devotees of Krishna and Buddha.

468. The State protects freedom of religion. Article 145 of the Criminal Code (Violation of freedom of conscience) states that "obstructing the lawful activity of religious organizations or the performance of religious rites is punishable by a fine of up to 50 times the minimum wage, or forfeiture of a specified right for up to five years, or punitive deduction of earnings for up to two years".

469. Recruiting minors to religious organizations and instructing them in religion against their will or against the will of their parents or persons in loco parentis is punishable by a fine equal to 50-75 times the minimum wage, or correctional labour for two to three years, or deprivation of liberty for up to three years.

470. Religious activities which prevent citizens from exercising their civil rights or fulfilling their civil-law obligations, compulsory imposition of dues or taxes on believers, application of measures injurious to personal honour and dignity, forcing a person to receive religious instruction or to define his or her attitude to religion, to profess or not to profess a religion, or to participate or not to participate in acts of worship, religious rites and ceremonies, or the organization of religious rites which cause minor or moderate bodily injury are punishable by a fine equal to 75-100 times the minimum wage or detention for up to six months, or deprivation of liberty from three to five years.

471. Under article 156 of the Criminal Code, "acts calculated to wound national honour and dignity or insult the feelings of believers or non-believers, committed with a view to inciting hatred, intolerance or discord with regard to certain communities on national, racial, ethnic or religious grounds, and the direct or indirect restriction of rights or the establishment of direct or indirect privileges in connection with the nationality, race, ethnicity or attitude to religion of such communities are punishable by deprivation of liberty for up to five years".

472. According to article 202-1 of the Criminal Code, inducement to participate in the activities of public associations and religious organizations, movements or sects which are banned in Uzbekistan incurs a fine of 5-10 times the minimum wage, or administrative detention for up to 15 days.

473. The law prohibits unlawful religious activities. Article 240 of the Criminal Code (Breach of legislation on religious organizations) states that "the conduct of unlawful religious activity, the avoidance of registration of statutes by the leaders of religious organizations, the convening and conduct by ministers of religion and members of religious organizations of special meetings for children and young persons or the founding of work-related, literary or other clubs and groups not connected with acts of worship shall incur a fine of 5-10 times the minimum wage or administrative detention for up to 15 days".

474. Conversion of believers from one religion to another (proselytism) and other missionary work are punishable by a fine of 5-10 times the minimum wage or administrative detention for up to 15 days.

475. The State protects the right of children to freedom of conscience. Under article 241 of the Criminal Code, violation of the legislation governing religious instruction, provision of religious instruction by persons without special religious training or without the authorization of the chief administrative body of a religious organization, or provision of private religious instruction incurs a fine of 5-10 times the minimum wage or administrative detention for up to 15 days.

476. Considerable attention is given to exercise of the right to freedom of conscience by convicted prisoners. Under a new article 12 (Exercise of freedom of conscience by prisoners) added to the Penal Enforcement Code, prisoners are guaranteed freedom of conscience and have the right to profess any religion or none. Ministers of duly registered religious organizations may be invited to visit convicts serving sentences of confinement or deprivation of liberty, at the convicts' request. Prisoners are allowed to perform religious rites and to have religious objects and religious literature. The performance of religious rites is voluntary and must not infringe the internal regulations of the establishment where the sentence is being served or encroach on the rights and legitimate interests of other persons.

477. It has become the practice in Uzbekistan to implement measures to ensure harmony among religions and faiths. For instance, on 13 and 15 August 2007 there was a meeting of regional experts of the Islamic Educational, Scientific and Cultural Organization (ISESKO) to debate "The role of official and non-governmental organizations in dialogue and friendship among civilizations"; on 14 and 15 August 2007 an international conference was held on "Uzbekistan's contribution to the development of Islamic civilization"; and on 13 and 14 November 2007 an international conference was held on "Uzbekistan - country of great Islamic thinkers".

478. On 31 May 2007, representatives of the Moslem, Orthodox and Jewish communities took part in a seminar on "Uzbekistan's experience of attaining harmony among religions", held in London at the initiative of the "Three Faiths Forum" international foundation (United Kingdom).

6. Freedom of association and peaceful assembly (article 15)

479. Under article 4 of the Rights of the Child (Safeguards) Act, State policy on children is mainly aimed at the following goals:

- Promotion of children's physical, intellectual, spiritual and moral development
- Bringing up children so that they may develop feelings of patriotism, citizenship, tolerance and pacifism
- Familiarization of children with the historical and national traditions and spiritual values of the people of Uzbekistan and the attainments of world culture
- Development of the child's personality and scientific, technical and artistic creativity

- Support for children's initiatives
- Promotion of children's legal awareness and knowledge.

480. These goals are pursued not only by State bodies, but also by NGOs seeking, under article 6 of the Act, the fulfilment and protection of the children's rights, freedoms and legitimate interests and providing legal, procedural, informational and other assistance to children or their legal representatives.

481. More than 5,000 non-profit NGOs are registered with the Ministry of Justice and numerous public associations have been set up to provide children with support in relation to the protection of their social, economic and cultural rights.

482. Winners and participants in the various Fund Forum children's and youth projects are brought together by the *Kelajak Ovozi* youth initiatives centre (TSMI), unique in that the initiatives and projects in question materialize as part of the participants' lives. Thousands of boys and girls are actively involved in the work of TSMI branch establishments, whose network covers all regions of the country and where youth forums, educational camps, video link and videoconference events, seminars and training events on specific themes, and youth social actions are frequently carried out in Tashkent and the regions. TSMI includes unique "interest clubs" on education, culture and the arts; a youth press centre; a youth initiatives support club; an association of intellectual clubs; a debate club entitled "Dilemma"; an information technologies club; and a translators' club. Moreover, TSMI houses various establishments organized by young persons with Fund Forum support, namely the "*Kelajak Ovozi* - Tour" travel agency for young persons, the School for young entrepreneurs, the "*Kelajak Ovozi* - Lingvo" language centre, a young persons' employment agency, a country-wide network of youth television studios, and a young persons' drama studio.

483. Currently, for instance, leading NGOs of the country, such as the Fund Forum, carry out a number of projects aimed at implementing provisions of the Convention related to the rights of the child and the social protection of low-income family children. The largest such project is *Yangi Avlod* ("New Generation"), which has been taking place nationwide for six years. In that period, more than 50,000 children aged 6-14 participated in the project regardless of their level of preparation and social status, with attention and support focused on children from large and vulnerable families and artistic dynasties. Since the creation of the Fund Forum Festival, considerable attention has been paid to the participation in the project of children from orphanages and children with special needs.

484. Through the *Yangi Avlod* Festival, the Fund Forum creates throughout the country a network of modern centres for children's creative activities and sport complexes, in which children are offered free training in various forms of art, creative skills and sport. Such centres are currently operating in Tashkent and Samarkand.

485. Under "Social support for children", the action undertaken by the *Mehr nuri* ("Ray of Mercy") public charitable foundation encompasses the following types of activity:

- Targeted financial aid to children from low-income families, orphanages and residential schools
- Improvement of conditions related to education, medical care and other social services for children, including the construction, renovation, reconstruction, upgrading and supply with modern equipment of medical establishments, orphanages, kindergartens, schools, residential institutions and other social structures throughout the country (more than SUM 12 billion were earmarked for such action by 2009)

- Promotion of maternal and children's health by enhancing the medical equipment of maternity facilities
- Organization of charitable activities and holiday events for children from low-income families, orphanages and residential schools and children with special needs (including gift distribution and free entertainment and treatment in municipal parks)
- The above action includes the following main initiatives:
 - Targeted material assistance to families with many children as part of the "Saving bankbooks" project through cash transfers to bank accounts opened to that effect. In the period 2005-2009, more than SUM 200 million were thus paid out at the national level
 - Charitable activities in parks and neighbourhoods in connection with Children's Day and the *Navruz* and *Iftorlik* fairs, with the participation of children from low-income families
 - Charitable activities for orphans in connection with national traditions and customs.

486. The national non-profit "Women's Assembly" public association undertakes projects in the area of social support for children, women and families; promotes their professional and personal self-fulfilment and their state of health; and carries out various charitable events to raise funds for orphanages.

487. The best known "Women's Assembly" projects include the following initiatives:

- A nation-wide social charity event entitled "Days of maternal and child health"
- A nation-wide social charity event entitled "Health in the family"
- Annual sport events in connection with the International Children's Day and Uzbek Special Olympics
- Humanitarian activities organized in conjunction with the United Nations International Day of Peace and in cooperation with the Social Initiatives Support Fund (SISF), UNICEF, UNESCO and UNDP
- Reconstruction and equipping of one of the kindergartens in Tashkent
- "On behalf of children" charity ball
- "Health in the family" country-wide charity marathon
- A charity ball in Tashkent
- "Adults to children: Happy journey" social charity event in the country's regions
- "Spring Marathon" social event in the schools of Tashkent City
- Annual *Navruz* holiday events for families with many children
- "Woman of the year" national contest
- "Women's health days" country-wide social initiative
- A national programme of family grants for woman entrepreneurs
- An international forum on "Medical considerations and the role of public organizations in addressing breast cancer problems"
- An international conference organized by the Fund Forum, "Women's Assembly", SISF and UNICEF on "A comprehensive solution to the problems related to the

integration of children and young persons with special needs into the Special Olympics programme"

- "Faith! I'm here!" social action in support of women diagnosed with breast cancer (in cooperation with the "On Life's Behalf" association).

488. The **Children's Foundation of Uzbekistan** addresses multifaceted issues relating to children, namely defence of the rights and interests of children in need of social protection, harmonious development of a child's personality, preservation of children's health in accordance with the Convention, and assistance for the implementation of State programmes for the protection of children's interests and of the National Plan of Action for the Well-being of Children, 2007-2011, adopted by the Cabinet of Ministers in 2007.

489. The Foundation actively pursues the development of social services to street children and children from vulnerable and low-income families. Of the 147 children experiencing difficult living conditions who received psychological, medical and legal assistance in the period 2006-2009, 36 found employment.

490. The Foundation engages in public monitoring of compliance with children's rights at the local level. Through coordinated partnership-based action, the Foundation's regional branches, in cooperation with volunteers, the general public and specialists, examined the school enrolment situation among ninth-grade leavers in 45 cities and regions.

491. According to the Convention, every child and young person has the right to participate in resolving issues related to his or her interests. The Foundation views facilitating the realization of young persons' right to participate in the decision-making process as a key component of its activity. Accordingly, with technical assistance from UNICEF, the Foundation created in 2002 the Children's Parliament, which proved to be an effective means of work with children and young persons.

492. The **Children's Parliament** is a children's association concerned with the implementation of initiatives for children and young persons and to with development of new forms of work with youth. The Children's Parliament is formed through elections, in which school pupils and academic and vocational secondary education students participate. The young deputies, designated on the basis of the vote, are aged 14-18. During Children's Parliament sessions, which take place in Tashkent City during school vacation, the young deputies work through seven committees, namely the committees on children's rights, social issues, the media, healthy living, economic issues, self-governance at school, and environmental issues. The committee chairs and the Speaker of the Children's Parliament are elected by secret ballot. Currently, the Speaker of the Children's Parliament is Rustamov Shokhrukh from Andizha province.

493. The Children's Parliament pays special attention to civil education. During interactive training sessions, the young deputies become acquainted with the provisions and principles of the Convention, the Constitution and domestic legislation; become better informed about the spread of HIV/AIDS and drug addiction and relevant prevention methods; acquire knowledge and skills related to the promotion of the Millennium Development Goals; develop and improve contact and conflict resolution skills; formulate action plans for the implementation of local social programmes in the interest of children; and participate, as in 2009, in meetings with Oliy Majlis deputies.

494. In more than 1,000 school, **school self-governance bodies** are currently in place, training events on children's rights are attended by students and teachers, and the adolescents' scope of interests and horizon are broadened through intellectually challenging and creative activities. More than 4,000 children participated in festivals and other events dedicated to the International Day against Drug Abuse and HIV/AIDS.

495. Through round tables and meetings in neighbourhoods and educational establishments on issues related to healthy living, reproductive health and anaemia, through training events, seminars and various theme activities on children's rights, and through events raising the population's awareness of the value of iron-enriched flour and cereal products, Children's Parliament members actively contribute to the implementation of State programmes and the National Plan of Action for the Well-being of Children, 2007-2011.

496. Moreover, the young deputies contributed to the formulation of the draft Rights of the Child (Safeguards) Act by drawing up a children's version of the bill.

497. The mission of the *Sen Yolg'iz Emassan* Children's Foundation consists in comprehensive assistance in promoting decent living and full development for vulnerable children, preserving the priority of the family, and maximizing protection of the interests of children most in need of social support.

498. The foundation's main goal is to address complex issues faced by children, namely the protection of their rights and legitimate interests of children in need of social support, the harmonious development of a child's personality, children's spiritual and moral education, provision of material, medical, legal and other forms of assistance, preventive health care and protection of the health of children, and improvement of the mental and psychological state of children.

499. The foundation's target groups are orphans, children deprived of parental care, neglected, disabled and low-income family children, vulnerable children and families and gifted children.

500. A State-funded educational centre has been created as part of the foundation in order to implement social and pedagogical initiatives, develop various teaching methods, and improve social support activities of Mekhribonlik home pupils and graduates. In the centre, exercises are conducted on school subjects; children become familiarized with the basis of the legal and political system, the provisions of the Convention, the history, customs and traditions of the various peoples of the world, the elements of computer use and other areas, depending on the individual children's interests and aptitudes; and children have access to a debate club, a media centre, and studios for music and song recording, drama, contemporary and national dance, and the visual arts.

501. In order to solve social problems and provide timely psychological support to orphans and children in residential establishments, the above foundation created a sociopsychological service, which extends psychological and legal assistance to children faced with complex problems in their lives.

502. The social service has provided assistance in securing housing for approximately 100 Mekhribonlik home graduates, restored the right of 40 boarders to an apartment, including through judicial procedures, helped 50 minors to obtain official registration (*propiska*), and recovered identity documents for approximately 60 former boarders. Moreover, among other activities, the social service actively participates in court proceedings regarding forfeiture of parental rights, obtention of the status of an orphan, and restoration of inheritance rights; and helps former boarders to find employment. For instance, in 2008 more than 20 pupils of the Akkurgansk residential school in Tashkent province were provided with a job and housing, and the school administration was assisted in concluding employment contracts with the employers.

7. Right to privacy (article 16)

503. The legal basis for the protection of a child's rights to privacy and to inviolability of his or her home and correspondence is established by the Constitution, the Rights of the

Child (Safeguards) Act, the Code of Criminal Procedure and other legal and regulatory instruments.

504. Article 27 of the Constitution links the inviolability of the person with the inadmissibility of interference in personal life. It provides that everyone has the right to protection against encroachments on his or her honour and dignity and disruption of private life or the inviolability of his or her home. No one may enter a home, carry out a search or inspection, or violate the privacy of correspondence and telephone conversations except in the circumstances and under the procedure established by law.

505. Under article 10 of the Rights of the Child (Safeguards) Act, every child is entitled to freedom, inviolability of the home, confidentiality of correspondence, and protection against encroachments on his or her honour and dignity and against illegal interference in his or her private life.

506. Inviolability of the home means that no one has the right, except on lawful grounds, to enter premises used as permanent or temporary residence against the will of the occupants. This right extends to all homes, houses and buildings. All citizens occupying separate houses and apartments have this right, regardless of the form of ownership. Intrusion into a home is permitted only in the circumstances and strictly in accordance with the procedure prescribed by law.

507. Article 9 of the Housing Code introduces the notion of "living accommodation", namely housing meeting the official standards and the fire and technical regulations and intended for permanent occupation or for use under established procedures as special accommodation (inter alia, hostels, mobile homes, residential homes for disabled persons, veterans or old persons living alone, and children's homes).

508. Article 10 of the Housing Code defines the types of living accommodation. This category includes houses, apartments in multi-occupancy buildings, and rooms and other living accommodation in other buildings intended for human occupancy.

509. Under article 158 of the Code of Criminal Procedure, officials conducting initial and other inquiries may carry out a search if they have sufficient grounds for suspecting that objects or documents of relevance to a case are to be found in a home or official, business or industrial premises or some other place or in the possession of an individual. Searches may also be carried out to find wanted persons or corpses. Searches and seizures may be ordered by officials conducting initial and other investigations or by a court. Under such orders the search or seizure may be entrusted to an initial inquiry body or to an investigator.

510. The search or seizure order must indicate where and on whose property the operation is to be carried out and the objects or documents in question. Such operations are conducted in the presence of official witnesses, and specialists or interpreters are called in when necessary. The person in whose property the operation is being conducted, or an adult member of his or her family, must be present. If no such person is available, a representative of the local regional administration or citizens' self-governance body is invited to attend. Searches and seizures in premises occupied by enterprises, establishments, organizations or military units are carried out in the presence of representatives of these entities. Before the operation begins, the searcher, official witness or specialist must explain to these representatives their right to witness all the acts of the officials conducting initial and other enquiries and to make statements concerning these acts. Such statements are entered in the record.

511. The law of criminal procedure lays down the grounds, procedures and documentation required for the seizure, inspection or confiscation of postal and telegraphic communications, and also the grounds and procedures for tapping telephones or intercepting communications sent by other technical means. Under article 166 of the Code

of Criminal Procedure, a person carrying out an initial inquiry or other preliminary investigation or a court may order the seizure of all postal and telegraphic communications sent by or on behalf of a suspect, accused person or defendant to other persons, if there are sufficient grounds for assuming that they contain information about a crime which has been committed or documents or items of significance in the proceedings. In such cases, the person carrying out the initial inquiry or other preliminary investigation makes the decision, which must be approved by a procurator, or the court issues an order. Under the law of criminal procedure, postal or telegraphic communications include letters of all kinds, telegrams, radio telegrams, printed matter, parcels and packages. Under article 167 of the Code of Criminal Procedure, inspection or confiscation of postal and telegraphic communications is conducted at post offices in the presence of official witnesses, assisted when necessary by an appropriate expert, and also the person conducting the inquiry or investigation. The weight of the evidence in a given case must provide justification for tapping telephones or intercepting communications sent by other technical means (art. 169). When time is of the essence, the person carrying out the inquiry or investigation may decide to order such tapping or interception without approval by a procurator, but must also immediately notify a procurator of this decision in writing (art. 170).

512. The Criminal Code establishes criminal liability for intrusion into the homes of citizens (art. 142) and for violation of the confidentiality of correspondence, telephone conversations, and telegraphic and other communications (art. 143).

513. By including special articles affirming the children's rights in respect of the home (art. 19), private property (art. 18) and employment, which are directly related to the right to privacy, the Rights of the Child (Safeguards) Act has gone further than the Convention's provisions regarding that right.

8. Prohibition of torture (article 37 (a))

514. The State protects the children's right not to be subjected to torture or other cruel, inhuman or degrading treatment.

515. Uzbekistan explicitly subscribed to the prohibition of torture in all its forms, whether at the legislative or executive levels or in the judiciary. That position is reflected in article 26 of the Constitution, under which "no one may be subjected to torture, violence or any other cruel or humiliating treatment".

516. Under article 10 of the Rights of the Child (Safeguards) Act, the State shall protect children from torture or other cruel, inhuman or degrading treatment.

517. Uzbekistan's 1995 accession to the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment contributed to the establishment of criminal liability, under article 235 of the Criminal Code, for the use of torture.

518. Under article 235 of the Criminal Code, torture and other cruel, inhuman or degrading treatment or punishment, namely the illegal exertion of mental or physical pressure on a suspect, accused person, witness, victim or other party to criminal proceedings, or on a convict serving sentence, or on close relatives of the above by a person carrying out an initial inquiry or pre-trial investigation, a procurator or other employee of a law- or sentence-enforcement agency, and the use of threats, blows, beatings, cruel treatment, victimization, infliction of suffering or other illegal acts in order to obtain from them information of any kind or a confession, or to punish them arbitrarily for action they have taken, or to coerce them into action of any kind, incur liability and are punishable with three years' correctional labour or deprivation of liberty.

519. The same acts shall be punishable with three to five years' deprivation of liberty, if perpetrated:

- (a) With violence such as to imperil life or health, or with the threat of such violence;
- (b) On any grounds stemming from ethnic, racial, religious or social discrimination;
- (c) By a group of individuals;
- (d) More than once;
- (e) Against a minor or a woman whom the culprit knows to be pregnant;

520. The conduct referred to in the first and second subparagraphs of the above article shall, if it results in serious bodily harm or other grave consequences, be punishable with five to eight years' deprivation of liberty and forfeiture of a specified right.

521. Under article 103 of the Criminal Code, liability is incurred for driving a person to suicide or attempted suicide through cruel treatment or deliberate attacks on his or her honour, regardless of whether that person was materially or otherwise dependent on the guilty party.

522. Under article 110 of the Criminal Code, liability is incurred for torture, namely deliberate beatings or other acts having the character of torture, including with respect to a minor.

523. A child's right not to be subjected to torture or other forms of cruel or degrading treatment is also guaranteed under Criminal Code article 138, which moreover provides for liability for forcible illegal deprivation of liberty.

524. A procedural system has been set up for examining complaints of citizens, including children, concerning torture and other forms of cruel treatment.

525. In the investigative units of the Ministry of Internal Affairs, a single procedure has been introduced for registering citizens' communications, such as complaints and petitions concerning the use of torture, including on minors. A separate record is kept for every complaint regarding use of illegal inquiry or investigation methods. During investigation into such communications, the relevant circumstances are established, any evidence of criminal conduct is studied, the appropriateness of detention and delivery to a law-enforcement agency is weighed, procedural rules are followed in a timely manner with the participation of the person concerned, his or her right to defence is guaranteed, personal records are reviewed in connection with the need for medical care, a medical examination takes place to detect any bodily injuries, and a forensic medical examination is carried out if necessary.

526. Verification of complaints regarding the use of torture is one of the mandatory tasks of the special units for maintaining internal security (special staff inspection units), which report to the Minister for Internal Affairs. These units are in fact independent, since combating, detecting and investigating crime are not part of their functions and they are not subordinate to the crime-fighting agencies and units.

527. Issues related to the observance of legality and protection of the children's right to inviolability of the person and to the prohibition of torture and other illegal acts against them have been repeatedly examined at the sessions of the central administrative board of the Ministry of Internal Affairs; at the operational administration meetings of the Ministry of Internal Affairs of Uzbekistan with the participation of senior staff of the Ministry of Internal Affairs of the Republic of Karakalpakstan, the Central Internal Affairs Department of Tashkent City and the internal affairs authorities of provinces; and at the sessions of

juvenile affairs commissions with the participation of representatives of the State bodies and public organizations concerned.

528. The operational issues discussed on 16 January 2009 at a relevant meeting in the office of the Deputy Minister of Internal Affairs with the participation of the leadership of the preventive services of the Internal Affairs Ministries of Uzbekistan and of the Republic of Karakalpakstan and the internal affairs authorities of provinces included questions related to the implementation of the Convention, the intensification of work on preventing juvenile delinquency, the observance of the law by internal affairs staff and the protection of the children's rights to privacy and to the prevention of torture and other illegal acts against them.

529. The following developments fully illustrate how the law is being applied in practice: a special human rights structure has been established within the Ministry of Internal Affairs; increased efforts are being made to handle complaints and communications from citizens; special internal investigations are being carried out by internal security units of the Ministry of Internal Affairs; and individual militia officers have been prosecuted under article 235 of the Criminal Code.

530. As part of ensuring compliance with the principles governing the admissibility of evidence, the plenary Supreme Court adopted on 24 September 2004 a decision on certain questions of the application of criminal procedure law on the admissibility of evidence, which provides that evidence obtained by a person conducting an initial inquiry, an investigator, a procurator or a judge who, for whatever reason, deviates from strict observance of and compliance with legal rules shall be deemed inadmissible.

531. In the period 2004-2007, after the adoption of the above decision by the plenary Supreme Court, the courts referred a number of criminal cases back for further investigation after evidence had been found inadmissible because it had been obtained by means of torture, violence or deception.

532. The Parliamentary Ombudsman examines and investigates complaints and communications concerning unlawful actions by law-enforcement personnel.

533. According to information from the Parliamentary Ombudsman, of the 268 complaints of acts by law enforcement personnel received in 2008, 112 were followed up. Of the 13 complaints submitted concerning acts by prison staff, 8 were followed up.

534. In response to the recommendations of Mr. Theo van Boven, special rapporteur of the United Nations on torture and other cruel or inhuman treatment or punishment, the Government adopted in 2004 and implemented in 2007 a national programme of action on the application of the Convention against Torture. In 2007, following consideration of Uzbekistan's third periodic report on the implementation of the Convention against Torture and Other Cruel or Inhuman Treatment or Punishment, and in 2009, following consideration of Uzbekistan's national report within the framework of the Universal Periodic Review, respective national action plans were adopted and are currently being implemented.

535. Uzbekistan has a human rights education system, the chief purpose of which is to disseminate information about the provisions of the Convention against Torture to members of law-enforcement bodies by convening regular series of conferences, seminars and round tables on the incorporation of the Convention into domestic legislation and by explaining the legislative changes brought about by the introduction of habeas corpus and the abolition of the death penalty. This system is supported by UNDP, OSCE, overseas foundations and NGOs. All these measures are accompanied by articles in legal journals and magazines and other media outlets.

536. In 2007, seminars were held in a number of prisons on improving the penal correction system in terms of the monitoring and observance of prisoners' rights: on 22 and 23 February in Z-8 in Termez, on 26 and 27 April in IZ-3 in Bukhara and on 26 and 27 June in IZ-12 in Namangan.

537. A seminar-discussion on current issues in relations between the Parliamentary Ombudsman and Government bodies and NGOs in the realization and protection of human rights was held in 2006 by the Parliamentary Ombudsman and the Konrad Adenauer Foundation: on 27-28 February in Bukhara, on 26-27 April in Urgench, on 26 May in Samarkand (attended by the President of the Thuringen Landtag, Mr. Schipansky), on 29-30 July in Namangan, on 17-18 August in Nukus, on 1-2 November in Karshi, and on 12-13 December in Tashkent.

538. The above seminar was also held on 26-27 January 2007 in Gulistan, on 22-23 March 2007 in Djizzak, on 15-16 May 2007 in Termeze; on 26-27 June 2007 in Andizhan; and on 4-5 September in Nukus.

539. Each of the aforementioned events was attended by 50 participants, namely representatives of local regional administrations, courts, internal affairs bodies, procurators' offices, trade unions, women's committees, citizens' self-governance bodies and institutions of higher education - in all, some 600 specialists.

540. The Central Penal Correction Department, working together with the Parliamentary Ombudsman, has developed a draft statute on establishing a representative of the Commissioner in the Department. This ombudsman for the rights of prisoners will assist the Commissioner with the parliamentary monitoring of observance of the rights of accused persons, remand and convicted prisoners and of the rights of the Department's staff. In his or her work, the ombudsman for the rights of prisoners will be under the supervision of and answerable to the Commissioner.

541. Uzbekistan has established a system of parliamentary control and monitoring of the application of the Convention against Torture. In 2005 the Legislative Chamber's Committee on International Affairs and Interparliamentary Relations, in cooperation with the National Centre for Human Rights, the Parliamentary Ombudsman and law-enforcement agencies, monitored the application of the Convention in Tashkent province.

542. On 16 and 18 June 2006, a workshop was held on the incorporation of the provisions of the Convention against Torture in domestic legislation. This event was organized by the Committee on International Affairs and Interparliamentary Relations and UNDP. On 11 December 2006, the same two bodies organized a round table on improvement of the legislation on the application of the Convention.

543. The inadmissibility of torture is also one of the chief concerns of the upper chamber, the Senate, of the Oliy Majlis. On 15 February and 14 March 2008, the Senate's Committee on Foreign Policy Matters held special meetings on the outcome of the consideration by the Committee against Torture of Uzbekistan's third periodic report on the application of the Convention against Torture.

544. Uzbekistan implements a consistent policy on the implementation of the Convention against Torture. In November 2007, the United Nations Committee against Torture considered Uzbekistan's third periodic report, in which full information on fulfilling all provisions of the above Convention was provided. Pursuant to the concluding observations formulated by the Committee against Torture after such consideration, a national plan of action, drawn up in 2008, provides for more than 60 measures aimed at improving the legislation and law enforcement practice in respect of the prohibition of torture.

545. As part of the implementation of the above national action plan, a comprehensive study was made of the criminal cases initiated and heard under article 235 of the Criminal

Code. The findings of the study were considered in 2008 at a session of the Presidium of the Supreme Court and a resolution was adopted "on judicial practice in hearing criminal cases involving use of torture and others cruel, inhuman or degrading treatment or punishment", stating that courts must respond by means of specific decisions regarding members of law-enforcement personnel who have permitted the law to be violated.

546. The outcome of the comprehensive study reveals that, in connection with the category of cases in question, criminal charges were brought mainly against staff members of internal affairs agencies.

547. The 2,222 complaints, applications and communications received by procuratorial offices in 2008 (compared to 2,385 in 2007) regarding illegal acts by law-enforcement personnel included, inter alia, 104 (189 in 2007) on use of torture, threats, abuse and other forms of coercion; 12 (29 in 2007) on illegal detention; 5 (3 in 2007) on use of illicit repression measures; 18 (12 in 2007) on illegal searches and confiscations; and 171 (154 in 2007) on lack of objectivity in conducting investigations and preliminary inquiries.

548. Of the total number of complaints, applications and communications received, 1,643 (1,728 in 2007) reported illegal acts by staff of internal affairs bodies; 195 (207 in 2007) of the State Tax Committee; 60 (96 in 2007) of the State Customs Committee; 29 (42 in 2007) of the Department for Combating Tax and Currency Crimes and Money Laundering; and 7 (4 in 2007) of the National Security Service.

549. Based on evidence obtained in following up on the complaints and applications, criminal charges were brought in 269 (299 in 2007) cases, including 9 (13 in 2007) criminal cases involving torture, threats, abuse or other forms of coercion; and disciplinary proceedings were initiated against 78 (254 in 2007) employees.

550. Subsequent to inquiries, 20 (31 in 2007) criminal cases were dropped, 16 (14 in 2007) were suspended, 24 cases are still being investigated, 209 (222 in 2007) were referred to a court with an indictment, and 180 (174 in 2007) led to an enforceable sentence.

551. All of the criminal cases, 9 in number, involving use of torture, threats, abuse or other forms of coercion concerned staff members of internal affairs agencies.

552. In the period 2006-2008 and the first half of 2009, no criminal charges were brought under article 235 of the Criminal Code against anyone in the country for torture against a child.

553. In December 2008, a Ministry of Internal Affairs order adopting a plan of basic measures to be taken by that Ministry to carry out the National Plan of Action for the implementation of the concluding observations and recommendations made by the United Nations Committee against Torture was transmitted to all Ministry subdivisions of Internal Affairs. Under that order, all Internal Affairs Ministry services and local internal affairs offices are required to inform the Ministry's Human Rights Protection and Legal Services Directorate, on a monthly basis, of the measures taken in connection with the prevention of torture.

554. On 25 September 2008, the Ministry of Internal Affairs signed a cooperation agreement with the National Centre for Human Rights and on 27 October 2008 with the Office of the Procurator-General and the Ministry of Justice, with a view to adopting joint measures to safeguard and protect the rights of defendants and sentenced offenders, organizing meetings and talks with detainees or prisoners, and proceeding with a joint examination of complaints and applications in order to provide effective redress where citizens' rights are violated.

555. Under the National Plan of Action for the implementation of the concluding observations and recommendations made by the United Nations Committee against Torture, the Ministry of Internal Affairs, in cooperation with the International Rehabilitation Council for Torture Victims, carried out a training project for health workers in prison system facilities and for workers involved in the detection, assessment and documentation of presumed cases of use of torture. Currently, 132 penal correction system workers (104 physicians and 28 members of intermediate health-care personnel) have been trained in the methods of detecting, assessing and documenting occurrences of torture and other forms of abuse, and in victim treatment and rehabilitation procedures.

556. In order to protect the rights of suspects and defendants, including those detained, the Act amending and completing certain enactments in relation to improving the institution of the Bar introduced into the Code of Criminal Procedure new provisions, under which detainees, suspects and defendants may call their counsel or a close relative on the telephone to inform them of their detention and their current location. Moreover, a detainee may refuse to give testimony and must be informed that his or her testimony may be used as evidence against him or her in criminal proceedings. In such proceedings, the defence counsel has access to any stage of preliminary inquiries and, in case of arrest, from the first moment of detention. From that moment up to the first interrogation law-enforcement agencies must allow the detainee to meet with the counsel in private. The counsel is entitled to meet with his or her client in private without any restriction as to the duration and number of interviews and without needing authorization by the criminal investigation authorities.

557. Currently, every sentence enforcement establishment, including juvenile prisons, is equipped with a box for communications addressed to the procurator's office. Only procuratorial staff may open the box. Correspondence placed therein is not subject to censorship and is received and opened directly by procuratorial staff. The measures to be taken in response to such communications are decided by the procuratorial office responsible for monitoring compliance with the law in deprivation of liberty facilities and pre-trial detention centres.

E. Family environment and alternative care

1. Parental guidance (article 5)

558. The children's right to education and to protection of their interests and comprehensive development implies that every child in a family may grow up physically and spiritually healthy and capable of leading fully an independent life. That right includes entitlement to the prerequisites for early development of a child's creative abilities and personal aptitudes. Namely, it is the parents' role, primarily within the family, to provide the child with the relevant possibilities.

559. Under article 13 of the Rights of the Child (Safeguards) Act, all children have the right to live and grow up in a family, to know their parents, and to live with them and be taken cared of by them, except when this is against the children's interests.

560. The provisions of the above article are developed in articles 65 and 66 of the Family Code. The child's right to be raised in a family is guaranteed through the parents' responsibility, under Family Code article 65, to bring up their children and ensure their development, health and physical, mental, spiritual and moral development. Moreover, the children's family, namely the parents, must ensure that the children obtain a 12-year education, provided free of charge by the State. In that connection, the law mainly plays a protective role, safeguarding the family against illegal intrusions and interference with family privacy.

561. A child has the right to know his or her parents as early as possible and to live with them (unless this is incompatible with the child's best interests), including when the parents and the child reside in different State territories. Under article 21 (2) of the Civil Code, the parents' place of residence is considered as the place of residence of a minor under 14.

562. Exercise of a child's right to parental care constitutes a prerequisite for the satisfaction of his or her vital needs. Such care comprises all forms of assistance to the child (including providing the child with food, health care, clothing and educational material).

563. In the event that a child's rights are violated within the family, it is incumbent upon the State and society to exert pressure on the parents and to take action that may include restriction or deprivation of parental rights. Under article 79 of the Family Code, that may happen when one or both parents refuse to perform their duties, including paying maintenance, or, without valid cause, to collect their child from maternity homes (wards) or any other treatment facility, child-care establishment, social welfare institution or similar institution; misuse their parental rights and mistreat their children, including with the use of physical or mental violence; suffer from chronic alcoholism or drug addiction; or have committed deliberate crimes against the life or health of their children or against the life or health of their spouse.

564. The Family Code clearly lays down the conditions, procedure and course for the restriction or deprivation of parental rights (arts. 79-89). Such restriction or deprivation must be based on the law and may be ordered only by a court. Suits for the deprivation of parental rights may be brought by one of the parents (or persons in loco parentis) or the procurator and also by the authorities or institutions responsible for protecting the rights of minor children (inter alia, care and guardianship authorities, minors' affairs commissions, orphanages and children's homes).

565. Under article 80 of the Family Code, proceedings for the deprivation of parental rights are conducted in the presence of the procurator and the care and guardianship authorities. According to Supreme Court data, the number of civil cases involving deprivation of parental rights heard by civil courts was 652 in 2006, 864 in 2007, 820 in 2008 and 397 in the first half of 2009.

2. Parental responsibility (article 18)

566. In Uzbekistan, considerable importance is ascribed to strengthening the family, assisting parents in meeting their responsibilities in bringing up their children, forming their personality and ensuring their physical, mental and spiritual development.

567. Chapter XIV of the Constitution is devoted to the family and contains the following main provisions:

- As society's basic nucleus, the family shall be entitled to protection by the State and society (art. 63);
- Parents must support and bring up their children up to majority;
- The State and society support, take care of and educate orphans and children deprived of parental care, and encourage charitable activities in their interest (art. 64).

568. These constitutional provisions are developed in the Family Code, in the Rights of the Child (Safeguards) Act and other legislation.

569. An analysis of Uzbek legislation reveals that parents bear the primary responsibility for ensuring the well-being of their children, creating conditions favourable to their physical, mental, spiritual and moral development, and providing them with food, clothing and educational materials. Parents must take measures to prevent children from contracting

diseases, entering into conflict with the law and acquiring information, publications or video material damaging to their health or intellectual or moral development.

570. The State supports parents in the upbringing of their children by building a system of preschool and non-school education establishments and promoting children's sport, health-improvement, creative and other leisure and recreation organizations in accordance with legislation. Moreover, the State takes measures for the provision of social assistance to large and low-income families and single parents faced with difficulties in supporting their children; for the protection of children's rights to housing and private property; and for legal protection against violations of their rights by their parents or others.

571. Children are entitled to protection from abuse by their parents and persons in loco parentis. In cases specified by law, children's rights, freedoms and legitimate interests are protected not only by parents and persons in loco parentis, but also by guardianship and custody bodies, procurators and the courts.

572. Accordingly, under the Family Code, guardianship and custody bodies participate in the protection of children's rights in the following cases:

- Parent's failure to meet their responsibilities in respect of bringing up their children or abuse of their parental rights (art. 67);
- Dispute between the parents regarding a change to a child's given name or surname (art. 70);
- Under age parents (art. 72);
- Conflict between the parents' and children's interests (art. 74);
- Disagreement between the parents on issues related to upbringing and education (art. 75);
- Parents' denial of a child's right to associate with his or her close relatives (art. 77);
- Deprivation of parental rights (art. 80).

573. The care and guardianship authorities are also responsible for protecting the rights and interests of children in the event of the death of parents, deprivation or restriction of parents' parental rights, declaration of parents as incapable, illness or extended absence of parents, parents' refusal to raise their children or to protect their rights and interests, including refusal to collect their children from educational, treatment, social welfare and other similar facilities, and in other instances where parental care is lacking.

574. Procurators participate in the protection of children's rights in, inter alia, court hearings involving deprivation or restoration of parental rights (arts. 80 and 82, respectively); initiation of court proceedings to restrict parental rights (art. 83); and resolution of adoption cancellation issues (art. 170).

575. Under article 67 of the Family Code, in the event of violation of their rights by their parents, children may address themselves to guardianship and custody bodies or, upon attaining the age of 14, the courts. Persons aware of a threat to a child's life or health or of a violation of a child's rights and legitimate interests must report such occurrences to the guardianship and custody body near the child's location. Upon receiving such information, that body must take the measures necessary for the protection of the child's rights and legitimate interests.

576. Accordingly, parents have no right to harm, demean or permit exploitation or cruel or inhuman treatment of their children. Persons aware of a violation of a child's rights must report it to the guardianship and custody bodies

577. Guardianship and custody functions are exercised by national education departments in the case of persons under 18, by health care departments in the case of persons recognized by a court as legally incompetent or of limited competence, and by social welfare departments in the case of competent persons in need of custody on the basis of their health condition.

578. Information on violations of children's rights by their parents or persons in loco parentis may be provided to guardianship and custody bodies by, inter alia, a child's relatives, representatives of citizens' self-governance bodies or non-profit NGOs, neighbours, representatives of preschool educational establishments or schools and health care bodies.

579. Internal affairs authorities may assist guardianship and custody bodies, according to the procedure prescribed by law, in taking measures to protect children's rights and establish the liability of parents or others who may have permitted such abuse.

580. Uzbek legislation lays down various forms of parents' liability for failure to meet their responsibilities in respect of ensuring the upbringing and support of their children.

581. The Family Code provides for:

- Restriction of parental rights (art. 83);
- Deprivation of parental rights (art. 79);
- Removal of a child from the parents in view of a direct threat to the child's life or health (art. 87);
- Imposition on the parents of child support through a court decision or judicial order (art. 86).

582. The Administrative Liability Code provides for the liability of parents and persons of loco parentis for:

- Failure to meet responsibilities in relation to upbringing- and education-related responsibilities (art. 47);
- Abuse of guardianship rights (art. 48);
- Involvement of minors in delinquent acts (art. 188);
- Involvement of minors in administrative offences (art. 188-1).

583. In the Criminal Code is provided the responsibility for:

- Evasion of child support for children or disabled persons (art. 122);
- Involvement of minors in delinquent acts (art. 127).

584. Unless they can prove that they are not to blame for damage caused by their children, parents, adoptive parents and persons in loco parentis are liable for such damage.

585. Article 29 of the Civil Code Rules establishes rules for dealing with damage caused by a minor aged 14 or less.

586. The State and the organizations civil society carry out a broad awareness-raising campaign aimed at raising parental responsibility to bring up and support their children in accordance with the Convention and the Rights of the Child (Safeguards) Act.

587. In 2007, more than 400 articles of various types were published in that connection in newspapers and magazines. In 2008, in addition to publications, the rights of the child were the subject of more than 40 television broadcasts, 15 social newsreels and 50 radio broadcasts.

588. Through more than 10,000 citizens' self-governance bodies currently functioning in Uzbekistan, 8,401 makhallas (neighbourhoods), 1,339 kishlaks (villages), 153 auls (settlements), 107 township meetings, religious-education and cultural- and spiritual-training advisers, the *Makhalla posboni* public grouping and committees active in various areas are engaged in action aimed at the comprehensive protection of the interests of low-income families, families without a breadwinner or with many children, and orphans.

589. In June 2007, a joint decision was adopted with the *Kamolot* public youth movement to enhance the activity of the committee for work with young persons in citizens' meetings; and, in April 2008 a regulation was drawn up for the activity of such committees, whose efforts have been effective in preventing phenomena with a negative impact on the emerging generation.

590. The Women's Committee of Uzbekistan, in cooperation with the Office of the Procurator-General, the Ministry of Internal Affairs and the Ministry of Justice formulated and adopted the "Programme of measures for the rehabilitation of the social and moral climate in the families", under which work is undertaken in the regions to prevent crime, illegal migration and other adverse phenomena among women, adolescents and young persons. Advisers to citizens' meeting are actively engaged in helping vulnerable families to progress, enhancing morale and providing comprehensive assistance to families.

591. A comparative analysis of the findings of surveys conducted in 2005, 2007 and 2009 by the *Izhtimoi fikr* Centre for Public Opinion Studies on the family, marriage and the upbringing of children revealed that, while in recent years the family's role as a basic social and State institution has been weakening in many countries, in Uzbekistan the family not only preserves its social and moral value, but also continues to develop and increase its systemic influence in all areas of the life of the individual and society.

592. The research revealed a tendency towards harmonization and humanization of intra-family relations between spouses and between parents and children. Increasingly, people consider that the basic decisions on the fundamental issues of family life must be taken by parents raising their children together.

593. At the same time, traditional patriarchal attitudes continue to have an influence in Uzbek families. This is corroborated by the findings of research on the distribution of intra-family tasks between the spouses. In fact, public opinion ascribes the role of basic breadwinner to the man, whereby the woman's role as a mother mainly consists in raising the children, doing all the housework and ensuring a favourable and positive moral environment in the family.

3. Separation from the parents (article 9)

594. In Uzbekistan, legislation and its application are aimed at preventing the separation of the child from the parents contrary to the child's wish, save for cases in which such separation is in the child's best interests.

595. Children may be separated from their parents only on the basis of the law and a court decision.

596. Under article 19 of the Constitution, the rights and freedoms of citizens (adults and children), which are established by the Constitution and the law, shall be inalienable. No one may deny them to a citizen or restrict them save by court decision.

597. Under article 13 of the Rights of the Child (Safeguards) Act, a child has the right to:

- Live with his or her parents
- Have contact with both parents, even in the case of separation, divorce or marriage annulment

- Have contact with the parents even if they reside in different States
- Have contact with the parents even in the case of such unusual situations as imprisonment, arrest, detention or placement in a treatment facility.

598. Under article 14 of the above Act, every child is entitled to protection from illicit transfer and non-return from abroad. A child may travel abroad only with the consent of both parents or of persons in loco parentis. Any dispute between the parents on this issue is to be settled by a court.

599. Under article 78, the Family Code provides for the protection of parental rights by judicial procedure in the event that a child is illegally kept by others. In that event, however, the court may take into account the child's preference to refuse the satisfaction of the parents' request and turn over the child to a guardianship and custody body, if neither the parents nor the person keeping the child are in a position to ensure the child's proper upbringing and development.

600. Under article 82 of the Family Code, forfeited parental rights may be restored by judicial procedure, if the parents' behaviour, way of life or attitudes towards bringing up children change. Such restoration takes place upon request by one or both parents, with the participation of the guardianship and custody body and the procurator in the judicial proceedings. If a child has attained 10 years of age, such restoration is possible only with the child's consent and is impossible if the child has been adopted and the adoption has not been cancelled.

601. Under article 83 of the Family Code, the court may agree to restrict parental rights (without terminating them) if leaving the child with one or both parents is dangerous for the child as a result of factors independent of the parents' will (for instance, a mental disorder or other chronic illness, or concurrence of difficult circumstances). A petition for restriction of parental rights may be filed by close relatives, preschool or general education establishments or a procurator.

602. Restriction of parental rights means that the parents lose the right to bring up their child themselves and the related advantages and benefits but are not relieved of the responsibility to support the child. After such restriction, the child may communicate with the parents, subject to the consent of the guardianship and custody body, the foster parents or the administration of the establishment where he or she lives, provided that such communication does not have a harmful effect on the child.

603. At the parents' request, the court may review the restriction of parental rights if the grounds on which it had been decided cease to apply.

604. In view of a direct threat to the life or health of a child, the guardianship and custody body may immediately remove the child from the parents or other persons, under whose care the child may be; immediately inform the procurator; and, within seven days, request the court to restrict parental rights.

605. The continued high proportion of children in the population and high birth rate in absolute terms call for greater focus on, and targeted and consistent action towards, protecting the interests of children, especially those that are socially vulnerable or belong to high-risk groups.

606. Research reveals that the children of single mothers, large families lacking at least one parent, and socially vulnerable families (such as with either parent an alcoholic or long-term unemployed or incarcerated), and disabled children are likely to belong to the category of children at risk of losing family care. The basic factors giving rise to such risks are material insecurity, the cost of bringing up a child, unpreparedness to create a family, the parents' limited sense of responsibility for their children's and their family's well-being, and

the inadequate interest in and influence on the family on the part of its social environment (relatives and local citizens' self-governance bodies).

607. In view of national traditions and customs, it is uncharacteristic of Uzbek families to abandon their children (orphans are usually adopted by relatives). As a result, the national number of children and adolescents without parental care remains insignificant and relatively stable (approximately 6,500). In that respect, the situation in Uzbekistan differs radically from the status and increasing number of orphans and homeless children in comparable States.

608. Action aimed at the social protection of the new generation has helped to promote the prevention of the phenomenon of "deserted children". The country's basic approach to rescuing such children includes:

- The children's identification and placement under State care, such as specialized educational and personal-development establishments (orphanages or residential schools) or alternative forms of guardianship
- Targeted measures for educating the new generation and preparing young persons to form healthy and fully functional families and for strengthening the community's interest in and taking care of individual families.

609. The State constantly seeks possibilities to strengthen and prevent the disintegration of the natural family. In that process, a remarkable role is played by neighbourhood committees, which fulfil educational functions, help the organization of guardianship and adoption of children and adolescents without parental care and provide material assistance to large and low-income families.

610. As part of the Set of priority measures to implement the National Programme for the well-being of children, 2007-2011, the Ministry of National Education and the Ministry of Health have published popular science literature for parents, teachers and educators on the development of a healthy family; and the *Makhalla* foundation and the *Oila* centre created establishments providing services in the form of educational, psychological, material and social assistance to families in a critical situation in order to prevent the institutionalization of children.

4. Recovery of maintenance for the child (article 27 (4)) and family reunification (article 10)

611. Under the Family Code, children are entitled to maintenance from their parents and others in an amount and according to a procedure specified by the law. Resources, pensions and benefits received for the maintenance of minors are placed at the parents' disposal and must be spent on the children's maintenance, upbringing and education of (art. 90).

612. Children may possess private property, namely property obtained as a gift, inheritance or remuneration for work (art. 93 of the Family Code and art. 18 of the Rights of the Child (Safeguards) Act).

613. In case of deprivation or restriction of parental rights, divorce or either parent's taking up permanent or temporary residence abroad, parents are not relieved of the obligation to provide for their children.

614. Parents failing to meet voluntarily their obligation to provide for their children are subject to the penalty of child support imposed by court decision or judicial order. If neither parent has requested the court to impose such payments, the guardianship and custody bodies may file such a request for child support by one of the parents (art. 96 of the Family Code).

615. Parents having equal obligations to provide for an under age or adult disabled child in need may by common consent determine the procedure for the payment of child support. If they fail to agree, child support is imposed by the court.

616. A person leaving for permanent residence or for a stay longer than three months abroad must conclude with the child support recipients, to whom, under the law, he or she must make such payments, an agreement in that regard according to articles 130-134 of the Family Code. If such an agreement is not concluded, the interested person may request the court to set the amount of child support as a cash sum and provide for its payment as a lump sum or for the provision of specific property in lieu of child support or for another method of payment of maintenance (art. 145 of the Family Code).

617. A child is entitled not only to child support from a parent residing abroad, but also to communication with that parent, since, under article 13 of the Rights of the Child (Safeguards) Act, separation, divorce or marriage annulment do not affect the rights of the child. Under the law, a child whose parents reside in different States has a right to personal relations and direct contact with them.

618. Citizens intending to travel abroad apply for visas to the diplomatic or consular missions of the States concerned. Applications may be submitted by citizens aged 18 years or older. If children under 18 are to travel abroad, their applications are made by their legal representatives. For children aged 14-18 who intend to take up permanent residence abroad, it is necessary to submit notarized documents certifying the traveller's consent and the consent of their parents or spouses or, if these persons are no longer living, copies of the death certificates.

5. Children deprived of their family environment (article 20)

619. The laws and subsidiary legislation, laying down the placement procedure and rules and governing the activity of specialized agencies, which were adopted in order to regulate issues related to the placement of children deprived of parental care include in particular the Family Code (1998) and the regulations on guardianship and custody (1999), on the adoption of minors and the placement of children in foster homes (1999), on Mekhribonlik children's homes (1995), on children's communities for children deprived of parental care and under full State care (2008), and on family-style children's homes (2007).

620. Under article 150 of the Family Code, children deprived of parental care may be placed to be raised in a family setting (adoption, guardianship, custody or placement in a foster family) or, if that is not possible, in establishments for orphans or children deprived of parental care (such as educational, treatment or social welfare facilities). In such cases of placement in a foster family or an establishment, the guardianship and custody bodies are entrusted with the role of guardian or custodian.

621. The Family Code provides for the following alternative types of placement for children at risk:

622. **Guardianship and custody.** Under the Family Code and the guardianship and custody regulation, guardianship or custody is established in cases of death of parents; deprivation or restriction of parental rights; characterization of parents as legally incompetent; parents' death, long absence or avoidance of bringing up their children or protecting their rights and interests, including failure to collect a child from educational, treatment, social welfare and analogous facilities; lack of parental care; and court recognition of the adults concerned as fully or partially incapable of supporting, bringing up, ensuring the education or protecting the personal property rights and interests of the children concerned.

623. In such cases, guardianship is established for children under 14 and persons recognized by the court as legally incompetent, and custody is established for adolescents aged 14-18.

624. Within one month after being informed of the need to establish guardianship or custody, the guardianship and custody bodies designate a guardian or custodian who directly fulfils the relevant responsibilities. Guardianship or custody is established by a decision of the regional administrator of the region or city pursuant to an application by the persons wishing to become guardians or custodians. Guardianship or custody is established at the place of residence of the child or, should the child lack a residence, of the place of residence of the guardian or custodian.

625. **Adoption.** Under the regulation on the adoption of minors and the placement of children in foster homes, adoption is allowed only in the case of children deprived of parental care, in order to protect their rights and interests; and is concluded at the recommendation of the guardianship and custody bodies, by decision of the regional administrator of the region or city pursuant to an application by those wishing to adopt a child.

626. Information on the children to be adopted and related recommendations to the regional administrator of the region or city are prepared by the national education department. Children are registered as available for adoption in the event of their parents' death; deprivation of parental rights; characterization as legally incompetent by a court; avoidance of bringing up their children or protecting their rights and interests; failure to visit a child in a children's or medical establishment for more than a year without valid reasons; failure to collect a child from educational, treatment, social welfare or analogous facilities; or having been declared missing or dead.

627. In awarding adoption, preference shall be given to:

- Relatives of the adoptive child, regardless of their place of residence
- A person in whose family the adopted child has been living
- Persons adopting brothers and sisters, without disrupting the family ties between them
- Step parents
- Citizens of Uzbekistan
- Persons having lost their own children through illness or accident.

628. In the case of children being raised and maintained in State children's homes, if the parents' consent is not required, adoption takes place with the consent of the administration of such institutions.

629. Adopted children have the same personal and property rights as the adoptive parents' natural children. Adopted children and their parents (or relatives of the parents) forfeit their individual and property rights and obligations vis à vis one another. The local national education department monitors the conditions under which adopted children live and are brought up with a view to protecting their rights and legitimate interests.

630. An adoption may be considered as null and void or cancelled only through a judicial procedure. In hearing such cases, the views of the child must be considered, if the child has reached the age of 10.

631. For a child of Uzbek citizens to be adopted by foreign citizens, their State must have a diplomatic mission in Uzbekistan.

632. **Placement in a foster family.** Issues related to the placement of children in foster homes are governed by the Family Code and the regulation on the adoption of minors and the placement of children in foster homes. Under that regulation, citizens (spouses or single individuals) wishing to bring up a child or children deprived of parental care are designated as foster parents, the children concerned are foster children, and the receiving family a foster family.

633. As a rule, the total number of children in a foster family, including natural and foster children, must not exceed eight. The placement of foster children takes place voluntarily on the basis of a special agreement between guardianship and custody bodies and the prospective foster parents.

634. Foster parents are selected by the guardianship and custody bodies. The children's wish to be placed with them is taken into account. If age 10 has been attained, the child's consent is a prerequisite for placement in a foster family. Children related to each other are as a rule placed in the same foster family unless they may not be brought up together for medical or other reasons.

635. Before concluding the agreement with the foster parents, the guardianship and custody bodies inspect the living conditions in the prospective foster family and must obtain information regarding the state of health of its members.

636. The guardianship and custody bodies provide foster children with clothing and footwear once a year and pay the foster parents a monthly benefit in an amount specified by the law.

637. The agreement with the foster family may be terminated ahead of schedule on the foster parents' initiative on the following grounds:

- Illness
- Altered family or property status
- Lack of reciprocal understanding with the children.

638. The agreement in question may be terminated ahead of schedule on the initiative of, inter alia, the guardianship and custody bodies or in the event of the children's return to their parents or their adoption.

639. Disputes related to the termination of agreements on placement in a foster family are resolved through judicial procedures.

640. Children placed in a foster family are entitled to protection of their rights and legitimate interests and to communication with their parents and relatives.

641. Foster parents enjoy the rights and assume the obligations of a guardian. The guardianship and custody bodies monitor the conditions under which children placed in a foster home live and are brought up.

642. **Placement in specialized educational, treatment and social welfare facilities.** The system for the protection of children's rights includes the identification and placement of the children concerned under State care in specialized educational and care facilities (infant homes, Mehribonlik homes and Sakhovat and Muruvvat boarding school residences).

643. According to the Mekhribonlik homes regulation, the following types of State residential educational establishments for orphans and children deprived of parental care operate in the country:

- (a) Preschool Mekhribonlik homes;

(b) Mekhribonlik homes (for preschool children and school children or only school children);

(c) Special rehabilitation Mekhribonlik homes (for children and adolescents with physical or mental developmental difficulties).

644. Children aged up to 3 are placed in infants' homes and children aged 3-17 in Mekhribonlik homes.

645. Mekhribonlik homes, specialized schools and residential schools are under the supervision of the Ministry of National Education.

646. The Ministry of Labour and Social Protection coordinates the activity of rehabilitation centres for the disabled, Sakhovat and Muruvvat boarding school residences, and Muruvvat children's homes.

647. SOS Children's Villages in Uzbekistan is a system of facilities for children deprived of parental care. The regulation on children's communities, designed for children deprived of parental care and placed fully under the care of the State, was adopted by a Cabinet of Ministers decision of 22 May 2008, and describes such a community as an educational facility where children are brought up in small groups and in settings resembling a family.

648. The main tasks accomplished in a children's community include the creation of a family environment conducive to the mental, emotional and physical development of children; social protection, psychological, medical and pedagogical rehabilitation and social adaptation of the children concerned; education on the basis of national traditions and general human values; development of work habits in the children; and help to enable the children to achieve professional independence.

Types of facilities for orphans and children without a family²⁹

<i>Type of establishment</i>	<i>Unit</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>
1. Child care centres	Home	13	13	13
1.1 Children therein	Child	732	752	689
2. Children's homes	Home	28	28	28
2.1 Children therein	Child	2 991	2 881	2 709
3. Family-type children's homes	Home	7	7	7
3.1 Children therein	Child	157	187	217
4. Residential institutions	Home	5	5	5
4.1 Children therein	Child	1 541	1 496	1 371
5. General-type residential schools	Home	312	305	299
5.1 Children therein	Child	96 228	97 224	84 791
6. Residential schools for orphans and children from families having lost the breadwinner	Home	17	17	16
6.1 Children therein	Child	5 076	4 801	4 398
7. Residential schools for disabled children	Home	66	67	69
7.1 Children therein	Child	14 510	14 787	15 014
8. Number of children and adolescents up to age 18 removed from parents deprived of parental rights	Child	289	362	252

²⁹ Source: State Statistics Committee (SSCRU).

649. Uzbekistan's two children's communities, designed for children deprived of parental care and under full State care, are located in the cities of Andizhan and Gulistan.

650. Care for children deprived of parental care is provided not only by the State, but also by civil society organizations. In particular, society participates in safeguarding children's rights and legitimate interests through public groupings formed directly by citizens, namely citizens' self-governance bodies and non-profit NGOs (inter alia, public associations, social funds, establishments and institutions).

651. Non-profit NGOs, trade unions and social funds actively participate in formulating and implementing State and regional programmes for protecting children's rights, freedoms and legitimate interests. In particular, the following NGOs, among others, participated actively in the formulation and implementation of the National Plan of Action for ensuring the well-being of children, adopted on 15 January 2007: Fund Forum, the National Centre for the Social Adaptation of Children, the *Kamolot* youth movement, the *Makhalla* ("Neighbourhood") Foundation, the Council of the Federation of Trade Unions, the Chamber of Commerce and Industry, the Centre for the Study of Legal Problems, the Children's Foundation, the Centre for the Study of Public Opinion, the *Oila* Centre, the Women's Committee of Uzbekistan, the "Progress" Centre for Development and Education, the *Sen Yolg'iz Emassan* foundation, the *Mehr Tayanchi* Centre, the *Ekosan Foundation* and the Association for the Disabled.

652. Through their various charitable activities, the *Mehr nuri* ("Ray of Mercy") charitable foundation and the national "Women's Assembly" public association engage in considerable fund-raising activities to help orphans and children with disabilities and play a significant role in ensuring social support for children deprived of parental care.

653. In 2005, the *Mehr nuri* foundation allocated approximately SUM 500 million to social establishment reconstruction and equipment projects. In particular, modern medical equipment was provided to the Fergana province maternity complex, Samarkand city maternity complex No. 1, the Namangan branch of the National Institute of Obstetrics and Gynaecology, the Fergana maternity clinic and provincial hospital for infectious diseases, and the Kuvasa city municipal hospital and infectious diseases hospital; while the Kuvasa orphanage received support in the form of sponsorship. Namangan city general education school No. 26 was provided with 250 desks and teaching material. Kuvasa city secondary school No. 1 was fully repaired and equipped with school furniture. Textbooks and literary material were distributed to children from low-income families. In 2006, preschool establishment No. 342 in Tashkent was renovated and equipped with computers and appliances at a cost of SUM 300 million. Vehicles were furnished to eight rural health facilities in order to improve medical assistance to children residing in remote areas. On 3 September 2007, funds were earmarked for Tashkent establishments in the amounts of SUM 2,470 million for major repairs to city schools No. 144, 169 and 243, SUM 1 billion for building repairs in and provision of equipment to orphanage No. 2 and the children's centre for psychoneurological disorders, SUM 250 million for the reconstruction of a second children's surgery hospital, the reconstruction of the Research Institute of Haematology and Blood Transfusion, SUM 800 million for municipal tuberculosis dispensary No. 1, and SUM 340 million for rebuilding family polyclinic No. 39 and modernizing its medical equipment. In 2008, specialized school No. 66 was rebuilt and equipped with new school furniture at a cost of approximately SUM 1 billion; and more than SUM 250 million were earmarked for the reconstruction of the second children's surgery hospital. In 2009, clinical hospital for infectious diseases No. 4 in Tashkent City was extensively rebuilt and furnished with modern medical equipment at a cost of SUM 5,410,560,000.

654. The *Sen Yolg'iz Emassan* foundation contributes to the protection of the rights of orphans. It launched the national "Best Mekhribonlik home" contest and the best educator

contest entitled "I give my heart to children", first organized in 2004 and having become an annual event. These competitions, in which the Mekhribonlik homes of all of the country's regions participate, mainly aim at drawing public attention to the Mekhribonlik homes, strengthening appreciation for the professional role of their teachers, highlighting and disseminating best practices, and promoting the comprehensive development of orphans and children deprived of parental care.

655. The Foundation organized a summer recreation camp in order to prepare orphans for entry into higher education institutions. The camp, not far from Tashkent, hosted for the first time, for adolescents and children deprived of parental care from all of the country's regions, exercises on various subjects required for such entry, and "peer to peer" training activities on HIV/AIDS and addiction prevention.

656. The Foundation provides assistance in rebuilding and equipping Mekhribonlik homes, related summer recreation camps, specialized schools, and creative-activities and educational centres for disabled children. In 2008, the Foundation was engaged in the rehabilitation of classrooms, health-improvement and administration space and additional education facilities in Mekhribonlik home No. 23; a sport hall and recreation and study rooms in Mekhribonlik home No. 21; and the foyer and health and hygiene facilities in Mekhribonlik home No. 22. A project consisting in providing Mekhribonlik home No. 21 with a computer classroom, including state-of-the-art computers and office equipment and an Internet connection, has been undertaken in cooperation with the Boeing Company. The summer recreation camp of Mekhribonlik home No. 30, located in the Aktash district, has been thoroughly renovated and a swimming pool and new dining room were donated to the children in that home.

657. Pursuant to the Rights of the Child (Safeguards) Act, a series of amendments and additions were made to the legislation in order to ensure the implementation of the Act's provisions.

658. The procedural regulation on informing the guardianship and custody body of children deprived of parental care, adopted by decision of the Cabinet of Ministers on 28 May 2008, specifies the cases in which such information is provided, the list of persons, bodies and organizations under an obligation to provide it and the measures taken for the placement of children deprived of parental care.

659. Under article 41-1, added to the Administrative Liability Code under an act of 16 April 2008, failure to inform the guardianship and custody body or provision of deliberately inaccurate information regarding children deprived of parental care on the part of the head of an establishment which such children attend, or of a citizens' self-governance body official, incurs a fine equal to three to seven times the minimum wage.

660. Of the 6,522 children deprived of parental care who were identified in 2007 by the guardianship and custody bodies (compared to 3,160 children in the first half of 2008), 2,001 (937) were placed under guardianship, 1,286 (611) under custody, 66 (212) in foster homes, 2,436 (892) under adoption, 390 (299) in Mekhribonlik homes and 343 (209) in infants' homes.

661. Under article 47-2 of the Administrative Liability Code, administrative liability is incurred, in connection with children deprived of parental care, for violating the law on placement in foster homes, on adoption, on guardianship or custody, and on placement in appropriate State care institutions.

662. Procurator's offices continuously supervise the 212 guardianship and custody bodies operating in the country's regional national education departments.

663. In 2008, the above supervision revealed a number of offences, for the elimination of which protests were filed against 112 illegal regulatory acts (128 in the first nine months of

2008); 207 (220) statements were filed to establish and denounce conditions facilitating violations; 178 (321) office holders were officially notified of the inadmissibility infringement of the law; and 182 (182) persons incurred disciplinary, 38 (8) administrative and 17 financial liability. Criminal proceedings were instituted in 16 (9) cases involving major violations of the law.

664. The State takes measures to improve the material and financial situation of families and the return of children to their families. For instance, as a result of initiatives in support of low-income families, the number of children who returned from Mekhribonlik homes to their parents was 292 in 2009, 50 in 2008, 87 in 2007 and 125 in 2006.

665. The number of children from Mekhribonlik homes who were admitted to academic and vocational secondary schools (lycées and colleges) was 405 in 2006, 455 in 2007 and 428 in 2008.

666. It is possible to use Tashkent as an example in order to discern current trends in the area of bringing up children deprived of parental care. In 2008, 21 such children were turned over to orphanages and 83 to foster homes, 157 were placed under custody and 74 under guardianship, and 360 were adopted. In the first quarter of 2009, 11 such children were turned over to orphanages and 81 to foster homes, 32 were placed under guardianship, and 75 were adopted. In 2008, 37 children who had been placed in orphanages and residential schools returned to their family, and in the first quarter of 2009 15 children returned to their families or found new ones.

667. The guardianship and custody bodies continuously monitor the families whose children are in orphanages for any reason. The results are reported to the juvenile affairs commissions in the regional administrations and, to the extent that the situation of the families improves, the children return to their parents' household. Public and charitable organizations have free access to Mekhribonlik homes to provide support and examine complaints formulate by the resident children.

6. Adoption (article 21)

668. The legal framework for adoption is laid down in the Family Code (chap. 20), the Rights of the Child (Safeguards) Act and the Criminal Code.

669. The Rights of the Child (Safeguards) Act establishes the principle that the State must take the measures necessary for eliminating the conditions preventing a child's presence in his or her family and that, where a child has been removed from the family, he or she should return to it as soon as possible. Placement in specialized institutions is a measure of last resort, implemented if no family can be found for the child (art. 24).

670. In developing alternative forms of placement of children deprived of parental care, the State supports adoption. Between 2004 and early 2009, 14,592 adoptions took place in the country.

671. Cabinet of Ministers Decision No. 179 of 21 August 2007 on amendments and additions to the regulation on the adoption of minors and the placement of children in foster homes established a clear procedure for the adoption of children deprived of parental care.

672. Children are adopted solely on the basis of their interests, pursuant to a decision by the regional administrator of the region or city, an application by the prospective adopters, and guardianship and custody body recommendations.

673. In order of priority, the right to adopt is enjoyed by the child's relatives, persons in whose family the child lives, brothers and sisters, step parents, Uzbek citizens and persons having lost children as a result of illness or an accident.

674. Under article 237 of the Family Code, aliens and stateless persons may adopt a child who is an Uzbek citizen provided they abide strictly by the requirements of articles 151-167 of the Code and the regulation on the adoption of minors and the placement of children in foster homes, adopted by a Cabinet of Ministers decision dated 12 April 1999, as amended on 21 August 2007.

675. Only those aliens whose States have a diplomatic mission in Uzbekistan may adopt a child who is an Uzbek citizen.

676. The Ministry of National Education maintains a register of prospective adopters. Prerequisites for adoption include the personal presence of adopters during consideration of the adoption case, and an application by the diplomatic mission concerned, stating the prospective adopter's date of birth, place of residence, surname, given name, patronymic and financial situation, a medical statement and a description of the family's moral and psychological state and other characteristics.

677. Up to the adopted minor's majority, foreign adopters inform the Ministry of National Education every year, through the diplomatic mission of their State, about the child's mental and physical state and living and education circumstances. This information must be attested by a body specifically authorized to that effect by that State or by an organization for the adoption of children.

678. The adoption of a child who is an Uzbek citizen living abroad which is processed by the competent authority of the adopter's State of citizenship is recognized in Uzbekistan, provided that a preliminary permission of adoption has been obtained from the regional administrator of the region, city or territorial unit where the child or one or both parents resided before going abroad.

679. Uzbek consuls may formalize the adoption of children who are Uzbek citizens living abroad.

680. An adoption may not take place if it may result in an infringement of the child's rights under Uzbekistan's legislation and international agreements, regardless of the citizenship of the adopter; and, if carried out, is subject to cancellation on the above grounds through a judicial procedure.

681. Of the 87 under age Uzbek citizens adopted by foreign citizens in the period 1991-2008, two returned to Uzbekistan on grounds of illness.

682. Currently, the Ministry of Foreign Affairs is preparing instructions for Uzbek delegations abroad to make arrangements in consular districts in order to monitor the conditions pertaining to children living there with their adoptive or foster parents.

683. Rules have been established, in the interest of the child, which protect the right of the adopter to the confidential nature of adoption. It is forbidden to disclose the contents of registry records or other documents or to issue extracts thereof or any other information revealing that the adoptive parents are not the birth parents of the adopted child, without the consent of the adoptive parents or, in the event of their death, of the care and guardianship authorities.

684. Persons violating the confidentiality of an adoption against the will of the adoptive parent or the care and guardianship authorities shall incur the liability established by law.

685. If committed by a person held to secrecy in view of his or her professional activity, or for personal gain or other base motives, the act of divulging the adoption of orphans or children deprived of parental care despite the confidentiality protected by law and against the wish of the adopters or the guardianship and custody body is a criminal offence and incurs stiff penalties under article 125 of the Criminal Code.

7. Child abuse and neglect (article 19); and physical and psychological recovery and social reintegration (article 39)

686. The protection of children against any form of physical or psychological violence, indignity or abuse, lack of care, negligence, cruel treatment or exploitation, including sexual abuse, on the part of parents, persons in loco parentis or others is ensured under the Constitution, the Family Code, the Rights of the Child (Safeguards) Act, the Human Trafficking Act, the Labour Code and the Criminal Code.

687. Under article 37 of the Constitution, everyone has the right to work, free choice of work, fair working conditions, and protection against unemployment in accordance with the procedures established by law.

688. Forced labour, except in execution of a court sentence or in other instances specified by law, is prohibited.

689. Uzbek legislation reflects the provisions of the International Covenant on Civil and Political Rights and of ILO Conventions No. 29 concerning Forced or Compulsory Labour and No. 105 concerning the Abolition of Forced Labour. Under article 7 of the Labour Code, forced labour, namely coercion to perform work under threat of some kind of punishment (including as a means of maintaining labour discipline), is prohibited. Work is not deemed forced labour when it is required under a legislative act, as part of military or alternative service, during a state of emergency, under a final sentence of a court, or in the other cases prescribed by law.

690. The Human Trafficking Act establishes the legal framework for the prevention, detection, repression and minimization of the consequences of trafficking in human beings and for providing assistance to the victims. The Act provides for the protection of children's rights against exploitation, namely exploitation of child prostitution or other forms of sexual exploitation, forced labour or services, slavery or related practices, state of servitude and removal of organs or tissues. The Act specifies liability for violating the law on human trafficking. Article 135 of the Criminal Code provides for criminal liability for acts related to human trafficking, namely recruitment, transport, delivery, concealment or reception of persons (including children) for purposes of exploitation, by means of threat, force or other forms of coercion, abduction, fraud, deceit, abuse of authority or a person's vulnerability, or through bribery in the form of payments or benefits to obtain the consent of a person controlling others.

691. The parties to trafficking in persons, including children, may be the children's parents, human trafficking victims, persons in loco parentis or close relatives, who may use their relationship to subject the child to exploitation or forced labour. In such cases, parents not only incur criminal liability, but also forfeit parental rights under the Family Code, while guardians and custodians are barred from fulfilling their responsibilities (arts. 79 and 188 of the Family Code).

692. According to a Supreme Court plenary decision on judicial practice in human trafficking cases, adopted on 24 November 2009, exploitation of human beings consists in the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude and removal of human organs or tissues.

693. The above criminal acts may be committed against persons who are materially or otherwise dependent on the perpetrators, for instance where the perpetrator ensures the victim's sustenance in full or in part, where a debtor depends on the creditor, or in cases of non-financial dependence, such as in the framework of family relations, organizational hierarchy, or a learner-teacher relationship.

694. With a view to the implementation of the Human Trafficking Act and the Presidential Decree of 8 July 2008 on measures for raising the effectiveness of the fight against human trafficking, a national rehabilitation and protection centre for human trafficking victims, including women and children, was set up under by a Cabinet of Ministers decision of 5 November 2008. The centre provides urgent medical, psychological, social, legal and other assistance to such victims and helps with their social rehabilitation. The centre, attached to and coordinated by the Ministry of Labour and Social Protection, facilitates the access of the children concerned to educational establishments and monitors, throughout the year, conditions in the family to which the trafficking victim returns.

695. Children are entitled to protection from sexual harassment. Criminal law defends such rights. Rape and various other crimes against sexual freedom are punishable under articles 118-121 of the Criminal Code.

696. The Criminal Code establishes liability for sexual intercourse with a person under 16 (art. 128), lewd acts involving such persons (art. 129), production and dissemination of pornographic material (art. 130), operation of brothels and procurement (art. 131).

697. The child's protection from involvement in criminal acts, including prostitution, is a State concern.

698. Article 188 of Administrative Liability Code provides for the responsibility of a minor's parents or other persons (such as guardians or custodians) for the minor's involvement in anti-social behaviour. Repeated commission of that offence incurs liability under article 127 of the Criminal Code.

699. Article 127 of the Criminal Code is worded as follows:

"Involving a minor in beggary or the use of alcoholic beverages, or substances or preparations which, although not narcotic or psychotropic, affect his or her mental activity or will, committed after an earlier administrative penalty for the same acts, shall incur a fine equal to 100-200 times the minimum wage or correctional labour for up to two years or detention for up to two months or deprivation of liberty for up to three years.

Involving a minor in the use of drugs or psychotropic substances shall incur deprivation of liberty for three to five years.

Involving a minor in a crime or in the acts specified in the second paragraph of this article shall incur deprivation of liberty for 5-10 years if perpetrated:

- (a) By a person having previously committed a crime related to trafficking in narcotic drugs of psychotropic substances;
- (b) With respect to two or more minors;
- (c) In educational establishments or other facilities used by pupils or students for educational, sport or social events."

700. In order to increase the responsibility of parents and persons in loco parentis for a child's education, article 188-1, added to the Administrative Liability Code under an act of 16 April 2008, provides that involving a minor in an administrative offence shall incur a fine equal to 10-20 times the minimum wage.

701. In 2008, procurator's offices conducted 246 checks (compared to 345 in 2007) regarding compliance with the law on minors in vulnerable families. Based on the findings, 12 (19) illegal decisions were contested; 407 (481) statements were filed, 352 (363) persons received official warnings, and 1,506 (1,373) persons incurred disciplinary, administrative and financial liability. Moreover, in 2008 2,629 (2,990) parents adversely affecting their children's education were placed under supervision; files for consideration by the

Commission on Minors' Affairs were prepared against 2,661 (3,228) parents; 246 (391) parents were deprived of parental rights; the parental rights of 181 (381) parents were restricted; criminal charges were brought against 1,042 (1,880) persons under articles 122 and 127 of the Criminal Code; and administrative liability proceedings were instituted against 2 (32) persons under article 48 of the Administrative Liability Code.

702. As part of the national policy against subjecting children to corporal punishment, that practice is prohibited in general and special education establishments under specific provisions in the relevant regulations, standard rules and statutes. Accordingly, "child-friendly school" principles are introduced in the educational institutions, and all conditions necessary for development along those lines are created.

703. Procurator's offices take disciplinary, administrative and criminal liability measures against teachers who permit the corporal punishment and other forms of cruel treatment of children. Of the various offences for which 435 penalties were imposed on teachers in the period 2008/09, 304 were committed directly in the area of education.

F. Basic health and welfare

1. Survival and development (article 6 (2))

704. Targeted efforts are undertaken under the Constitution, the Health Care Act and other legal and regulatory instruments in order to maximize the survival rate and the healthy development of children.

705. Under article 40 of the Constitution, every one is entitled to qualified medical care. This implies fulfilment of human rights, including in the case of children, in the area of health care; medical assistance accessible to all social groups; priority of preventive action; and social protection in the event of illness.

706. According to Ministry of Finance data, health care funding increased from SUM 507,381,275 in 2006 to SUM 651,373,656 in 2007, SUM 934,071,040 in 2008 and 1,290,048,545 in 2009.

707. Article 19 of the Health Care Act specifically provides for the following rights of minors in the area of medical care:

- Outpatient observation and treatment in child and adolescent treatment and prevention establishments
- Upbringing, education and work under healthy and hygienic conditions matching the minors' physiological characteristics and health profile
- Medical interviews free of charge, funded from the budget, for determining professional fitness
- Accessibility of basic information regarding a minor's state of health.

708. Minors aged 14 or older are entitled to give or to decline giving their consent to a medical intervention on the basis of relevant information.

709. Children are covered by article 24 of the Patient's Rights Act, according to which a patient is entitled to, inter alia, a respectful and humane treatment by the medical and administrative personnel; information on his or her rights, obligations and state of health, and choice of the persons to whom information on his or her state of health may be communicated in line with his or her interests; damages in the event of harm to his or her health in connection with medical assistance, in accordance with the procedure established by law; and access to a counsel or other legal representative to defend his or her rights.

710. If their rights are violated, patients, or their legal representative, may file a complaint directly with the head or other official of the treatment or preventive care establishment concerned, a supervisory body or a court.

711. The Ministry of Health examines attentively citizens' communications regarding violations of their rights to quality medical care and takes action against the offenders. Statistical data reveal a decreasing trend in the number of citizens' communications related to health protection.

Number of complaints received by the Ministry of Health regarding health care for children, 2006 - June 2009³⁰

	2006	2007	2008	First half of 2009
1. Subject of the complaint	20 - 1.52%	9 - 0.72%	9 - 0.85%	1 - 0.19%
a. Causing of the child's death	60 - 4.56%	80 - 6.39%	37 - 3.48%	21 - 4.03%
b. Curing of the child	60 - 4.56%	80 - 6.39%	37 - 3.48%	21 - 4.03%
2. Outcome of complaint examination				
a. Dismissal	19	16	8	3
b. Disciplinary penalty according to the established procedure	52	48	22	15

712. Preventive action and reduction of morbidity, including among children, are national priorities.

713. Pursuant to the Cabinet of Ministers Decision of 18 June 2008 on the "State programme for the early detection of congenital and inherited diseases with a view to preventing the birth of persons disabled from childhood", 216,960 newborns were screened for congenital hypothyroidism, of whom 3,059 belonged to a risk group; 215,040 newborns were screened for phenylketonuria, of whom 784 belonged to a risk group. In the screening centres, 57,795 risk-group pregnant women underwent perinatal screening; and 16,527 risk-group pregnant women were screened for biochemical markers of neural tube defects and chromosomal syndrome. Within the reporting period, 803 persons were screened for infections in the relevant centres. In March 2009, reagents were obtained for a total amount of SUM 99,250,900.

714. The implementation of the National Programme on the fortification of flour with micro-elements and vitamins, funded by the Government and by a grant from the Global Alliance for Improved Nutrition in the amount of US\$ 6 million in total, is continuing in the country. Under this programme, 58 flour mills, including 13 private ones, located throughout the country, were furnished with special flour-fortification equipment and the necessary fortification inputs. In all, approximately 2.45 million tons of fortified flour have been produced since the beginning of implementation of the programme. The mills in question have produced and supplied to the public approximately 500,000 tons of flour of the supreme and primary grades enriched with minerals and vitamins.

715. In the course of Healthy Child Weeks, organized twice a year since 2003, food supplementation with vitamin A is made available to children aged 6 months to 5 years.

716. Specialized applied science centres and medical schools provided 1,174 professors or lecturers to conduct explanatory work among the population; raise awareness of issues related to developing a healthy family and bringing up healthy children; and offer practical,

³⁰ Source: Ministry of Health.

systematic and professional primary health assistance (at rural medical centres) with a view to a healthy generation and improved health for women of childbearing age and children.

717. Those specialists carried out 325,407 events consisting of 41,059 lectures (10 per cent), 15,906 round tables (4.1 per cent), 317,674 individual and group interviews (82.6 per cent), 9,075 question and answer evenings (2.4 per cent), and 805 conferences (0.2 per cent). Of these events, 340,446 (88.5 per cent) were held in neighbourhoods, 37,079 (9.6 per cent) in schools, 6,679 (1.7 per cent) in vocational schools and 315 (0.1 per cent) in higher education institutions.

718. Since 2009, vaccination and revaccination of children up to 14 years of age have been conducted according to Sanitary Rules and Norms (SanPiN) No. 0239-07 against 10 controlled childhood infections, which are under surveillance and active epidemiological monitoring.

719. A programme on the World Health Organization (WHO) international live-birth criteria was launched Ministry of Health Decision No. 57 of 2 February 2003 in the Fergana province as pilot area. Since 1 January 2004, obstetrical units in that province, in addition to official statistics, register the newborns in accordance with WHO recommendations. By 2009, training courses on the use of those criteria had been completed and had been attended by 2,650 health workers.

720. Pursuant to paragraph 12 of Cabinet of Ministers Decision No. 30 of 25 January 2005 on the State Programme of the Year of Health and with a view to a further reduction in infant and child mortality, the Ministry of Health issued Order No. 176 of 20 April 2005 on the "infant mortality reduction programme guidelines for neonatal resuscitation". A working group was organized in the Ministry and the programme was developed in six pilot provinces. In the period 2007-2009, the programme was introduced in the other provinces, leading to a decline in mortality among children³¹.

721. The Ministry of Health prepared training material, trained trainers, organized six one-day trainers' seminars for effective neonatal assistance, and trained obstetrician-gynaecologists, neonatologists and primary neonatal resuscitation nurses in six pilot regions (Republic of Karakalpakstan, Tashkent, Bokharan, and the Tashkent, Fergana and Khorezm provinces).

722. In view of the urgency of the fight against drug addiction, a set of socio-psychological and medico-pedagogical measures are implemented with a view to sanitizing the environment and treating and redressing the behaviour of minors. As a result, the number of minors among persons suffering from drug addiction and substance abuse has been decreasing year by year. Among persons suffering from drug addiction, no minor under 14 has been reported, and the percentage of those aged 15-17 declined from 0.04 to 0.02 per cent. The percentage of minors among persons suffering from substance abuse declined by 3.7 percentage units, namely from 35.8 to 32.1 per cent.

723. In accordance with article 19 of the Health Care Act, children and adolescents affected by drug addiction and substance abuse have access to free medical assistance in treatment and preventive care establishments. Since 2000, in cooperation with the administrative services for minors, medical examinations, in which psychiatrists and drug therapists participate, are organized in enterprises and educational institutions.

724. Drug therapy assistance is provided to adolescents affected by substance abuse in dispensary juvenile sections employing 28 physicians specialized in that area. Such

³¹ Cf., in the appendix, indices on the decline in the mortality of children at various ages from various diseases.

assistance includes observation, consultation, diagnosis, treatment and medical and social rehabilitation; and addresses two groups of adolescents, namely occasional users in need of preventive follow-up and drug-dependent persons.

725. Considerable attention is paid to combating HIV infections. In the case of infected women, preventive action against mother to child transmission does not commence with, but before pregnancy. The following measures are taken to protect children from HIV infection:

- Voluntary consultation and free screening of all pregnant women in the first trimester of pregnancy
- Prevention of unwanted pregnancies
- Upon detection of HIV infection, administration of preventive antiretroviral therapy to the pregnant woman during pregnancy (from the twenty-fourth week) and labour, and to the newborn during the first weeks of life
- Obstetrical interventions, including planned caesarean section
- Upon detection of HIV infection in the mother, abandonment of breast feeding
- Minimal intravenous and intramuscular injections upon the child's referral to and entry in disease treatment and preventive care establishments
- Employment of single-use medical instruments (syringes, catheters and various systems)
- Installation of modern equipment in the sterilization units in treatment and preventive care establishments
- Measures to ensure that children born of healthy mothers are breastfed and receive adequate care
- Timely observation by the local paediatrician to prevent diseases
- Timely preventive inoculations at the appropriate ages
- Dissemination of information on healthy living in the schools and higher education institutions
- Lectures, talks and quizzes by trained specialists in primary and secondary schools on "What is HIV infection" and "Ways of HIV infection transmission".

726. In all clinics of medical institutes, applied science centres and sanatoria, special beds and specialized treatment, consultation and diagnosis space are set aside for the treatment and improvement of the health of children residing in an environmental crisis area (Republic of Karakalpakstan and Khorezm province). Every year, approximately 3,000 children from the Aral Sea zone rest and are fortified during the summer health-improvement season in country and school camps in the Republic of Karakalpakstan and Khorezm province, and in Tashkent province camps.

727. Moreover, with a view to the protection of the health of children from the Aral Sea zone, Tashkent Paediatric Institute specialists work under a scientific grant on the comprehensive assessment of the health and development of children up to three years of age. The goal is to study the somatic, physical and psychological health, and the growth and development of children in the Republic of Karakalpakstan and Khorezm province and to introduce methods for filling gaps in the nutrition of children of the above age in the Republic of Karakalpakstan. In that framework, the form and degree of such inadequacies are identified in the case of children of the above age who are frequently ill or manifest development delays and adapted correction methods are introduced.

728. On 2-9 May 2009, Turkish and Tashkent Paediatric Institute specialists carried out in Nukus reconstructive plastic surgery on low-income family children residing in the Republic of Karakalpakstan, 37 with congenital anomalies and 2 with postburn contractures.

729. Under the Aspera, "Environment and Health Days", "Ekosan Health Train" and "Youth and Environment" programmes, carried out in the regions concerned, special attention is paid to Aral Sea zone children and women. Every year, the *Ekosan* and *Soglom Avlod Uchun* foundations use the "health train" to dispatch charitable support to the regions facing environmental problems.

730. Extensive work on children's health protection is carried out in all regions of the country.

731. For instance, medical care for the 995,971 children aged up to 14 and residing in Samarkand province is provided through 1 provincial multi-purpose medical centre, 2 children's hospitals, 6 children's health centres, 349 rural medical units, and a national emergency medical assistance centre. Municipal and district medical associations operate 24 children's units, 4 family health centres, 12 district health centres and other treatment and preventive care establishments. Currently, 1,112 paediatricians, 187 neonatologists, 298 general practitioners and a number of highly specialized physicians work in these facilities.

732. In the first semester of 2009, 956,915 children age up to 14, namely 96.1 per cent of that age group, underwent preventive medical examinations.

733. In order to improve the organization, effectiveness and quality of medical assistance to mothers and children, three-day training seminars were held on "mother and child protection"; 96 health specialists were trained; 10-day seminars were held, and training was received by 54 paediatricians in "comprehensive control of childhood diseases under laboratory conditions"; 72 paediatricians in "comprehensive control of childhood diseases on an inpatient basis"; 50 physicians on "neonatal care and primary resuscitation basics"; and 38 physicians on "quality antenatal care".

2. Children with disabilities (article 23)

734. State bodies and NGOs work on the implementation of international standards regarding the rights of disabled persons, including disabled children, in the legislation and in actual practice.

735. Of the 123,066 children with disabilities residing in Uzbekistan as at 1 July 2009, 1,296 are under full State care in *Muruvvat* children's homes.

736. The rights of children with disabilities are governed by, inter alia, the Rights of the Child (Safeguards) Act, the Health Care Act, the Disabled Persons (Social Protection) Act and the Employment Act.

737. The Rights of the Child (Safeguards) Act describes "children with disabilities" as children whose condition imposes on them difficult living conditions and who need special protection and support by the State and society. The Act provides for additional safeguards in respect of the rights of socially vulnerable children, including children with disabilities.

738. Under article 24 of the Act, the State must offer material assistance, advice and other support to families raising children with disabilities and physical or mental development defects. Educational, medical and cultural and recreational establishments must be adapted so to be freely accessible to disabled children. Upon detection of a disability, a child is entitled to an individual rehabilitation programme, which the appropriate State bodies have an obligation to implement.

739. Article 28 of the Act establishes the disabled children's right to medical and social support, which includes, inter alia, prevention, diagnosis, treatment, rehabilitation, health- and hygiene-related care, orthopaedic care and prosthetics, and transport on favourable terms. Disabled children are entitled to free medical and social support in the establishments of the State health-care and labour- and social-protection system; to care at home; and to education and training in educational institutions under educational programmes developed specially for them, in order to acquire an education commensurate with their physical and mental potential and their wishes (art. 29).

740. The Disabled Persons (Social Protection) Act, as substantially amended and enhanced on 11 July 2008, constitutes the main enactment governing State policy on persons with disabilities and the social and legal status of that group. Under the Act, the State policy in question shall be aimed at placing disabled persons on an equal footing with all other Uzbek citizens in terms of realization of rights and freedoms; eliminating obstacles to their everyday activities; and helping them to lead a decent life, participate actively in social activities and fulfil their civic duties. Under the Act, disabled persons clearly and fully enjoy the social, economic and individual rights and freedoms enshrined in the Constitution and the legislation. The State has established the principle of the inadmissibility of discrimination against disabled persons.

741. The Act for the first time specified penalties for violating the rights of persons with disabilities. Under article 11, non-compliance with the legal requirement to create conditions allowing disabled persons free access to social infrastructure facilities incurs a fine equal to 70-100 times the minimum wage.

742. Currently, prevention of children's disabilities is a priority in the work of mother and child protection services.

743. The Ministry of Health, in cooperation with the Ministry of Justice, the Ministry of Labour and Social Protection, the Women's Committee of Uzbekistan, the *Soglom Avlod Uchun* and *Makhalla* foundations and the *Kamolot* youth movement, carries out work targeted at making families healthy and decreasing the number of children born with congenital developmental defects and of persons disabled from childhood.

744. Of the 1,478,322 young persons screened in accordance with the required medical examination procedure for young persons entering into marriage, implemented since 1 January 2004 under Cabinet of Ministers Decision No. 365 of 25 August 2003, 3,989 were diagnosed with mental disorders, 1,417 with tuberculosis, 489 with syphilis, 369 with drug addiction and 371 with HIV infection. Explanatory work and health-improvement measures are undertaken in respect of the persons concerned.

745. Implementation of the State programme on "Mother and child screening" continues. The main goal of the initiative is to provide specialized medical care with a view to early detection of congenital and hereditary disorders in newborns and other children in order to prevent disabilities from childhood.

746. Of the 404,419 pregnant women having undergone perinatal ultrasonic screening, 6,266 were diagnosed with congenital developmental defects. The diagnosis made it possible to prevent the birth of children with grave and disabling developmental defects.

747. In recent years, screening newborns for congenital developmental defects has revealed a decreasing trend in the number of children born with neural tube defects (myelocoele or hydrocephaly) and chromosomal syndromes (Down syndrome). This attests to the effectiveness of the perinatal ultrasonic and biochemical screening of pregnant women, and of the National Programme for the fortification of flour with micro-elements and vitamins.

748. Neonatal screening of newborns is being developed in the country. Screening centres attain the planned level of 70 per cent neonatal screening coverage of children for congenital hypothyroidism and phenylketonuria. Congenital hypothyroidism has been detected in 510 patients, while 2,382 children have been diagnosed with transient hypothyroidism. Phenylketonuria has been detected in 76 patients, while 423 children have been diagnosed with hyperphenylketonuria. Neonatal screening, subsequent monitoring, treatment with Euthyrox (2,364 packs) and provision with special nutrition (21,000 jars) made it possible to prevent mental deficiencies in 3,391 children.

749. The Ministry of Health, in cooperation with the *Soglom Avlod Uchun* foundation, continues to provide specialized medical assistance to children with congenital disorders. Thus, during the reporting period, 1,205 children with congenital palate and lip malformations underwent reconstructive plastic surgery. Moreover, 1,500 facial surgery operations, 153 locomotor apparatus operations on children and 895 operations on newborns have been performed in the country's leading clinics.

750. The Presidential Decision of 18 June 2008 on the State programme for the early detection of congenital and inherited diseases with a view to preventing the birth of persons disabled from childhood, funded under the budget and extrabudgetarily, was issued as part of the implementation of the State programme on the "Year of Young Persons" (2008) in the interests of a healthy new generation.

751. Accordingly, a comprehensive system has been developed for the prevention and early detection of congenital and hereditary diseases in children, including an examination of prospective spouses, prenatal and neonatal screening, and subsequent treatment and correction of congenital disorders.

752. The State takes steps to defend the rights of disabled children in the areas of education, social protection, labour, leisure and spiritual and moral development.

753. Under the Disabled Persons (Social Protection) Act, disabled persons are to receive social assistance in the forms of cash benefits; technical support and such equipment or material as, inter alia, automobiles, wheelchairs, prosthetic and orthopaedic articles, and publications produced in special types of print; medical, professional, social rehabilitation and household services; transport services; and medication.

754. On attaining majority, orphans or children deprived of parental care who are disabled and live in residential establishments or social service institutions for persons with disabilities are provided, on a priority basis, with housing in accordance with their individual rehabilitation programme as disabled persons, if such housing allows them to be autonomous and lead an independent life.

755. Persons with disabilities are provided with medicines, technical support, equipment and household and transport services free of charge or on favourable terms according to the procedure established by law.

756. Under the Cabinet of Ministers Decision of 17 June 2009 adopting a regulation and procedure for reimbursing the acquisition of rehabilitation equipment or services, disabled persons are entitled to such reimbursements. Under the Act on the Disabled Persons (Social Protection), routine repairs to the equipment in question are free of charge.

757. As part of State policy on the social protection of disabled persons, special attention is paid to ensuring preschool and non-school education for disabled children and a professional preparation for disabled persons through general or special secondary education, vocational training or higher education (arts. 6 and 15-22).

758. As part of a wide-ranging network, 89 specialized residential schools are attended by 18,460 children. Remedial assistance is provided by 122 specialized preschool

establishments to 9,095 children with special needs; and 11,493 children with various defects receive instruction at home.

759. As in the rest of the world, inclusive education, namely attendance of general education establishments by children with special developmental needs along with healthy children, is developing in Uzbekistan in parallel with the existence of a segregative education system.

760. The Ministry of National Education, with the support of the Centre for the Social Adaptation of Children, and other organizations, State and non-State, organize, on an annual basis, conferences and training seminars on issues related to, inter alia, equal educational opportunities and the social adaptation of vulnerable children. As part of the "General education for children with special needs" project carried out jointly with the Asian Development Bank, support was provided to 100 students of special residential schools in Tashkent, the Shurchin region in Surkhandarya province, Karshi, and the Chirakchin region in the Kashkadarya province. Approximately 400 children have been integrated into general education at 20 pilot schools in Tashkent and the Fergana and Tashkent provinces under a project entitled "Friendly schools through inclusive education".

761. Inclusive education curricula and literature on the relevant methodology have been developed in the light of the experience gained.

762. A comparison of first-semester data for 2008 and 2009 reveals an increase from 780 to 847 (by 8.6 per cent) in the number of hiring recommendations for disabled children and a 61.1 per cent increase in the number of disabled children placed on a job. Vocational guidance for children unable to attend general education establishments or belonging to low-income families is provided at neighbourhood level free of charge by 82 social service centres for young persons, in which 245 groups are attended to that purpose by 80,000 youths. The subjects addressed in the groups are computer use, psychology, foreign languages, work with minors, legal issues, work with young families, cooking, sewing, and emergency medical aid.

763. Every year, the Uzbek Association for the Disabled contributes to the enrolment of children with disabilities in secondary, special secondary and higher education institutions. The Association has been actively cooperating for years with the "Millennium" youth organization for disabled persons which, through subsidies, works with employment agencies and business managers wishing to hire disabled workers. As a result of effective coordination, many disabled young persons have found a job.

764. Since 2007, the Social Initiatives Support Fund (SISF) carries out, with Fund Forum support, a project entitled "Formulation and implementation of a national model for continuous inclusive education in Uzbekistan", which is unique in Central Asia and which has involved the organization, for the purpose stated, of 12 mixed groups within pilot schools and kindergartens in the cities of Navoi, Termez, Karshi, Djizzak, Samarkand and Kokand. Project beneficiaries number 13,200 in total.

765. With the support of the Ministry of National Education, the above project achieved the following results:

- In 2009, 128 children with special needs received instruction in mixed groups and classes, compared to 47 such children in 2007
- In the period 2007-2009, the level of emotional satisfaction and knowledge acquired by the children with special needs rose by 20 per cent
- Students with special needs having attended the inclusive education schools went on to attend public vocational secondary schools, vindicating the step-by-step approach to the education of such children.

766. Systematic efforts are made to identify talented children among vulnerable social groups. Exhibits of handmade objects and pictures created by Mekhribonlik home children are organized in all provinces.

767. The Women's Committee of Uzbekistan and the National Olympic Committee of the Republic of Uzbekistan conducted in the period 2006-2009 more than 130 sport events involving disabled children. The "Everybody around the ball" sport and health-improvement camp for children with mental problems was organized at the national training facility of Yangiabad (in the city of Dukent) on 11-21 August 2006; was attended by 91 children from various regions of the country; and included football, track and field and table tennis events, as well as family relay races.

768. Under the Physical Education and Sport Act, sport institutions provide tangible support for socially vulnerable children. Thus, physical education, sport and health-improvement services are provided free of charge to children aged up to 16, disabled children and orphans.

769. "Care" clubs of the *Kamalak* children's movement, operating in all educational institutions for the benefit of more than 55,000 children unable to attend school, organize on an ongoing basis charitable events for orphanage children and provide them with textbooks and learning supplies.

770. In support of Mekhribonlik home and residential school pupils, low-income family children carried out, in the period 2006-2009, a project entitled "Greet the New Year together with *Kamolot*", as part of which New Year parties were organized, with quizzes and gift distribution. Approximately 10 million children participated in such events country-wide.

771. A festival instituted for disabled children and dedicated to Independence Day includes dancing and drawing contests, basketball tournaments and swimming and track and field competitions, in which more than 200 disabled children participate.

772. Every year, various cultural and entertainment events for disabled children are organized on the occasion of the International Day of Persons with Disabilities. A concert for disabled children organized in the Peoples' Friendship Palace on 16 September 2007 was attended by more than 3,000 children. Home visits to 180 disabled children, and gift distribution, were organized in 2008. On 8-10 June 2009, more than 50 disabled children from Tashkent participated in a table tennis tournament.

773. As part of initiatives on the protection of children's rights, the Uzbek National Association of Non-Profit NGOs carried out the country's first project promoting the creation of electronic and audio textbooks for blind and partially sighted children. Moreover, in the framework of the Association's joint project with UNICEF to promote juvenile justice reform in the country, the Association operates the Kaldirgoch Day Care Centre for Children, which also helps families and aims at improving the quality of life of HIV-positive children by providing services in the area of non-medical care and support and at broadening access to treatment services.

774. The rights of disabled children are regulated not only by the law, but also by programme documents. Special measures for the protection of disabled children are envisaged under, inter alia, the National Plan of Action for ensuring the well-being of children, 2007-2011; the National Plan of Action for the implementation of the recommendations made by the Committee on the Rights of the Child, 2007-2010; and the National Plan of Action for the implementation of recommendations formulated by the United Nations Human Rights Council following consideration of Uzbekistan's national report for UPR, 2009-2011.

775. The above national action plan for the implementation of UPR recommendations provides for, inter alia, the development in 2010/11 of the National Plan of Action for the implementation of the Convention on the Rights of Persons with Disabilities (point 17.1); the State programme on the rehabilitation of disabled persons, 2010-2014 (point 17.2); the creation of an educational methods centre for training social workers providing services to disabled persons (point 17.7); and the establishment of regional centres for the organization of leisure and professional work of persons with disabilities (point 17.8).

3. Health and health care (article 24) and periodic review of treatment (article 25)

776. The right of children to health protection and quality medical care is enshrined in the Constitution, the Health Care Act, the Rights of the Child (Safeguards) Act and other legal and regulatory instruments.

777. Article 40 of the Constitution affirms the right of every person to qualified medical attention. The specific mechanism for the realization of the child's right to such attention is provided for in the Health Care Act of 29 August 1996.

778. In line with the principle of non-discrimination, article 13 of the Health Care Act states that Uzbek citizens enjoy an inalienable right to health care. The State shall ensure such care regardless of age, gender, race, nationality, language, attitude towards religion, social origin, views, and personal or public status. Article 24 of the Act lists the rights of patients, which are also enjoyed by children.

779. Under the Rights of the Child (Safeguards) Act, adopted on 7 January 2008, every child is entitled to health care.

780. The State ensures the realization of the right of the child to health care in the following manners:

- Organization of qualified medical care
- Monitoring of the health status of children and parents and prevention of childhood diseases
- Outpatient observation and treatment in child and adolescent treatment and prevention establishments
- Monitoring of food product production and sale to ensure appropriate quality
- Upbringing, education and work under healthy and hygienic conditions matching the minors' physiological characteristics and health profile
- Free medical interviews, funded from the budget, for determining professional fitness
- Health and hygiene education, and dissemination of information on, and encouragement of, healthy living
- Availability, in a form accessible to the child, of necessary information on his or her state of health.

781. Minors aged 14 or older are entitled to give or decline giving their free and informed consent to a medical intervention.

782. Scientific experiments or trials detrimental to a child's, life, health or normal development are prohibited.

783. The State takes the necessary measures, in the form of special restrictions or prevention programmes, to shield children against dependence on alcohol, tobacco, narcotic drugs and psychotropic or other substances affecting their mental activity or will.

784. The right of children to health care is also protected under the Disabled Persons (Social Protection) Act, the State Health Inspection Act, the Medicines and Pharmaceutical Activities Act, the Persons Suffering from Alcoholism or Addiction to Drugs or Substances (Compulsory Treatment) Act, the Prevention of Diseases Caused by the Human Immunodeficiency Virus (HIV Infection) Act, the Narcotic Drugs and Psychotropic Substances Act, the Psychiatric Assistance Act, the Protection against Tuberculosis Act, the Donation of Blood and its Components Act and the Iodine Deficiency (Prevention) Act.

785. Articles 116 and 117 of the Criminal Code guarantee the protection of life and health by criminalizing failure, on the part of medical personnel, to fulfil professional responsibilities appropriately or to give assistance to persons in danger.

786. A national system of treatment and preventive care establishments has been created for the prevention and treatment of childhood diseases.

Indicators related to the system of treatment and preventive care establishments for children³²

<i>Indicators</i>	<i>Unit</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>
<i>Number of:</i>				
Rural medical centres ^b	Establishment	3 054	3 101	3 133
Children's polyclinics (sections or offices) ^b	Establishment	2 379	2 339	2 219
Children's sanatoria ^b	Establishment	35	36	30
Paediatricians ^b	Thousand persons	10.9	10.5	10.2
Beds for women pregnant or in labour ^b	Establishment	21 888	20 615	20 271

^a At beginning of year.

^b At end of year.

787. The State never loses sight of the issues related to the protection of the health of children, as the adoption of legal and regulatory instruments such as the following indicates:

(a) Presidential Decree of 19 September 2007 on guidelines for pursuing reforms and implementing the State programme for health care development;

(b) Presidential Decision of 13 April 2009 on additional measures for protecting maternal and child health and shaping a healthy young generation, aimed at filling serious gaps, correcting the lack of adequate attention paid to such protection by provincial regional administrations and by medical establishments, and giving rise to a healthy generation; and providing for a related State programme and for extensive work on raising awareness of medical issues in the families;

(c) Cabinet of Ministers Decision of 21 May 2009 on the organization of the activity of national specialized medical research and treatment centres, establishing new rules and structures for national specialized medical research and treatment centres for obstetrics, gynaecology, paediatrics, therapy and medical rehabilitation, dermatology, venereology, phthisiology, pulmonology and endocrinology;

(d) Presidential Decision of 1 July 2009 on a programme of measures aimed at greater effectiveness of work on reproductive health improvement, at the birth of healthy children and at a physically and spiritually well developed generation, 2009-2013.

³² Source: State Statistics Committee (SSCRU).

788. In 2007, the Cabinet of Ministers adopted the "Strategic Programme against the spread of the HIV/AIDS epidemic in Uzbekistan, 2007-2011". Since 2005, modern technology has been introduced in order to raise the effectiveness of support extended to pregnant women in the country's primarily medical and sanitary care establishments; and women twice are screened for HIV during pregnancy. Currently, only pregnant women belonging to high-risk groups are screened.

789. The following instruments were adopted in order to strengthen the fight against the spread of HIV infection in the country:

- Presidential Decision of 26 December 2006 on additional measures for raising effectiveness in combating the spread of HIV infection in the country
- Cabinet of Ministers Decision of 5 January 2009 on measures for improving the organizational structure and activity of AIDS prevention centres. Under this decision, national and regional AIDS prevention centres were created; a national action plan for stemming the spread of HIV infection, 2009-2011, was adopted; a national commission for the coordination of relevant measures was set up; and the establishment of a system for ongoing training of medical workers and other specialists in the area of preventing HIV infections was provided for

790. In 2009, the Uzbek National Association of Non-Profit NGOs launched the project entitled "Civil society against HIV/AIDS", which is implemented with financial support from the Central Asia AIDS Control Project and addresses key problems related to combating HIV infection effectively. This 12-month project is expected to contribute to the development of social partnerships between State bodies and international organizations and to raise the potential of non-profit NGOs within the framework of the implementation of the national action plan on prevention of the spread of HIV infection.

791. The project provides for assessing the quality of the HIV/AIDS-related services provided by NGOs to vulnerable population groups; extending (through small grants) financial and technical support to NGOs furnishing such services; conducting training programmes based on site visits; making technical assistance locally available and involving experts in NGO work; holding a national conference to exchange best practices; and raising awareness of HIV/AIDS problems through the existing network of media partnerships.

792. As part of the realization of the right of children to health care, considerable attention is paid to the prevention of child morbidity with the help and cooperation of the non-State sector. Thus, since 2007, the Social Initiatives Support Fund ((SISF) implements the "Healthy mother - healthy child" project, aimed at providing medical information to girls aged up to 15 in the areas of balanced diet, prevention of anaemia and hypothyrosis, and health and hygiene. SISF carries out seminars, mainly in the rural areas, for health centre physicians, academic and vocational secondary school students, pregnant women and women of childbearing age, to whom relevant handbooks and booklets are distributed. This important information project has covered 77,821 persons throughout the country.

793. As a result of the work carried out by the Fund Forum and SISF, the level of awareness of ways to lead a healthy life has been raised among more than 50,000 girls aged up to 15; and the health of young children has been improved in 3,500 families.

794. Within the framework of the "Year of a harmoniously Developed Generation" declared in 2010, it was planned to strengthen further the measures taken to ensure such harmonious development; implement the "Healthy mother - healthy child" project; improve the system for the protection of the reproductive health of mothers, children and adolescents; give priority to preventive health care; enhance the medical infrastructure; and

raise the population's awareness of issues related to childbirth and the bringing up of healthy children.

4. Social security and childcare services and facilities (articles 26 and 18 (3))

795. The State ensures support for families bringing up children, orphans, children deprived of parental care, disabled children, and vulnerable children.

796. The following system has been developed for social support and social security for children, regardless of their place of residence:

- Wages, pensions and social benefits are consistently raised twice a year in order to improve the general standard of living and strengthen the social protection of children. Thus, between 1 August 2004 and 1 December 2009, based on monthly amounts, the minimum wage increased from SUM 6,350 to SUM 37,680; the minimum old age pension from SUM 12,920 to SUM 74,660; the minimum children's allowance from SUM 12,920 to 74,660; and the allowance for lacking the requisite number of pensionable years from SUM 7,825 to SUM 45,220.
- Measures have been taken to promote home-based work, conducive to a broad involvement of the population, especially women, in gainful activities in the urban and rural areas, and contributing to higher employment and incomes. Since 2006, more than 190,000 home-based jobs have been created.
- Under the State Pension Act, a system has been established for paying a breadwinner-loss allowance to children, including adopted children and stepchildren, regardless of whether they had been financially dependent on the breadwinner.
- Disabled children receive allowances whose amount depends on the disability category as determined by commissions of experts in occupational medicine (VTEK, for children aged 16-18).
- Under the Disabled Persons (Social Protection) Act, disabled children, in the same manner as adults, receive free of charge technical support and appropriate equipment; medical professional- and social-rehabilitation services; household and transport services; and medication.
- Under the Housing Code, disabled persons and families with a disabled person enjoy preferential treatment in relation to the attribution, acquisition, construction and use of housing. On attaining majority, disabled children without parents may be provided, on a priority basis, with housing allowing them to lead an independent life.
- Persons who actually take care of a child under 2 receive from the citizens' self-governance bodies a child care benefit (amounting, since 2003, to 200 per cent of the minimum wage).
- The State provides unemployed single parents having many children aged up to 14 or disabled children with support in the form of job creation, special training programmes, free advice and help by labour bodies, and unemployment benefits under the Employment Act.
- Children's communities for children deprived of parental care and under full State care, family-type children's homes, residential schools and medical establishments for children receive support and material and technical assistance under the State budget.

797. Currently, according to State Statistics Committee data:
- 113,000 disabled children aged up to 16 receive social benefits
 - 689 infants live in infants' homes
 - 2,709 children live in orphanages
 - 217 children live in family-type children's homes
 - 1,371 children live in residential establishments
 - 84,791 children live in general-type residential schools
 - 4,398 children live in residential schools for orphans and children without parental care or having lost the family breadwinner
 - 15,014 children live in residential schools for children with special needs.
798. Of the 15 enterprises furnishing health-improvement social services in the country, 18 provide children with assistance in the area of physical education and sport.
799. All State social programmes aim at providing social support to children in need. Such social assistance is targeted and its particular form reflects the specific characteristics of each of the various categories of socially vulnerable children that receive it.
800. In the period January-May 2009 alone, 961,400 low-income families with children received from citizens' self-governance bodies benefits and material assistance totalling SUM 329.4 billion. Average monthly material assistance amounted to SUM 42,700 for a low-income family and SUM 34,600 for a family with children.
801. The Presidential Decree on measures for improving and consolidating the social protection system contains provisions on targeted social assistance to children from large and low-income families through citizens' self-governance bodies.
802. Under the Regulation for determining and paying allowances to persons disabled from childhood, which addresses issues in the area in question, such benefits are granted to disabled children aged up to 16 for a period defined by medical assessment and are paid out by the regional or municipal social welfare offices of the place of residence of the disabled beneficiary or of his or her parents. Allowances are paid to guardians and custodians at their place of residence. If a disabled child is placed in a residential school under full State guarantee or returns from such an institution, the payment of the allowance ceases or resumes as from the first day of the month following the month, in which the change occurred. Children's disability allowances are paid regardless of whether the beneficiary receives other benefits.
803. Under article 180 of the Tax Code, the working mother or father of a disabled child are entitled to a partial tax exemption, namely on four times the minimum wage for every full month.
804. Under the Mekhribonlik homes regulation, the education and living costs of the pupils and students are met in full by the State. The children are provided with nutrition, clothing, footwear and supplies; and are entitled to free access to cinemas, exhibits, museums and sport facilities, and to free use of public urban and suburban transports (except taxis), including the metro.
805. Under the law, orphans and children deprived of parental care attending secondary special or professional education establishments are entitled to a cash allowance for personal expenses, and to food, clothing, footwear and personal hygiene supplies.
806. In accordance with the Voluntary Associations Act, the State encourages and supports charitable activities for socially vulnerable children. State organizations and for-

profit and non-profit non-State organizations undertake every year charitable initiatives which considerably improve the infrastructure and living conditions in establishments for orphans and disabled children.

807. The following set of NGOs provides social support to various categories of children in need:

- Fund Forum, which provides multifaceted support for gifted children throughout the country and, in cooperation with partners and international organizations, carries out projects related to the development of the children's creative and intellectual potential
- Social Initiatives Support Fund (SISF), which promotes the right to education for children with special needs and provides support for the child health care
- "Women's Assembly", which provides support for orphans and projects in the area of mother and child protection
- *Mehr Nuri* charitable foundation, which seeks to improve the social infrastructure for low-income family children
- Children's Fund of Uzbekistan, which supports initiatives in which children themselves participate
- *Soglom Avlod Uchun* Foundation, engaged in the implementation of medical education programmes and in the dissemination of a healthy way of life
- *Sen Yolg'iz Emassan* Children's Foundation, which supports orphans, children deprived of parental care, and disabled or low-income family children.

808. The Fund Forum helps to support the 4,480 children living in orphanages by providing such establishments with necessary material, appliances, school supplies, various products, and clothing and toys for the children. In particular, as part of a charitable mission undertaken with "Women's Assembly", specialized institutions for children with special needs and orphanages in the provinces of Djizzak, Khorezm and Fergana and the Republic of Karakalpakstan received in 2009 toys, sweets, appliances and linen for 1,480 children. The "Women's Assembly" and the National Association of Microfinance Organizations and Credit Unions opened special accounts for 112 families raising children with special needs.

809. There has been extensive development of social partnerships for the social protection of children. Local-level State authorities (regional administrations) have set up juvenile affairs commissions, which consist of representatives of State bodies, NGOs and citizens' self-governance bodies and which effectively and in a timely manner address the problems faced by vulnerable children. For instance, in Samarkand province alone, more than 10 NGOs deal with the problems of disabled children and develop charitable activities and social support for socially vulnerable children, including orphans and children deprived of parental care.

5. Standard of living (article 27 (1) and (3))

810. State policy on the well-being of children promotes the right of every child residing in Uzbekistan to a standard of living necessary for physical, mental, spiritual, moral and social development.

811. Article 4 of the Rights of the Child (Safeguards) Act lays down the main thrusts of State policy on the protection of the entire range of rights enjoyed by children, including in the area of support for the physical, intellectual, spiritual and moral development of children.

812. More than 100 legislative acts on issues related to the implementation of children's rights have been adopted and various State programmes have been launched regarding health care for children and the development of their educational, social and cultural potential. Systematically, every year is dedicated to an urgent issue involving the protection of children: 1999 was declared Year of the Mother and the Child, 2006 Year of medical workers and voluntary associations, 2007 Year of Social Protection, 2008 Year of Young Persons, 2009 Year of Rural Development and Improvement, and 2010 Year of a harmoniously Developed Generation.

813. The State programme on the Year of a harmoniously Developed Generation includes the following activities, addressing key problems in the area in question:

- Improvement of the legal and regulatory framework, introduction of amendments and additions to legal and regulatory instruments on the protection of children's and young persons' rights and interests in line with current requirements, and strengthening of the legal basis for that group's harmonious development;
- Enhanced action for promoting a healthy generation, mainly by ensuring healthy offspring; further implementation of the "Healthy mother - healthy child" programme; improvement of the system of reproductive health care for mothers, children and adolescents; promotion of preventive health care as a matter of priority; reinforcement of medical infrastructure; further awareness-raising action among the population on issues related to childbirth and the raising of healthy children; and encouragement in young persons of the tendency to create a healthy and well-functioning family;
- Rational and effective use of the upgraded educational and training infrastructure for the benefit of the new generation; review and improvement, in the light of current requirements, of trends in learning and specialization in the higher and special secondary education system in line with demand in the sectors of the real economy; and improvement of State education standards, curricula and methodological literature;
- Fundamental improvement of the quality of instruction in the country's schools, academic and vocational secondary education establishments, and higher education institutions through extensive introduction of new information, communication and teaching technologies, electronic textbooks and multimedia into the educational process; enhancement of the training and laboratory infrastructure in educational institutions with state-of-the-art equipment and computer technology; and development of an effective system of material and moral encouragement of teachers and tutors in their difficult tasks;
- Further development, introduction and familiarization with modern information and computer technology, digital and large-format telecommunications and the Internet, not only in schools, academic and vocational secondary education establishments and higher education institutions, but also in every family's life;
- Systematic upgrading of work on the physical training of the emerging generation, children's sport, and broad and regular participation of young persons, especially rural girls, in sport practice; construction of new sport complexes, stadiums and facilities; and provision thereof with modern sport equipment and implements, and with highly skilled training personnel and advisers;
- Enhancement of care for young families and of their legal and social protection, and promotion of healthy and sustainable families which form the social cornerstone of a physically healthy and harmoniously developed emerging generation by cultivating

their children's personalities as worthy representatives of their people in the spirit of national and universal human values and love of their native land;

- Implementation of a set of measures to inculcate young persons with the principles of healthy living, precluding drug addiction, depravity and the adverse effects, dangers and influence of base "mass culture" evils infiltrating from outside.

814. Accordingly, in ensuring a decent standard of living for children, a comprehensive approach is taken to the interrelated social and economic conditions and spiritual and moral foundations of their life, namely, inter alia, material prosperity, health, education, leisure, access to the labour market, social welfare, preservation of their physical and intellectual potential, and nutrition.

815. As an objective measure of the satisfaction of material, spiritual and social human needs, per capita GDP constitutes a key indicator of the standard of living of the population.

816. The annual increase in the country's GDP attests to the rising economic prosperity of the population.

Development of GDP³³

	2006	2007	2008 (a)	2009 ^a January-March
Current prices, SUM billion	21 124.9	28 190.0	36 839.4	7 795.6

^a Preliminary data.

817. Poverty in the country declines by 1.5-2 percentage points per annum as a result of consistently high annual rates of economic growth (7-8 per cent in real terms) and low and stable inflation rates (4-5 per cent), achieved through structural economic reforms (particularly in agriculture), creation of an environment conducive to the development of economic activity, support for small business, development of the services sector, investment and capital accumulation incentives, and anti-inflation measures.

818. The development of the education system is crucial to raising the population's welfare level.

819. Education system reforms have accelerated the development of specialized and vocational secondary education and buttressed the high level of instruction in general education schools.

820. At the same time, the following specific problems are faced in the country's education sector:

- Insufficient access to education (as a result of high school fees) and concomitant reduction in the effectiveness of subsequent schooling (especially in the early grades) and in women's economic activity;
- Poor family children's declining access to higher education in view of rising higher education costs;
- Inadequate quality of the educational process at all levels of education.

³³ *Ibid.*

821. Accordingly, the following main thrusts of education policy have been formulated:

- Development of the preschool education system, including through alternative education programmes;
- Enhancement of the infrastructure, quality and teachers' qualifications in general school education;
- Greater effectiveness of the specialized and vocational secondary education system, mainly by adjusting the quality and objectives of such education to regional economic development prospects;
- Greater access of low-income family children to higher education through the development of a system of education loans.

822. The priority medium-term goals of health care development are as follows:

- Development of the potential for quality primary medical care; reinforcement of special medical care services and specialized treatment establishments through the provision of up-to-date medical equipment, vehicles and communications; enhanced supply of medicines; and improved training and retraining of medical and pharmaceutical workers;
- Qualitative improvement of medical care for children and mothers through targeted measures for the provision of children's and obstetric clinics with modern medical equipment and for ongoing training of the personal care nurses and medical staff of such establishments;
- Special preventive-care measures, including immunization (primarily of children), food enrichment (primarily of salt and flour with trace elements) and stronger information campaigns on healthy living;
- Improved sanitary and epidemiological conditions through a set of targeted measures; and involvement of civil society, primarily citizens' self-governance bodies, in the relevant processes.

823. The Rights of the Child (Safeguards) Act provides for State benefits, in the form of social assistance according to the procedure established by law, for families raising children (art. 12). Through appropriate legislative, institutional, economic and awareness-raising measures, the State assists families, parents and persons in loco parentis in meeting their obligations in relation to the upbringing of their children.

824. The Family Code and other legal and regulatory instruments confirm the need to meet the above obligations in the light of the children's interests and with a view to the all-round protection of the child's health; physical, mental, spiritual and moral development; and rights and entitlements.

825. NGOs actively participate in providing systematic and practical assistance to parents and other family members. The *Oila* Centre for Applied Research, established in 1998, tangibly contributes to raising the population's awareness of issues related to strengthening the family, analyzes the problems of families, including of children, and prepares recommendations for improving family relations.

826. In the period 2008/09, seminars on girls' reproductive rights were carried out in cooperation with the Ministry of National Education for the girls of six classes and their parents in all 250 schools in Tashkent City. In May 2009, in connection with the International Day of the Family, seminars and round tables on such topic as, inter alia, "*Bir bolaga etti makhalla kham ota, kham ona*", "There is no place for crime among the young" and "Youth opts for healthy living" were held in more than 50 general education schools and academic and vocational secondary education establishments in the Andizhan, Fergana,

Namangan, Samarkand, Bokharan, Surkhandar, Kashkadar, Navoi, Khorezm and Tashkent provinces.

827. The Centre produces study guides and popular science pamphlets on family and society problems and their solution. In the period 2008/09, more than 30 monographs, study guides and popular science pamphlets were published. The publication of 8 parenting guides is under preparation.

828. In the period 2006-2008, scientists in the Centre carried out research into the problems of disabled children in the family and of organizations engaged parents' training in rehabilitation for disabled children with special needs. The research addressed the causes for the disabilities, the state of health of parents with a disabled child, the parents' and society's relations with disabled children, and the effectiveness of pedagogical assistance to families bringing up children with special needs.

829. The research revealed the current insufficiency of special studies focused on identifying and examining the biomedical and social causes of disabilities, and of practical measures against non-referral of disabled children to special institutions. It was found that effective protection of the interests and health of disabled children from their birth depends mainly on parents, who must be familiar with elementary care standards for disabled children, and on organizations expected to provide appropriate and adequate rehabilitative, pedagogical and psychological assistance to families with children with special needs.

830. Analysis revealed considerable heterogeneity among children in special establishments at the national level. Those children are aged 12-17. Of the 300 children interrogated, 207 resided in Tashkent, while the parents of the other 93 resided in the Tashkent, Surkhandar and Kashkadar provinces and the Republic of Karakalpakstan. Sociologically, 65.4 per cent of the children have parents, 25.0 per cent do not have a father, 3.6 per cent do not have a mother, 4.2 per cent are orphans, and 1.8 per cent do not know their parents. Of the children, 70.1 per cent are visited by relatives or close relations every week, and 12.0 per cent go home after the lessons or exercises. Children residing in Tashkent spend Saturdays and Sundays with their parents or relatives and return to the institution on Monday.

831. Of the staff of residential schools, 71.6 per cent consider that, in the institution, the children's state of health considerably improved, 27.1 per cent that it did not improve significantly, and 1.2 per cent that it deteriorated; 94.1 per cent consider that it is better for disabled children to attend a special establishment because general education schools do not offer the conditions that a residential school offers; 14.8 per cent believe that every child, regardless of physical or mental state, must live in a family setting; 15.1 per cent hold that the children can live in a family setting only with the support of a school or health centre; and 60.3 per cent think that home education and treatment of disabled children are impossible because parents lack the necessary aptitudes, skills, know-how and facility of communication with such children.

832. Of the respondents to an opinion survey on "Society and family: spiritual and moral peace", conducted in 12 provinces in 2009 by the non-governmental "Public Opinion" Centre, 80.9 per cent held that bringing up a child was a parental task and should be shared by both parents; and 11.2 per cent held that it was solely a mother's and 6.8 per cent a father's obligation, compared to, respectively, 27.2 and 12.2 per cent in 2005. According to the survey, 59.2 per cent of the country's families have children up to 17 years of age.

833. The proportion of respondents who stated spending at least six hours a day with their children decreased from 47.8 per cent in 2007 to 13.1 per cent in 2009.

834. Extensive awareness-raising efforts are undertaken in all regions of the country in order to draw the parents' attention to the importance of how children are brought up.

835. The Women's Committee of Uzbekistan and its local branches engage in awareness-raising work aimed at increasing women's and children's knowledge of the law. In all neighbourhood committees in the country, meetings and round tables for the dissemination of the Rights of the Child (Safeguards) Act are carried out with the participation of the chairpersons of neighbourhood committees, advisers to citizens' and women's groups, neighbourhood leaders and crime prevention inspectors working in the neighbourhood. Advisers to citizens' and women's groups visit vulnerable families and provide legal, moral, material and other forms of assistance. Under the UNICEF programme "Family Education", neighbourhood advisers for 28 regions and 6 provinces received training in child care, development and nutrition and in the fulfilment of children's rights. Information campaigns regarding reproductive health care, reproductive rights and healthy living are regularly conducted among the population.

836. The *Soglom Avlod Uchun* foundation has engaged in extensive awareness-raising activities and has produced information material on the prevention of children's disabilities, at a cost of SUM 320,000. In that connection, information pamphlets were published under such titles as, inter alia, "Dangers in marriage between relatives", "Do you know about screening?", "Advice for future parents", and "Congenital hypothyroidism and phenylketonuria".

G. Education, leisure and cultural life

1. Education, including vocational training and guidance (article 28)

837. In Uzbekistan, the right to education is considered as a fundamental right of the child, conducive to the development of a thoughtful, spiritual and moral personality.

838. The children's right to education is enshrined in the Constitution, the Education Act and the Rights of the Child (Safeguards) Act, which guarantees free compulsory general secondary education, or specialized vocational secondary education (art. 23).

839. Budget allocations to education and the funding of academic and vocational secondary schools increase every year. The social sector absorbs 53 per cent of total State expenditures under the budget.

Budget allocations to education³⁴

SUM thousand

	2006	2007	2008	2009
Preschool education	171 067 107	220 157 954	280 695 999	373 850 689
School education	736 887 119	987 069 887	1 425 281 266	1 930 152 437
Academic and vocational secondary schools	177 049 000	252 414 000	406 813 000	619 452 000

840. In Uzbekistan, education has been declared a State policy priority. According to World Bank data, the country's literacy rate, 99.34 per cent, is one of the highest in the world.

841. A nationwide State programme for the development of school education, 2004-2009, is implemented pursuant to a presidential decree of 21 May 2004 and a Cabinet of Ministers decision of 9 July 2004.

³⁴ Source: Ministry of National Education.

842. Of the 6,543 general education schools built or repaired in the country under the above State programme in the period 2004-2008, 285 were newly constructed or restored and put into operation, 1,760 underwent major reconstruction, 2,853 underwent major repairs and 1,645 underwent routine repairs. These expenditures, in the country as a whole, were funded from the extrabudgetary School Education Fund in the amount of SUM 951.7 billion and with a US\$11.1 million concessional loan from the Islamic Development Bank. As a result, the number of unsafe schools was reduced from 684 to 111, and of those in need of major reconstruction from 2,313 to 553, major repairs from 3,769 to 916, and routine repairs from 2,069 to 424.

843. Of the above 6,543 general education schools, 5,282 (81 per cent) are located in rural areas, 197 (3 per cent) in mountainous and not easily accessible areas and 1,064 (16 per cent) in urban areas.

844. In the period 2004-2008, 1,319 schools located in rural and not easily accessible areas were provided with drinking water, 775 became supplied with gas, 1,542 were provided with telephone connections and 902 were connected to centralized sewage or to a septic tank.

845. Since 2004, the proportion of schools with drinking water increased from 70 to 83 per cent, of schools supplied with gas from 53 to 62 per cent, of those with a telephone connection from 48 to 64 per cent, and of those connected to centralized sewage or to a septic tank from 43 to 52.4 per cent.

Education system development indicators³⁵

<i>Indicators</i>	<i>Unit</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>
<i>Number of:</i>				
Preschool establishments	Establishment	6 413	6 370	6 318
Children therein	Thousand persons	562.2	553.6	530.4
General education establishments	Establishment	9 816	9 792	9 792
General education establishment pupils or students	Thousand persons	5 715.1	5 394.1	5 141.1
General education establishment teachers	Thousand persons	463.4	463.3	457.7
Vocational secondary schools	Establishment	953	1 073	1 206
Vocational secondary school students	Thousand persons	1 021.9	1 119.7	1 286.6
Vocational secondary school teachers	Thousand persons	61.7	73.4	85.0
Academic secondary schools	Establishment	99	119	128
Academic secondary school students	Thousand persons	53.1	75.6	93.9
Academic secondary school teachers	Thousand persons	5.6	7.1	8.7
Non-school establishments for children	Establishment	628	645	568
Sport buildings for schools	Establishment	38 388	37 608	37 679

846. The State provides social assistance to school children from low-income families. During the 2008/09 school year, 677,707 low-income family children, including 11,493 children with special developmental needs educated at home, received an issue of winter clothing at a total cost of SUM 18,050,601,000; and 486,728 general education first-grade pupils were provided with textbooks and school supplies at a total cost of

³⁵ *Ibid.*

SUM 5,488,369,000. In 522 general education schools, summer camps were organized for 91,900 children in order to support low-income family children and provide them with summer recreation.

847. Practically all school age children complete general secondary education. Yet dropping out of school does occur and is due to various reasons, mainly diseases.

848. The Ministry of National Education has established procedures for detecting failure to attend school. During the school year, attendance is monitored on a weekly basis. Under Minister of National Education Order No. 258 of 23 September 2009, the heads of educational institutions are personally responsible for ensuring school attendance.

849. During the 2008/09 academic year, regular monitoring of school attendance was organized in order to determine the number of children working in the agricultural and commercial sectors and protect them from the worst forms of child labour. In cooperation with the media and citizens' self-governance bodies, "school child" raids are organized. This method has been effective against child labour in so far as it makes it possible to take steps against adults who violate the relevant legislation.

850. In 2009, the Ministry of National Education, in cooperation with the Ministry of Labour and Social Protection, the Council of Ministers of the Republic of Karakalpakstan and the regional administrations of provinces and Tashkent, organized more than 10 seminars on preventing the use of child labour by organizations and violations of labour law with respect to minors.

851. In 2007, the Ministry of Justice centre for monitoring the implementation of legal and regulatory instruments carried out a comparative analysis of national legislation and international law standards in the area of education. The international instruments examined were education-related agreements to which Uzbekistan is a party, in particular the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural rights, the Convention on the Rights of the Child, the Convention against Discrimination in Education, and the Convention on Technical and Vocational Education.

852. The analysis showed that a comprehensive system of legal and regulatory instruments regarding education has been developed in Uzbekistan. Currently, Uzbek legislation governing education consists of almost 200 legal and regulatory instruments, including 31 acts, 62 presidential decrees and decisions, more than 60 Government decisions and 30 departmental regulations. The analysis also revealed specific instances of divergence between national and international law. The elimination of such differences is expected to contribute to an improvement in the quality of education.

853. A series of legal and regulatory instruments adopted during the reporting period in order to improve the education system included Cabinet of Ministers decisions on:

- "Adoption of legal and regulatory instruments on preschool education", establishing regulations for State and non-State preschool education establishments and for short-duration classes in preschool facilities
- "Adoption of rules for material support for orphans and children deprived of parental care attending special and vocational secondary education institutions", laying down nutrition, clothing, personal hygiene, cash benefit and other standards for the category of children in question
- "Measures for improving the assessment and reporting of the coverage of young persons by the general secondary, specialized secondary, vocational and higher education system, and their subsequent employment", aimed at creating an system for ongoing monitoring of the situation in question at the State and departmental levels.

854. Cabinet of Ministers Decision of 20 March 2009 on the programme for further publication of textbooks and teaching material for specialized secondary and vocational institutions, 2009-2013, approved the programme in question; set the periodicity of renewal of textbooks and material on various subjects at five years; and tasked the Centre for specialized secondary and vocational education of the Ministry of Higher and Special Secondary Education with enhancing the quality of textbooks and ensuring their timely delivery to the educational institutions concerned, and the Ministry of Finance with providing funds for a 15 per cent annual increase in the educational institutions' library stock of textbooks and teaching material. During the period 2001-2008, 984 new textbook and teaching material titles were published in a total number of copies exceeding 5.1 million, and were made available to 1,331 information and resource centres of educational institutions.

855. The country's education system helps children to exercise in music, physical education and sport. In order to maximize the pupils' and students' familiarization with music and art, a regulation was drawn up and adopted for holding a national children's musical festival, *Bolalik Bahori*, on a regular basis. This event took place for the first time on 25-30 April 2009.

856. The *Umid Nihollari* children's Olympics have greatly stimulated the development of children's involvement and interest in sport.

857. In its action for a harmoniously developed and healthy generation, the Ministry of National Education cooperates with, inter alia, UNESCO, UNICEF, the Social Initiatives Support Fund (SISF), the Asian Development Bank, the Centre for the Social Adaptation of Children, the Fund Forum, *Soglom Avlod Uchun*, *Kamolot*, the Women's Committee of Uzbekistan, "Women's Assembly", the *Mehr nuri*, *Makhalla* and *Ekosan* foundations, the Red Crescent Society and the *Sen Yolg'iz Emassan* Foundation.

858. Since 2008, the "Baby" international tournament for children has been organized at the initiative of the Fund Forum in order to spread interest in artistic gymnastics among children and create a pool for the national team in that area. In only two years, 320 children aged 4-15 have participated in that tournament.

859. In 2009, the Fund Forum organized for the first time the International Competition for Contemporary Choreography and Sport Gymnastics, which is held for three age groups covering the range of 5-20 years of age. Of the 505 children having participated in the competition, 216 came from the regions.

860. Since 2007, the Fund Forum, in cooperation with "Women's Assembly", conducts "Spring Marathon" in the schools for children aged 6-16. With a coverage of 5-6 thousand persons, the event is aimed at activating the school children's intellectual potential. The 2009 "Spring Marathon" was dedicated to the study of road traffic rules and was held in all of the country's regions between 30 April and 20 May with the participation of more than 2,500 children.

861. In 2008, the *Soglom Avlod Uchun* foundation organized more than 6,508 sport, cultural, recreational and charitable events at a cost of SUM 956,354,000. In the first half of 2009, it carried out more than 2,136 events, raising SUM 367,866,900 from sponsors and SUM 42,828,700 from branch organizations.

2. Aims of education (article 29)

862. The aims of education are enshrined in the Education Act, the National Programme for Personnel Training, the National Programme to Enhance a Culture of Law in Society and other legislative and programme documents that have been adopted.

863. In offering children an education, account is taken primarily of the provisions of the Constitution, which regulate the citizens' obligations. During education in preschool, school and other educational establishments and in the family, special attention is paid to developing their understanding of the interdependence of rights and duties and the need to meet the responsibilities specified in articles 47-51 of the Constitution, namely that all citizens must:

- Perform the duties laid down in the Constitution
- Comply with the Constitution and the law
- Respect the rights, freedoms, honour and dignity of other persons
- Protect the historical, spiritual and cultural heritage of the people of Uzbekistan
- Treat the natural environment with great care
- Pay the local and other taxes established by law

864. The Rights of the Child (Safeguards) Act, a recent enactment, contributed significantly to the definition of the goals and aims of education. Article 4 of the Act lays down the following aims:

- Upbringing aimed at developing feelings of patriotism, citizenship, tolerance and pacifism
- Familiarization of children with the historical and national traditions and spiritual values of the people of Uzbekistan and the attainments of world culture
- Development of the child's personality and scientific, technical and artistic creativity
- Promotion of children's legal awareness and knowledge

865. In order to raise effectiveness in the educational process, measures are taken to promote a network of specialized general education establishments (schools and residential schools) in which particular subjects are studied in greater depth than required under the advanced standards of State general secondary education; to reveal the students' creative potential; and to develop aptitudes conducive to research work, and a basis for choosing a profession.

866. One of the aims of education is the creation of the system of continuing legal education and training, which consists of the following stages:

- Stage I: Legal training in the family
- Stage II: Initial legal education and training in preschool institutions
- Stage III: Legal education in secondary schools
- Stage IV: Legal education and training in lycées (academic secondary schools) and colleges (vocational secondary schools)
- Stage V: Legal education and training in higher education establishments

867. The first stage of legal education and training begins in the family, which is regarded as the basis for the formation of the child's personality. The family occupies a special place at every stage of ongoing legal education and training.

868. Initial legal education and training are imparted in preschool institutions as part of everyday games and activities organized for children in the middle, older and preparatory groups.

869. The following clause has been added to the new provision on State and non-State preschool establishments, which was adopted by Cabinet of Ministers Decision of

25 October 2007, and in the Statutes of preschool establishments, with regard to the obligations of such institutions: "To comply with pedagogical ethics, respect the child's dignity, protect children from acts of violence, and raise them in a spirit of respect for work, their parents and the environment".

870. Instruction in concepts such as law, duty and obligation, tailored to the pupils' age, is introduced in grades 1-4 of general secondary education.

871. The content of the lessons becomes more complex in grades 5-7 of general secondary education with the addition of actual examples of the inter-relationship between the State and the individual and the introduction of the subjects of personal autonomy, equality of rights, freedom of speech, right to receive information, and criminal liability of minors.

872. The chief aims of legal education and training in grades 8-9 of general secondary education are to teach students about the social, economic, political, legal, scientific and cultural development of the State; and to form young persons capable of creative thinking and expressing their attitude to important personal issues.

873. Grades 10-11 of general secondary education spend 68 hours on legal topics.

874. The **study of the fundamental human and civil rights, freedoms and obligations** is also a basic aim of education. Issues related to the citizens' rights and obligations are examined in grades:

- 1-4, in the subjects of "ABC of the Constitution", "ABC of ethics", "Reading book", "The world around us" and "Natural history" (60 hours)
- 5-7, in the subjects of "Voyage to the world of the Constitution", "History", "The feeling of the native land", "Literature", "Natural history", "Botany", "Biology" and "Geography" (136 hours)
- 8-9, in the subjects of "Foundations of the State and the law", "Principles of constitutional law", "Foundations of the idea of national independence and spirituality" (92 hours)
- 10-11, in the subject of "Person and society" (92 hours).

875. Pursuant to Presidential Order No. F-1322 of 4 January 2001 "on the organization of the study of the Constitution", new objects and training courses were introduced into the curricula.

876. The main feature of all school and non-school educational programmes and curricula that have been developed consists in their environmental and health-protection component and orientation. **Environmental learning and upbringing is characteristic of all stages of education.**

877. Early environmental learning and upbringing are imparted through daily games and exercises at the preschool stage, taking into account that the goal of education at that level is the healthy and full development of the child's personality in view of elementary school education.

878. Considerable importance is ascribed to the parents' participation in the environmental upbringing of children and to the protection of their environmental rights. Special programmes have been developed in order to raise the parents' environmental awareness.

879. In general secondary education and special residential schools, environmental learning material has been incorporated into natural science subjects such as, inter alia, in grades 1-4, "The world around us", "Natural history", "Reading", "Native language",

"Development of speech" and "ABC of ethics"; and, in grades 5-9, "Botany", "Zoology", "Persons and society", "Chemistry", "Biology", "Physics", "Geography" and "The feeling of the native land".

880. Environmental issues are also addressed in grades 1-4 classes, in the subjects of "Lessons on health" "Basics of safety ", and in grades 5-9, in the subject of "The bases for a healthy generation".

881. Such subjects are taught by specially trained teachers, mainly biology or psychology teachers with a higher education degree and the necessary knowledge and experience. Environmental specialists are invited to round tables organized outside class hours.

882. Letter of instruction No. 03-47of 13 February 2008 "on the conduct of Ecology and Health Days" was aimed at upgrading environmental education and support and protecting the environment-related interests and rights of pupils and students. Such annual events, conducted in Tashkent City, the provinces and the Republic of Karakalpakstan, seek to develop the pupils' and students' creative abilities and their interest in and love for their native land and the environment, drawing their attention to the current environmental problems, their solution and the importance of environmental protection. In 2009 alone, a total of 6,584 events were carried out on Ecology Day, with the participation of 439,500 teachers and schoolchildren.

883. The children's magazine *Esh ekolog* ("Young environmentalist"), which publishes articles by students and specialists, focuses on environmental education and legal information for children.

884. Modernizing the activity of general education establishments requires resolving a number of systemic problems, including primarily the development of new, modern and high quality education and training.

885. In that connection, a comparative study of country-wide samples taken at the end of school years 2004/05 and 2007/08 and consisting, respectively, of 28,000 and 34,000 pupils or students showed an increase in the knowledge indicators from 71.4 to 75.9 per cent.

886. In view of the Committee's general comment No. 1, importance must be ascribed to the improvement of the content of education and the adoption of targeted programmes aimed at gradual educational reform. In line with the nationwide State programme for the development of school education, the Cabinet of Ministers, through Decision No. 07-1-20 of 18 February 2008, adopted the "programme for modernizing the content of continuous education and raising the effectiveness of education and upbringing, 2008/09", composed of 6 sections, 55 paragraphs and 102 tasks that cover the basic goals of education.

887. The objective of the above programme is to enable educational institutions to help to develop a system providing students with new universal knowledge, skills, practices and the experience of independent action and personal responsibility.

888. The Ministry of National Education has defined the following priority aims regarding the future development of education for the members of the various nationalities and ethnic groups, and the enhancement of national integration and social modernization:

- Enhancing the infrastructure of preschool establishments and general education schools and furnishing them with laboratory and special equipment for teaching, computer equipment and learning material
- Further improving curricula and educational programmes in line with upgraded State education standards
- Introducing interactive instruction methods through the use of modern information technologies and the possibilities offered by the Internet; creating modern

information channels and an educational information space in order to ensure, inter alia, access to training in the country's national minority languages; developing and implementing a retraining and qualifications upgrading system of flexible training programmes and differentiated curricula allowing use of modern methods and forms of instruction, including in the various ethnic or national languages

- Offering to teaching personnel at all education levels a greater number of internships in the countries in whose languages instruction is provided in Uzbekistan
- Improving the content of textbooks and study material, publishing updated versions thereof and creating generally accessible libraries of electronic textbooks
- Completing preparations for the introduction of a textbook rental system for students

3. Leisure, recreation and cultural activities (article 31)

889. The State promotes the realization of the children's rights to leisure; recreation; involvement in entertainment events commensurate with their level of development; free participation in cultural life; and practice of the arts. Implementation of such rights is based on the Constitution; the Education Act; the Gymnastics and Sport Act; the Rights of the Child (Safeguards) Act; the National Plan of Action for ensuring the well-being of children, 2007-2011; and the National Plan of Action for the implementation of recommendations formulated by the Committee following consideration of the second periodic report of Uzbekistan on the implementation of the Convention.

890. The earliest detailed formulation of the children's rights to leisure and recreation is found in the Rights of the Child (Safeguards) Act, article 21 of which reads as follows:

"Every child shall be entitled to leisure and recreation befitting his or her age, health and needs.

In accordance with their abilities and possibilities, parents or persons in loco parentis shall provide living conditions necessary for the comprehensive development and well-being of the child.

State bodies shall set up and support children's health-improvement, sport, creative or other organizations for leisure or recreation in accordance with the law."

891. In light of their obligation under the above provisions, parents must ensure that their children enjoy a standard of living that guarantees their physical, mental, spiritual, moral and social development. Key components of a child's physical development are, inter alia, nutrition, clothing, housing, clean drinking water, healthy upbringing, hygiene and sanitary conditions and a clean environment. Physical development may also be sought through sport and games, especially in the case of urban children.

892. While imposing the above obligation on parents, the State provides them with multifaceted assistance through the establishment of leisure and recreation organizations for children.

893. Children's comprehensive development may be ensured and their right to leisure realized through their participation in children's health-improvement, sport, creative and other leisure or recreation organizations. Article 17 of the Education Act provides for the creation of non-school education establishments in cultural, artistic, scientific, technical, sport and other areas, by public associations, other legal entities or individuals, for the satisfaction of the personal needs of children and adolescents and for the organization of their free time and leisure. Such establishments include buildings and centres for events, clubs, creative activity centres and sport schools for children and adolescents, art and music schools, studios, libraries, and health-improvement and other establishments. The procedure

for the creation and activity of such establishments is governed by the regulations for non-school facilities.

894. Non-profit NGOs contribute significantly to the development of children's abilities and talents. Thus, the Fund Forum created a number of creative activity centres for children in Tashkent and Samarkand. The *Yangi avlod forumi* ("Young Generation Forum") creative activity centres for children are attended by more than 1,000 children aged 6-15, active in, inter alia, the "Skilful hands" and "Seedling" groups, vocal and choreographic studios, an English club, a chess club, the "Mosaic" and "Phoenix" visual arts studios, the "Face" drama studio, the *KIT* information technologies club, and the dayereh players' and young correspondents groups.

895. Children attend the above centres free of charge. They participate in various national and international events, such as a performance of the well known *Sovremennik* ("Contemporary") theatre as part of the "Class Act" international theatrical project in Russia; the "Japan through Uzbek children's eyes" drawing exhibit in Japan, in which children from the Samarkand and Tashkent centres took part; the "Uzbekistan through children's eyes" photographic exhibition, organized in cooperation with the British Council in the Royal College of Art in London; and the "World Etegami Exhibit - 2008 Olympics" postcard exhibition.

896. The Fund Forum, in cooperation with the *Kamolot* public youth movement and the Ministry of Higher and Special Secondary Education, carries out for talented persons aged 15-25 the *Kelajak Ovozi* annual contest in various creative, scientific and public activities. Of the more than 161,000 persons having participated in the contest since its inception, approximately 35,000 were 15-16 years old.

897. The above contest is one of the country's largest youth events. Participation in it increased from 2,700 persons in 2005 to 10,000 in 2006, 32,000 in 2007, 54,000 in 2008 and 63,000 in 2009.

898. The Fund Forum organizes the annual *Bolajonlar-Shirintoylar* festival in cooperation with the Osiyo Ramzi Association of Fashion Designers and Stylists of Uzbekistan. The festival encompasses children's fashion shows; a national toy fair; and graphic design, school uniform, best designer and best fashion-show contests and a competition for the best original performance by young children.

899. In 2010, declared "Year of a harmoniously Developed Generation", special collections, displayed by, inter alia, young gymnasts of the Fund Forum's "Forum Junior Sport" children's sport complex, and young kurash and taekwondo athletes or tennis players, were designed to highlight, during the Festival, the development of children's sport. Approximately 150 children, aged 3-16, mainly from children's creative activity centres and fashion schools, participate in the Festival as models.

900. Currently, children and adolescents pursue their interests and cultivate their creative skills in 567 non-school facilities, 417 sport schools and 305 music schools. Members of all national and ethnic groups enjoy access to additional education, sport practice, leisure and familiarization with national traditions. Localities with high concentrations of ethnic minorities are home to 37 buildings and centres for such learning, 28 technical creativity and natural history centres and more than 30 sport schools and complexes for children and young persons.

901. Considerable attention is paid to children's physical education and sport. The Physical Education and Sport Act of 14 January 1992 provides for the creation and funding of sport schools and physical education or sport establishments for children and young persons and the broad dissemination of healthy ways of life. The Act also prohibits

advocating cruelty, violence and degrading behaviour and using stimulants harmful to health in sport activities.

902. Physical and spiritual training is a key component of the system of continuous education, carried out by highly qualified specialists. To children up to the age of 16, disabled persons and orphans, physical education, sport and health-improvement services are provided free of charge.

903. Since 2000, a system of continuous sport competitions is implemented in the country as *Umid nikhollari* in general education schools, *Barkamol avlod* in academic and vocational secondary schools and "Universiade" in higher education institutions, covering approximately six million pupils and students. The contests aim at promoting the systematic participation of children, pupils and students in physical education and sport exercises, developing promising young talents, and improving the network of sport facilities and related educational establishments.

904. In the period 2006-2009, 525 sport facilities for children were built or reconstructed in the country.

905. The Ministry of Culture and Sports organizes more than 20 annual large-scale sport events for children. The main such events are the following:

- **National Youth Marathon**, dedicated to significant national dates of the country and aimed at inculcating the need for a healthy way of life in young persons; bringing up the emerging generation in a spirit of patriotism and love for the native land; promoting the physical education movement in the country; and serving as a basis for involving children in sport
- **Countrywide festival on national sports and games**, contributing to the development and dissemination of the sports and games in question among the new generation, promoting the cultural heritage in the area of sport, and strengthening the health of rural children
- **National inter-family contests** *Soglom oila* and "Father, mother and I", contributing to the involvement of families in active ways of life and healthy leisure activities, and inculcating in them the need for physical improvement.

906. Local State authorities and citizens' self-governance bodies promote and organize physical education and sport exercises at the citizens' places of residence and popular recreation.

907. In all of the country's regions, considerable importance is ascribed to children's leisure. Thus, the culture and sport department of Samarkand province operates 4 theatres, 260 cultural centres, 3 culture and recreation parks, 4 sport schools, a State museum-preserve, a provincial department of *Uzbeknavo*, and a popular ensembles directorate. More than 50 attractions, 5 children's areas, 1 swimming pool, 1 chess centre and 2 shooting ranges were set up in 3 culture and recreation parks for the 2009 summer season. Since April 2009, the parks have been visited by 5,000 children. More than 10,160 children participate in various activity groups. Of the 1,975 such groups functioning in 260 cultural centres, 514 are designed for children.

908. Of the total number of 734,999 persons systematically practicing gymnastics and sport in the province, 183,936 are children and young persons participating in sport sections and health-improvement groups. The province's 48 children's and young persons' sport schools operating in various disciplines use 60 stadiums, 705 sport halls, 11 swimming pools, and 4,315 sport areas and fields (including 792 football fields and 39 tennis courts). The national *Makhalla* Foundation and its regional units have created at least 258 local sport areas.

909. Uzbek trade unions pay considerable attention to the development of large-scale physical education and sport, spiritual and awareness-raising work, and children's health. Currently, trade unions operate 40 sport schools attended by more than 12,800 children exercising in 41 types of sport.

910. Of the 280 groups functioning in 63 trade-union centres, cultural establishments and clubs, in which more than 7,560 children cultivate their creative aptitudes, 228 engage in amateur art, 23 in technical skills and 29 in fine arts. Every year, trade union cultural establishments hold more than 5,700 events, concerts, recreational evenings, creative meetings, contests and theatrical shows. Specific work with children is carried out in 137 libraries, where children's literature corners are set up, and creative meetings with children's book writers, talks on new literature, and plays are regularly organized.

911. In the 2009 summer season, 245,000 children vacationed in children's health camps. According to the State programme on the Year of Rural Development and Improvement, 60 per cent of the total number of children live in rural areas. Of the 3,000 Aral Sea zone children offered free vacation in children's health camps of Tashkent and Tashkent province enterprises, 2,000 are from Karakalpakstan and 1,000 from Khorezm province. Trade unions finance such vacation for 2,000 children from orphanages and residential schools. The *Soglom Avlod Uchun* foundation contributes significantly to the development of children's sport. At the initiative of the Uzbek Special Olympics Association, track-and-field, free and Greco-Roman wrestling and arm-wrestling contests were held among special school pupils and students in the *Universal* sport complex on 16-18 May 2008; and an international artistic gymnastics tournament among children with special needs was organized in Tashkent on 14-18 June 2008.

912. In the Zarbdor region of Djizzak province, chess and arm-wrestling contests for the pupils of residential school for the deaf were held on 12 March 2009 under the slogan "Hello Navruz"; and, at the initiative of the Uzbek Special Olympics Association, a football tournament among children with special needs took place in the Pakhtakor central stadium on 25-28 May 2009.

H. Special protective measures

1. Children in exceptional situations (articles 22 and 38)

913. In line with its obligations regarding the implementation of the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child, Uzbekistan adheres to the policy of humane treatment of aliens and stateless persons, including refugees.

914. Under article 23 of the Constitution, foreign citizens and stateless persons, during their stay in the territory of Uzbekistan, shall be guaranteed rights and freedoms in accordance with the provisions of international law; and shall have the obligations established by the Constitution, the law and the international agreements to which Uzbekistan is a party.

915. At the beginning of 2006, there were in the country 762 under age refugees from Afghanistan. At the beginning of 2008, there lived in the country 384 refugee families, including 424 minors. At the beginning of 2009, 97 refugee families lived in the country. They comprised 673 persons, 112 of whom were minors, most of them of school age.

916. The staff of internal affairs, national education and health care authorities, in cooperation with local government representatives, take specific steps to protect the rights and interests of refugee children and carry out proactive work to prevent juvenile delinquency among them.

917. Under the Health Care Act, medical attention provided by treatment and preventive care facilities and guaranteed by the State to be free includes children's examinations and treatment.

918. Since the situation in Afghanistan has been stabilized and the Office of the United Nations High Commissioner for Refugees (UNHCR) terminated its presence in Tashkent City, the functions of UNHCR in Uzbekistan have been temporarily assigned to UNDP. According to information provided by UNDP in 2009, all recognized refugees still in Uzbek territory will be accepted as immigrants in third countries.

919. Since every child has an inalienable right to life and health care, Uzbekistan opposes children's participation in armed conflicts and their recruitment for military service.

920. Under the Universal Military Duty and Military Service Act of 12 December 2002, military service is a specific form of public service through which Uzbek citizens fulfil the universal duty in question.

921. The following types of military service are provided for:

- Fixed-term military service
- Military service subsequent to mobilization of draft-age reserves
- Voluntary enlistment
- Enlistment of reservists having completed their military service.

922. In peacetime, physically qualified male citizens aged 18-20 are subject to the first two types of military service.

923. Deferment of the first two types of military service is granted to conscripts by decision of the district or municipal draft board on family- or health-related grounds or to pursue their education.

924. The above deferment for family reasons is granted on the grounds of having:

- (a) Parents with disabilities, determined in accordance with the law, and no other adult able-bodied son with an obligation to support them;
- (b) A single able-bodied mother or father with two or more children aged up to 16 and no other adult able-bodied son;
- (c) On the call-up date, a brother on fixed-term military service;
- (d) An under age child brought up without a mother;
- (e) A wife with a first or second category disability and at least two under age children.

925. Persons having supported a conscript for at least five years because of his parents' death or long illness or for other valid reasons are assimilated to parents.

926. The above deferment to pursue one's education is granted to conscripts attending on a full-time basis a general education school, an academic or vocational secondary school or a higher education institution, until the end of their studies.

927. The persons disenrolled from educational institutions forfeit their right to a deferment.

928. Conscripts having forfeited their right to a postponement and persons having no such right and no basis for exemption from military service under the above Act who for any reason have not been called up for fixed-term military service or subsequent to

mobilization of draft-age reserves are drafted by regular call-up once they attain 27 years of age.

929. Exemptions from military service for a fixed term or subsequent to mobilization of draft-age reserves are granted to persons:

- (a) Recognized as physically not qualified for military service;
- (b) A close relative (brother or sister) of whose fell or died in the course of military service;
- (c) Who serve as priests in a registered religious organization.

930. The persons referred to in 929 (b) may be enlisted with their consent.

931. Citizens having incurred criminal liability or burdened with an unexpunged or unserved sentence are not subject to military service.

932. In order to ensure full implementation of article 38 of the Convention, Uzbekistan, on 12 December 2008, in the Year of Young Persons and the Year of the sixtieth anniversary of the Universal Declaration of Human Rights, ratified the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts

2. Children who infringe the law (articles 40, 37 and 39)

933. In Uzbekistan, although children account for almost half (40 per cent) of the population, minors sentenced to deprivation of liberty account for approximately 0.5 per cent of convicted offenders, a rate considerably lower than in other countries.

934. The following targeted measures are taken in order to prevent juvenile delinquency:

- Strengthening procuratorial supervision and judicial control of the activity of investigative bodies in order to prevent baseless accusation, arrest and conviction of persons under 18
- Building the system of commissions for minor's affairs and addressing the problems of vulnerable children. The 246 such commissions currently operating in the country have a staff of more than 3,000 professionals
- Promoting the system of public bodies assisting the socially vulnerable categories of children. Citizens' self-governance bodies contribute greatly to the prevention of juvenile delinquency
- Increasing the legal (administrative and criminal) liability of parents and other persons for children's involvement in delinquent or criminal acts
- Taking steps to identify neglected children and making arrangements for their future or placing them under guardianship.

935. In parallel, juvenile justice, namely a branch of justice specializing in minors, is gradually being developed by Uzbek jurists in cooperation with UNICEF specialists. This process includes the following steps:

- Preparation and adoption of the Juvenile Justice Act
- Introduction of amendments and additions to the Criminal Code, the Code of Criminal Procedure, the Penal Enforcement Code, the Family Code and the Administrative Liability Code to align them with the Juvenile Justice Act
- Introduction of appropriate additions to legislation on citizens' self-governance bodies and NGOs to boost their role in the upbringing of children and the prevention of juvenile delinquency

- Adoption of the Act on the Children's Ombudsman, responsible for coordinating and uniting efforts for the protection of children's rights, including in the area of justice
- Training of social workers who deal with the problems of children
- Gradual training of special judges in cases involving minors, and creation of a pilot juvenile court in Tashkent and other regions, and of juvenile chambers in provincial courts
- Thorough training of procuratorial, internal affairs, justice and local government staff in procedures and methods related to minors
- Expansion of the legal counsel system to minors through the creation of juvenile defenders' associations
- Creation of rehabilitation centres implementing a restorative justice programme.

936. The National Plan of Action for the implementation of recommendations formulated by the United Nations Human Rights Council following consideration of Uzbekistan's national report for the Universal Periodic Review, 2009-2011, provides for the following measures regarding juvenile justice:

- Organization of a conference on theoretical and practical aspects of "Issues related to progress towards juvenile justice in Uzbekistan: state and prospects" (para. 1.1)
- Consideration of introducing juvenile judges into the composition of criminal courts (para. 1.2)
- Organization of a series of training events for juvenile judges, juvenile lawyers and social workers for minors (para. 1.3)
- Creation of a system for training law-enforcement personnel, judges and lawyers on juvenile justice issues (para. 1.4)
- Study of international practice in the area of juvenile justice (point 1.5)
- Consideration of introducing into legal procedure such juvenile-justice methods as reconciliation procedures, termination of criminal proceedings in connection with reconciliation, and probation and plea deal arrangements (para. 1.6).

937. Extensive awareness-raising and educational work regarding the introduction of juvenile procedures and arrangements has taken place in recent years.

938. A conference on theoretical and practical aspects of the "Role and place of the legal profession in the juvenile justice system" took place with the assistance of UNICEF on 19 May 2006. A seminar dedicated to a discussion of the draft Rights of the Child (Safeguards) Act and the draft Juvenile Justice Act was organized by the Office of the Parliamentary Ombudsman and the Legislative Chamber's Committee on Democratic Institutions, Non-Governmental Organizations and Citizens' Self-governance Bodies on 9 June 2006. The Convention on the Rights of the Child and the handbook for parliamentarians entitled *Protection of the rights of the child* were published in the Uzbek language in 2000 copies.

939. Juvenile justice issues were also discussed on 3 May 2007 in the Legislative Chamber during a conference on the "Legal foundations of the social protection of children's rights", and on 1 September 2007 at a round table on "Juvenile court, extrajudicial means of action and alternative forms of punishment: time to move forward", where a resolution was approved on the need to adopt the Juvenile Justice Act and other related legal and regulatory instruments.

940. A round table on "Preventing juvenile delinquency: the experience of Germany and Uzbekistan" was organized on 22 February 2008 with the support of the Friedrich Ebert Foundation. A compilation entitled "United Nations Convention on the Rights of the Child. Uzbekistan's Rights of the Child (Safeguards) Act" has been published; and a juvenile justice methodological handbook and a study guide entitled "Rights of the Child" and containing a section on juvenile justice have been prepared.

941. Juvenile justice was significantly promoted by the Rights of the Child (Safeguards) Act, a new enactment that confirmed the children's right to personal inviolability; protection from encroachments on their honour and dignity; and unjustified arrest and detention. The Act further asserted the children's right to protection against torture, other forms of cruel, inhuman or degrading treatment, and involvement in criminal activities.

942. Under article 25 of the Constitution, every person is entitled to freedom and personal inviolability. No one may be arrested or detained otherwise than in accordance with the law.

943. The Code of Criminal Procedure reinforced the application of the principle of respect for the dignity of the child in the area of justices by providing for the:

- Thorough examination of an accused minor's personality, living conditions and family environment (art. 548)
- Participation of the child's legal representative in the proceedings from the moment of the first interrogation of the child (art. 549)
- Participation of a defender in the proceedings (art. 550)
- Participation in the proceedings of representatives of the establishments employing or attended by the accused, of his or her guardian or custodian, and representative of the juvenile affairs commission (art. 551)
- Conduct of the interrogation in the presence of the defender and the legal representative within six hours, and right of the minor to learn the content of and make observations on the interrogation report (arts. 552 and 553)
- Where necessary, participation of a teacher or psychologist in the interrogation (art. 554)
- Selection of preventive measures other than deprivation of liberty (art. 555)
- Replacement of the minors under care by their parents, guardians or custodians or by the staff of children's establishments (art. 556)
- Placement of minors in children's establishments with the approval of the procurator or by court order (art. 557)
- Placement of minors under detention in exceptional cases and on the basis of a court decision (art. 558)
- Acquaintance with the case file in the presence of the legal representative and non-presentation of elements that may negatively affect the minor's personality (art. 559)
- Where necessary (art. 19 of the Code of Criminal Procedure), examination of the case in private (art. 560)
- Leaving of the court room by the minor during the examination of circumstances which may have an adverse effect on him or her (art. 561)
- Consideration by the court of forms of punishment other than deprivation of freedom or of imposition of compulsory measures instead of a punishment (arts. 563 and 564).

944. Accordingly, criminal cases involving minors are examined with the participation of the parents, the counsel, other legal representatives, the community, teachers and psychologists who may help the court to understand the causes and conditions which contributed to the commission of an offence, consider the idiosyncrasy of the accused, and impose a punishment befitting the offender.

945. A child may not be arrested, taken into custody or detained otherwise than in accordance with the law. The grounds and procedure for arrest, custody or detention are laid down in the Code of Criminal Procedure, the Act amending and completing certain enactments in relation to the transfer to the courts of the authority to order remand in custody, and the Courts Act.

946. Under article 221 of the Code of Criminal Procedure, person may be detained as a suspect in relation to an offence on the following grounds:

- The person was caught in the act of committing a crime or immediately thereafter
- Eyewitnesses, who may include victims, identified the person as the perpetrator of the offence
- Clear traces of the commission of an offence were found on the person or on his clothing, in his immediate surroundings or in his home
- There is information giving grounds to suspect the person of having committed an offence, he or she has attempted to run away or has no permanent residence or his or her identity has not been established.

947. The period of detention may not exceed 72 hours from the moment of delivery of the arrested person to the police or another law-enforcement agency. If the investigator or the procurator presents cogent grounds for prolonging that period, the court may extend it by 48 hours.

948. In exceptional cases, the court may remand an arrested suspect in custody as a preventive measure. In that case, charges must be brought against the suspect within 10 days from the beginning of the detention. Otherwise the preventive measure is cancelled and the suspect is released.

949. Under article 18 of the Code of Criminal Procedure, no one may be arrested or detained otherwise than in accordance with the law.

950. Under article 558 (1) of the Code of Criminal Procedure, remand in custody as a preventive measure may be imposed on an accused minor only in cases involving a deliberate offence, for which by Criminal Code provides a punishment of deprivation of liberty for a period longer than five years, and if preventive measures of another type may not ensure that person's proper behaviour.

951. Remand in custody as a preventive measure may not be imposed on a minor having committed an offence out of negligence, or on the grounds specified in article 242 (2) of the Code of Criminal Procedure.

952. In examining whether to apply for the imposition on a minor of remand in custody as a preventive measure, the procurator must personally study the case file, assess the appropriateness of choosing such a measure, be convinced of the exceptional character of the case, and obtain from the accused information on the implications of the imposition of such a measure.

953. If such an application is opted for, the decision to initiate remand proceedings is submitted to the court, together with the case file, and must reach the court at least 12 hours before the expiry of the current detention period. The court, again within 12 hours, considers the submission in closed session in the presence of the prosecutor, the defence

counsel if any, and the detained suspect or indicted person. The legal representative of the suspect or indicted person and the investigator are entitled to attend that hearing.

954. Pursuant to the new wording of article 243 of the Code of Criminal Procedure, the judge, having considered the application for remand in custody, issues one of the following orders:

- Remand in custody
- Rejection of the application
- Extension of the period of detention by not more than 48 hours to enable the parties to submit additional evidence supporting or opposing the application.

955. During the investigation of an offence, remand in custody may not exceed three months. The possibility of extending that time limit is considered by the court on the basis of an application by the competent procuratorial authorities.

956. The number of minors whom law-enforcement agencies remanded to custody as a preventive measure in view of the commission of serious and particularly serious crimes was 233 in 2006, 263 in 2007, 216 in 2008 and 135 in the first half of 2009.

957. Of the 1,618 minors convicted in 2006, 444 were fined, 272 were sentenced to correctional labour, 6 were placed in detention and 294 were sentenced to deprivation of liberty.

958. Of the 1,524 minors convicted in 2007, 417 were fined, 284 were sentenced to correctional labour, 6 were placed in detention and 241 were sentenced to deprivation of liberty.

959. Of the 1,317 minors convicted in 2008, 369 were fined, 189 were sentenced to correctional labour, 1 was placed in detention and 241 were sentenced to deprivation of liberty.

960. Of the 914 minors convicted in the first half of 2009, 303 were fined, 140 were sentenced to correctional labour, 2 were placed in detention and 127 were sentenced to deprivation of liberty.

961. Currently, general jurisdiction courts maintain standard records on minors. Statistics include data on the minors' social and family background, place of work, education and past sentences.

962. Every child is guaranteed judicial protection of his or her rights, freedoms and legitimate interests, and the right to challenge before a court any illegal decisions or acts or omissions of the officials of State bodies, citizens' self-governance bodies or non-profit NGOs.

963. Under the Court Appeals (Acts and Decisions Violating Citizens' Rights and Freedoms) Act, a complaint may be filed with a court if a child's rights or freedoms are violated or their realization is impeded. Such complaints are filed by the child's parents or other legal representatives or, if he or she has attained the age of 14, by the minor, at his or her place of residence or at the location of the body or official whose acts or decisions are challenged. Having accepted to hear the complaint, the court may, at the citizen's request or on its own initiative, decide whether or not to order the discontinuance of the action or the implementation of the decision which have been challenged.

964. A Bar for Juvenile Matters, set up in Tashkent within the system of Uzbek lawyers' groupings, comprises 20 attorneys specializing in the legal protection of children rights. Such attorneys also exist in other lawyers' associations and their number in regional

groupings is growing. In the Namangan and Surkhandar provinces, 14 counsels engage in the protection of the rights and legitimate interests of children.

965. As recommended by the Committee, the State took steps to ensure the Parliamentary Ombudsman's effectiveness and independence in examining and taking decisions on citizens' complaints. By Decision No. 219 of 30 September 2008, the Cabinet of Ministers adopted a set of measures for strengthening the infrastructure of national human rights institutions.

966. Moreover, the parliament adopted the Act amending and completing certain enactments in relation to the improvement of the activity of the Parliamentary Ombudsman. Additions to the Code of Criminal Procedure under the Act make it a responsibility of detention facility to facilitate interviews and conversations between detainees and the Parliamentary Ombudsman. Under additions to the Penal Enforcement Code, the Parliamentary Ombudsman may undertake investigations on the basis of complaints or on his or her own initiative and freely visit detention facilities; and the detainees' correspondence with the Parliamentary Ombudsman is not subject to censorship.

967. The Parliamentary Ombudsman verifies every communication concerning issues involving a violation of the rights of minors. In examining appeals related to such violations, the Parliamentary Ombudsman may use all available means of parliamentary scrutiny in order to assess compliance with the law on children's rights; and refers the complaints to the appropriate bodies or conducts his or her own investigation.

	2009 (6 months)	2008	2007	2006	2005
<i>Human rights issues</i>					
Violation of children's rights	13	23	15	16	18

968. Communications are often submitted by relatives, close friends or even neighbours of children deprived of parental care. Complaints are also filed by pupils' or students' parents or by workers in children's establishments.

969. An analysis of complaints of violations of children's rights reveals that most of the communications relate to, inter alia, children's applications for citizenship, registration at their place of residence, and passport problems; conflict situations involving children in the family or in educational and care institutions; housing problems of families with children; and problems concerning children's interests, violations of a child's entitlement to support by his or her parents, and non-compliance with court decisions imposing payment of child support allowances.

970. Following interventions of the Office of the Parliamentary Ombudsman in connection with complaints relating to violations of children's rights, a number of public servants have been found guilty of administrative and criminal offences, compensation has been paid, financial resources have been collected in a special account and material assets have been transferred to families, among other actions taken.

971. The Parliamentary Ombudsman pays considerable attention to the protection of children's rights by the law enforcement authorities. The Parliamentary Ombudsman meets with accused juveniles when visiting the Tashkent women's detention centre and the Zangiata juvenile reformatory. In addition, a computer science classroom has been equipped at the Zangiata juvenile reformatory with the assistance of the Konrad Adenauer Fund.

972. The Parliamentary Ombudsman holds regular meetings with children and young people in educational institutions and labour collectives and also meets minors in conflict with the law. Meetings have been held with the students of the Tashkent State Institute of

Law, the University of World Economics and Diplomacy, the Agrarian University, the National University and the Tashkent Islamic University.

973. In four of the country's higher education institutions, relevant functions are successfully performed by academic staff, while in medical institutions the post of ombudsman for patients' rights has been established, inter alia for the rights of disabled children in the Children's Psychoneurological Hospital in Tashkent. In order to protect the rights of minors in detention facilities, penitentiary ombudsmen will soon be designated, including in the Zangiata juvenile reformatory, under a cooperation agreement between the Parliamentary Ombudsman and the Ministry of Internal Affairs.

974. Procuratorial authorities fulfil a special role in the protection of children's rights. In the last three and a half years, such offices received 1,428 communications and complaints of infringements of the rights of children. Inspections led to the detection of violations of the law, the processing of 125,659 procuratorial investigation documents, and criminal proceedings instituted for serious offences in 2,419 cases. In the first half of 2009 alone, the rights of 472 minors were restored.

975. In the area of prevention of torture and violence, no case of cruel treatment of a minor by law-enforcement personnel has been reported in the last two years.

976. Procurator's offices, internal affairs bodies, local government authorities and citizens' self-governance bodies have in recent years carried out significant work in the area of juvenile delinquency prevention.

977. In order to raise the minors' awareness of legal issues, 57 centres for work with minors have been set up in all regional administrations and procurator's offices. In the period 2006-2008 and the first half of 2009, regional juvenile affairs commissions conducted more than 4,800 inspections, measures were taken in respect of 5,260 offences that were detected, and administrative proceedings were instituted against 19,265 offenders.

978. The number of children and adolescents placed in social and legal assistance centres for minors of internal affairs bodies increased from 8,528 in 2006 to 11,352 in 2007 and 11,438 in 2008, and was 5,876 in the first half of 2009. Centre staff fully elucidated the circumstances related to the neglect suffered by the minors in every particular case, and measures were taken for the minors' return to their families or their placement in specialized institutions for children.

979. Of the neglected children and adolescents placed in centres of internal affairs bodies, in 2008 those not working or studying accounted for 48.1 per cent, school children accounted for 40.4 per cent and those attending academic or vocational secondary schools accounted for 11.3 per cent. In the first half of 2009, the respective figures were 38.4, 49 and 12.5 per cent.

980. Every year, the Ministry of Internal Affairs provides the Commission for juvenile affairs attached to the Cabinet of Ministers, all interested departments and the *Kamolot* public youth movement a report on the national situation regarding negligence towards children and juvenile delinquency; and formulates specific proposals for eliminating the causes and conditions behind those phenomena.

981. In order to combat the two phenomena in question, the above Commission and the Procurator-General's Office, in cooperation with UNICEF, organized, in the years indicated, conferences on theoretical and practical aspects of the following issues, inter alia: "Legal status of children in need of social and legal protection", 2006; "Social protection of children: prospects for the development of guardianship duties", 2007; "The Uzbek system for the protection of the rights of minors and young persons: problems and solutions", 2008; and "Ensuring the fulfilment of rural children's aptitudes and potential", 2009.

982. As a result of the efforts undertaken, the level of juvenile delinquency declined by 236 or 9 per cent between 2006 and 2008; and, in the first half-year of 2009, declined further from 996 to 972, namely by 24 or 2.4 per cent.

983. The reporting period was specifically characterized by an intensification of the role played by chambers of the parliament in overseeing the protection of the rights of socially vulnerable children, including those in conflict with the law.

984. In particular, the Senate stepped up cooperation with local government authorities in the area of children's rights protection. The Senate adopted two joint decisions, one with the council of peoples' deputies of Tashkent province on 21 May 2008 "on the results of the implementation of the Rights of the Child (Safeguards) Act and other Uzbek legal and regulatory instruments on the legal protection of children deprived of parental care by the guardianship and custody bodies of Tashkent province"; and one with the council of peoples' deputies of Samarkand province on 15 November 2008 "on the results of the examination of the implementation of legal and regulatory instruments on the rights of minors by the juvenile affairs commission attached to the Samarkand province regional administration and by the law-enforcement agencies".

985. Parliamentary scrutiny in Samarkand province revealed that, despite significant field work on the protection of children's rights, a number of problems are due to an insufficiently detailed study of factors and circumstances conducive to juvenile delinquency, the inadequate level of educational and awareness-raising work among minors and the lack of regular public monitoring for juvenile delinquency prevention. The joint decision of the Senate and the council of peoples' deputies of Samarkand province laid down additional measures for improving the work of the Commission for juvenile affairs, law-enforcement agencies, and health care, education and social welfare bodies in the area of children's rights protection.

986. In recent times, considerable attention is paid to ensuring that sentences imposed on minors are served under appropriate conditions.

987. In Zangiata, the juvenile reformatory is reserved to boys, while girls are held in a separate section of the women's detention facility. The reformatory currently houses 184 minors.

988. The sentenced offenders' detention conditions meet Uzbek penal enforcement law standards and, as much as possible, international standards.

989. The reformatory area includes housing facilities; a kitchen; a dining room; a shop; a school; vocational education and training buildings for the inmates; a club; a library; a medical division with a dispensary; baths; laundry and disinfection chambers; a barbershop; storage space for linen, work clothes, personal effects of daily use, tools and supplies; clothing and footwear repair shops; a water boiling vat; and washrooms. The residential zone includes a sport hall, an area with necessary sport equipment and a playing field. The shop sells food products and necessities and is open daily, save for holidays.

990. Inmates live in dormitories and the space at their disposal meets Penal Enforcement Code standards (overall living quarters not less than 3 square meters).

991. Inmates are served three warm good-quality meals meeting the standards established by the Cabinet of Ministers; and are provided with regulation clothes; underwear; footwear; and linen. Their clothing and footwear are repaired free of charge in the workshop of the penal establishment.

992. The inmates' living quarters are equipped with centrally controlled television sets. Inmates may spend their free time watching television or exercising in the sport areas or in

amateur art groups. Films are screened every day. Using money on their personal accounts, inmates may also subscribe to newspapers and magazines published in Uzbekistan.

993. General secondary education, professional education and vocational and technical training are offered to the inmates at the facility's educational establishment. Instruction and training procedures are organized in accordance with the requirements of the regulations established by the education authorities and in compliance with the custodial system, the daily schedule and the detention rules applicable to the various categories of inmates.

994. During exams, inmates attending courses are exempted from work according to the procedure established by law. Students finishing school-leaving classes receive a standard transcript allowing them to continue their education outside the penal establishment after their release.

995. Over and above instruction, teachers pay considerable attention to the inmates' overall education. Every teacher follows an educational programme approved by the school hierarchy and addressing organizational, legal, moral and aesthetic issues. The teachers take part in the penal establishment's public life, read lectures and reports, participate in the organization of various evenings and concerts, and sit on the educators' board.

996. In the vocational schools organized in penal establishments, under age inmates may be trained in the specialties of assembly fitter, machinist and motor mechanic, electric welder, automobile mechanic, and B and C category automobile driver; and in computer work, cutting and sewing, and embroidery.

997. Inmates receive the following medical attention and care:

- Upon entry, medical examination for infectious, parasitic and other diseases
- Medical and preventive check-ups for the timely diagnosis of illnesses and the formulation and application of appropriate treatment and other medical or sanitary measures
- Thorough examinations for the timely detection and treatment of tuberculosis, drug addiction, HIV/AIDS and other sexually transmissible diseases
- Clinical observation of inmates suffering from chronic diseases
- Outpatient and inpatient treatment through methods and means recommended in the relevant instructions of the Ministry of Health.

998. Under age inmates are allowed telephone calls and short and long meetings in accordance with Penal Enforcement Code standards. Short meetings up to four hours are allowed with the inmate's relatives or other persons and are monitored by facility administration staff. Meetings with other persons are allowed only if, in the opinion of the administration of the facility, they may not have an adverse effect on the inmate. Inmates are allowed to participate in long meetings and enjoy the right to stay with their close relatives (parents, adoptive parents, siblings or grandparents) within the area of the penal establishment.

999. Inmates are assigned work taking into account their gender, age, state of health, ability to work and, to the extent possible, skills.

1000. In criminal cases, inmates are released by court decision. An inmate's preparation for release begins at least three months before the end of the sentence and includes relevant information and explanations regarding employment-related or everyday requirements and the inmate's rights and obligations after release. An inmate aged under 16 on the date of release is accompanied by a relative or a penal establishment staff member.

1001. The facility administration, in accordance with established procedure, informs the social adaptation centre of the regional or municipal regional administration of the place of residence chosen by the inmate being released and of any need that he or she may have for employment or everyday arrangements.

1002. In hiring penal establishment personnel, considerable attention is paid to the candidates' education, special skills, professional knowledge and outlook. In order to raise the professional level of the staff of the Central Penal Correction Department of the Ministry of Internal Affairs, qualifications upgrading and retraining courses are organized at the Tashkent Military and Technical College and the Ministry of Internal Affairs Academy. Moreover, qualifications upgrading courses are offered at the Almalyk city training centre, where Department staff are also trained. Operations and security workers, detachment chiefs and educators study, along with specialized subjects, the provisions of constitutional, criminal and penal enforcement law.

1003. In August 2008, a four-day workshop for penal establishment psychologists was held at the Department. Specialists from the National Centre for the Social Adaptation of Children and psychologists from independent organizations were invited to the seminar.

1004. Representatives of the Department's administrations and services regularly conduct site visits to inspect penitentiary establishments and the conditions of detention of minors.

1005. Procurator's offices monitor compliance with the law in prisons and other penal enforcement establishments. Every such establishment is equipped with a box for communications addressed to the procurator's office. Correspondence placed therein is not subject to censorship and is received and opened directly by procuratorial staff.

1006. In order to ensure impartiality in inspecting penal establishments not belonging to the system of procurator's offices and other law-enforcement agencies, such facilities are subject to control by the Parliamentary Ombudsman, the Women's Committee of Uzbekistan, the regional administrations of Tashkent province, various NGOs, the local UNICEF office and ICRC.

1007. In the period 2006-2009, penal enforcement establishments for minors were visited by the local UNICEF office (22 January 2006 and 8 June 2007); the Women's Committee of Uzbekistan (18 March and 24 August 2007); representatives of the *Kamolot* public youth movement and of the Centre for the Social Adaptation of Children of the Yangiyul region (6 February 2008 year); ICRC (May 2008); the National Centre for the Social Adaptation of Children (23-30 May 2008); the Parliamentary Ombudsman and the Konrad Adenauer Fund (10 January 2008); and the *Soglom Avlod Uchun* foundation (7 January 2009).

1008. Since the beginning of cooperation with ICRC, all necessary steps have been taken to facilitate the organization of visits by its representatives. Accordingly, they visited practically all establishments of the penal enforcement system of the Ministry of Internal Affairs (4 in 2001, 5 in 2002, 30 in 2003, 46 in 2004, 1 in 2007, 19 in 2008 and 18 in 2009).

1009. Since early 2010, teams of ICRC representatives have visited three detention facilities and remand centres. One of the basic issues addressed during such visits has been the treatment of inmates.

3. Child victims of exploitation, including physical and psychological recovery (articles 32-36 and 11)

1010. Considerable progress has been made in the country, taking into account the Committee's recommendations, in the areas of the protection of children's rights from physical, economic and sexual exploitation, trafficking in human beings, and of restoration of the rights of children subjected to exploitation or human trafficking

1011. The following steps gave renewed momentum to the improvement of mechanisms for the protection of those rights:

- Ratification of ILO Convention No. 138 of 1973 concerning Minimum Age for Admission to Employment (4 April 2008)
- ILO Convention No. 182 of 1999 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (8 April 2008)
- Adoption of the Human Trafficking Act (17 April 2008)
- Adoption, under a presidential decision of 8 July 2008, of the National Plan of Action for raising effectiveness in preventing human trafficking, 2008-2010
- Implementation, under a Cabinet of Ministers decision of 12 September 2008, of the National Plan of Action for the application of ILO Conventions No. 138 and No. 182
- Ratification by the parliament of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (11 December 2008)
- Establishment of a national rehabilitation centre, attached to the Ministry of Labour and Social Protection, to assist and protect human trafficking victims
- Introduction of amendments and additions to the Labour Code and other legal and regulatory instruments, in connection with Uzbekistan's accession to the above international instruments.

1012. The above decisions of the President of Uzbekistan and the Cabinet of Ministers designated, as bodies responsible for the implementation of the respective national action plans, the Office of the Procurator-General (human trafficking) and the Ministry of Labour and Social Protection (child labour).

1013. Under the above presidential decision of 8 July 2008 and the related national action plan for 2008-2010, law-enforcement agencies, State committees, departments and non-profit NGOs carried out specific tasks falling within the respective scope of responsibilities of such bodies.

1014. An act was adopted on 16 September 2008, amending and completing the Criminal Code in relation to the adoption of the Human Trafficking Act, in order to align specific provisions of Uzbek criminal law with the requirements of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (New York, 15 November 2000).

1015. On 5 November 2008, the Cabinet of Ministers adopted a decision establishing a national rehabilitation centre with 30 places to assist and protect human trafficking victims. The centre makes it possible to provide effective medical, psychological, legal and social support to such victims. The decision stresses the need for measures for ensuring the victims' social rehabilitation and employment.

1016. A Minister of Internal Affairs order of 30 July 2008 established special statistical follow-up of crimes related with human trafficking, thereby making it possible to analyze the situation regarding that crime area on a monthly basis and to organize timely preventive action.

1017. Tangible results have been achieved with regard to the detection and repression of the activity of legal entities and individuals acting as go-betweens in human trafficking. In 2008, crime prevention officers of the internal affairs bodies identified 1,776 women

engaging in prostitution, 3,782 women of loose sexual morality, 408 persons engaged in procurement and 690 brothel keepers. Of the 13,812 persons referred to dermatology and venereology dispensaries for examination in the same period, 2,344 (20 per cent) were diagnosed with various skin and venereal diseases.

1018. In 2008, 407 persons deported from other States were placed under supervision and are subject to systematic preventive action on an individual basis. In the course of the systematic inspection of 20,819 facilities (inter alia, baths, saunas, hotels, hostels and video parlours, video clubs and video outlets) by crime prevention officers in the same period, 9,049 administrative offences were detected.

1019. In 2008, internal affairs and national security service staff put an end to the criminal activity of 16 private firms and 647 individuals engaged in recruitment for sex work and sexual exploitation.

1020. Subsequent to the adoption of the Human Trafficking Act, an extensive information campaign against the phenomenon in question was launched in the country. In September-November 2008, the *Izhtimoi fikr* Centre for Public Opinion Studies conducted a sociological survey on problems related to human trafficking. The objective was to determine the public's level of awareness of human trafficking, the factors and conditions facilitating it and the methods of combating it.

1021. On 27-28 October 2008, the Women's Committee of Uzbekistan organized in Tashkent a two-day training seminar on "The role of NGOs in combating human trafficking and supporting its victims".

1022. On 20-21 November 2008, a round table on "The mechanism of implementation of the Human Trafficking Act" was held with the cooperation of the *Istikbolly Avlod* ("Future Generation") Youth Education Centre and the Ministry of Internal Affairs.

1023. The National Centre for the Further Training of Legal Specialists in the Ministry of Justice organized lecture courses on the prevention of human trafficking. To this day, 18 groups of listeners have received 38 classroom hours of training on that subject.

1024. The study programmes of establishments under the Ministry of Higher and Special Secondary Education include optional training on the above subject and a four-hour programme explaining the Human Trafficking Act.

1025. Of the more than 6,000 informational events held countrywide as at 1 January 2009 with regard to the work of law-enforcement agencies in the area in question, more than 2,000 occurred through the media.

1026. The Procurator-General's Office presents special newsreels on national and local television, produces film clips and broadcasts (*Khaet va konun* and *Bir zhinoyat izidan*), publishes articles in magazines and holds meetings with the public to elucidate the factors and circumstances conducive to human trafficking.

1027. In particular, "human trafficking" entries occupied a special place in the first national festival of social television and radio news announcements held on 12 December 2008. Awards were presented on behalf of the chair of the National Inter-Agency Commission against Human Trafficking to the winners of the best television and radio news announcements categories.

1028. Procuratorial staff conducted 3,352 awareness-raising events. Of the 1,346 legal information events organized by bodies of the judiciary, 533 were round tables, 617 seminars and meetings, 40 television broadcasts, 83 radio interviews and 70 publications in newspapers and magazines.

1029. The *Makhalla* foundation national administration and the *Makhalla ziesi* pedagogical centre produced a compilation of legal instruments on human trafficking for use by the chairs of citizens' self-governance bodies.

1030. Within the framework of the OSCE project on "Raising effectiveness in preventing human trafficking, illegal migration and labour exploitation", a book entitled "Legal and regulatory instruments: international and national aspects" has been prepared for publication.

1031. Of the 69,888 spectators who, between 7 October and 25 November 2008, saw the play *Tortadurman zhabrini*, whose plot was developed at the initiative of the Women's Committee of Uzbekistan with the cooperation of law-enforcement agencies and whose premiere was given at the National Academic Drama Theatre on 25 September 2008, 8,960 attended secondary schools, 7,615 attended academic and 20,162 vocational secondary schools, 23,296 were higher education students and 9,855 members of Tashkent neighbourhood associations.

1032. Currently, 1,438 banners and 327,000 posters are exhibited and 4,898,000 booklets have been distributed throughout the country regarding the problems in question.

1033. For citizens leaving to seek employment abroad, information sessions on the conditions, labour and migration law and customs prevailing in the country of destination are organized at the centre for pre-exit adaptation and training of the External Labour Migration Agency of the Ministry of Labour and Social Protection.

1034. For each citizen applying for permission to travel abroad, the unit of the Ministry of Internal Affairs dealing with travel to and from the country and with citizenship applications conducts an individual interview as a precaution; persons suspected of intending to travel abroad for the purpose of illegal sexual or other activity are denied a travel permit. Between the adoption of the relevant national action plan and the end of 2008, the above unit, in cooperation with the National Security Service, prevented the departure of 260 applicants for permission to travel abroad.

1035. The Ministry of Foreign Affairs, the Ministry of Internal Affairs, the National Security Service and the Office of the Procurator-General, in cooperation with other bodies, take all necessary measures for the repatriation of human trafficking victims. Foreign law-enforcement agencies and Uzbek consular units in the States where the victims are located provide assistance in that area.

1036. In 2008, with the help of the *Istikbolly Avlod* Youth Education Centre, which plays an active role in cooperation with international organizations, more than 300 Uzbek citizens were repatriated from the United Arab Emirates (155), the Russian Federation (52), Kazakhstan (49), Turkey (26), Thailand (11), China (3), Ukraine (2), India (5), Georgia (1) and the Republic of Korea (1).

1037. The Women's Committee of Uzbekistan provides support for human trafficking victims in cooperation with State and public organizations and non-profit NGOs at the local level. As at 1 January 2009, 123 such victims had received psychological, 164 medical, and 149 legal assistance; 32 had been offered retraining opportunities; 47 women had been offered a job; and 92 had received social support.

1038. In 2008, investigative bodies initiated 670 criminal proceedings under Criminal Code article 135 (on human trafficking).

1039. Of the total number of such cases, 376, involving 647 persons (195 women and 452 men) were brought before the courts with bills of indictment.

1040. Of the 2,941 persons concerned by such proceedings as victims, 2,617 were men and 324 women, including 65 minors.

1041. Under article 84 (1) (b) of the Code of Criminal Procedure (on amnesty), 27 criminal cases were discontinued.

1042. As at 1 January 2009, inquiries were continuing on cases handled by investigative bodies and comprising 164 proceedings which were pending while 196 wanted persons were sought and 108 criminal proceedings which were pending for reasons of non-identification of the persons to be indicted.

1043. At the regular meeting of the National Inter-Agency Commission against Human Trafficking of 8 April 2009, the findings of audits of the work of the Commission's regional counterparts in the Andizhan and Bokhara provinces were discussed and the reports of the chairs of those regional commissions were heard. The discussion led to the definition of specific measures aimed at eliminating the weaknesses revealed and at reinforcing the steps taken against human trafficking.

1044. At its third meeting, held in Geneva on 1-15 December 2008, the relevant working group of the United Nations Human Rights Council reviewed Uzbekistan's national report for the Universal Periodic Review regarding the human rights situation, including in particular the fight against human trafficking. A number of States formulated recommendations during the review.

1045. On 21 August 2009, Uzbekistan adopted the National Plan of Action for the implementation of recommendations formulated by the United Nations Human Rights Council following consideration of Uzbekistan's national report for UPR, 2009-2011. The national action plan provides for measures on the legal status of human trafficking victims (para. 18.1); on monitoring compliance with international and national law on trafficking in women and children (para. 18.2); and on the conduct of awareness-raising campaigns for the elimination of such trafficking (para. 18.4).

4. Children belonging to a minority or an indigenous group (article 30)

1046. Uzbekistan is a multiethnic State, home to more than 130 nationalities and ethnic groups with their own rich history and culture.

1047. Historically, the ethnic policy developed in the territory of Uzbekistan has been aimed at the peaceful coexistence of the members of the various ethnic groups and the creation of equal conditions and opportunities for the development of the peoples living in the country.

1048. The following principles underpin the country's ethnic policy:

(a) Respect for and promotion of the language, customs and traditions of all nations and ethnic groups;

(b) Equality of citizens before the law regardless of ethnic background;

(c) Consideration of ethnic characteristics at all levels of State and public administration;

(d) Prohibition of the creation and activity of parties and public associations propounding social, ethnic, racial and religious dissension.

1049. The law, primarily the Constitution, prohibits discrimination regardless of any personal attributes or differences.

1050. Under article 4 of the Constitution, "the official language of Uzbekistan shall be Uzbek. The Republic of Uzbekistan shall ensure a respectful attitude towards the languages, customs and traditions of all nationalities and ethnic groups living in its territory, and shall create the conditions necessary for their development".

1051. Under article 8 of the Constitution, "all citizens of the Republic of Uzbekistan, regardless of their ethnic background, constitute the people of Uzbekistan".

1052. Under article 18 of the Constitution, "all Uzbek citizens shall have equal rights and freedoms, and shall be equal before the law, without discrimination on the grounds of gender, race, nationality, language, religion, social origin, views and individual or social status."

1053. Under the second part of the Constitution, every person is entitled to the realization of his or her human rights and freedoms as a whole. Such exercise of rights and freedoms shall not encroach on the lawful interests, rights and freedoms of other citizens, the State or society

1054. Practically all fundamental legal instruments affecting rights and freedoms of the citizens, such as, inter alia, the Family, Labour, Civil and Criminal Codes, contain provisions prohibiting discrimination based on race, ethnic background or other attributes (cf., inter alia, art. 6 of the Labour Code and art. 4 of the Family Code).

1055. In article 4 of the Rights of the Child (Safeguards) Act, the principle of non-discrimination against a child was for the first time laid down as a priority goal of State policy on the protection of children's rights.

1056. The Official Language Act of 21 October 1989 contains the following important provisions:

- The official language status of Uzbek does not affect the constitutional right of nations and ethnic groups living in the national territory to use their native language
- Citizens have the right to choose an international communication language at their discretion
- In localities with high concentrations of ethnic minorities, the creation of children's preschool establishments in the ethnic languages is ensured
- Citizens have the right freely to choose the language of instruction
- Legislative acts are translated and published in the languages of peoples living in the country
- In localities with high concentrations of ethnic minorities, local government and administration documents are adopted and published in the State language and the language of the minority concerned
- The working languages of international meetings are the State language and the languages chosen by the participants
- Judicial proceedings are conducted in the State language and in the language of the majority of the population of the locality concerned
- Citizens have the right to participate in judicial proceedings through a translator and to address the court in their native language
- Civil status certificates and documents may be duplicated in other languages
- The right to address State and other organizations may be exercised in the State and other languages
- Citizens have the right to write their given name, patronymic and surname in accordance with the historical ethnic traditions

- The State and other languages are used for television and radio broadcasts, publishing, postal and telegraphic communications, printouts, signs, announcements, labels and instructions
- Contemptuous or hostile attitudes towards the State language or other languages is prohibited

1057. The production, storage or dissemination of material advocating national, racial, ethnic or religious enmity incur administrative liability (under article 184-3 of Administrative Liability Code) and criminal liability (under article 156 of the Criminal Code).

1058. State policy on ethnic matters is implemented by a number of institutions. They include the International Cultural Centre, founded in 1992, which coordinates and provides comprehensive assistance to 144 national cultural centres. They are created by members of 27 ethnic groups and include 14 such centres which enjoy State-wide status.

1059. The work of national cultural centres is wholly aimed at using the most accessible methods to enable those who so wish to become acquainted with the spiritual and cultural values of every people, and thereby at promoting mutual understanding among persons with different ethnic backgrounds.

1060. All ethnic minorities have access to education. Secondary and higher education is provided in seven languages: Uzbek, Karakalpak, Russian, Tajik, Kazakh, Turkmen and Kyrgyz. The publication of teaching material for these schools is funded by the Government. Moreover, native and other languages and popular culture, skills and traditions are studied in Sunday schools and classes which, under agreements with the local national education departments, function in various cultural centres or in general education schools outside class hours.

1061. In Tashkent secondary school No. 321, operating successfully for more than 15 years, Hebrew and Jewish ethnic traditions are studied systematically. The Association of the Azerbaijani Cultural Centres in Uzbekistan opened an Azerbaijani language class in school No. 147 in the Mirabad district of Tashkent.

1062. In school No. 110, a Sunday class, consisting of two groups, is attended every year by 20-25 children from Tashkent, Chirchik, Almalyk and Yangiyul who wish to study Ukrainian. Expatriate children are thus enabled not to forget their parents' and ancestors' native language and to learn better the rich cultural heritage and history of their ethnic homeland. Under a bilateral intergovernmental agreement between Uzbekistan and Ukraine, the *Slavutich* Ukrainian cultural centre and its local branches may yearly organize educational visits by expatriate children to various higher education institutions in Ukraine; and, in the last five years, approximately 150 children have made use of that arrangement.

1063. The Sunday school of the Russian Cultural Centre of Uzbekistan offers lessons in mathematics, chemistry, Russian, English, and Russian history. Sunday schools operate successfully in other national cultural centres, such as the Association of Korean Cultural Centres of Uzbekistan; State ethnic cultural centres, where children study Armenian, Hebrew and Polish; and Tashkent municipal ethnic cultural centres and societies, where children study, inter alia, Greek, Georgian, Chinese, Tatar and Lithuanian. Since the inception of Sunday schools in Tashkent, 1,042 persons graduated from Tatar, 1,500 from Polish, more than 1,000 from Jewish and Armenian, more than 300 from German, 420 from Chinese, 180 from Georgian, 240 from Ukrainian and 30 from Lithuanian schools.

1064. Television and radio broadcasts take place and newspapers are published in 10 languages. Magazines are published in 8 languages.

1065. Ethnic cultural centres offer exercises in the area of traditional creative activities, helping children of various nationalities to master the relevant techniques, drawing, musical instruments and ethnic songs, and to appreciate traditional music. During the *Navruz* and *Mustakillik* holidays, children's ethnic associations participate in music and song performances. Moreover, individual ethnic centres celebrate their respective holidays with the participation of children. The Russian centre, for instance, features the "Smile" children's ballet ensemble and the "Russian drawing room" club where, since the centre's early days, poetry and music evenings regularly take place and round tables are organized on historical, regional and literary subjects. Events organized here with the participation of war and labour veterans contribute significantly to the patriotic and moral upbringing of children and young persons. In the framework of the "Uzbekistan: our common home" festival, the *Azerbaijan gyzlary* ensemble received an award for best ethnic folkloric dancing and national costumes.

1066. Considerable popularity is enjoyed by various educational events aimed at raising awareness of literature and poetry among the emerging generation and. A poetry evening dedicated to the great Russian poet Alexander Sergeyevich Pushkin was held in the Education Centre of the Republic of Uzbekistan. A creative encounter with poet Gennadiy Kim was organized in the museum of the artist Ural Tansykbayev. The Youth Festival, organized as part of the "Year of Young Persons", consists of three parts: the "*Miin*-2008 beauty contest, a Korean song contest and a mini-football tournament.

1067. Children from various regions of the country have an opportunity to vacation in summer health camps. Every year, the German Centre in Uzbekistan provides that opportunity to children and the centre's volunteers. The camp is organized under the motto "Knowledge - Development - Health" in the Chimen sanatorium in Fergana province.

1068. In 2008, the Russian centre organized the "Golden Ring" trip for children, an event designed to acquaint children with Russian traditions and ethnic culture. In the period 2006-2009, more than 2,500 engaged in health improvement in rest camps.

1069. On an annual basis, the Association of Korean Centres organizes activities designed to assist ailing children belonging to various ethnic groups, including, if necessary, through surgical treatment in the Republic of Korea; and provides, on a charitable basis, support in the form of clothing and footwear for needy children. Preventive medical examinations by Republic of Korea physicians were organized in Chirchik for inhabitants of the city and adjacent regions and assistance was provided to 2,000 patients. Every month, persons in need of medical attention are referred to the Oriental Medicine Centre. With the help of the JCI youth organization of the Republic of Korea, 36 persons were operated for cataract.

1070. The Russian cultural centre engages in work on the dissemination of legal information, including on children's rights. Members of the centre's association of history and law instructors address specific related issues of interest to the expatriates concerned; and prepare learning and teaching material for students and instructors, including the children's publications "Voyage to the world of the Constitution" and "The preschool ABC of law".