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**Consideration of reports submitted by States parties
under article 40 of the Covenant**

**Replies of Uzbekistan to the list of issues in relation to its fifth
periodic report***

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* The present document is being issued without formal editing.



Constitutional and legal framework within which the Covenant is implemented (art. 2)

Paragraph 1 (a)

1. Pursuant to a presidential decision of 10 December 2018, the National Centre for Human Rights of Uzbekistan is mandated:

- To promote the activities of State bodies to give effect to international human rights obligations
- To study, analyse and summarize the observance of human rights and freedoms and monitoring of the implementation of the recommendations of international and regional bodies for the protection of human rights
- To compile national reports on the observance and protection of human rights and to formulate national action plans and road maps to put into effect the recommendations of international and regional bodies for the protection of human rights
- To prepare proposals for the upgrading of legal and statutory instruments and to ensure their application in the country's law and practice relating to enforcement of the international treaties in the field of human rights to which Uzbekistan is a party
- To perform advisory functions and render practical assistance to public bodies, civil society institutions and other organizations concerned with the protection and exercise of human rights
- To promote legal awareness of human rights among the public, to organize and conduct research on human rights issues and to carry out publishing activities
- To cooperate with international and regional organizations and entities and the national institutions of foreign countries in the field of human rights

2. The Centre follows up on individual communications received from international human rights bodies and also systematically monitors the consideration by State authorities of such communications.

Paragraph 1 (b)

3. Uzbekistan acceded to the Optional Protocol to the International Covenant on Civil and Political Rights on 31 August 1995. In 2018, 10 communications were registered, 9 of them relating to the freedom of conscience and 1 to forced labour in the cotton fields.

4. Comments were prepared by Uzbekistan regarding implementation of the Views of the Human Rights Committee in the case of Karima Sabirova and Bobir Sabirov. Based on the stipulations of Uzbek law, in view of the fact that the administrative cases brought against Ms. Sabirova and Mr. Sabirov for the commission of an administrative offence under article 1842 of the Administrative Liability Code had been considered in 2012, it is not possible for the judgments handed down against those persons to be reviewed, because of the six month statute of limitations imposed under law on appeals.

5. Comments were prepared by Uzbekistan regarding implementation of the Views of the Human Rights Committee in the case of Nouredine Maalem. In order to uphold the family and children's rights guaranteed by the Constitution and international treaties of Uzbekistan, and taking due account of the arguments set forth in the Views of the Human Rights Committee, the proposal is put forward that Mr. Maalem should be clearly informed of his right to challenge the court's decision. In order to avoid similar violations in the future, an act was adopted on 5 November 2019 amending the law and establishing the rule that the administrative expulsion from Uzbekistan of foreign nationals and stateless persons shall be carried out by the administrative courts.

6. Working in cooperation with the Office of the United Nations High Commissioner for Human Rights (OHCHR), the National Centre for Human Rights organized a training course on 5 and 6 December on the procedure for the consideration of individual

communications in the treaty bodies of the United Nations and an overview of best practices in giving effect to their views (on the example of the Human Rights Committee).

Paragraph 2 (a)

7. In order to strengthen the legal standing of the institution of the Ombudsman, acts were adopted on 30 August 2017 and 14 March 2019, according the Ombudsman the right to raise issues before the Constitutional Court, to file applications and claims with the courts on behalf of citizens and to submit special reports and proposals to the chambers of Parliament petitioning them to conduct hearings on communications from representatives of State executive and administrative bodies. The legal status of the regional representatives of the Ombudsman has been officially established. The powers of the Ombudsman regarding the protection of the rights and freedoms of persons deprived of their liberty have been strengthened, thereby establishing the Ombudsman's office as a national mechanism for the prevention of torture, with the participation of non-governmental non-profit organizations.

8. The law stipulates that the material and other needs of the Ombudsman's office in the performance of its duties shall be covered from the State budget.

9. By a presidential order of 22 April 2019 on additional measures to strengthen guarantees of the rights of the child, the office of Deputy Ombudsman, with responsibility for the rights of the child, has been instituted.

Paragraph 2 (b)

10. Following an assessment of the capacity of the Ombudsman's office, a presentation was held in Tashkent on 14 March 2019 on the final expert report of the Asia-Pacific Forum of National Human Rights Institutions.

11. A road map is currently being followed to prepare the Ombudsman's office for accreditation with the Global Alliance of National Human Rights Institutions. The Ombudsman has filed an application with the Global Alliance for accreditation and membership and this will be reviewed in March 2020.

Anti-corruption measures (arts. 2 and 25)

Paragraph 3 (a)

12. Crucial steps have been taken in Uzbekistan to combat corruption:

- The Anti-Corruption Act has been adopted
- The State anti-corruption programme for the period 2017–2018 has been put into effect
- A new public procurement act has been adopted and more transparent procedures have been set in place, aimed at preventing corruption in public procurement
- The system for the provision of public services has been simplified and the activities of all public authorities, including judges and law enforcement officials, have been rendered more transparent

13. A presidential decree was passed on 27 May 2019, ratifying the State anti-corruption programme for the period 2019–2020, and new members have been appointed to the National Interdepartmental Anti-Corruption Commission. Anti-corruption committees have been established in the various chambers of Parliament.

14. Anti-corruption commissions have been set up within local government offices, with the mandate to examine anti-corruption efforts in local areas and to keep Parliament regularly informed.

15. Since 1 July 2019, the public authorities have been carrying out regular mandatory assessments of corruption risks arising in the performance of their assigned tasks and functions.

16. Since 1 August 2019, as part of an experiment with the participation of the public and leading experts, including foreign experts, a project has been launched under the slogan “Corruption-free sector” in the domains of major construction projects and higher education. From 1 April 2020, the project will be rolled out gradually and extended to other areas.

17. Since 1 September 2019, educational establishments have been carrying out a package of legal training measures for young people in the field of anti-corruption work and a stronger focus has been placed in general secondary, secondary specialized, vocational and higher education on the topic of combating corruption.

18. A special commission has been established to devise measures to boost the effectiveness of activities to counter corruption and to review anti-corruption mechanisms and inter-agency cooperation in this area.

19. A presidential decree was adopted on 3 October 2019 ratifying a programme of priority measures for the root and branch upgrading of management policies and the public service. Following the recommendations of foreign experts and public opinion, steps are being taken towards the adoption of an act on the public service.

20. An agency has been set up for the development of the public service, and one of its functions will be the effective prevention of corruption.

21. A strategy is being formulated for the development of the public service over the period to 2030, which includes effective arrangements for the inculcation among public servants of an anti-corruption culture and zero tolerance for corruption.

22. A road map has been approved for the upgrading of criminal and criminal-procedure law, which includes measures to revamp the system of criminal liability and punishment, bringing it into line with international standards.

23. An act was passed on 20 August 2015 supplementing the Criminal Code with a new chapter XIII, on offences related to the obstruction of, and unlawful interference in, entrepreneurial activities and other offences infringing the rights and legitimate interests of business entities.

Paragraph 3 (b)

24. The mandatory elements of the definition of the crime of bribery, in both the private and public sectors, are not in themselves criminal offences under existing law; nor does the law prescribe criminal liability for influence peddling by legal entities, for criminal corruption or for illicit enrichment.

Paragraph 3 (c)

25. Under the elements of the offence of abuse of power or office, no definition is provided of the term “substantial harm”.

Paragraph 3 (d)

26. With a view to introducing the notion of criminal liability of legal entities for corruption-related offences, article 27 of the Anti-Corruption Act establishes the liability of such entities for crimes of corruption. Articles 210–214 of the Criminal Code criminalize bribery, including in respect of legal entities.

27. On 15 October 2019, a round table was organized in the Academy of the Office of the Procurator-General to examine the international standards applied in establishing the liability of legal entities for corruption offences. The round table on the topic of the liability of legal entities for corruption offences, which was conducted jointly with the Organization for Economic Cooperation and Development, was attended by representatives of relevant ministries and departments, along with members of the working groups set up to draft new versions of the country’s Criminal Code and Code of Criminal Procedure.

Paragraph 3 (e)

28. The Office of the Procurator-General, the State Security Service, the Ministry of Internal Affairs, the Ministry of Justice and the Economic Crimes Department of the Office of the Procurator-General are designated by the Anti-Corruption Act as the public authorities responsible for countering corruption.

29. The Economic Crimes and Corruption Unit was established by a presidential decree of 23 May 2018 as part of the Economic Crimes Department of the Office of the Procurator-General.

Non-discrimination (arts. 2 and 26)**Paragraph 4 (a)**

30. The Constitution guarantees to all citizens the same rights and freedoms and proclaims the equality of all before the law, without distinction as to sex, race, ethnic background, language, religion, social origin, beliefs or personal and social status.

31. Provisions on non-discrimination are also enshrined in the Uzbek Citizenship Act, the Code of Administrative Procedure, the Code of Civil Procedure, and the family, civil, labour and criminal codes.

32. The State provides benefits for those population groups in need of State and social support (young people, the elderly, people with disabilities, and others) exclusively for social and humanitarian purposes. The provision of those benefits does not, however, encroach upon or discriminate against the rights and freedoms of those who are not eligible for such benefits.

33. Since 2016, in order to improve the system for the protection of human rights and freedoms, the Office of the President has maintained contact points both online and in the regions that systematically monitor and oversee the consideration of applications and the prompt resolution of problems.

Paragraph 4 (b)

34. Judicial and non-judicial remedies for the protection of the rights of citizens, including those involving discrimination, are set out in such legislative instruments as the Civil Code, the Code of Civil Procedure, the Code of Administrative Procedure, the Courts Act, the Procuratorial Service Act, the Internal Affairs Agencies Act, the Petitions by Individuals and Legal Entities Act, the Human Rights Commissioner of the Oliy Majlis (Ombudsman) Act, the Presidential Commissioner for the Protection of the Rights and Lawful Interests of Business Entities Act, the Bar Act, the Non-Governmental Non-Profit Organizations Act and others.

35. Protection of the rights of citizens may also be afforded by non-governmental non-profit organizations, which are entitled to receive and consider communications from citizens, and may also appear in court as legal representatives.

36. In January 2018, Uzbekistan adopted its first Code of Administrative Procedure, governing the consideration by administrative courts of disputes arising in matters of public law between public authorities and individuals in cases where there is need to protect citizens and legal entities against violations of or challenges against their rights or lawful interests, including violations of gender equality.

37. Under the Courts Act, the Code of Criminal Procedure, the Code of Civil Procedure and the Code of Administrative Procedure, the proceedings in all courts are public. Hearings in camera are only allowed in cases prescribed by law.

38. Legal proceedings are conducted in Uzbek, Karakalpak or the language of the majority population in the area concerned. Parties to the proceedings (including victims, witnesses, experts and specialists) who are not proficient in the language of the proceedings have the right to be fully apprised of the case, to participate in the proceedings through an

interpreter and to address the court in their native language or a language of their free choosing.

39. In order to detect cases of racial discrimination, the arrangements for receiving and considering citizens' appeals have been improved by establishing hotlines and helplines in all public authorities. Legislative and awareness-raising measures have been taken to prevent manifestations of indirect or direct discrimination against citizens on any grounds.

40. The legal standing of the office of the Parliamentary Ombudsman has been strengthened. In 2017, the institution of the Business Ombudsman was established. Since 1 April 2019, this body has been empowered to coordinate audits of the activities of business entities and to monitor the legality of their conduct by oversight bodies.

41. The Prime Minister's help desks have been set up at government headquarters and in local areas to consider communications from business operators. Public business councils, responsible for identifying problems hindering the development of small businesses and entrepreneurship and suggesting ways of improving the situation in this area, operate in association with the help desks.

42. The Mediation Act of 12 June 2018 sets out the procedure for alternative means of resolving conflicts arising in family and other legal relationships.

43. Assistance in resolving such complaints is also rendered by the Women's Committee of Uzbekistan, the Mahalla Foundation, the Trade Union Federation and other bodies.

44. Over the period 2014–2019, the labour rights of more than 10,000 employees were defended by their trade union organizations. Of these, more than 3,000 persons were reinstated in their jobs; more than 10 billion sum was paid out in compensation to employees; more than 6,000 complaints were reported over the telephone helplines set up in the trade union system; more than 1,000 recommendations were issued to employers; more than 500 statements of claim have been filed with the courts; assistance was provided in the recovery of 72.7 billion sum in unpaid wages; and a total of 1,560 million sum was paid out in compensation by employers and insurance companies in connection with injuries at work, occupational diseases and the loss of breadwinners.

Paragraph 5 (a)

45. Efforts are being made to shape a legal culture in society, strengthen the rule of law and train qualified legal professionals.

46. An outline plan is being rolled out for the promotion of legal awareness in Uzbek society, aimed at heightening awareness of the law, enhancing the legal culture of the general public and introducing modern methods of increasing knowledge of the law by citizens.

47. The outline plan includes measures to enhance the legal awareness and sensitivity to the law of public servants, and to inculcate in them zero tolerance of corruption and other offences; to strengthen the role of the media in disseminating legal information; to upgrade the teaching of law; and to development a system for the training, retraining and further training of legal professionals.

48. On 15 July 2019, Parliament adopted a national programme of action to give effect to the United Nations declaration on human rights education and training, along with a road map for its implementation.

49. In January 2019, a national legal portal was created, called Advice.uz, which hosts information on labour law issues; nationality and migration; the passport system; family relations; housing and amenities; business activities; social security issues; health issues and other legal matters.

50. Free legal assistance is provided by the non-governmental non-profit organization Madad (Support), which has branches in the country's regions.

51. Pursuant to a government decision of 12 August 2019, further training courses are being run by the National Centre for Human Rights of Uzbekistan for professional staff in

the promotion and protection of human rights, at which representatives of public authorities and civil society institutions are trained in procedures to give effect to the provisions of international human rights treaties.

Paragraph 5 (b)

52. The question of exceptions to article 120 of the Criminal Code and the decriminalization of sexual acts between men is under discussion in expert groups as part of the process of drafting the new version of the Criminal Code. In view of the country's religious, ethical and cultural traditions and the underpinnings of Uzbek society, these issues must be widely discussed among the population before any final decision is reached.

Equality between men and women and gender-based violence (arts. 2, 3, 7 and 26)

Paragraph 6 (a)

53. On 2 September 2019, the Guarantees of Equal Rights and Opportunities for Women and Men Act was adopted, setting out the principal areas of government policy in relation to gender equality, the powers of State authorities and the involvement of civil society institutions in this domain. The Act is the first instrument to nail down the notions of direct and indirect discrimination based on sex.

54. The gender-based legal analysis of laws and statutory instruments, with a view to identifying provisions at variance with the principles of gender equality and possible risks of discriminatory consequences arising from their implementation, is now a mandatory practice.

55. The legal status of the commissioner for gender equality in public administration has been defined in law, with responsibility for ensuring observance of the principles of equal rights and opportunities for women and men; appraising the application of temporary special measures and the delivery of the gender policy and making proposals regarding their application; and conducting outreach activities on a regular basis in cooperation with citizens' self-governing bodies, non-governmental non-profit organizations, other civil society institutions and other bodies.

Paragraph 6 (b)

56. The Oila (Family) Centre for Applied Research has been set up and has as one of its main tasks the conduct of research on family issues, including the causes of divorce, early and forced marriage. On the basis of its research the Centre provides scientifically validated recommendations on the prevention of these negative practices.

57. Specialized centres have been opened to prepare young people for family life. At these centres young couples are coached in such matters as family and legal relations; the psychology of family life; the fundamentals of reproductive health; positive parenting skills; the family economy and budget; and spiritual and moral values. The instruction at these centres is delivered on a voluntary basis and free of charge. Currently, there are 134 such centres in operation across the country and their courses have been attended by more than 17,000 couples, or 35,904 individuals.

58. With a view to eliminating early marriage, article 15 of the Family Code has been amended and the same marriageable age has been established for women and men – 18 years.

59. As a result of the measures set in place, the proportion of early marriages has declined. In 2016, the average age of first marriage among women was 22.6 years and for men 26 years.

60. Over the period 2016–2018 and the first half of 2019, the procuratorial authorities carried out 516 audits of compliance with the law upholding the rights of women. These audits resulted in 735 official challenges and 647 proposals on measures to rectify violations of the law, their causes and the conditions giving rise to them.

61. The procuratorial authorities received 2,323 complaints relating to the exercise of women's rights, 1,392 of which were dealt with directly by those authorities, leading to the satisfactory resolution of 305 complaints and the restoration of the violated rights of 276 women.

62. The procuratorial bodies have supported 14,657 legal actions concerning women (4,936 in 2016; 4,656 in 2017; 3,160 in 2018; and 1,905 in 2019), of which 13,868 were satisfactorily resolved (4,675 in 2016; 4,531 in 2017; 2,954 in 2018; and 1,708 in 2019). In all, 1,044 judgments have been contested, for a total amount in damages of 1,862 million sum (276 judgments in 2016, for 749 million sum; 273 judgments in 2017, for 342 million sum; 265 judgments in 2018, for 362 million sum; and 230 judgments in 2019, for 409 million sum).

63. Administrative charges have been laid against 112 persons for violations of women's rights and disciplinary charges laid against 1,016 persons. A total of 106 statements of claim have been filed with the civil courts and two criminal cases have been opened in connection with flagrant violations of the law. The violated rights of 1,928 women have been restored.

64. Information on the consideration of criminal cases by the procuratorial authorities and the criminal prosecution of culprits.

	2016		2017		2018		9 months of 2019	
	Cases considered	Criminal prosecutions	Cases considered	Criminal prosecutions	Cases considered	Criminal prosecutions	Cases considered	Criminal prosecutions
Article 103 (Inducement to commit suicide)	51	55	30	37	28	33	18	22
Article 103 ¹ (Incitement to suicide)	–	–	1	1	–	–		
Article 110 (Cruel treatment)	73	87	35	44	37	48	12	22
Article 118 (Rape)	357	427	269	334	144	173	90	126
Article 121 (Coercing a woman to have sexual relations)	33	38	5	11	9	11	1	3
Article 126 (Polygamy)	26	28	33	34	–	–		
Article 125 ¹ (Violation of the law on marriageable age)	–	–	1	10	–	–		
Article 126 (Polygamy)	–	–	–	–	18	18	1	1
Article 130 ¹ (Preparation, import, distribution, advertising or demonstration of products that promote a cult of violence or cruelty)	18	31	5	6	–	–	2	8
Article 130 (Human trafficking)	382	542	295	401	–	–	85	116
Article 136 (Coercion of a woman to enter into marriage or hindrance of a woman from entering into marriage)	29	79	23	46	8	18	11	27
Article 141 (Violation of the equal rights of citizens)	1	2	–	–	–	–		
Article 141 ¹ (Violation of the right to privacy)	–	–	–	–	–	–	5	6

Paragraph 6 (c)

65. In Uzbekistan, close attention is paid to protecting the family and the rights and best interests of the child and to upholding the rights of women and enhancing their social,

economic, political and legal activities. The following priorities have been identified, with a view to enhancing the role and status of women in society:

- Ensuring the representation of women in Parliament and in local representative bodies and taking into account their views in the drafting of laws and preparation of the national budget; measures taken, and progress made, in relation to achieving equitable representation of women in political and public life, including in the judiciary and the legislative and executive bodies, in particular in high-level decision-making positions
- Setting in place working bodies in the upper house of Parliament on gender equality
- Upgrading the law on gender equality issues
- Enhancing the role of women's non-governmental non-profit organizations in upholding the rights of women

66. In June 2019, a woman was elected President of the Senate of the Oliy Majlis. A Gender Equality Commission has been established and a committee set up in the Senate on women and gender equality.

67. The participation of women in the management of the affairs of State and the society at large is underpinned by the Electoral Code of 25 June 2019 and the Guarantees of the Equal Rights and Opportunities for Women and Men Act of 2 September 2019. Of the more than 20 million citizens who took part in the 2019 parliamentary elections, some 11 million were women.

68. Under article 70 of the Electoral Code, political parties are entitled to nominate 150 candidates for election as deputies, and no fewer than 30 per cent of the total number of candidates nominated by any political party must be women. According to figures provided by the Central Electoral Commission, the five political parties have nominated 750 candidates for election to the Legislative Chamber, of whom 310 (41.3 per cent) are women, an increase of 10 per cent over the numbers in the 2014 elections. On the recommendation of the Jokargy Kenes (Parliament) of the Republic of Karakalpakstan and of the provincial and Tashkent city councils (*kengashes*) of people's deputies, 17 members of the Central Electoral Commission have been elected, 7 of them women. Following the elections in December 2019, 34 women were elected as deputies of the Legislative Chamber.

69. A new dispensation has been introduced granting convicted persons held in custodial facilities for offences that do not pose a great danger to society, or for less serious offences, the right to participate in elections.

70. In order to raise voter awareness among women, a number of training courses have been held for the staff of local authorities as part of the cooperation agreement between the Central Electoral Commission and the Women's Committee of Uzbekistan, with the aim of enhancing the understanding of voting rights.

71. The Guarantees of Equal Rights and Opportunities for Women and Men Act ensures that women have the same opportunities as men, on equal terms and without any discrimination, to hold public office in accordance with their capabilities and professional qualifications. Access to public service is ensured through a competitive process to fill vacant positions (article 16). The personnel departments of public bodies are obliged to provide the competition boards with information not only on the education and professional qualifications of the candidates participating in the competition, but also on the ratio of women to men employed in the public service posts in question. Comparable information shall be provided by the personnel departments of public bodies with regard to the certification and promotion of public servants, so that steps can be taken to ensure equal rights and opportunities for women and men.

Paragraph 7 (a)

72. An act of 2 September 2019 on protecting women against harassment and violence is aimed at inculcating in society an attitude of zero tolerance to any manifestation of violence against women. The act assigns responsibility for combating harassment and violence against women not only to the law enforcement agencies but also to executive

authorities at the central and local levels, institutions in the domains of education, labour and health, women's groups and other non-governmental organizations, citizens' self-governing bodies and special support centres for victims of harassment and violence.

73. The act governs the protection of women from harassment and violence in the home, the workplace, educational establishments and other areas. It provides a clear definition of such concepts as "harassment", "violence", "emotional violence", "physical violence", "sexual violence", "economic violence", "victim of harassment and violence" and "protection order".

74. It also introduces the procedure for the provision of practical assistance to victims in filing complaints about violence and for the issuance, where necessary, of protection orders. In cases where, during consideration of the issuance of a protection order, evidence of an offence under the Criminal Code is detected, the case file is referred to the appropriate law enforcement agency for it to take up the matter of criminal prosecution.

75. Where there is evidence of violence and the victims of violence or harassment or their legal representatives request placement in a shelter, victims may be placed in special centres for periods of up to 30 days or more. In cases where victims of violence are placed in a special centre, their jobs are secured and the period which they spend in the centre may not be used as grounds to exclude them from educational institutions because of their absence from classes.

76. Under the act, perpetrators of violence incur penalties such as the following: the perpetrator shall reimburse the costs of the victim's treatment, counselling and accommodation in a special support centre and shall pay compensation for the material damage and moral injury caused; and the right of perpetrators of violence to possess and carry weapons (except for service weapons) shall be restricted or withheld.

77. In 2019, the Uzbek Parliament adopted amendments to the Criminal Code stiffening the criminal liability for inducing women to commit suicide. Decisive measures have also been taken to eradicate obsolete customs and traditions that impede the advancement of women. Thus, article 8 of the Family Code has been amended to read that, in the absence in the country's legislation of relevant rules and standards regulating family relations, local customs and traditions may be applied that do not run counter to the principles of the laws of Uzbekistan.

Paragraph 8 (b)

78. The Protection of Women from Harassment and Violence Act regulates the application of measures to correct the behaviour of persons who have committed or are likely to commit violence. Hotlines have been organized for the victims of harassment and violence and the procedure laid down for their operation. The concept of specialized rehabilitation has been introduced and there are currently 165 specialized rehabilitation centres in Uzbekistan. More than 15,000 women and girls have contacted these centres on various issues.

79. By a presidential decision of 2 July 2018, adaptation and rehabilitation centres have been set up in different regions of the country, at which victims of domestic violence can receive psychological, legal and social assistance.

80. In 2019, the National Rehabilitation and Adaptation Centre was set up to provide methodological support and to coordinate the activities of the regional centres, which were attended by more than 1,712 women. Of these, 434 received psychological assistance, 303 underwent medical treatment, 377 were given legal assistance, 271 were placed in work and 99 received loans, while 487 families in conflict were reconciled. A hotline with the number 1146 has been set up by the Women's Committee of Uzbekistan, for use by women in need of help and women living in difficult situations. On average, between 180 and 200 calls are made per day on the hotline by women seeking help in resolving their problems.

81. In 2019, the Senate Committee on Women and Gender Equality was established; a national platform to support and create conditions for women's participation in all social spheres was organized, using the website www.gender-platform.uz; work was launched on the preparation of the gender equality strategy; and an extensive information campaign is

now under way to raise public awareness of such laws as the Guarantees of Equal Rights and Opportunities for Women and Men and the Protection of Women from Harassment and Violence Act.

82. Training programmes and workshops are being developed on the need to change stereotypical perceptions of the traditional roles of men and women.

83. Women's non-governmental non-profit organizations have stepped up their efforts to combat domestic violence. To this end, telephone helplines and social service centres have been set up, consultations by visiting lawyers and psychologists have been arranged in rural areas, shelters and small-scale, community-owned and run businesses have been opened, vocational courses have been organized for particularly vulnerable segments of the population (victims of domestic violence reporting at temporary shelters; victims of human trafficking; women released on parole from detention facilities; women who have fallen on hard times) and over 200 innovative schools have been established to prepare young people for family life. Every year, the country's non-governmental non-profit organizations join the "16 days against violence" campaign.

84. The human rights education system is being upgraded, to raise awareness among parliamentarians, law enforcement officials and judges of international standards on women's rights. Issues relating to women's rights and gender equality are included in the curricula of the Tashkent State School of Law, the Academy of the Ministry of Internal Affairs and the Legal Professional Development Centre.

States of emergency, counter-terrorism and anti-extremism measures (arts. 4, 9, 14, 18 and 19)

Paragraph 8

85. The Counter-Extremism Act of 30 July 2018 defined the notion of "extremism" and laid out the thrust of government policy in countering extremism, including measures to prevent extremism, to detect and suppress offences involving extremism and to identify avenues of international cooperation in this area.

86. The Act stipulates that the designation of organizations as extremist shall be carried out by the courts. A declaration designating an organization as extremist is filed with the Supreme Court by the Procurator-General. A list of legal entities whose activities have been suspended in consequence of their involvement in extremist activities will be posted on the websites of the Ministry of Justice and the Supreme Court.

87. Over the past three years, 18,000 citizens who had previously shown a propensity for involvement in religious extremist organizations but had mended their ways and returned to normal life in society have been removed from the list. After their removal, more than 7,000 of them have been placed in jobs, some 1,000 have received material assistance, 319 have been supported in starting their own businesses and 198 have been granted bank loans.

88. Pursuant to a presidential decree of 19 September 2018, citizens who have misguidedly joined proscribed organizations and groups, including those outside Uzbekistan, and have become cognizant of the wrongfulness of their actions and have mended their ways, will be given the opportunity to return home to Uzbekistan and to resume peaceful life with their families.

89. Two successful operations have been carried out to repatriate 221 women and children from conflict areas in the Middle East. Work is under way on the repatriation to Uzbekistan of 170 persons from the Syrian Arab Republic.

90. A state of emergency bill has been drafted and was published in June 2016 on the joint interactive public services portal, for the purposes of discussion.

91. The bill lays out the procedure for the imposition of a state of emergency, the powers of the authorities, the period of a state of emergency, a list of the specific

circumstances necessitating a state of emergency, and also defines the types of measures that might be introduced during a state of emergency.

92. The creation of extraordinary courts is prohibited. Justice in areas where a state of emergency has been declared may only be administered by the courts.

93. The bill also sets out safeguards for the rights of citizens, organizations and officials in states of emergency.

Right to life and prohibition of torture and other cruel, inhuman or degrading treatment or punishment (arts. 6, 7, 9, 10 and 14)

Paragraph 9

94. The events in Andijon on 12 and 13 May 2005 were connected with the perpetration of terrorist acts that resulted in loss of life. In response to these incidents, criminal proceedings were instituted and, in the investigation, it was established that terrorist acts had been committed by members of Akromiya, a religious extremist organization. In all, there were 187 victims, 63 of whom were civilians and 31 law enforcement officers and soldiers who were killed by the terrorists. Counter-terrorism measures resulted in the elimination of 89 members of the religious extremist organization Akromiya. In all, 287 persons received injuries of varying degrees of severity, including 91 civilians, 49 law enforcement officers and 59 soldiers, and 76 terrorists were injured. During their terrorist attacks, the culprits took 70 people hostage and brutally slaughtered 15 of them. At the end of the preliminary investigation, criminal cases against 362 persons involved in the perpetration of terrorist acts in Andijon were referred to the courts. During open hearings, the guilt of all the accused was fully established on the basis of the evidence obtained in the criminal proceedings and a range of sentences were handed down.

95. On two occasions, from 11 to 16 December 2006 and from 1 to 4 April 2007, the European Union dispatched delegations to Uzbekistan. These delegations visited sites related to the tragic events, conducted face-to-face interviews with witnesses and reviewed the investigation materials and the court proceedings.

96. The Firearms Act of 29 July 2019 sets out the legal framework applied to the trafficking and use of weapons. As defined in the act, the circulation of weapons and their ammunition is based on the principles of legality, the primacy of the protection and preservation of the life and health of citizens, the compliance by Uzbekistan in good faith with its international obligations in this area, transparency and access to information.

97. According to the law, weapons are divided into the categories of civilian weapons, service weapons and hunting weapons. Civilian weapons are those intended for hunting and sporting purposes, and also for use in self-defence.

98. The Act defines combat weapons as those intended for the conduct of military hostilities and the performance of service tasks, which have been deployed for use as arms by the Ministry of Defence, the Ministry of Internal Affairs, the State Security Service, the Presidential Security Service, the National Guard, the State Customs Committee, military units of the Ministry of Emergencies and the Ministry for the Development of Information Technology and Communications. The entitlement to acquire, carry and use combat weapons and their ammunition is exclusively limited to special authorities and military units. The procedure governing the circulation of weapons in this category is laid down by the President.

Paragraph 10 (a)

99. The policy followed by Uzbekistan in its implementation of the Convention against Torture is coherent and sustained. Strict liability is incurred for the use of unlawfully obtained evidence in prosecutions. Pursuant to a law passed on 4 April 2018, article 235 (Torture and other cruel, inhuman or degrading treatment or punishment) of the Criminal Code was brought into line with the requirements of article 1 of the Convention. As part of work on the new draft version of the Criminal Code, consideration is currently being given

to the further improvement of article 235 of the Criminal Code, in line with the recommendations of the treaty bodies.

100. No restrictions have been identified on the application of amnesty acts to persons convicted under article 235 of the Criminal Code. Since 2017, more than 4,000 convicted persons have received pardons under clemency orders (one such order in 2017; three in 2018; and three in 2019). No persons convicted under article 235 of the Criminal Code have been pardoned under these orders.

Paragraph 10 (b)

101. Following a presidential decision of 14 May 2018, on measures for the radical improvement of the system of criminal and criminal procedure law, work is under way on a new version of the Criminal Code, embodying the following innovations:

- Lifting of restrictions on the object of the offence under article 235 of the current Criminal Code
- Establishment of liability for “discrimination of any kind”
- Subdivision of the indicia of the offence covered by article 235 of the Criminal Code as follows:

“Torture, that is, any deliberate act intended to inflict severe pain or physical or mental suffering on a person by means of threats, the infliction of blows, beating, cruel treatment, torment or other unlawful acts designed to obtain information or a confession from that person or a third person, to punish that person for an act that he or a third person has committed or is suspected of having committed, to intimidate or coerce him or a third person, or for any other reason based on discrimination of any kind, if such pain or suffering is inflicted by a law enforcement or other public authority or, at its instigation or with its consent or tacit acquiescence, by other persons

Inhuman, degrading treatment or punishment, in other words, the intentional infliction of pain or physical or mental suffering constituting inhuman or degrading treatment or punishment by a law enforcement or other public authority or, at its instigation or with its consent or tacit acquiescence, by other persons”

- Supplementing the draft article of the Criminal Code setting out grounds for the exemption of persons from criminal liability with a provision stipulating that amnesty may not be granted to persons who have committed offences involving the use of torture and other cruel, inhuman or degrading treatment or punishment

Paragraph 11 (a)

102. On 22 February 2018, criminal proceedings were brought under article 210 of the Criminal Code (Bribery) by the Procurator-General against Rashitjon Kadirov. The investigation took seven months and was concluded on 13 September 2018.

103. The interrogations that took place during the criminal proceedings were conducted in accordance with the requirements of the Code of Criminal Procedure, which provides that questioning may not continue for more than eight hours during any one day and may not take place between 10 p.m. and 6 a.m.

104. In the course of the investigation, neither the accused persons nor any of their relatives filed any complaints or alleged the use against them of any kind of pressure or violence by the law enforcement agencies.

105. Only after four months had elapsed from the commencement of the trial, on 22 April 2019, did any of the defendants submit their first allegations of the use against them of unlawful investigative methods. The defendant Rashitjon Kadyrov declared in his testimony that he had been subjected to psychological pressure over a period of 10 days in a temporary holding facility of the Ministry of Internal Affairs, where some 20 facility staff took turns forcing him to stay awake.

106. In that regard, the presiding judge immediately suspended the proceedings and, on 22 April 2019, handed down a ruling on the appointment of a forensic commission of inquiry in the case of Mr. Kadyrov and the other defendants. Experts from the Tashkent branch of the National Applied Research Centre for Forensic Medicine, together with specialists from the Ministry of Health, were entrusted with the task of conducting the inquiry. In addition, the Office of the Procurator-General commissioned an official verification of the allegations put forward by the defendants.

107. The findings of the forensic commission of inquiry, No. 66 of 8 May 2019, stated that “At the time of examination, no evidence of physical injuries or traces of such injuries were found on the body of Rashitjon Kadyrov, born 1952, nor is there any information in the medical documentation regarding the presence of physical injuries”. The consultations and medical documents in question did not give any indication that Mr. Kadyrov had been placed under any psychological pressure or that there had been any impact on the course of his chronic illnesses.

108. The official verification determined that the detainees had been held in accordance with the established procedure and that there was no evidence that they had been deprived of sleep or of their lunch breaks. During the verification process, Mr. Kadyrov confessed that he had deliberately misled the court by alleging that pressure had been exerted upon him, intending thereby to invalidate the evidence in the case and to reduce the severity of his sentence.

109. The other defendants also confirmed that no physical or psychological pressure had been exerted on them by law enforcement officers during the preliminary investigation. The accused persons submitted their testimony and their guilty pleas voluntarily and without coercion.

110. Mr. Kadyrov was twice taken from the special holding facility of the Ministry of Internal Affairs and admitted for treatment to the secure hospital for convicted persons No. 23 of the Central Criminal Corrections Department of the Ministry of Internal Affairs: he was hospitalized for treatment for 25 days from 5 to 29 May 2018. He also spent 23 days undergoing inpatient treatment between 28 January and 19 February 2019. On this occasion, round-the-clock guard services were provided by officers from the Economic Crimes Department in the Office of the Procurator General.

111. On admission to the secure hospital for convicted persons No. 23, doctors examined Mr. Kadyrov in the admissions unit and did not find any injuries. In addition, during his stay in the secure hospital, no evidence was found that he had been put under any physical or psychological pressure.

112. Thus, there is no evidence that Mr. Kadyrov was subjected to any psychological or physical pressure during the court hearings and there are no grounds for providing compensation.

113. All the cells in which Mr. Kadyrov and other inmates were held, without exception, complied with established international and national standards, in particular with regard to health and hygiene.

Paragraph 11 (b)

114. By an act of 14 March 2019, the powers of the Ombudsman for the protection of the rights of detainees were extended, and a system of measures was also introduced for the investigation of allegations of torture or ill-treatment.

115. The Ombudsman continuously monitors correctional facilities in company with members of Parliament, representatives of the National Centre for Human Rights, the Youth Union, the Women’s Committee, the Federation of Trade Unions, the non-governmental organization Institute for Democracy and Human Rights and the international non-governmental organization Human Rights Watch.

116. Over the period from late 2016 and the first nine months of 2019, the Ombudsman conducted 85 monitoring visits to 36 correctional facilities, 21 remand centres, 16 specialized medical and preventive institutions for the treatment of chronic alcoholism,

drug addiction and substance abuse and 12 Ministry of Internal Affairs rehabilitation centres for homeless persons.

117. These monitoring efforts resulted in the submission of a report to both chambers of Parliament in July 2018 on the outcome of the consideration of public complaints about the use of physical and mental pressure during criminal investigations.

118. On the initiative of the Ombudsman, a meeting of the Defence and Security Committee of the Senate of the Oliy Majlis was held on 27 June 2018 to hear a report by the Deputy Minister of Internal Affairs, A. Bobohanov, on implementation of the Convention against Torture. During the meeting, the Ombudsman informed the Senate Committee that complaints had been submitted alleging the use of duress by internal affairs officials and reported on the outcome of consideration of those complaints. Following the hearing, a decision was taken by the Senate committee, observing that the measures taken by the law enforcement authorities to prevent torture and other cruel, inhuman or degrading treatment or punishment failed to meet the relevant international requirements. The decision also set out the tasks to be taken by the Ministry of Internal Affairs and the Procurator-General's Office in remedying the shortcomings identified.

119. With the aim of preventing the use of torture, on 30 November 2017 a presidential decree was adopted on additional measures to strengthen guarantees of the rights and freedoms of citizens during judicial investigations, which ruled that information obtained through material violations of procedural law or by any unlawful methods was inadmissible as evidence in criminal cases.

Paragraph 11 (c)

120. An act was adopted on 4 April 2018 amending and supplementing certain statutory instruments of the Republic of Uzbekistan with a view to the adoption of measures to strengthen guarantees of citizens' rights and freedoms in judicial investigations. Pursuant to the act, criminal penalties up to and including deprivation of liberty for terms of between five and seven years are incurred for the falsification of evidence resulting in arbitrary arrest, remand in custody, criminal prosecution, conviction or acquittal. For aggravated or particularly aggravated instances of this criminal offence, a penalty of between three and twelve years of deprivation of liberty is prescribed. In addition, the maximum criminal penalty incurred for falsification of the findings of investigative activities shall be deprivation of liberty for periods of three to five years.

121. The amendments have also stiffened the penalties for torture and other cruel, inhuman or degrading treatment or punishment: in the event of serious bodily injury or other serious consequences, a sentence of deprivation of liberty for a period of between seven and ten years may be imposed. Previously, the maximum penalty under this clause was a term of between five and eight years.

122. The maximum penalty for perjury has been increased from five to eight years' deprivation of liberty and for false accusation from eight to ten years.

123. The defence counsel has the right to collect and present evidence in criminal proceedings and new provisions have been introduced requiring the mandatory video-recording of crime scene examinations and crime re-enactments, and also the stenographic recording of judicial proceedings.

Paragraph 11 (d)

124. In 2013, under article 235 of the Criminal Code, 2 criminal cases involving 4 persons were heard; in 2014, 7 cases involving 15 persons; in 2015, 12 cases involving 29 persons; in 2016, 9 cases involving 13 persons; in 2017, 13 cases involving 28 persons; in 2018, 3 cases involving 4 persons; and, in 2019, 1 case involving 1 person.

Paragraph 11 (e)

125. Under criminal procedure law, a judicial decision may be reviewed in response to an application by the convicted person or that person's representative and also to an objection by the procurator.

126. A court ruling handed down on the basis of evidence obtained in violation of the requirements of article 88 of the Code of Criminal Procedure, and also on the basis of evidence deemed inadmissible in article 95-1 of the Code, introduced pursuant to an act of 4 April 2018, shall be subject to repeal or amendment, in accordance with paragraph 3 of article 484 of the Code of Criminal Procedure, regardless whether or not those violations were expressly mentioned in the application.

127. In 2018, acquittals were granted to 867 persons and, over the first 11 months of 2019 years, to 780 persons.

Liberty and security of person and treatment of persons deprived of their liberty (arts. 7, 9 and 10)

Paragraph 12 (a)

128. The maximum period for which suspects may be remanded in custody is 48 hours. The time elapsed from the moment of arrest of the suspect shall be included in the duration of custody or house arrest and factored into the period of a custodial sentence handed down by a court, in the ratio prescribed by law.

129. When considering an application for a preventive measure in the form of remand in custody or house arrest, the court shall determine the actual period for which a detained suspect or accused person may be held in custody.

130. Defence counsel, including lawyers and State-appointed attorneys, may participate in a criminal case at any stage of the proceedings and, where the person concerned has been remanded in custody, from the moment when that person's freedom of movement has actually been restricted. When applications for the use of remand in custody or house arrest as a preventive measure are being considered, the procurator and the defence counsel, if counsel is involved in the proceedings, take part in that process, together with the detained suspect or accused person.

131. Applications for the use of remand in custody or house arrest as a preventive measure are considered by the court:

- With the mandatory participation of the detained suspect or accused person, except in cases where the defendant is a fugitive from justice
- In the presence of the defence counsel. The latter rule is waived when the suspect or accused person declines the assistance of counsel; in the cases referred to in paragraphs 1–4, 8 and 9 of article 51 of the Code of Criminal Procedure, however, the participation of a defence lawyer is obligatory, even if the suspect or accused person refuses such assistance

Paragraph 12 (b)

132. In accordance with the amendments introduced to the Code of Criminal Procedure and the Criminal Code by the act of 18 April 2018, in exceptional cases, more lenient preventive measures may be employed against suspects, such as house arrest and release on bail.

133. The Code of Criminal Procedure defines the notion of house arrest as a measure that can be applied by the court in cases where remand in custody has been deemed inappropriate in view of the person's age, state of health, marital status or other circumstances.

134. The judge's ruling shall be made at the request of the procurator or the person conducting the initial inquiry or the investigator with the procurator's consent. For this purpose, the suspect or accused person, the defence counsel and other persons appearing in the court are also heard and the case file is examined.

135. The period for which a person is remanded in custody or held in house arrest is taken into account in sentencing.

136. The Code of Criminal Procedure defines the notion of bail, which may be applied in all cases and any type of proceedings.

137. In the pretrial proceedings stage, the court may allow bail, in the form of a monetary payment into the deposit account of the body conducting the initial inquiry or pretrial investigation.

138. Where there is no justification for the continued application of bail or in the event of the termination of proceedings in the case, bail may be waived or replaced with another preventive measure by the procurator or by the official conducting the initial inquiry or pretrial investigation, with the procurator's consent, and with mandatory notification of the court which ruled on the application of the preventive measures.

Paragraph 12 (c)

139. The habeas corpus procedure is applied in accordance with the criminal procedural law of Uzbekistan. Courts have the power to consider petitions, complaints and objections on matters related to the application of remand in custody or house arrest as a preventive measure or the extension of custody or house arrest, with the proviso that the court that ordered the preventive measures is duly notified; they also have the power to consider applications to remove accused persons from office, commit accused persons to medical institutions or extend their confinement in such institutions, exhume bodies and intercept postal or telegraphic communications.

140. In Uzbekistan, more than 50 pieces of legislation have been adopted to ensure the full independence and autonomy of the judiciary, improve the quality and transparency of justice and broaden the application of habeas corpus.

Paragraph 12 (d)

141. Uzbek law has no provisions establishing liability for human rights activism. The persons held in custodial facilities have been convicted of specific offences that have breached provisions of the laws of Uzbekistan.

142. The following numbers of criminal cases have been brought by the procuratorial authorities under article 221 of the Criminal Code: 762 in 2016; 470 in 2017; 1 in 2018; and none in 2019.

Paragraph 13

143. For the past 18 years, the country's correctional institutions have been operating without exceeding their holding capacity. The number of prisoners held in institutions has declined by more than 33 per cent and, today, Uzbekistan has one of the lowest incarceration rates in the world and also among the countries of the Commonwealth of Independent States. The occupancy rate of the country's correctional facilities averages 63 per cent.

144. The decline in the prison population has made it possible to redirect efforts to the improvement of prison conditions and the provision of amenities and health care for prisoners.

145. Convicted persons receive hot meals three times daily. Nutritional standards are fully upheld by the management of facilities and monitored by higher authorities.

146. Medical care is available 24 hours a day in all correctional facilities; there are medical units with the necessary medical equipment for the provision of both inpatient and outpatient services.

147. Upon admission to the correctional facility, every convicted person undergoes a mandatory medical examination.

148. In order to detect and prevent sexually transmitted diseases and tuberculosis among inmates, preventive examinations are carried out twice a year and every inmate undergoes an X-ray and fluorographic examination. Where necessary, specialists are called in and the

treatment facilities of local health-care agencies are deployed to obtain a clearer diagnosis and to provide specialized or emergency medical care.

149. Convicted persons who are found to be suffering from an infectious disease or to have active lung pathologies are immediately isolated from the facility's healthy inmates and placed in specially designated cells. The cells in which they had previously been held undergo terminal disinfection and any persons who have been in contact with them are placed under observation. The treatment and follow-up monitoring of tuberculosis patients is carried out in strict accordance with the approved protocol for tuberculosis care.

150. Convicted persons suffering from tuberculosis are taken to the secure hospital for convicted persons in Tashkent or to the correctional colony with medical status in Buxoro province for outpatient tuberculosis treatment.

151. Since 11 November 2004, the directly observed treatment short-course (DOTS) tuberculosis control strategy recommended by the World Health Organization (WHO) has been implemented in correctional facilities.

Elimination of slavery and servitude (art. 8)

Paragraph 14 (a)

152. Child labour has been completely eliminated in Uzbekistan and steps are being taken to eliminate adult forced labour on farms.

153. On 25 April 2014, a memorandum of understanding was concluded between Uzbekistan and the International Labour Organization (ILO) and the decent work programme in Uzbekistan was adopted for the period 2014–2016, prescribing the countrywide monitoring of child labour and forced labour. On 28 February 2017, the programme was extended until 2020.

154. In order to eradicate forced labour, every year since 2015 two parallel monitoring exercises have been conducted, on child labour and forced labour on cotton farms:

- Third party monitoring with the involvement of international experts and local human rights defenders
- Uzbek national monitoring, carried out by the Federation of Trade Unions, the Chamber of Commerce and Industry, the Women's Committee, the Youth Union and local independent-initiative, non-governmental non-profit organizations

155. In 2015, the national monitoring exercise revealed the presence of two children in the cotton fields.

156. In 2016, the Uzbek national monitoring panels reported the presence of five minors, three of whom were children participating in the harvesting of cotton. They found that 79 students from three different years of vocational courses had been employed without authorization in the cotton fields, working after class hours to earn extra money and to assist their parents. The level of participation by teachers and health workers in their spare time is estimated at 1,543 (representing 2.9 per cent of the total cotton picker workforce).

157. The monitoring and review of reports submitted in 2015 and 2016 in accordance with ILO procedures confirmed that there were no systemwide issues relating to child labour and forced labour.

158. In 2017, the Uzbek national monitoring panels reported the presence of 18 minors in the cotton fields, four of whom were participating in the harvesting of cotton. They also identified the participation in the cotton harvest of 328 public-sector employees, primarily from educational and health institutions (0.93 per cent of the total number of pickers surveyed), 312 army conscripts and 400 employees of industrial enterprises. They found that nine students from the three different years of vocational courses had been employed without authorization in the cotton fields (0.03 per cent of the total cotton picker workforce), working after class hours to earn extra money and to assist their parents.

159. In 2018, the Uzbek national monitoring exercise was carried out, following its own methodology and covering issues both of the prevention of child labour and forced labour in the harvesting of cotton and the need to provide decent working conditions for the pickers. As part of the monitoring exercise, attention was given to working conditions, the availability of hot food and drinking water, the regularity and levels of wage payments, and the existence of contracts for services between teams of pickers and farmer councils.

160. In 2018, in the process of reviewing cases of the employment of persons under the age of 18 in the cotton harvest, 33 children were identified. In all, 39 cases were identified of employees of State bodies and health care institutions being employed in cotton harvesting, involving more than 3,130 employees (including 309 students). A further 81 employees of business entities also participated in the cotton harvest, 30 of them working on their days off from their principal jobs. Following the monitoring exercise, 96 employees of the Tashkent thermal power station, a unitary enterprise, who had been participating in the harvesting of cotton on the Komijon Zebo farm in the Bo'ka district.

161. A total of 22 cases were identified where cash payments for the harvested cotton had not been made on time or where miscellaneous deductions had been made from the pickers' earnings (representing 4.1 per cent of all the farms surveyed). There were 92 instances (on 17.3 per cent of all the farms surveyed) where no formal agreements had been drawn up between teams of pickers and the farmer councils.

162. In the course of the monitoring exercise it was revealed that, on 81 farms (14.9 per cent of the total surveyed), the work and leisure conditions for pickers were unsatisfactory (inadequate sanitation facilities, disruptions in the provision of hot meals and drinking water). Prompt and effective measures have been taken to remedy all the shortcomings identified.

163. A list has been drawn up of the 14 ministries, departments and organizations where the risks of forced labour are highest.

164. To improve coordination of the activities of State bodies in combating human trafficking and forced labour, the national interdepartmental commission on combating human trafficking was transformed, pursuant to a presidential decree of 30 July 2019, into the National Human Trafficking and Forced Labour Commission, with local branches in the Republic of Karakalpakstan, the various provinces and the city of Tashkent. The Commission includes a subcommission on combating forced labour, headed by the Minister of Employment and Labour Relations.

165. Over the period from 26 September to 31 October 2019, local monitoring groups carried out 399 field trips, during which they visited 731 farms, 12 vocational colleges and specialized schools, 278 general secondary schools, 55 preschools, 77 business entities, 106 health-care facilities, 56 hokimiyats (regional administrative bodies) and 35 mahalla-level assemblies of citizens. According to information from the local monitoring groups, there was a 98.2 per cent rate of attendance at educational establishments.

166. During their visits, members of the working groups also undertook to explain the content of ILO Conventions Nos. 28, 105, 138 and 182, along with Cabinet of Ministers decisions No. 349 of 10 May 2018 and No. 407 of 31 May 2018.

Paragraph 14 (b)

167. Since early 2018, as part of sustained measures to foster market relations between farms and enterprises of the textile industry, in 20 districts of Uzbekistan, over an area of 160,000 hectares, cotton and textile production has been organized in a cluster system.

168. In 2018, water-saving technologies were applied over 3,163 hectares under cotton, involving the use of flexible plastic pipelines to irrigate the fields; drainage systems and water reservoirs were built; 225 pumping units were installed in areas lacking access to sources of irrigation; 1,285 units of various types of agricultural equipment were purchased; highly qualified agricultural specialists were recruited from abroad (agronomists, specialists in modern machinery and technology, experts from scientific institutions); and more than 4,300 new jobs were created.

169. In 2019, the cluster system was introduced for the organization of cotton and textile production in 84 districts, over 655,000 hectares. Textile, knitwear and apparel production centres are being set up in Uzbekistan, producing finished goods with high added value, and the volume and range of articles in high demand on the domestic and foreign markets are being expanded.

Paragraph 14 (c)

170. By a decision of the Oliy Majlis Senate of 4 October 2017, a system was introduced of parliamentary oversight to prevent and surmount risks of the use of child labour and forced labour in any form. The system comprises an array of organizational and practical steps for that purpose.

171. Despite the measures taken, in practice, there have been cases where regional chief administrators (*hokims*) at all levels have contravened the rules of the labour law, through the recruitment of employees in the education and health sectors, the staff of State-funded and other organizations, and pupils and students of schools and colleges to perform various neighbourhood improvement jobs and also to work in farms. Instances have also been reported of abuse of office by officials, who have intimidated persons in the above categories, using profane language and even physical force against them. The use of coercion to make them perform these tasks has resulted in accidents, leading to the injury and, in some cases, death of the persons concerned.

172. With the aim of preventing the further occurrence of such negative practices, remedying system-wide shortcomings in the work of public authorities, and also completely eradicating the practice of forced labour in Uzbekistan, on 17 April 2018 the Cabinet of Ministers held a video conference on the issue of suppressing the practice of coercing students, staff members of medical and educational institutions and employees of other social spheres to work in the fields and in neighbourhood improvement projects. The conference concluded by defining the personal accountability of managers at all levels. Strict warnings were administered to the Minister of Public Education, Ulugbek Inoyatov, the Minister of Health, Alisher Shodmonov, and the chief administrator of Jizzax province, Ergash Soliev, and the chief administrators of Samarqand and Qashqadaryo provinces received reprimands.

173. By a decision of the Cabinet of Ministers of 10 May 2018 on additional measures to eradicate forced labour in the Republic of Uzbekistan, the Chair of the Council of Ministers of the Republic of Karakalpakstan, the chief administrators of the various provinces, the city of Tashkent, the other cities and districts, and the heads of State and administrative and economic bodies at all levels are required to respond promptly and to suppress all forms of forced recruitment of citizens for the performance of any work, in particular the coercive assignment of employees in the education and health sectors, the staff of State-funded and other organizations, and pupils and students of schools and colleges to work in various jobs, such as urban and district neighbourhood improvement projects, the collection of scrap metal and waste paper and seasonal work on farms; to take severe and unconditional disciplinary measures against officials who, directly or indirectly, have permitted instances of the recruitment of citizens to forced labour; to report such practices without delay to the law enforcement agencies so that, in all cases of forced labour, those responsible can be held to account.

174. The penalties imposed on officials found guilty of the unlawful coercion of citizens to perform compulsory community service or any other form of forced labour have been stiffened.

Freedom of movement (art. 12)

Paragraph 15

175. To uphold the right to freedom of movement, obstacles to the issuance of visas and residence permits have been removed. Administrative penalties for the employment of citizens without temporary or permanent residence permits have been abolished, as has the

provision that persons without a permanent or temporary permit for residence in the capital may be refused employment.

176. Pursuant to a government decision of 22 October 2018, citizens may register themselves as resident in Tashkent and Tashkent province for periods of between five days and one year without needing to cancel their permanent residence elsewhere. The procedure for registering persons moving to Tashkent or Tashkent province from other areas of the country for seasonal work (construction, agriculture and others) has also been simplified.

177. In accordance with the decision, persons who do not have a permanent residence permit for Tashkent and Tashkent province may only acquire real estate in new housing developments and may only gain title deeds to such property through transactions between bank accounts. In this process, persons who do not have permanent residence permits for Tashkent and Tashkent province and who buy property in new housing developments must pay State duty at a rate of 5 per cent of the transacted amount, but not less than 10 times the minimum wage (2,027,300 sum).

178. Since 1 January 2019, the system of exit stickers granting permission to Uzbek citizens to travel abroad has been abolished and biometric passports have been introduced for foreign travel.

Treatment of aliens, including refugees and asylum seekers (arts. 7, 9, 13 and 24)

Paragraphs 16 (a) and (b)

179. A presidential decree was adopted on 29 May 2017, ratifying the regulations on the procedure for granting political asylum, under which political asylum is granted by presidential decree to individuals and their family members seeking asylum and protection from persecution or a real threat of persecution in the country of their nationality or permanent residence on the grounds of their social, political and religious beliefs and racial or ethnic affiliation, and also from other human rights violations under international law.

180. In the event that an application for political asylum is rejected, the applicant is informed of the decision taken and his or her continued presence in the country is governed by the law on the stay of foreign nationals and stateless persons in Uzbekistan. Individuals whose applications for political asylum are rejected have the right to re-apply one year after receiving such rejection.

Paragraph 16 (c)

181. There are currently 95,857 stateless persons residing in Uzbekistan, representing 78.5 per cent of the total number of stateless persons in Central Asia as a whole. Over the past three years, Uzbek citizenship has been granted to 9,692 persons, including to 5,868 of those in 2019.

Right to a fair trial and independence of the judiciary (art. 14)

Paragraph 17 (a)

182. The Supreme Judicial Council has 21 members, comprising a president, a vice-president, a secretary and councillors, drawn from among the country's judges, representatives of law enforcement bodies and civil society institutions and highly qualified legal professionals.

183. The President of the Council is appointed by the Oliy Majlis Senate on the recommendation of the President of Uzbekistan. The Deputy President of the Council is confirmed by the President of Uzbekistan and simultaneously heads the Higher School of Judges attached to the Council.

184. Eleven members of the Council are appointed by the President from among the judges on the recommendation of the President of the Council, one of whom is appointed from among the judges of the courts of the Republic of Karakalpakstan.

185. The secretary and seven members of the Council are confirmed by the President from among representatives of law enforcement bodies and civil society institutions and highly qualified legal professionals.

186. The President, the secretary and 11 members of the Council confirmed from among the judges perform their functions on a permanent basis while the remaining 8 members, including the Deputy President, perform their functions pro bono.

187. The 11 members of the Council confirmed from among the judges and performing their functions on a permanent basis are elected by the Senate on the recommendation of its President to serve in the Council's various sections and in its Judicial Inspectorate, including as heads of these units.

Paragraph 17 (b)

188. The Higher Judicial Council of the Republic of Uzbekistan Act sets out the main criteria for the selection of judges for a new term of office and for other judicial positions.

189. When considering candidates for the position of judge appointed for a new term of office, the Council takes into account the stability of the judicial decisions that they have handed down, whether they have sufficient experience in the administration of justice and the application of the law, and also public opinion of their professional work.

190. The Courts Act specifies the grounds on which judges may incur disciplinary measures, which may only be imposed by a decision of the Judges Higher Qualification Board:

- Violations of the rule of law in the administration of justice
- Oversights in the organization of judicial work due to negligence or indiscipline, and also the commission of misdemeanours that tarnish the honour and dignity of the judge and compromise the authority of the court
- Infringements of the rules on the ethical conduct of judges

191. The procedure for the consideration of cases involving disciplinary measures against judges is laid out in the regulations on the qualification boards of judges, as approved by an act of 22 April 2014.

Paragraph 17 (c)

192. With a view to boosting the material welfare and social protection of judges, a presidential decree was passed on 13 July 2018 approving the level of remuneration of judges and court personnel. In addition, a monthly benefit for special working conditions has been established as a 50 per cent supplement to the salaries of judges and court officials with an appropriate grade and rank. The benefit counts as part of the official salary in the calculation of statutory incentive payments and allowances.

193. The President of the Supreme Court has been granted the right to pay additional monthly allowances totalling as much as 100 per cent of the payroll (monetary bonuses), financed from the Judiciary Development Fund, to highly qualified, enterprising judges and staff members of the Supreme Court and the Court Operations Support Department under the Supreme Court, for the diligent and efficient performance of their official duties.

194. Government decisions were adopted on 27 October 2018 and 9 January 2019 to ratify, respectively, the regulations on the procedure for judges' mandatory life and health insurance, and the rules and procedure governing pension benefits for judges and their families.

195. By a government decision of 20 December 2018, additional measures were set in place for the social support of judges: soft loans were made available for their acquisition of affordable light vehicles; in addition, pursuant to a government decision of 5 November

2018, judges may be granted long-term mortgages for the purchase of housing, and a monthly allowance for rented accommodation.

Paragraph 17 (d)

196. A decision of 24 May 2019 of the Plenum of the Supreme Court of the Republic of Uzbekistan, on judicial practice in the review of criminal cases under the supervisory procedure, establishes that the right to appeal against an enforceable court decision shall be accorded to parties to the proceedings on the prosecution side (the procurator, the victim or the victim's representative, the civil plaintiff or the plaintiff's representative) and on the defence side (the defendant, in respect of whom the case has been dismissed without a determination on guilt, the convicted (or acquitted) person, that person's counsel or legal representative, the civil respondent or the respondent's representative), and also to other persons whose rights or lawful interests are affected by these decisions (such as the bail bond indemnitor or a person whose property has been seized in enforcement of a claim or judgment).

197. A civil claimant or civil defendant or their representatives may challenge that part of a judicial decision which is related to the civil claim.

198. Acquitted persons and their counsel and legal representatives have the right to challenge that part of a judgment relating to the grounds and justification for the acquittal. By law, no other persons have the right to appeal against court decisions under the supervisory review procedure.

Paragraph 17 (e)

199. By a presidential decree of 15 March 2019, a number of tasks and functions have been discontinued that do not properly fall within the remit of the procuratorial authorities. Some structural units and posts in the procuratorial service and the Economic Crimes Department under the Office of the Procurator General have been abolished and their staffing complement reduced by 1,198 staff members. The inspectorate responsible for monitoring agro-industry and food security that reported to the Office of the Procurator General has been placed under the authority of the Cabinet of Ministers.

200. Work is under way on the drafting of regulations on the performance of service in the procuratorial authorities, with the introduction of radically new arrangements for a transparent and competitive selection process for professional staff, ensuring the selection of the most qualified candidates, with detailed professional knowledge, high intellectual abilities and moral integrity that equip them to discharge the duties entrusted to them at the highest professional standard.

Paragraph 18

201. By an act of 11 October 2018, amendments were made to the Bar Act, pursuant to which lawyers are entitled to collect and present evidence in a criminal case. The list of actions regarded as hindering the professional activity of a lawyer and entailing the administrative liability of the perpetrator has been expanded.

202. The President of the Bar Chamber shall be entitled to participate in the meetings of the Legislative Chamber of the Oliy Majlis to discuss draft laws and express opinions on them.

203. The requirement for the mandatory participation of members of the judiciary in assessment boards has been abolished. A number of powers of the judiciary, as a licensing body, have been transferred to the assessment boards.

204. A judicial procedure has been introduced for the suspension of a lawyer's licence.

Paragraph 19

205. To boost the effectiveness of measures to prevent and suppress offences, in particular among minors and young people, the Commission on Juvenile Affairs attached to the Cabinet of Ministers and its local-level branches were transformed into the National

Interdepartmental Commission on Juvenile Affairs and its local-level interdepartmental branches by a presidential decree of 14 March 2017.

Freedom of conscience and religious belief (art. 18)

Paragraph 20 (a)

206. Based on recommendations for the further streamlining and simplification of the procedure for the State registration, re-registration and abolition of religious organizations:

- State fees for the registration of religious organizations have been reduced by 80 per cent, from 100 to 20 times the minimum wage for their central bodies and from 50 to 10 times the minimum wage for the religious organizations themselves
- The procedures requiring religious organizations to report to the registration authorities have been simplified
- The registration authority no longer has the power to shut down religious organizations and a judicial procedure has been set in place for the suspension of their activities

207. A new version of the draft act on freedom of conscience and religious organizations has been prepared, with the following provisions:

- Introduction of arrangements to ensure direct application of the law by combining the rules of subsidiary enactments into a single law
- Simplified procedure for the registration, re-registration and abolition of religious organizations and a reduction in the number of persons, or sponsors, required to register a religious organization from 100 to 50
- Establishment of religious higher educational institutions
- Definition of the purposes and listing of the grounds for denying the registration of a religious organization
- Institution of a judicial procedure for the abolition of a religious organization

Paragraph 20 (b)

208. The groups sponsoring the Jehovah's Witnesses religious organization failed to submit the necessary documents to the registration authority, as listed in the government decision of 31 May 2018.

209. In 2019, there were more than ten religious organizations, including seven non-Islamic organizations, registered in Uzbekistan.

210. Uzbekistan is a secular State. The statutes of educational institutions stipulate the dress code for students, which should not convey any discriminatory distinctions.

Freedom of expression and peaceful assembly (arts. 19 and 21)

Paragraphs 21 (a) and (c)

211. The Criminal Code establishes criminal liability for defamation of a competitor, and also for libel and slander in the media.

212. Journalists do not incur liability for the circulation in the media of materials that are at variance with the facts in cases where this information is drawn from official reports, statutory instruments or the data provided in official statistical reports or received via news agencies or the press services of government bodies (official websites), or imparted in statements by individuals that are broadcast live or are word-for-word reproductions (shorthand, audio or video records) of such statements.

213. To ensure favourable conditions for the media and to heighten the transparency of the activities of public authorities, a presidential decision was adopted on 27 June 2019 on

further measures to ensure the independence of the media and develop the activities of the press services of public authorities and organizations.

214. With a view to developing citizen journalism and raising the status of journalists and the transparency of public authorities, work has begun on the drafting of bills on television and radio broadcasting and on amendments and additions to the Mass Media Act, ensuring freedom of the activities of the media and the use of information, strengthening guarantees of protection against unlawful acts (decisions) of government authorities and officials, and defining the professional obligations of journalists. Steps are also being taken to decriminalize defamation and slander.

Paragraph 21 (b)

215. By a government decision of 5 September 2018 on measures to strengthen information security on the Internet, arrangements were set in place to limit access to websites and Internet web pages holding materials the dissemination of which is prohibited under Uzbek law.

216. A mass communications centre has been set up under the Information and Mass Communications Agency to compile and maintain a register of Internet information resources that hold information the dissemination of which is prohibited under Uzbek law. To date, some 2,209 resources have been listed in the register.

Paragraph 22

217. The Ministry of Internal Affairs has prepared a bill on rallies, meetings and demonstrations by citizens, which has been posted on the national interactive State services portal, for public discussion. Currently, the bill is undergoing expert legal analysis to ensure its alignment with international standards.

Freedom of association (art. 12)

Paragraph 23

218. A procedure has been set in place whereby the outcome of the public discussion of draft statutory instruments posted on the national interactive State services portal is submitted to the Ministry of Justice for legal analysis and to the Cabinet of Ministers for its consideration. Work has commenced on the preparation of amendments and additions to the Public Oversight Act, which provides for the introduction of efficient forms of public oversight that are widely employed in international practice, and also on issues relating to the functions of the public councils set up under government authorities and organizations.

219. With effect from 1 January 2020, the fees charged for the State registration of national and interprovincial non-governmental non-profit organizations have been reduced from four to three times the nominal baseline rate, and for provincial non-governmental non-profit organizations from twice to an amount equal to the baseline rate.

220. Work has begun on the preparation of a draft code on non-governmental non-profit organizations, based on the best foreign practices.

Participation in public affairs (art. 25)

Paragraph 24

221. The Electoral Code was adopted in June 2019 and is designed to improve the electoral legislation, eliminate ambiguities and harmonize legal rules.

222. Persons may only register as candidates for election to Parliament if they have been permanently resident in Uzbekistan for a period of five years prior to the election day.

223. The restrictions on the participation in elections of persons held in custodial facilities for offences that pose no significant danger to society and for less serious offences have been lifted.

224. Citizens, detainees and prisoners held in remand facilities and in places of deprivation of liberty under court sentence for offences that pose no significant danger to society and for less serious offences have the right to vote.

225. Duly accredited international observers and representatives of the media have the right to observe the electoral process in remand facilities and places of deprivation of liberty.

226. Political parties are permitted to receive donations exclusively from legal entities and citizens of the Republic of Uzbekistan for the performance of their statutory activities.
