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Seventy-first session

Summary record of the 15th meeting

Held at the Palais des Nations, Geneva, on Wednesday, 23 February 2022, at 11 a.m.

Chair: Mr. Abdel-Moneim

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

Consideration of reports (continued)

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

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

1. *At the invitation of the Chair, the delegation of Uzbekistan joined the meeting.*
2. **The Chair** invited the delegation to continue replying to the questions raised by Committee members at the previous meeting.
3. **Mr. Mukhiddinov** (Uzbekistan), speaking via video link, said that his country had been successful in combating forced and child labour. Under the amendments made to the Criminal Code and Administrative Liability Code in 2019, substantial fines could be imposed for the use of forced labour. The new Criminal Code also established criminal liability for breaches of the law on child labour. Uzbekistan was the only State in central Asia to have ratified the Protocol of 2014 to the International Labour Organization (ILO) Forced Labour Convention, 1930 (No. 29). A fivefold increase in the wages of cotton pickers and agricultural mechanization acted as further deterrents. Tripartite monitors had recorded such a sharp drop in the amount of cotton picked by forced labour that in 2022 it was expected to account for no more than 1 per cent of the total harvest. In 2021, some 1.5 million unemployed persons had been recruited for the harvest through a special Internet portal. The number of labour inspectors had doubled. In 2020, for the first time, civil society observers had been given unimpeded access to the cotton fields during the harvest. On the basis of their findings, administrative measures could be taken against persons who had used forced labour. In 2021, 146 instances of forced labour had been notified. In 65 cases, the courts had found that the offenders bore administrative liability for breaches of legislation. One case concerned five officials who had violated the forced labour regulations. It was hoped that forced labour could be eradicated completely in the near future.
4. **Ms. Marufova** (Uzbekistan), speaking via video link, said that the aim of the current development strategy was to boost women's social and political activities, improve their professional and vocational training, increase their employment opportunities and raise the number of women entrepreneurs. Women made up approximately 46 per cent of the working population. In rural areas, more than half of the 17 million workers were women. Over 133,000 women were registered as entrepreneurs. State-funded centres to promote women's entrepreneurship, which had the status of a non-profit-making organization, had been set up in all 14 regions of the country. In 2021, over 100,000 women had received start-up advice, retraining and career guidance from the centres. The National Bank was responsible for granting financial assistance to women entrepreneurs to enable them to acquire business skills and know-how. Family businesses were offered training and soft loans. More than 100,000 women were employed in the sewing and textile industry. At community level, mahalla committees ensured that women played a leading role in tackling unemployment and poverty. They drew up lists of vulnerable women and through them more than 2,000 women had found a job.
5. **Mr. Saidov** (Uzbekistan), speaking via video link, said that his Government's poverty reduction measures took account of the Committee's general comment No. 6 (1995) on the economic, social and cultural rights of older persons and general comment No. 19 (2007) on the right to social security.
6. **Mr. Norkulov** (Uzbekistan), speaking via video link, said that in 2020 the Government had introduced sweeping reforms aimed at reducing poverty. The Ministry of Economic Development and Poverty Reduction and a number of local entities had been set up for that purpose. Steps had been taken to initiate cooperation with several international organizations. Minimum consumer spending, which was currently 489,000 sum per month, was used to determine the poverty threshold. The level of the food allowance, which had been received by over 10 million persons, had risen by 2 per cent over a ten-year period. Deprived and low-income families were provided with support. The payment of child benefit until the age of 18 made it possible for children from poor families to remain in school,

whereas in the past they had often been obliged to go out to work as soon as they were 14, when the benefit had ended. Benefits were calculated according to the number and age of children in a family. Many children had been provided with schoolbooks and educational grants. State expenditure on those measures had worked out at more than 500 billion sum in 2021. Targeted measures to assist entrepreneurs also helped to reduce poverty. The soft loans given to family businesses were an important means of promoting women's employment. Some 20 per cent of families had availed themselves of such loans, the total amount of which in recent years had exceeded 2 billion dollars.

7. In an effort to reduce homelessness, more than 140,000 housing units had been built in the previous five years. In order to develop human capital and facilitate access to preschool education for all sectors of the population, monthly education grants were paid from the State budget to children of women who had lost their breadwinner. About 300 schools had been refurbished between 2016 and 2020. The proportion of young people in higher education had increased threefold in that period. Girls from low-income families received scholarships. People living with disability received additional grants and benefits. Private universities were also provided with support. Many vocational training colleges had been established to provide young people with skills in demand on the labour market.

8. In 2020, Uzbekistan had submitted a voluntary report on progress towards achieving the Sustainable Development Goals. Its goal was to become a middle-income country by 2030. To attain that goal, it would be necessary to double per capita income and reduce gender inequality. Recent measures to that end had included the establishment of an institute, the main purpose of which was to promote good economic governance at the local level. That institute should help the authorities to implement plans and strategies at a quicker pace.

9. **Mr. Gadoev** (Uzbekistan), speaking via video link, said that the budgetary appropriation for the social protection of vulnerable sectors of the population amounted to more than 2 million sum in the 2020–2022 period. The benefit for persons living with disability since childhood was paid to some 33,000 persons, while 134,000 persons were in receipt of unemployment benefit. Over 400 orphans and children without guardians were housed by the State.

10. **Mr. Mukhiddinov** (Uzbekistan) said that several sections of the new draft Labour Code devoted particular attention to improving access to employment for persons with disabilities and prohibiting discrimination against them. The provisions on medical examinations, shorter working hours, holidays and time off were all in line with the Committee's recommendations and with the Convention on the Rights of Persons with Disabilities. A presidential decision of December 2021 set out a number of additional measures to facilitate the access of persons with disabilities to employment, in particular through the payment of grants to employers who hired persons with disabilities and grants for the adaptation of the workplace. A list of jobs in the State sector that were suitable for persons with disabilities had been drawn up. Free vocational training was available in the mahalla centres for those persons, who were also entitled to the services of sign language interpreters.

11. Both the new draft Labour Code and the Employment Act prohibited discrimination against women. There was no gender pay gap in the formal sector, which was regulated by the State. In reality, however, women did encounter difficulties in accessing employment and they had a higher unemployment rate than men. In the informal sector, they tended to be less well paid than men. In 2021, under a large-scale State programme to remedy that situation, half a million women had been provided with a range of services, including subsidies when they started a business. A strategy drawn up with the assistance of ILO, the United Nations Development Programme, the World Bank and other international organizations targeted four main areas, namely the reduction of unemployment, general vocational training, the improvement of working conditions, and the enhancement of occupational safety and health for migrant workers.

12. **Mr. Saidov** (Uzbekistan) said that there were more than 770,000 persons with disabilities in Uzbekistan, of whom nearly 140,000 were children. A law had been adopted to ensure the implementation of the Convention on the Rights of Persons with Disabilities, which Uzbekistan had ratified on the Committee's recommendation. A national plan of action

on the rights of persons with disabilities was being developed by the relevant domestic and international stakeholders, including representatives of civil society organizations.

13. **Mr. Makhmadaliev** (Uzbekistan), speaking via video link, said that in recent years, a number of simultaneous monitoring and oversight initiatives, including one for which his organization, the Federation of Trade Unions of Uzbekistan, was responsible, had been undertaken to ensure that forced labour was eradicated. No instances of forced labour had been uncovered during the 2021 cotton harvest. During the harvest, some 63 per cent of the country's cotton pickers, or more than a million people, had become temporary members of farmworkers' unions, whose bargaining power had led to wage gains for many of them; more than 57 per cent of pickers had been paid more than the minimum wage.

14. The activities of trade unions in Uzbekistan were regulated by the Trade Unions Act, which had entered into force in March 2020. Procedures for the establishment and registration of trade unions were set out under the Act. Trade unions were independent of the State, including financially, and only those trade unions with legal personality were required to register with State authorities. No one who joined a trade union was subjected to reprisals. In all, nearly 5.5 million workers in Uzbekistan, from both the private and public sectors, were members of a trade union.

15. **Mr. Saidov** (Uzbekistan) said that the Trade Unions Act was not simply an amendment to earlier legislation. It was an entirely new act, based on the fundamental conventions of ILO. Uzbek trade unions had joined the International Trade Union Confederation and cooperated with other trade unions in Central Asia.

16. **Mr. Hennebel** (Country Task Force), speaking in follow-up to questions that had been asked previously, said that he wished to know what remedies were available to people who believed that they had been prevented from exercising their right to work on a footing of equality with others. He would welcome examples of cases in which the courts had considered allegations of employment-related discrimination. It would be particularly interesting to know whether any such cases concerned discrimination on the grounds of a complainant's gender or disability.

17. More information on the State party's plan to promote access to the job market for young people would be welcome, as would an indication of whether any campaigns had been organized to encourage workers to join trade unions. In addition, he wished to know how many applications to create trade unions had been submitted to the authorities in the previous five years and whether companies were required to respect human rights.

18. The Committee was well aware that decriminalizing same-sex relations in the State party was politically challenging. The criminalization of such relations, however, was incompatible with international human rights law.

19. **Ms. Saran** (Country Rapporteur) asked what progress had been made on a legislative amendment concerning the right to strike, what steps were taken to ensure that relevant stakeholders, including trade unions, participated in the process of drafting the new Labour Code, and what restrictions on the right to strike had been included in the proposed code.

20. **The Chair** said that he wished to know whether minimum consumer spending was the sole indicator used to calculate the poverty threshold in the country. The ultimate goal should be the eradication of poverty. He appreciated the opening statement by the head of the State party's delegation that the task was to ensure macroeconomic stability and sustainable economic growth at high rates, although he would prefer to speak of economic development. To continue to build viable economic infrastructure was essential for a country's fulfilment of its obligations under the Covenant.

21. **Mr. Saidov** (Uzbekistan) said that his Government supported the activities related to business and human rights that had been led by the United Nations since 2011. Uzbekistan took part in the Forum on Business and Human Rights, an annual event, and had worked on a national action plan to help ensure that relevant United Nations guidelines, which had been made available in translation, were followed. The Government's aim was to see to it that businesses, which were required to comply with all the country's labour laws, operated responsibly. It expected to be able to adopt the national action plan later in the year.

22. The draft Labour Code had passed a vote in the lower chamber of the Oliy Majlis (the parliament of Uzbekistan) and would move shortly to the Senate. Meetings, rallies and demonstrations were regulated by a newly adopted law, under which organizers were required to provide advance notice of such events and inform prospective participants of their rights and responsibilities. The Act, which did not refer specifically to strikes, also stated on what grounds such events could be prohibited or shut down. The right to strike, on the other hand, was covered in the Labour Code.

23. **Mr. Mukhiddinov** (Uzbekistan) said that labour inspectors worked in all parts of the country. Reports of violations of labour rights could be made by calling a hotline that could be reached from anywhere in the country or by connecting to the website of the Ministry of Employment and Labour Relations. Inspectors themselves also accepted complaints. If mediation and other forms of friendly settlement failed, the State Labour Inspectorate and the courts would step in. In 2021, several dozen officials, including a regional chief administrator (*hokim*), had incurred administrative liability for violations of workers' rights. Impunity for violations of labour laws was a thing of the past.

24. As had been noted, measures had been taken to promote the employment of young people, persons with disabilities and women. A youth fund had been set up to help create jobs for young people and an online platform, on which a million people had registered, facilitated the provision of assistance, including loans for business ventures on preferential terms. Employers had been given incentives – tax breaks, for example – to hire young people.

25. Vocational training was offered at no charge to young people at a number of training centres. Subsidies and loans for the purchase of tools were also available. More information on those and other measures to promote youth employment could be provided in writing.

26. **Mr. Saidov** (Uzbekistan) said that, in 2021, 126 applications for the registration of a trade union had been received; 102 of them had been accepted. Under the new Labour Code, any person who believed that he or she had been discriminated against in the labour sphere could lodge a formal complaint and request compensation and material and moral damages through the courts. A person could also appeal to the national human rights institution for assistance, as well as to the Human Rights Commissioner (Ombudsman) of the Oliy Majlis or the Business Ombudsman. The salaries of women and men were monitored to ensure equal pay for work of equal value, and efforts were being made to promote gender equality and women's rights in the workplace, in line with the ILO Equal Remuneration Recommendation, 1951 (No. 90).

27. Uzbekistan was striving to become one of the top 50 countries in terms of development and well-being. He agreed that development and growth were different concepts.

28. **Mr. Norkulov** (Uzbekistan) said that the Government's plans to halve poverty in Uzbekistan by 2026 were based on inclusive economic growth. In Fergana Province, the Government had allocated 80 hectares of land for growing cotton and wheat, which was then redistributed to the local population via an electronic system. People could thus use the land to build up their assets. With the support of the European Bank for Reconstruction and Development, efforts were being made to harness growth opportunities over the whole production chain, from the sowing of crops to export of the finished product. Because Uzbekistan had a very young population, any investment in human capital was expected to yield major economic opportunities for development. In order to ensure that development was as inclusive as possible, training in modern skills, such as those related to information technology, was being given to the population; it was hoped that young people and women, in particular, could then seek better-paying jobs.

29. Uzbekistan had successfully adopted new indicators on poverty; anyone whose earnings were below a certain threshold was considered to be living in poverty. The Government also sought to identify vulnerable groups who were close to the poverty line, so as to provide them with additional support.

30. **Mr. Hennebel** said that he would like additional information on the criteria used by the Children's Ombudsman to assess the children's homes and other institutions it visited.

What follow-up mechanisms were available in the event that structural failures were identified?

31. It would be useful to learn what measures were being taken to ensure equal access to education, including higher education, for Roma/Lyuli children. The Committee would appreciate an update on the State party's plans to adopt a bill on the social protection of orphans and children deprived of parental care and on its implementation of the road map on strengthening the social protection of such children. Information on State support for family-based and alternative care for children and families would be welcome, as would statistical data on the number of children, particularly children with disabilities, in institutions, and on child poverty and children in street situations.

32. He would be grateful for information on the criminalization of domestic violence and marital rape, as well as data on related complaints, prosecutions and convictions. An update on the bill on the prevention of domestic violence mentioned in the State party's report (E/C.12/UZB/3, para. 72) would also be appreciated. He would like detailed information on the support given to victims of sexual violence and on the existence and effectiveness of rehabilitation centres for such victims.

33. The Committee would like further information on the regulation of forced evictions. Was the case law of the domestic courts with regard to forced evictions fully compatible with the Covenant and the jurisprudence of the Committee? It would be useful to learn whether the State party had devised a strategy to reduce homelessness and how it collected data on homeless people. It would also be helpful to receive data on the availability of social housing units and the number of units actually allocated, in particular to persons belonging to disadvantaged and marginalized groups. Specifically, what steps were being taken to facilitate access to housing for persons with disabilities?

34. He would appreciate updated statistics on malnutrition, especially among children, together with information regarding any recent measures taken to address that issue. He would also like to know whether the State party intended to incorporate the right to food into the Constitution and what framework was in place to recognize that right in domestic law.

35. It would be interesting to receive an update on the roll-out of compulsory health insurance in the State party and on the announced drafting of a bill on compulsory medical insurance. He would also appreciate information on the availability of public health services in remote areas; the measures taken to ensure that persons belonging to marginalized groups had access to public health services and facilities; and the steps being taken to fight corruption in the health-care system. It would be useful to know whether the State party intended to decriminalize homosexuality and to repeal the legislation criminalizing infection with HIV. He would welcome information on any measures being taken to combat discrimination based on sexual orientation or gender identity in the enjoyment of the right to health; to ensure strict medical confidentiality for patients; and to address the growing rates of suicide and self-harm, particularly among adolescents. It would be interesting to learn of any results achieved so far in the application of the national policy framework to develop psychiatric health-care services over the period 2019–2025. Lastly, he would be grateful for updated data on the maternal mortality rate, the infant mortality rate and the mortality rate for children under five years of age.

36. With regard to the issue of drug use, it would be useful to learn whether the State party had in fact extended the opioid substitution therapy programme as suggested in its dialogue with the Committee in 2014. He would like to know whether the State party intended to decriminalize drug possession for personal consumption and to repeal discriminatory provisions in the law on the prevention and treatment of drug-related illnesses, which provided for coercive drug dependence treatment, including in labour camps, and the mandatory registration of drug users.

The meeting was suspended at 12.35 p.m. and resumed at 12.45 p.m.

37. **Ms. Yunusova** (Uzbekistan), speaking via video link, said that the activities of the recently established Office of the Children's Ombudsman had been focused on orphans and children deprived of parental care. Using guidelines issued by the United Nations Children's Fund (UNICEF), the Office had conducted some 40 monitoring visits to children's homes,

schools and other institutions for children with disabilities, boarding schools and psychiatric hospitals with children's wards. It was also working with UNICEF to review domestic laws and regulations with a view to upholding children's rights and better protecting them against exploitation. A pilot project on deinstitutionalization was under way in Tashkent Province.

38. At the initiative of the President, Uzbekistan had carried out five humanitarian operations to repatriate children from areas of armed conflict. Between 2019 and 2021, 531 persons, including 332 children, had been repatriated from such areas. With the support of UNICEF, a series of programmes had been launched to help the children, many of whom had become orphans, to reintegrate into society. The children were taught general life skills and provided with the education, medical and social protection services they needed. A bill on the social protection of children was currently under discussion. The Office of the Children's Ombudsman had established several working groups, including on the prevention of bullying and on the prevention of harassment.

39. **Mr. Turakhojaev** (Uzbekistan), speaking via video link, said that the Government had adopted wide-ranging measures, including in the areas of education and employment, to address the social problems affecting the more than 50,000 Roma/Lyuli living in Uzbekistan.

40. **Mr. Saidov** (Uzbekistan) said that Uzbekistan had set an example for others to follow in respect of repatriation operations. The Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism had seen for herself, during a visit conducted to Uzbekistan in late 2021, the Government's commendable efforts not only to bring women and children back from conflict zones but also to reintegrate them into society, with the support of the unique democratic institutions known as mahallas.

The meeting rose at 1 p.m.