



International Convention on the Elimination of All Forms of Racial Discrimination

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Summary record of the 2786th meeting

Held at the Palais Wilson, Geneva, on Tuesday, 3 December 2019, at 3 p.m.

Chair: Mr. Amir

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The meeting was called to order at 3.05 p.m.

Consideration of reports, comments and information submitted by States parties under article 9 of the Convention *(continued)*

Combined tenth to twelfth periodic reports of Uzbekistan (CERD/C/UZB/10-12; CERD/C/UZB/Q/10-12)

1. *At the invitation of the Chair, the delegation of Uzbekistan took places at the Committee table.*

2. **Mr. Saidov** (Uzbekistan), presenting the tenth to twelfth periodic reports of Uzbekistan (CERD/C/UZB/10-12), said that the report had been prepared with the participation of over 30 State bodies and more than 20 non-governmental organizations (NGOs). The draft had been presented to both chambers of the national parliament, which had received information on the previous dialogue with the Committee and had subsequently adopted a national plan of action for the implementation of the Committee's recommendations.

3. The Government had adopted an inclusive approach in its reporting and always took the opinions of civil society into consideration. Apart from the written report, the State party had also provided additional materials to the Committee, including information on the human rights situation in Uzbekistan and the Samarkand Declaration on the outcome of the Asian Forum on Human Rights. That event had been organized by the Government of Uzbekistan in connection with the seventieth anniversary of the adoption of the Universal Declaration of Human Rights. The delegation had also provided the Committee with a copy of the country's voluntary pledges and commitments that were required for candidacy for election to the 2021–2023 term of the Human Rights Council, as well as some additional information on measures taken to improve the system to prevent trafficking in persons and forced labour, and some more general publications illustrating the ethnic and religious diversity of the country.

4. Uzbekistan had historically been a multi-ethnic, multilingual and multireligious country and its different cultures and religions had for many years coexisted harmoniously. There were currently over 130 different ethnic groups and 16 religious faiths, including Zoroastrianism, Judaism, Christianity and Islam, and over 2,000 religious organizations in Uzbekistan. The country had also played a major role in the spread of Buddhism.

5. Uzbekistan was located at a crossroads on the silk road and was the only country that shared borders with all the Central Asian States, as well as with Afghanistan. Linguistic tolerance, and tolerance in general, had always been one of the country's main characteristics and was still at the heart of its contemporary culture. Uzbekistan was a centre of peace, harmony and tolerance and it had not experienced any major national, religious or ethnic conflicts.

6. In the three years since the election of President Mirziyoyev, the State party had opened itself to the world. The geopolitical situation in Central Asia had changed, and many issues that had accumulated during the past quarter century had been resolved. Once the State party had opened its borders, there had been an increase in the number of people travelling to and from the country, which had contributed positively to the atmosphere throughout the region. Good neighbourly relations, in particular with the other Central Asian countries, were a priority of the Government's foreign policy. The fact that those countries shared common religious, cultural and ethnic outlooks had been reflected in the 2017–2021 Strategy of Action on Five Priority Areas for the Development of Uzbekistan. The priority areas included pursuing mutually beneficial foreign policies and good neighbourliness; ensuring security and stability; resolving issues connected with defining and demarcating State borders; and resolving issues related to water rights throughout Central Asia.

7. In accordance with its objective of ensuring a peaceful and economically prosperous Central Asian region, in 2017, with the assistance of the United Nations Regional Centre for Preventive Diplomacy in Central Asia, the Government had held an international conference in Samarkand entitled "Central Asia: Shared Past and a Common Future,

Cooperation for Sustainable Development and Mutual Prosperity”, and regular consultative meetings of the Heads of State of the Central Asian countries had been planned. In 2018, the United Nations General Assembly had adopted resolutions sponsored by Uzbekistan and the other Central Asian States calling for the strengthening of regional and international cooperation to ensure peace, stability and sustainable development in the Central Asian region and in support of enlightenment and religious tolerance. A presidential decree had been issued on the development of the country’s policy in international relations, and to further develop public diplomacy, a People’s Diplomacy Centre had been established as a friendship society in the context of the Shanghai Cooperation Organization.

8. In relation specifically to the Convention, the Government had been working on a number of priority areas, as reflected in the list of themes, including the adjustment of the country’s legislation to ensure the full implementation of the instrument. Over the past three years, it had adopted 15 laws and a number of other legislative enactments to provide legal safeguards to protect and promote human rights and freedoms, to ensure inter-ethnic and interfaith harmony and to prevent manifestations of extremist nationalism. Such instruments strengthened provisions to prevent discrimination, including on the basis of race, national or ethnic origin, language or religion. The authorities always took international experience and standards into account, in particular article 1 of the Convention, and sought to ensure that the country’s laws were fully in compliance with international norms.

9. In October 2019 the Government had worked with the High Commissioner on National Minorities of the Organization for Security and Cooperation in Europe (OSCE) to hold a round table on the Ljubljana Guidelines on Integration of Diverse Societies. Another round table, scheduled for early December, had been organized with the OSCE Office for Democratic Institutions and Human Rights with the aim of discussing the Organization’s guidelines on the legal status of religious communities. The authorities had also organized many round tables on the religious rights of citizens, with the assistance of partners from the United States of America. In November, the Government had held a three-day seminar on the rule of law and religion, in which over 50 experts and religious representatives from the United States had participated.

10. Another priority consisted in carrying out judicial and legal reforms, as the Government was aware of the importance of an independent judiciary for the implementation of the Convention. The State party had a Supreme Court, administrative and economic courts and a Supreme Judicial Council. The establishment of judicial bodies fell under the purview of the Council, and the executive branch could not interfere in the process. The lower age limit for judges had been raised to 35 years, and a great deal of importance had been attached to implementing the Bangalore Principles of Judicial Conduct. The mandate of the Constitutional Court had been broadened, and the Ombudsman now had the right to bring cases before the Court.

11. The Government of Uzbekistan attached great importance to its international obligations in relation to the rule of law and was introducing habeas corpus procedures to strengthen judicial oversight in investigations. The use of preventive custodial measures had been reduced by 30 per cent in 2018, and judges had refused to grant custodial pretrial measures in 42 cases. The number of acquittals had risen from 28 in 2016 to 867 in 2018.

12. The Government had amended the Criminal Code to stipulate that a racist motive underlying the commission of an offence constituted an aggravating circumstance. The periodic report mentioned studies carried out by the Izhtimoi Fikr Centre in response to a recommendation by the Committee calling for opinion polls to be conducted to identify undetected manifestations of racial discrimination. The surveys in question had focused on the topics “Uzbekistan – our common home”, “Multi-ethnic Uzbekistan” and “Levels of religiosity in Uzbekistan”, and descriptions of the studies’ outcomes had been provided to the secretariat and made available to Committee members. Conducting opinion polls, while important, was not the sole focus of the Government’s activities in relation to inter-ethnic relations. To ensure that manifestations of racial discrimination could be identified, improvements had been made to the mechanisms for receiving and examining petitions from citizens. At the President’s initiative, help desks and a web portal had been set up and had been made available in all districts, cities and regions and served as a direct channel for

all citizens to contact the Office of the President. Over 3 million communications had thus been sent. All petitions were looked into and the overwhelming majority had been fully and constructively addressed.

13. A robust institutional system had been set up for the eradication of all forms of racial discrimination. As noted in the report, an interministerial body had been established for the first time to coordinate the implementation of a policy on inter-ethnic relations, and measures had also been taken to enhance human rights protection mechanisms. The Government had also established a national preventive mechanism for the prevention of torture. Measures had been strengthened to improve conditions of detention and to ensure better quality of the food provided to inmates, and special hospitals for inmates had been created to provide them with qualified medical assistance. The standards for inmates' access to telephone calls and other means of communication had also been improved. In addition, people serving custodial sentences could now receive pensions.

14. Over the past two years, specific measures had been taken to strengthen the legal status of national human rights institutions. An ombudsman's office had been set up specifically for the protection of business entities and another was being established for the protection of children's rights.

15. In 2019, the Government had approved the Election Code to consolidate existing election legislation into one law. A pre-election campaign for parliamentary and local election that was currently under way was being conducted in accordance with the new Code.

16. Uzbekistan had adopted broad social measures to combat racial discrimination. The Government had established the Consultative Council for the Development of Civil Society and had adopted the Social Partnership Act and the Public Oversight Act. It was also drafting a new code to consolidate the 10 existing laws governing the activities of NGOs, of which there were some 9,200 in the country.

17. The authorities were conscious of the need to raise awareness about racial discrimination. They had adopted a strategy to improve the legal culture and the culture of rights in society and a programme of action for the implementation of the United Nations declaration on human rights education and training. Human rights training was provided for public officials and for representatives of NGOs, and handbooks on international human rights instruments had been developed.

18. At the international level, Uzbekistan had been at the forefront of efforts to adopt important human rights documents, such as United Nations General Assembly resolutions on policies and programmes involving youth and on enlightenment and religious tolerance, and the Samarkand Declaration on Silk Road Tourism. Uzbekistan had become a member of the International Organization for Migration in 2018. It also continued to work closely with the Office of the United Nations High Commissioner for Human Rights. The Government had adopted a 90-point action plan on cooperation in the area of human rights, including measures to combat discrimination, and had recently received visits from the Special Rapporteur on freedom of religion or belief and the Special Rapporteur on the independence of judges and lawyers. It was also developing a national human rights strategy and a national action plan to implement the Guiding Principles on Business and Human Rights.

19. The Government was aware that much more remained to be done. It was focusing in particular on improving inter-ethnic and interreligious relations by increasing cooperation between the State and civil society, establishing local early warning and conflict prevention mechanisms, introducing educational and awareness-raising measures and providing training for government officials.

20. **Ms. Yunusova** (Uzbekistan) said that Uzbekistan was a secular State that guaranteed the right to freedom of conscience and religion. The Government did not interfere in the activities of religious organizations and it sought to foster mutual tolerance between religions. The law prohibited all acts aimed at inciting religious tension. Following the visit of the Special Rapporteur on freedom of religion or belief, the Senate of the Oliy Majlis (the national parliament) had adopted a road map for ensuring freedom of religion

and belief, most of the elements of which had already been implemented. In addition, the Government had approved the Anti-Extremism Act in 2018 and had simplified the registration process for religious organizations. It continued to work to improve its legislation on religious freedoms, in line with international standards.

21. **Mr. Kurbanov** (Uzbekistan) said that the Government had taken action to regulate inter-ethnic relations, including by establishing the Committee on Inter-Ethnic Relations and Friendly Ties with Foreign Countries in 2017 and also by setting up ethnic cultural centres and international friendship associations in all regions. The international friendship associations, which promoted local languages and traditions, were exempt from paying rent for their premises. The Committee, the centres and the associations had hosted more than 2,000 events to showcase the cultural richness of the country and promote tolerance. Most recently, they had held a “Week of Tolerance” to celebrate the International Day for Tolerance and had also organized a conference on tolerance in Central Asia in which experts from partner organizations and neighbouring countries had participated.

22. In 2019, the Government had adopted the State policy on inter-ethnic relations and a road map for its implementation with the aim of establishing harmonious relations, promoting social standards of tolerance and protecting the constitutional rights and equality before the law of all citizens.

23. **Mr. Saidov** (Uzbekistan) said that education in Uzbekistan was offered in seven languages, and teachers received university-level training on the use of local languages. In areas with a large ethnic community, members of that community were entitled to use their mother tongue in court, and monolingual speakers of other languages had the right to benefit from the services of an interpreter. While Uzbek was the official language of Uzbekistan, the State had a constitutional duty to facilitate the development of other cultures and their traditions. Television and radio programmes were broadcast in at least 12 languages.

24. **Mr. Tashpulatov** (Uzbekistan) said that all legal reforms had been carried out in keeping with human rights standards. A law on the organs of the Ministry of Internal Affairs had been adopted to revise their structures and activities, and local branches of the Ministry employed inspectors to prevent ill-treatment. The Government had changed its approach to combating crime, placing the focus on early prevention, which had led to a significant reduction in the national crime rate. According to the Gallup Poll, Uzbekistan ranked fourth in the world for public trust in State law enforcement agencies.

25. Uzbekistan had acceded to more than 70 human rights instruments. Foreign nationals and stateless persons were guaranteed all rights and freedoms provided for under the domestic legislation and international law. While only 432 individuals had been granted citizenship between 1991 and 2016, more than 9,000 persons had received citizenship since 2016. The Government was currently drafting a bill on citizenship that would further extend eligibility.

26. The authorities attached great importance to combating human trafficking. The Government’s anti-human trafficking policy was aimed at preventing trafficking and impunity, ensuring the provision of social protection for victims, promoting international cooperation and ensuring the effectiveness of national legislation and the legal system. The National Commission on Combating Human Trafficking and Forced Labour – which included representatives from government ministries, NGOs and civil society – and the Institution of the National Rapporteur on Combating Trafficking in Persons and Forced Labour had been established in 2019. A bill on combating human trafficking was being drawn up and would provide for a new mechanism for identifying victims and directing them to the relevant agencies for assistance.

27. **Mr. Saidov** (Uzbekistan) said that the use of the terms “national minority” and “religious minority” had intentionally been avoided in the Constitution and the national legislation, as they were considered discriminatory terms, given that they placed excessive importance on the size of each population group. The term “people”, meaning the nation and national groups of Uzbekistan, was defined in article 10 of the Constitution. All groups, regardless of size, were equal under the Constitution.

28. **Ms. Li** (Country Rapporteur) said that, while the Committee welcomed the positive human rights developments in the State party, she wished to encourage the State party to reconsider the Committee's recommendation that it should bring its domestic legislation fully into keeping with the definition of racial discrimination set out in the Convention. She would also welcome clarification as to why the State party believed that the adoption of a separate law on racial discrimination would run counter to the organizational logic of its legal system. She wished to know whether in the new Criminal Code racism would be included as an aggravating circumstance for all crimes, and whether the provisions of article 4 of the Convention would be incorporated into the domestic legislation.

29. While welcoming the measures taken to strengthen the country's non-judicial mechanisms, she asked what measures the State party had adopted to raise awareness of the Convention, whether the remedies available to victims of racial discrimination had been reviewed, how many complaints or legal cases of racial discrimination had been filed and whether any prosecutions for racial discrimination had been carried out by the criminal, civil or administrative courts or under the non-judicial mechanisms.

30. She said that according to the periodic report, the State party had adopted a national plan of action to implement recommendations made by the Human Rights Council and the treaty bodies. She was interested in hearing about the results of the national plan of action for the implementation of the Committee's recommendations.

31. The Committee had recommended in its previous concluding recommendations (CERD/C/UZB/CO/8-9) that the State party should adopt a legislative framework specifying the rights of ethnic groups. According to the periodic report, there was no need for such legislation because public entities had never received any complaints of discrimination from citizens. The Committee believed, however, that the absence of complaints did not imply the non-existence of racial discrimination. She therefore requested statistics, disaggregated by ethnic groups, on housing, education and social protection, and on the enjoyment of economic, social and cultural rights, especially by the Luli/Roma community, the Karakalpak people and Meskhetian Turks. She also requested information on measures to guarantee access by members of ethnic groups to high-level positions in the public service, the judiciary and the legislature, and also in the Aral Sea Region Development Programme.

32. The Committee warmly welcomed the fact that the President had issued a decree approving the Regulations on the procedure for granting political asylum. In the light of the current global refugee crisis, she asked whether the State party planned to take further action to establish a national asylum system and whether it intended to accede to the 1951 Convention relating to the Status of Refugees, the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness. She commended the measures taken to align national human rights institutions with the Paris Principles and to consolidate the Ombudsman's legal status, and she noted that the Ombudsman had announced in March 2019 that the State party intended to become a fully-fledged member of the Global Alliance of National Human Rights Institutions

33. **Mr. Kut** (Follow-up Coordinator) said that the Committee had in the concluding observations issued in 2014 (CERD/C/UZB/CO/8-9) requested the State party to submit a report on its follow-up to the recommendations contained in paragraphs 12, 14 and 20 (a), (c) and (d), within one year. He commended the State party for submitting its interim report (CERD/C/UZB/CO/8-9/Add.1) on time, in 2015. The Chair had sent an assessment of the interim report to the State party in January 2016. The Committee had urged the State party, in paragraph 12 of the concluding observations, to investigate all allegations of forced sterilization of women, to provide effective remedies to victims and to prevent sterilization in the absence of full and informed consent. As the interim report had failed to mention any investigation, the Committee had reiterated that recommendation. The response in the current report was unsatisfactory, since the State party merely described claims that women were sterilized without their free and informed consent as inaccurate.

34. The Committee had requested the State party, in paragraph 14 of the concluding observations, to increase the political participation of ethnic minorities, to provide information on their representation in elected and appointed positions and to create a

mechanism for consultation on issues concerning minority groups. The interim report had provided information on politically active ethnic groups, but it had failed to provide information concerning their representation in the judiciary and in administrative positions. The Committee had therefore reiterated its recommendation. As the statistics provided in paragraph 121 of the periodic report related solely to the headquarters of the Ministry of Internal Affairs, the Committee would appreciate more wide-ranging statistics.

35. The Committee had recommended in paragraph 20 (a) of the concluding observations that the State party should expedite the naturalization procedure for stateless persons. The interim report had referred to some basic measures, but the Committee considered it regrettable that the Government had failed to take urgent action. The Committee had requested information in paragraphs 20 (c) and (d) on the impact of the cabinet decisions of 2011 and 2012 on the rights of stateless persons, as well as information on any envisaged amendments to the applicable legislation or procedures. The amendments to the Citizenship Act mentioned in paragraph 126 of the periodic report referred primarily to the withdrawal of citizenship. According to the following paragraph, 1,730 stateless persons had been granted Uzbek citizenship since 2016. It would be useful to know what proportion of the overall number of stateless persons in Uzbekistan that group represented. Reference was also made to the temporary registration of 113,295 foreign nationals. It was unclear whether they were stateless persons or citizens of other countries.

36. **Ms. Ko** noting that, according to the surveys conducted by the non-governmental Public Opinion Centre mentioned in the report, the number of respondents who had identified ethnic discrimination as the main reason for conflicts between persons of different ethnicities had declined from 42.6 per cent in 2015 to 34 per cent in 2016., asked what were the reasons for such a significant change of perception.

37. **Ms. Dah** noted that education was provided in the seven most widely spoken languages in the State party and that legal proceedings were conducted in the language of the majority of inhabitants in the area concerned. Moreover, persons who were not proficient in the language of the proceedings were entitled to the services of an interpreter. She said that she wished to know whether students whose mother tongue was not one of the seven widely spoken languages could receive tuition in their own language. Noting that citizens were entitled to submit petitions in written or electronic form to the Office of the President, she asked for information about the procedures for their submission, the issues that they addressed and how they were handled. She said that she wished to know whether women, regardless of their ethnicity, had access to all types of employment and career advancement and to decision-making positions and political office. She commended the action taken by the State party to combat corruption and requested information concerning any mechanisms that had been established for that purpose.

38. **Mr. Avtonomov** said that he had noted that article 6 of the State party's current Labour Code failed to mention two grounds for discrimination listed in article 1 of the Convention, namely colour and descent. Article 4 of the new draft labour code mentioned colour, but still failed to mention descent. He hoped that an appropriate amendment would be introduced to bring the draft into line with the Convention.

39. Noting that the majority of the Luli/Roma community spoke a local version of the Tajik language, he would be interested in learning more about the other languages spoken by that community. For instance, he had heard that a small farming community apparently spoke a language derived from Sanskrit and Hindi. He gathered that none of the groups were nomadic and that they were not subjected to discrimination in the State party. He wished to know, however, whether there was a national policy that took into account the diversity of the Luli/Roma community. He had seen reports that the standard of living of most such groups was lower than average. If such structural discrimination persisted, the Committee encouraged the State party to focus on that issue in its policies and in its future periodic reports.

40. While he commended the State party's ratification of many international treaties, he noted that it had not yet ratified the Private Employment Agencies Convention, 1997 (No. 181) and the Domestic Workers Convention, 2011 (No. 189) of the International Labour Organization (ILO). He urged the State party to ratify them, since many Uzbeks working

abroad for private employment agencies might be at risk of human trafficking. He wished to know how many cases of trafficking had been identified in the State party and how many victims had been provided with assistance for reintegration into society or for return to their countries.

41. **Mr. Murillo Martínez** said that the State party was to be congratulated for its efforts to deepen dialogue between communities, to celebrate the International Day for Tolerance and to receive visits by representatives of the United Nations special procedures, as well as for its emphasis on secularism and religious diversity. He was curious to know more about the use of “people’s diplomacy” mechanisms, particularly in respect of their scope and impact and how they functioned beyond the borders of Uzbekistan. It would be useful to find out more about the measures taken to prevent extremism and how they were implemented in practice. In that regard, he asked whether regular perception surveys were conducted in Uzbekistan to gauge public sentiment on issues such as racism, racial discrimination and extremism, and if so, what the findings of such surveys had been. The delegation might provide information on the State party’s efforts to protect and guarantee the rights of persons deprived of their liberty, including the granting of pension entitlements to convicted persons serving their sentences, which was an innovative concept. The Committee would be grateful for statistics on the composition of the prison population, disaggregated by nationalities or ethnic groups, which it considered to be a useful indicator of those groups’ status in society.

42. According to the State party’s core document (HRI/CORE/UZB/2017), one of the stated priorities of the Government’s strategic programme of political and economic reform was the development of e-governance. He asked whether the programme incorporated any dimensions relating to the use of new technologies, such as artificial intelligence, as such technologies would have especially important implications for young people. Given that the report failed to mention the Sustainable Development Goals, he asked what place they occupied in the national public agenda. Specifically, how was Uzbekistan addressing Goal 13 on climate action? Lastly, he asked what steps Uzbekistan had taken in the context of the International Decade for People of African Descent and of the ongoing initiative of the General Assembly of the United Nations for an international declaration on the rights of people of African descent.

43. **Ms. Verdugo Moreno** said that, while Uzbekistan was indeed an ancient land, it was also a relatively new State. In that sense, it was not a surprise that the Oliy Majlis had passed a large amount of legislation in a short period of time, including laws on discrimination in employment, access to information and access to justice. It was impressive that the Criminal Code contained a large number of provisions relevant to the fight against discrimination. However, considering that the adoption of such a large body of law might pose difficulties for the officials responsible for implementing it, she would like to know what the State party was doing to train those officials to familiarize them with the law and its practical implementation, for example through the development of guidance or specific courses. Did the State party plan to adopt a comprehensive law prohibiting discrimination? Concerning the lack of complaints of discrimination, she asked what kinds of mechanisms were available to members of the public to make it easier for them to file complaints and to access justice. She also asked whether victimization surveys had been carried out to ascertain whether groups that historically had been victims of discrimination had been subjected to harassment or a denial of services, employment or housing, or to racially motivated attacks.

44. **Mr. Bossuyt** said that he would like to know more about the nature and functioning of the presidential portal mentioned in the periodic report. He had been surprised to read that the Criminal Code had only recently been supplemented with provisions prohibiting the use of torture on grounds stemming from ethnic, racial, religious or social discrimination and expanding the range of possible perpetrators by including not only acts committed by law enforcement officers, but also those committed by other State officials. He invited the delegation to explain that information, since his understanding was that the prohibition of torture was always absolute. Concerning the information that rail and road routes to Tajikistan had been reopened and about 10 border crossings had resumed operations, he asked why those connections had been interrupted in the first place. He said

that he would like to know whether the fall in crime was attributable to the adoption of the Crime Prevention Act and if so, how the Act had been implemented and what measures had been deployed to reduce the crime rate. The delegation might also comment on the information that “judges are appointed or elected for an initial 5-year term, a subsequent 10-year term and a further indefinite term of office”, noting that the independence of the judiciary was normally ensured by appointing judges for life. He asked how the exit visa application process mentioned in the report was compatible with the fundamental right of men and women to leave any country, including their own. Noting that under the Citizenship Act, foreign nationals were able to apply for Uzbek citizenship only if they submitted proof that they had renounced foreign citizenship and acquired stateless person status, he asked whether that provision was compatible with the Convention on the Reduction of Statelessness. Lastly, recalling that the Committee was in the process of drafting a general recommendation on racial profiling and algorithmic bias, he asked in which domains and on the basis of what data Uzbekistan applied algorithms, and what steps it took to prevent hidden racial prejudice.

45. **Mr. Yeung Sik Yuen** said that it appeared that persons accused of racially motivated crimes in Uzbekistan were mainly prosecuted under articles 156 and 2441 of the Criminal Code. He noted that in 2016, one person had been convicted under article 97 (2) of murder motivated by inter-ethnic or racial hatred and had received a custodial sentence. However, it was unclear why another person, who had been convicted of causing intentional grievous bodily harm motivated by inter-ethnic or racial hatred under another article, had received only a suspended sentence. According to the figures provided in the report, persons convicted under articles 156 and 2441, which defined offences with elements that offended or threatened the State, apparently received stiffer penalties than those convicted of offences under other articles of the Criminal Code. He said that he wondered whether criminal justice in Uzbekistan was geared more towards the protection of the rights and prerogatives of the State than towards the protection of human rights. In the same context, he requested the delegation to confirm whether a trend for tougher sentences had emerged in recent years and to clarify the meaning of the terms “semi-custodial sentence” and “compulsory treatment order” that appeared in the periodic report.

46. Recalling that in its previous concluding observations (CERD/C/UZB/CO/8-9), the Committee had recommended that the State party should collect statistical data on the ethnicity of persons in preventive detention and detainees held in correctional facilities, he said that the State party’s reason for not implementing the recommendation – namely, that “all prisoners enjoy the rights and freedoms and bear the responsibilities established for the citizens of Uzbekistan” – was somewhat unconvincing. Perhaps such statistical data were not available because the State party did not recognize the term “national minorities”. If that was the case, he would be interested to know whether they might be provided using some other form of disaggregation.

47. **Mr. Diaby** said that he wished to know why the Government had only consulted about 20 of the 9,000 NGOs and civil society organizations operating in Uzbekistan during the preparation of the report. On what basis had the Government selected those organizations, and what was the nature of the ones that had been selected? The delegation had stated that a proposal had been submitted to the Oliy Majlis to consolidate the dozen or so laws which formed the legal framework for the activities of NGOs into a single law. He asked whether the enactment of a single law risked curtailing the liberty of those organizations and whether such a law would be sufficiently comprehensive to cover the diversity of their activities. He said that the Committee would be grateful for information on the judicial protection that was afforded to stateless persons, including an indication as to whether they benefited from a special status and had identity documents that allowed them to easily access education, health and justice services.

48. **Ms. Chung** said that the Committee had received only one alternative report from an Uzbek NGO, noting that no Uzbek organizations had attended the Committee’s informal meeting with NGOs. She would be grateful if the delegation could describe the situation of civil society in the country. She was interested to know about the situation of the Korean minority, which consisted of some 200,000 ethnic Koreans living in Uzbekistan. Although some television and radio programmes were broadcast in the Korean language, she noted

that Korean was not among the seven languages in which schooling was provided. She therefore asked whether reports of a decrease in the Korean population were in some way connected with complaints concerning the lack of educational opportunities in Korean. In that regard, she emphasized that Korean was not spoken only by elderly people who had been deported from Soviet Russia several decades earlier; it was the language of a well-established community. She would also welcome information on the availability of education in the languages of other ethnic groups.

49. **Mr. Saidov** (Uzbekistan) said that many of the Committee's questions and requests for information could be addressed by referring to the annex to the periodic report, which contained relevant disaggregated statistical data, but which had not been translated from Russian. A second set of questions seemed to have arisen from misunderstandings, which his delegation would try to dispel. A third group of questions, however, had been asked on the basis of erroneous information. For example, it was inaccurate to state that Korean nationals had complained about a lack of educational opportunities. On that subject, he wished to make clear that the Government never discriminated against or degraded Koreans or any other community by referring to them as a "minority". It treated the members of all communities as citizens with equal rights. Uzbekistan had recently celebrated the eightieth anniversary of the resettlement of the Korean community from the Far East and had inaugurated a memorial on that occasion. The fact that the community had diminished in number was a reflection of natural processes, such as the return of people to Korea to get married. Ethnic Koreans were highly respected, and some had risen to high office in the Government and the foreign service. One example was the Minister for Preschool Education, who also sat in the Senate. Although the Korean language was not used for schooling, it was in use at the Tashkent State Pedagogical University, and the many Korean ethnic cultural centres all offered Korean language courses.

50. The Government took a consistent approach to its relationship with all NGOs and required them to be registered, in accordance with the law. The NGOs that had submitted information on the periodic report had been invited to do so on the basis of their areas of expertise. A list of those NGOs was included in the annex.

The meeting rose at 6 p.m.