



**International Convention on  
the Elimination of All Forms  
of Racial Discrimination**

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**Committee on the Elimination of Racial Discrimination**

**Reports submitted by States parties under  
article 9 of the Convention**

**Eighth to ninth periodic reports of States parties due  
in 2012**

**Uzbekistan\*, \*\***

[5 November 2012]

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\* This document contains the eighth and ninth periodic reports of Uzbekistan due on 28 October 2012, submitted in one document. For the sixth and seventh periodic reports and the summary records of the meetings at which the Committee considered these reports, see documents CERD/C/UZB/6-7 and CERD/C/SR.2018, 2019, 2040 and 2041.

\*\* In accordance with the information transmitted to the States parties regarding the processing of their reports, the present document was not edited.

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## I. Introduction

1. Since gaining independence, the Republic of Uzbekistan has established legal and institutional structures and mechanisms for promoting, upholding and protecting human rights and fundamental freedoms. Under the Constitution, the human person, his or her life, freedom, honour, dignity and other inalienable rights constitute the supreme values of the democratic society that the country is working to build and develop.

2. The State's policies with regard to human rights and freedoms are underpinned by the universal principles and the generally recognized rules of international law, whose primacy is enshrined in the Constitution. The country's accession to 70 international legal instruments establishing the standards and mechanisms to be applied by the State in compliance with its human rights obligations has resulted in the creation of an effective national system for protecting human rights and freedoms.

3. This system operates on the basis of:

- The Universal Declaration of Human Rights;
- The International Covenant on Civil and Political Rights and the two Optional Protocols thereto;
- The International Covenant on Economic, Social and Cultural Rights;
- The Convention on the Rights of the Child and the two Optional Protocols thereto;
- The Convention on the Elimination of All Forms of Racial Discrimination;
- The Convention on the Elimination of All Forms of Discrimination against Women;
- The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

4. The application of international, universal and regional human rights treaties, as well as of national laws based upon them, has fostered an atmosphere in which discrimination is not tolerated against anyone on the basis of race, ethnic background, religion or other characteristics.

5. Ever since gaining independence, Uzbekistan has sought to establish a foundation for the spiritual development of the nation, which, pursuant to the Constitution, includes all persons residing within its territory. Building a friendlier and more harmonious society and reviving and promoting the innate values of the country's peoples inherited from previous generations has become one of the newly independent State's development priorities.

6. For centuries, Uzbekistan has had various religious and ethnic groups living together in concert. Diverse religions and faiths have always coexisted in its territory. The country must again draw on this historical experience today, given that 136 ethnic groups and peoples, most of whom identify themselves with one of the 16 official religions, are living peacefully in the Republic of Uzbekistan.

7. The foundations for a new period in the country's development were laid in the policy framework for further deepening democratic reforms and establishing civil society in Uzbekistan, which was presented by the President of the Republic, Islam Karimov, at the joint session of the Legislative Chamber and the Senate of the Oliy Majlis (the parliament of Uzbekistan) on 12 November 2010. The document's main objectives were formulated after taking stock of 20 years of independent development directed towards reforming and modernizing the State and society.

8. Priority areas for the further reform of society are as follows:

(a) The democratization of State power and administration through progressive implementation of the constitutional principle of separation of powers, a more effective system of “checks and balances”, strengthening of the oversight functions of the legislative and representative authorities, both centrally and locally, and strengthening of the independence of the judiciary;

(b) Continued democratization, liberalization and humanization of the judicial and legal system, strengthening of judicial protection of civil rights, measures to safeguard the equality of prosecutors and defence counsel, the adversarial system and fair justice at all stages of judicial proceedings, and further enhancement of judicial oversight to ensure the legality of the actions of the agencies conducting initial inquiries and pretrial investigations, with a view to implementing the generally recognized principles and standards of international law regarding the protection of civil rights and freedoms;

(c) Further reform in information-related matters and protection of freedom of speech and of information through enhancement of the legal and economic foundations of the media and increased accountability of government agencies for ensuring broad public access to information on the work of State and governmental authorities;

(d) Progressive development and democratization of electoral law aimed at enabling citizens to participate actively in the electoral process and giving them the democratic skills to exercise their right to vote and to stand for election, and at creating the necessary conditions for effective pre-election campaigning and a transparent and open system of election monitoring, including by international organizations;

(e) Targeted support for the establishment and development of civil society institutions that enable citizens to realize their potential and to increase their political activism and awareness of the law, and that also facilitate the establishment and development of a social partnership between government structures and citizens’ associations and the practical implementation of laws on citizens’ involvement in the administration of public affairs and public scrutiny of the work of government agencies;

(f) Further deepening of democratic market reforms and liberalization of the economy on the basis of improved economic management, bolstering of the right to protection of private property, expansion of small businesses and entrepreneurship, and an increase in their share of the country’s economy through the adoption of additional measures to protect the rights of entrepreneurs.

9. Since the consideration of the sixth and seventh periodic reports submitted by Uzbekistan on the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination (hereinafter, “the Convention”), the country has continued its practice of devoting individual years to tackling major social and economic aspects of human rights:

- 2008: the Year of Youth;
- 2009: the Year of Development and Improvement of the Countryside;
- 2010: the Year of Harmoniously Developed Generation;
- 2011: the Year of Private Enterprise and Small Business;
- 2012: the Year of the Strong Family.

10. The ultimate purpose of all actions taken in these years was to enhance people’s well-being and the living standards of every family, to extend the rights of and opportunities for civil society institutions to act, and to consolidate human rights and freedoms.

11. A defining feature of the aforementioned period was the ratification by the Uzbek Parliament of a number of international instruments aimed at increasing the effectiveness of the national system of human rights protection.

12. In the year marking the sixtieth anniversary of the adoption of the Universal Declaration of Human Rights — the celebration of which was the subject of the Presidential Decree of 1 May 2008 on a programme of events to mark the anniversary — the following international legal instruments were ratified:

- The Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty;
- The United Nations Convention against Corruption;
- The International Labour Organization (ILO) Convention concerning Minimum Age for Admission to Employment (Convention No. 138);
- The ILO Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (Convention No. 182);
- The International Convention for the Suppression of Acts of Nuclear Terrorism;
- The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime;
- The Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography;
- The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.

13. Since the ratification in 2008 of the United Nations Convention against Corruption, considerable importance has been attached to cooperation with the United Nations Office on Drugs and Crime (UNODC) and the Organization for Economic Cooperation and Development (OECD). Uzbekistan joined the Istanbul Anti-Corruption Action Plan of the OECD for the countries of Eastern Europe and Central Asia and has already presented two reports on the plan. Work has begun on elaborating an anti-corruption bill. Steps have been taken to enlarge the role of judicial bodies in monitoring compliance with the law and to ensure that, in their actions, State bodies and law enforcement authorities, including the office of the procurator, are guided by the principle of the rule of law.

14. In the period 2008–2011, the effectiveness of the Uzbek Parliament's legislative and oversight work with regard to the protection of human rights and freedoms improved significantly.

15. During this period, in addition to ratifying international human rights instruments, the Oliy Majlis adopted laws aimed at implementing international standards and strengthening legal mechanisms for the protection of human rights, including:

- The Rights of the Child Safeguards Act of 7 January 2008;
- The Prevention of Human Trafficking Act of 17 April 2008;
- The Act of 16 April 2008 on amendments and additions to certain legislative acts of the Republic of Uzbekistan to improve the law on protection of the rights of minors;
- The Disabled Persons Social Welfare Act of 11 July 2008 (new version);
- The Act of 28 September 2010 on amendments and additions to the Code of Criminal Procedure of the Republic of Uzbekistan to improve the procedure for

cooperation by the courts, procurators, pretrial investigators and agencies conducting initial inquiries with the competent authorities of foreign States;

- The Prevention of Child Neglect and Juvenile Delinquency Act of 29 September 2010;
- The Pretrial Detention during Criminal Proceedings Act of 29 September 2011;
- The Act of 12 December 2011 on the amendment to Article 90 of the Constitution of the Republic of Uzbekistan;
- The Constitutional Act of 9 April 2012 on regular elections to government bodies and of the President of the Republic of Uzbekistan;
- The Family Entrepreneurship Act of 26 April 2012;
- The Act of 24 September 2012 on the protection of private ownership and guarantees of the rights of property owners.

16. Recent years have seen an increase in the number of legal instruments promulgated by the President and the Cabinet of Ministers to ensure the realization of various categories of human rights. Those adopted include, *inter alia*:

- Presidential Decision of 13 April 2009 on additional measures for protecting maternal and child health and shaping a healthy young generation;
- Presidential Decision of 1 July 2009 on a programme of measures for more effective efforts for better reproductive health, healthy newborns and a physically and spiritually robust generation, 2009–2013;
- Cabinet Decision of 23 December 2010 on measures for raising effectiveness in the medical care and social and vocational rehabilitation of persons with disabilities;
- Cabinet Decision of 5 January 2011 on approving the Regulation governing procedures for imposing financial sanctions on organizations violating employment legislation and the social protection of persons with disabilities, as well as on suspending the activities of organizations violating occupational safety and health laws;
- Cabinet Decision of 26 January 2011 on additional measures for implementing the United Nations Millennium Development Goals in Uzbekistan;
- Cabinet Decision of 28 February 2011 on measures for further improving the informal education system;
- Cabinet Decision of 14 March 2011 on measures for preparing and conducting a statistical survey using population sampling;
- Cabinet Decision of 19 March 2011 on organizing a special telephone helpline at judicial bodies;
- Presidential Decision of 27 February 2012 on the State programme “the Year of the Family”;
- Cabinet Decision of 10 March 2012 on measures for further improving the system and organization of recreational activities for children;
- Cabinet Decision of 26 March 2012 on additional measures for implementing in 2012–2013 ILO Convention No. 29 concerning Forced or Compulsory Labour and Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, ratified by the Republic of Uzbekistan;

- Cabinet Decision of Cabinet Decision of 7 April 2012 on additional measures for improving family living conditions.

17. There has recently been greater parliamentary supervision of compliance with international treaties on human rights and freedoms by way of monitoring exercises gauging adherence to international conventions ratified by Parliament, as well as through parliamentary hearings, seminars and conferences devoted to this issue.

18. Thus, on 21 May 2009 the Committee on Democratic Institutions, Non-Governmental Organizations and Citizens' Self-Governance Bodies conducted a joint seminar with the United Nations Educational, Scientific and Cultural Organization (UNESCO) on the role of parliamentarians in implementing the Convention on the Rights of the Child and other international treaties protecting these rights. Likewise, on 25 June 2009 a discussion was held regarding compliance with article 10, paragraph 3 of the International Covenant on Civil and Political Rights; on 25–26 September 2009, an international workshop conference took place, entitled "Social Partnership between the State and non-governmental non-profit organizations as a requirement for the development of civil society in Uzbekistan"; on 22 December 2009, a round table was held on implementing the Convention on the Rights of the Child in Uzbekistan, focusing on the current situation, problems and prospects.

19. On 23 July 2010, the Legislation and Judicial Committee of the Senate (the upper house of the Oliy Majlis) held a conference entitled "Raising the effectiveness of parliamentary supervision: current situation and prospects"; on 24 September 2010, the Committee on Democratic Institutions, Non-Governmental Organizations and Citizens' Self-Governance Bodies of the Legislative Chamber (the lower house of the Oliy Majlis) conducted hearings on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women; on 28 December 2010 a round table was held regarding the rights of the child, centring on international standards and national legislation.

20. On 26 January 2011, the Committee on Democratic Institutions, Non-Governmental Organizations and Citizens' Self-Governance Bodies conducted parliamentary hearings regarding compliance with the International Covenant on Civil and Political Rights. On 8 February 2011, the same committee held hearings on measures taken by the Ministry of Justice to enforce the Convention on the Rights of the Child. On 6 July 2011, the Senate Committee on Foreign Policy Matters met in the khokimiyat (administration) of Fergana province to discuss compliance with the Convention on the Elimination of All Forms of Discrimination against Women; on 9 September 2011 the Legislative Chamber Defence and Security Committee held a round table on developing the legal framework for combating corruption, focusing on national and international practice; on 16 September 2011, the Legislative Chamber Committee on International Affairs and Interparliamentary Relations conducted a parliamentary hearing into steps to enforce the Convention on the Rights of the Child; on 27 December 2011, a round table was held in the Legislative Chamber to discuss the fourth national report of Uzbekistan with regard to implementing the United Nations Convention against Torture.

21. As part of its work during the period 2008–2011, the Committee on International Affairs and Interparliamentary Relations monitored the transposition of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment into national legislation, including analytical monitoring of the implementation status of the Convention against Torture by the law enforcement agencies of Navoiy province.

22. On 30 March 2011, the interdepartmental working group to monitor the observance of human rights by law enforcement agencies, which reports to the Ministry of Justice, considered and approved the national plan of action to implement the recommendations made by the Committee on Racial Discrimination with regard to the sixth and seventh



periodic reports. The plan's implementation status was regularly discussed at the group's meetings.

23. The programme of measures formulated for the purpose of applying the Convention and other international human rights treaties is implemented in accordance with the following instruments:

- The National Plan of Action to implement the concluding observations and recommendations of the Committee on the Elimination of Racial Discrimination following consideration of the sixth and seventh national reports of Uzbekistan on the implementation of the Convention;
- The National Plan of Action to implement the recommendations of the Human Rights Council following consideration of the national report of Uzbekistan in the context of the universal periodic review;
- The National Plan of Action to implement the recommendations of the Committee on the Rights of the Child following consideration of the second periodic report of Uzbekistan on the implementation of the Convention on the Rights of the Child;
- The National Plan of Action to implement the recommendations of the Committee on the Elimination of Discrimination against Women following consideration of the fourth periodic report;
- The National Plan of Additional Measures to implement in 2012–2013 ILO Convention No. 138 concerning Minimum Age for Admission to Employment and ILO Convention No. 182 concerning the prohibition and elimination of the worst forms of child labour;
- The National Plan of Action for the Prevention of Human Trafficking;
- The Plan of Additional Measures to improve the education of children and raise a healthy and harmoniously developed generation;
- The National Plan of Action to implement the recommendations of the Human Rights Committee following consideration of the third national report;
- The Cabinet Decision on additional measures to implement the United Nations Millennium Development Goals in Uzbekistan.

24. In order to overcome the impact of the global financial and economic crisis, Uzbekistan adopted the Anti-crisis Programme 2009–2011, which ensured the social and economic welfare of the population, particularly that of socially vulnerable groups, through measures to support domestic producers and prevent unwarranted increases in the prices of foodstuffs and consumer goods.

25. Particular attention is being paid to organizational, legal and financial support for the country's national human rights institutions. Specifically, in 2009 a number of amendments and additions were made to the Act on the Legislative Chamber of the Oliy Majlis, the Act on the Senate of the Oliy Majlis, the Code of Criminal Procedure and the Penal Enforcement Code with a view to strengthening the legal safeguards underpinning the powers of the parliamentary Ombudsman to consider citizens' complaints and petitions.

26. As part of celebrations marking the sixtieth anniversary of the Universal Declaration of Human Rights in 2008, a special government decision was adopted envisaging a set of measures to be undertaken by the State in support of national human rights institutions, which has helped to enhance the technical and human resources capacities of the Ombudsman and the National Centre for Human Rights.

27. In 2011 the National Centre for Human Rights marked 15 years since inception, during which time it has worked with government agencies and civil society institutions on preparing and submitting around 30 national reports to international human rights treaty bodies regarding compliance by Uzbekistan with its international obligations in respect of human rights and freedoms. Over the same period it has participated in preparing and implementing more than ten national action plans to apply the recommendations of international human rights bodies, assessed over 100 draft laws pertaining to human rights, considered more than 10,000 citizens' complaints, prepared and published over 2,000 digests and books on international human rights law and developed an effective system for interacting with national and international organizations, including the Academic Coordination Council for Research in the Field of Human Rights and Freedoms.

28. Special emphasis is accorded to developing the country's system of State and public human rights monitoring, which includes:

- Committees and commissions of the Legislative Chamber and the Senate;
- The Human Rights Commissioner (Ombudsman) of the Oliy Majlis;
- The Institute for Monitoring Current Legislation in the Office of the President;
- The National Centre for Human Rights;
- The Centre for Monitoring the Application of Legislation, Ministry of Justice;
- The Supreme Court Research Centre on the Democratization and Liberalization of Judicial Legislation and the Independence of the Judicial System;
- The Interdepartmental Working Group for monitoring the observance of human rights by law enforcement and other State agencies;
- The Independent Institute for Monitoring the Development of Civil Society, which coordinates public monitoring and scrutiny of non-governmental non-profit organizations;
- The Women's Committee of Uzbekistan;
- The Forum of Culture and Art of Uzbekistan Foundation;
- The National Association of Non-Governmental Non-Profit Organizations;
- The National Association of Electronic Mass Media;
- The Foundation for the Support and Development of Independent Print Media and News Agencies of Uzbekistan.

29. Great importance is attached to improving public scrutiny (monitoring) of human rights compliance. With this in mind, the Non-Governmental Non-Profit Organizations (Safeguards) Act was adopted, a voluntary fund to support non-governmental organizations and other civil-society institutions was set up, together with a parliamentary commission to manage the fund's resources, and supervision of State funding of civil-society institutions transferred from administrative bodies to Parliament.

30. The work of the parliamentary commission has helped to ensure that the distribution of financial allocations from the State budget to the third sector is highly transparent, public, targeted and, crucially, democratic, which has proved instrumental in enhancing the organizational, technical and financial capacities of non-governmental organizations. In the period 2008–2012, the voluntary fund functioning under the auspices of the Oliy Majlis committed over 22 billion sum to implementing various social projects proposed by civil-society institutions.

31. National experts have now drafted a series of laws geared towards refining the legal framework for monitoring and verifying compliance with human rights and freedoms, including, *inter alia*, bills on parliamentary, public, ecological and social oversight.

32. Priority activities in 2011 included the preparation of a National Human Rights Action Programme, which was formulated on the basis of proposals submitted by over 60 government agencies and civil-society institutions for improving the national human rights protection system.

33. Parliament's adoption of the National Action Programme will make it easier to assess human rights compliance over the 20-year period of independent development and lend fresh and powerful impetus to the progressive and coordinated efforts of the State's human rights activities as democratic reforms continue to take effect and the modernizing process extends to all areas of society.

34. Special units have been established within the Ministry of Internal Affairs, the Ministry of Justice and the Office of the Procurator-General for the safeguarding of human rights and freedoms. Their functions also include combating racial discrimination.

35. With regard to meeting its international obligations on human rights and freedoms, Uzbekistan closely coordinates its activities with the charters, treaty bodies and special mechanisms of the United Nations and regularly submits information to these entities on various aspects of human rights. In 2010–2011, detailed information was provided with regard to communications from:

- The United Nations Special Rapporteur on secret detention in the context of countering terrorism;
- The United Nations Special Rapporteur on the sale of children, child prostitution and child pornography;
- The Special Representative of the Secretary-General on violence against children and national mechanisms for the prevention of violence against children;
- The Special Rapporteur of the Human Rights Council on contemporary forms of slavery, Ms. Gulnara Shahinian;
- The Independent Expert of the Human Rights Council in the field of cultural rights, Ms. Farida Shaheed;
- Updated information was provided on the implementation of the recommendations of the former Special Rapporteur on torture, Mr. Theo van Boven;
- The Rapporteur for follow-up to concluding observations of the Committee against Torture, Ms. Felice Gaer;
- The Office of the United Nations High Commissioner for Human Rights on implementation of resolution 64/174, Human rights and cultural diversity;
- Information on combating hate crime was reported to the Office for Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe (ODHIR-OSCE) *et al.*

36. On 19 October 2009, a round table was held in Berlin devoted to inter-State cooperation in protecting ethnic minority rights and discussion of the Bolzano/Bozen recommendations by the OSCE High Commissioner for National Minorities. Taking part in the proceedings was a delegation from Uzbekistan with the support of the OSCE project coordinator.

37. On 28 July 2011, the director of the National Centre for Human Rights met with senior advisor to the OSCE High Commissioner for National Minorities Sabina Machl and

her political adviser A. Hanjin. The purpose of the meeting was to learn more about the Centre's work, discuss on-going reforms in the country aimed at developing civil society and protecting human rights, particularly those of ethnic minorities, as well as cooperation in these areas.

38. Uzbekistan is taking practical measures to strengthen international cooperation aimed at providing humanitarian assistance to temporary migrants, including children and their families, with a view to ensuring their voluntary and safe return to their homes. This was most clearly in evidence during the tragic events of 11–15 June 2010 in southern Kyrgyzstan, as a result of which around 100,000 people were temporarily received and housed in Andijon, Namangan and Fergana provinces in Uzbekistan.

39. The victims were provided with the necessary assistance by the Government of Uzbekistan, companies and institutions, voluntary organizations and the public. Camps were set up in border districts for temporarily displaced persons from Kyrgyzstan and people were provided with free medical care, clothing, food and everyday items.

40. The Government of Uzbekistan provided the victims with humanitarian aid totalling 4,034,412,900 sum. In addition, national organizations and companies contributed more than 3.1 billion sum for this purpose.

41. On 27–30 September 2011, a seminar was held in Saint Petersburg (Russian Federation) entitled "Towards a Consistent National Policy on Combating Racial Discrimination and Related Intolerance: Developing and Implementing National Action Plans", organized by the Office of the United Nations High Commissioner for Human Rights (OHCHR) and sponsored by the Saint Petersburg Regional Branch of the Russian Red Cross and the Ministry of Internal Affairs of the Russian Federation.

42. The purpose of the seminar was to discuss potential ways of enhancing the ability of governments and civil-society institutions to tackle racism and racial discrimination, as well as to share practical experience gained from implementing national action plans in this area.

43. Great interest was shown in the experience gained by Uzbekistan in submitting periodic reports on the application of the International Convention on the Elimination of All Forms of Racial Discrimination to the United Nations Committee on the Elimination of Racial Discrimination, as well as the preparation, adoption and realization of national action plans to implement the recommendations of the Committee.

44. Concurrent with the implementation of international human rights treaties, Uzbekistan prepared eight national reports during the period 2008–2011, namely:

- The fourth periodic report on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women, considered between 18 January and 5 February 2010;
- The third periodic report on the implementation of the International Covenant on Civil and Political Rights, considered on 11 and 12 March 2010;
- The sixth and seventh periodic reports on the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination, considered between 2 and 27 August 2010;
- The national report on human rights as part of the universal periodic review process, considered by the Human Rights Council in 2009 and approved in March 2010;
- The third and fourth periodic reports on the implementation of the Convention on the Rights of the Child, submitted to the Committee on the Rights of the Child in January 2010;

- The second periodic report on the implementation of the International Covenant on Economic, Social and Cultural Rights, submitted to the Committee on Economic, Social and Cultural Rights in June 2010;
- The initial report on the implementation of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, submitted to the Committee on the Rights of the Child in January 2011;
- The initial report on the implementation of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, submitted to the Committee on the Rights of the Child in February 2011;
- The fourth periodic report on the implementation of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, submitted to the Committee against Torture in December 2011.

45. Much emphasis is currently placed on human rights awareness and publishing activities, also focusing on the rights of ethnic minorities. Each year on 16 November, various events are held in observance of the International Day for Tolerance.

46. On 4 June 2009, the National Centre for Human Rights and the OSCE project coordinator in Uzbekistan held a joint international workshop conference, “Current Challenges in Human Rights Education”, in support of the United Nations International Year of Human Rights learning.

47. On 19 November 2008 and 19 November 2009, round tables — already a regular fixture — were held to mark the International Day for Tolerance under the heading “Tolerance in Uzbekistan Society”, organized by the Ijtimoi Fikr Centre for the Study of Public Opinion in association with the National Centre for Human Rights, the Inter-ethnic Cultural Centre and the National Steering Committee for the UNESCO MOST (Management of Social Transformations) Programme. The round table meeting noted that the concept of tolerance has developed over the course of many centuries and that this process was on-going and reflected the history, traditions, customs and day-to-day realities of each State.

48. On 15 October 2010, the Council of Friendship Societies and Cultural and Educational Relations of Uzbekistan with Foreign Countries organized a workshop conference entitled “Multi-ethnic Uzbekistan: Peace, Stability and Progress”.

49. In August 2011, the Legislative Chamber Committee on Democratic Institutions, Non-Governmental Organizations and Citizens’ Self-Governance Bodies held a conference on eliminating all forms of racial discrimination and implementing the National Action Plan.

50. Pursuant to paragraph 1.3 of the National Action Plan, on 24 October 2012 the National Centre for Human Rights, other government agencies and non-governmental organizations held a joint workshop conference entitled “the Convention on the Elimination of All Forms of Racial Discrimination and Legislation in the Republic of Uzbekistan: Problems of Harmonization”, which discussed the implementation of the Convention in national law.

51. There has recently been a marked increase in human rights publications. The period 2008–2012 saw the publication of, *inter alia*:

- *Protecting the Rights of the Child: a Handbook for Parliamentarians*, in Uzbek;
- *The Convention on the Rights of the Child*, in Uzbek, Karakalpak and Russian;
- *The Convention on the Rights of the Child and its Optional Protocols*, in Uzbek;

- *Human Rights for Parliamentarians*, in Uzbek;
- *Collection of Fundamental Conventions and Recommendations of the ILO*, in Uzbek;
- *Elimination of the Worst Forms of Child Labour (Practical Guidance in Applying ILO Convention No. 182), a handbook for parliamentarians*, in Uzbek;
- *Commemorative Edition of the Universal Declaration of Human Rights*, in Uzbek and Russian;
- An expert commentary on the Rights of the Child Safeguards Act, in Uzbek and Russian;
- *The United Nations Convention on the Rights of the Child and the Rights of the Child Safeguards Act*, a collection in Uzbek, Russian and English;
- *Commentary on the Rights of the Child Safeguards Act*, in Uzbek and Russian;
- *The Legal Foundations of Protecting the Rights of the Child: International Standards and National Legislation*, a collection in Uzbek;
- A collection of standard legal documents on combating human trafficking, in Uzbek and Russian;
- A collection of United Nations international legal instruments relating to human rights and combating crime, in Uzbek and Russian;
- *Priorities and Current Tasks in Preventing Antisocial Behaviour in Children*, a handbook in Uzbek and Russian;
- E-book: *The Rights of the Child: A Collection of International Agreements*;
- *The Rights of the Child*, a study manual for graduate and master's-level students;
- *Monitoring the Rights of the Child*, a study guide in Uzbek and Russian;
- *Human Rights Education: National and International Standards*, in Russian;
- *Prisoners' Rights: International and National Standards*, in Uzbek and Russian;
- *International Standards and Refining National Legislation on Political Parties and Non-Governmental Non-Profit Organizations*, a collection of international round table deliberations, in Russian;
- *Human Rights Research: Status and Prospects*, a collection of deliberations from an international conference, in Russian.

52. When preparing the eighth and ninth periodic reports due regard was paid to the observations and recommendations of the Committee following consideration of the sixth and seventh periodic reports on the implementation of the Convention, as well as the Committee's general observations VII–IX, XIII–XVIII and XIX–XX, XXV–XXVIII.

53. Preparation of the report drew on the provisions of article 9 of the Convention, as well as on the United Nations Compilation of Guidelines on the Form and Content of Reports to be Submitted by States Parties to the International Human Rights Treaties.

54. The report was drafted by the Working group for the preparation of the eighth and ninth periodic reports of the Republic of Uzbekistan on the application of the Convention,<sup>1</sup>

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<sup>1</sup> A. Saidov, Director of the National Centre for Human Rights of the Republic of Uzbekistan, Doctor of Legal Sciences and Professor; Mr. A. Ismailov, Deputy Director of the National Centre for Human

with the assistance of 50 government agencies<sup>2</sup> and non-governmental organizations<sup>3</sup> involved in formulating and realizing State policy with regard to implementing the Convention, the Durban Declaration and Programme of Action of 2001 and the Outcome Document of the Durban Review Conference of 2009 — the core United Nations instruments for combating racism, racial discrimination, xenophobia and related intolerance.

55. The eighth and ninth periodic reports on the application of the Convention were discussed at a meeting of the Committee on Democratic Institutions, Non-Governmental Organizations and Citizens' Self-Governance Bodies.

## II. Information on the implementation of the Convention

### A. Policy of the Republic of Uzbekistan with regard to racial discrimination (art. 1)

56. The 1992 Constitution is the primary legislative instrument providing for the equal enjoyment of fundamental human rights and freedoms in the political, economic, social, cultural and other spheres of public life.

57. Article 8 of the Constitution states that the Uzbek nation is made up of the citizens of Uzbekistan irrespective of their ethnic background.

58. All Uzbek legislation accords citizens equal liberties and equality before the law irrespective of race, sex, ethnicity, language, religion, social origins, beliefs, and personal or social status (article 18 of the Constitution).

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Rights of the Republic of Uzbekistan; Ms. F. Bakaeva, Head of the Department of Human Rights Analysis and Research and Candidate of Legal Sciences; Mr. M. Tillabaev, Head of the Department of International Cooperation on Human Rights and Candidate of Legal Sciences and Ms. K. Arslanova, Principal Consultant in the Department of Human Rights Analysis and Research.

<sup>2</sup> Legislative Chamber of the Oliy Majlis, Senate of the Oliy Majlis, Commissioner for Human Rights (Ombudsman) of the Oliy Majlis, Ministry of Foreign Affairs, Ministry of Justice, Ministry of Internal Affairs, Ministry of Higher and Secondary Special Education, Ministry of Culture and Sport Affairs, Ministry of Labour and Social Protection, Ministry of Education, State Statistics Committee, Cabinet of Ministers Religious Affairs Committee, Constitutional Court, Supreme Court, Supreme Court Research Centre on the Democratization and Liberalization of Judicial Legislation and the Independence of the Judicial System, Higher Economic Court, Office of the Procurator-General, National Centre for Human Rights, Institute for Monitoring Current Legislation in the Office of the President, Central Electoral Commission, Uzbek Press and News Service, Office of the Procurator-General Advanced Training Centre, Academy of the Ministry of Internal Affairs, Ministry of Justice National Centre for Advanced Legal Training, National University of Uzbekistan Faculty of Law, Academy of Public Administration under the President of Uzbekistan, Institute of History of the Academy of Science, University of World Economics and Diplomacy, Tashkent State Institute of Law, National Television and Radio Company of Uzbekistan.

<sup>3</sup> Women's Committee, Forum of Culture and Art of Uzbekistan Foundation, Inter-ethnic Cultural Centre, Trade Union Federation Council, Makhalla national charitable foundation, Kamolot youth movement of Uzbekistan, Association of Judges of Uzbekistan, Uzbek Bar Association, Ijtimoi Fikr Centre for the Study of Public Opinion, Oila Centre for Applied Science, Russian Cultural Centre, Slavutich Ukrainian Cultural Centre, Armenian National Cultural Centre, Uighur Cultural Centre, Uzbekistan-Kyrgyzstan Cultural Centre, Wiedergeburt German Cultural Centre, Jewish Cultural Centre, Association of Korean Cultural Centres, Association of Azerbaijani Cultural Centres, Turkmen Cultural Centre.

59. With a view to ensuring that all peoples and nations resident in the country are able to exercise their human rights, in 1995 Uzbekistan ratified the United Nations Convention on the Elimination of All Forms of Racial Discrimination and fully supports the Durban Declaration and Programme of Action and the Outcome Document of the Durban Review Conference.

60. In order to prevent discrimination based on religion or belief and to ensure adequate legal protection against such discriminatory practices, in 1997 Uzbekistan acceded to the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief.

61. Over a short period of time Parliament adopted 15 codes and more than 500 laws regulating human rights and fundamental freedoms. Almost every law contains provisions prohibiting racial discrimination, as well as mechanisms for its implementation.

62. Examination of Uzbek legislation shows that the provisions of the International Convention on the Elimination of All Forms of Racial Discrimination are fully reflected in the following laws and regulations.

63. Article 15 of the the Principles of State Independence Act of 31 August 1991 reads: "In the territory of the Republic of Uzbekistan, citizenship of the Republic is established in accordance with the Universal Declaration of Human Rights. All citizens of the Republic, irrespective of their ethnic background, social origin, religious faith and opinions, have equal civil rights and enjoy the protection of the Uzbek Constitution and laws."

64. Article 4 of the Constitution ensures a respectful attitude to the languages, customs and traditions of the peoples and ethnic communities residing in its territory and to create conditions for their development.

65. Article 18 of the Constitution states that "all citizens enjoy the same rights and freedoms and are equal before the law, without distinction as to sex, race, nationality, language, religion, beliefs, personal or social status or social origin. Privileges may be established only by law and should be in keeping with the principles of social justice".

66. Article 6 of the Referendum Act (new version) of 30 August 2001 prohibits "any direct or indirect restrictions on the rights of citizens to participate in a referendum on the grounds of origin, social group, sex, education or language".

67. Article 2 of the Physical Education and Sport Act (new version) of 26 May 2000 emphasizes that "citizens of Uzbekistan, irrespective of sex, race, ethnic background, language, religion, social origin, beliefs, personal or social status, have the right to engage in physical education and sport, to create voluntary organizations of a sporting and recreational nature and to participate in the management of the recreation and sports movement. Foreign nationals and stateless persons have the same rights with citizens of Uzbekistan in the area of physical education and sport".

68. Pursuant to Article 4 of the Education Act of 29 August 1997, "everyone is guaranteed equal rights to an education, irrespective of sex, language, age, racial or ethnic origin, beliefs, views on religion, social origin, occupation, social status, place of residence, or length of residence in the territory of Uzbekistan. In accordance with international agreements, citizens of other States are entitled to receive an education in Uzbekistan. Stateless persons residing in Uzbekistan have the same rights to an education as the country's citizens".

69. Under article 6 of the Labour Code of 21 December 1995, "All citizens have equal opportunities with regard to the possession and exercise of labour rights. The imposition of any restrictions or the granting of privileges in the area of labour relations on the basis of sex, age, race, ethnic background, language, social origin, property and employment status,



views on religion, beliefs, membership of voluntary associations or other considerations not related to employees' qualifications and the results of their work is unacceptable and shall be deemed discrimination. Distinctions in the employment sphere resulting from the inherent requirements of a given job or prompted by the State's special concern for persons requiring enhanced social protection (women, minors, persons with disabilities, etc.) do not constitute discrimination. Any person who considers that he or she has been subjected to discrimination in employment may apply to the courts to halt the discrimination and obtain compensation for material and moral injury".

70. The Employment Act (new version) of 1 May 1998 stipulates that "State employment policy is based on the principle of ensuring that all citizens, irrespective of sex, age, race, ethnic background, language, social origin, property and employment status, views on religion, beliefs, membership of voluntary associations or other characteristics, enjoy equal opportunities in realizing the right to work and the free choice of employment".

71. Articles 4 and 7 of the Rights of the Child Safeguards Act of 7 January 2008 prohibit discrimination against children and stipulate that the State shall take the actions necessary to protect a child from all forms of discrimination.

72. Article 11 of the Citizens' Applications Act (new version) of 13 December 2002 prohibits discrimination against citizens exercising their right to petition on the basis of sex, race, ethnic background, language, religion, social origin, beliefs and personal or social status.

73. Article 7, paragraph 4 of the Pretrial Detention during Criminal Proceedings Act of 29 September 2011 prohibits discrimination against detainees and remand prisoners on grounds of sex, race, ethnic group, language, religion, social origin, beliefs and personal or social status.

74. Article 6, paragraph 2 of the Advertising Act of 25 December 1998 stipulates that "discrimination in advertising is prohibited on grounds of sex, race, ethnic background, language, religion, social origin, beliefs, personal or social status, other characteristics or discrimination against the products of other persons".

75. Pursuant to article 8 of the Freedom of Information (Principles and Safeguards) Act of 12 December 2002, "the State protects everyone's right to seek, obtain, study, disseminate, use and store information and restriction of the right to information on the basis of sex, race, ethnic background, language or religion is prohibited".

76. With a view to implementing international treaties to which Uzbekistan is a party, article 3, paragraph 2 of the Guarantees and Measures to Protect the Rights of Foreign Investors Act of 30 April 1998 prohibits discrimination against foreign investors on the basis of their citizenship, place of residence, religion and the location of their economic activities, as well as with regard to the country of origin of investors or investments.

77. Article 2 of the Persons with Disabilities Act of 18 November 1991 states that persons with disabilities shall enjoy all the social, economic and individual rights and freedoms enshrined in the Constitution and other legislative acts and that discrimination against them is prohibited and subject to prosecution.

78. Article 2 of the Nationality Act of 2 July 1992 specifies that citizens of Uzbekistan are equal before the law, irrespective of origin, social and property status, racial and ethnic background, sex, education or language.

79. Article 5 of the Criminal Code stipulates that persons who have committed crimes have the same rights and obligations and are equal before the law, with no distinction as to sex, race, ethnic background, language, religion, social origin, beliefs and personal or social status.

80. Article 16 of the Code of Criminal Procedure stipulates that justice in criminal cases is to be administered on the principle that citizens are equal before the law and courts, irrespective of sex, race, ethnic background, language, religion, social origin or personal or social status.

81. The Guarantees of Attorney's Activity and Social Protection Act of 25 December 1998 ensures the right of citizens of Uzbekistan to engage in the legal profession, regardless of sex, race, ethnic background, language, religion, social origin, beliefs or personal or social status.

82. Restriction of civil rights on the basis of sex, race, ethnic group, language and religion is also prohibited under, *inter alia*, the Nationwide Discussion of Draft Laws Act of 14 December 2000, the Oliy Majlis (Elections) Act of 29 August 2009, the Presidential Elections Act of 18 November 1991 and the Kengash People's Deputies (Provincial, District and Municipal Elections) Act of 5 May 1994.

83. Given that the prohibition of racial discrimination is a feature of virtually all domestic legislative instruments, the Office of the Procurator-General, the Women's Committee, the Centre for Legal Studies, the Ombudsman, the Institute for Monitoring Current Legislation in the Office of the President and the Ministry of Justice consider that implementing paragraph 7 of the concluding recommendations of the Committee with regard to incorporating the term "racial discrimination" into national legislation would be inappropriate.

84. Pursuant to paragraph 1.3 of the national plan of action to implement the recommendations of the Committee following consideration of the sixth and seventh periodic reports submitted by Uzbekistan with regard to the application of the Convention, on 24 October 2012 parliamentarians, representatives of government agencies and civil-society institutions held a workshop conference entitled "Eliminating all forms of racial discrimination and Uzbek legislation: problems of harmonization". The conference noted that since national law currently provides for the elimination of all forms of discriminatory practices, including racial discrimination, it makes little sense to incorporate into it the term "racial discrimination", which is explicitly stated in article 1 of the Convention.

85. In 2011, a statistical survey was conducted using population sampling, according to which 29,123,367 persons were resident in Uzbekistan as of 1 January 2011, of whom: 23,983,153 are Uzbeks, 641,530 Karakalpaks, 837,454 Russians, 78,201 Ukrainians, 19,658 Belarusians, 832,661 Kazakhs, 3,538 Georgians, 41,015 Azerbaijanis, 1,104 Lithuanians, 4,766 Moldovans, 254,584 Kyrgyz, 1,411,554 Tajiks, 37,382 Armenians, 174,660 Turkmens, 218,604 Tatars, 10,233 Jews, 4,406 Germans and 586,864 belonging to other ethnic groups.

86. As of 1 January 2011, the gender composition of the population was as follows:

- Men: 14,568,402, of whom 12,046,177 are Uzbeks, 321,636 Karakalpaks, 380,432 Russians, 35,287 Ukrainians, 9,223 Belarusians, 416,890 Kazakhs, 1,758 Georgians, 20,605 Azerbaijanis, 539 Lithuanians, 2,195 Moldovans, 128,922 Kyrgyz, 711,982 Tajiks, 18,460 Armenians, 86,480 Turkmens, 100,447 Tatars, 5,300 Jews, 2,049 Germans and 280,020 belonging to other ethnic groups;
- Women: 14,554,965, of whom 11,936,976 are Uzbeks, 319,894 Karakalpaks, 457,022 Russians, 42,914 Ukrainians, 10,435 Belarusians, 415,771 Kazakhs, 1,780 Georgians, 20,410 Azerbaijanis, 565 Lithuanians, 2,571 Moldovans, 125,662 Kyrgyz, 699,572 Tajiks, 18,922 Armenians, 88,180 Turkmens, 118,157 Tatars, 4,933 Jews, 2,357 Germans and 288,844 belonging to other ethnic groups.

87. The political, social, economic and cultural climate in Uzbekistan is not conducive to the outbreak and spread of ethnic conflict. Annual opinion polls show strong evidence of inter-ethnic and inter-faith accord, friendship and understanding between ethnic groups.

88. As part of efforts to carry into effect the national plan of action to implement the recommendations of the Committee on the Elimination of Racial Discrimination, in 2010, the Public Opinion community centre conducted a social survey entitled “Uzbekistan is multi-ethnic” in order to ascertain the population’s views regarding the status of and trends in ethnic relations, the changes involved and the conditions and factors that have contributed to fostering civil peace, harmony, stability and understanding in society.

89. The survey was conducted between 1–10 February 2010 in Tashkent, the Republic of Karakalpakstan and in each province. In all, 1,329 persons were polled, of whom 661 (49.7 per cent) were urban and 668 (50.3 per cent) rural dwellers.

90. Taking part in the survey were: Uzbeks (76.8 per cent), Karakalpaks (4.2 per cent), Kazakhs (2 per cent), Kyrgyz (1.6 per cent), Tajiks (5.2 per cent), Slavs (4.7 per cent), Tatars (1.9 per cent), Turkmen (2 per cent), Koreans (1.1 per cent) and other ethnic groups (0.5 per cent); men (49.1 per cent), women (50.9 per cent); respondents aged 16–20 (11.1 per cent), aged 21–24 (8.3 per cent), aged 25–29 (10.4 per cent), aged 30–39 (26.8 per cent), aged 40–49 (22.5 per cent), aged 50–59 (14.2 per cent), aged 60 and over (6.7 per cent).

91. The respondents’ level of education: lower secondary education (5.6 per cent), complete secondary education (36.9 per cent), intermediate vocational education (37.1 per cent), incomplete higher education (3.4 per cent), higher education (17 per cent), including job holders (62.2 per cent), further and higher education students (10.5 per cent), housewives and persons on parental leave (7.8 per cent), unemployed persons (7.2 per cent), persons with disabilities (2.6 per cent) and pensioners (9.7 per cent).

92. The results of the public opinion poll were compared with those of previous surveys undertaken in the period 1999–2009. A distinctive feature of the 2010 survey was that it focused on exploring the conditions and factors promoting stability and civil peace in society, with special emphasis given to determining the social moods of the country’s population.

93. The survey showed that the number of respondents referring to the Uzbek people’s strong sense of decency, generosity (26.6 per cent in 2007, 26.8 per cent in 2008, 36.5 per cent in 2010) and benevolence (27.3 per cent, 15 per cent and 31.7 per cent, respectively) had increased or remained the same over the years. It is significant that in 2010 the number of persons remarking on the Uzbek people’s positive feelings towards people of other nationalities was twice that in 2008.

94. Tolerance of other religious confessions and good citizenship shown by members of ethnic minorities are key criteria for gauging inter-ethnic accord and social stability. Thus, Slavs (32 per cent — generally higher than average among sample respondents) noted Muslims’ tolerance towards followers of other religions; Slavs (12 per cent), Kazakhs (13.6 per cent), Tajiks (14 per cent), Kyrgyz (27.8 per cent) referred to the good citizenship of ethnic minorities.

Table 1  
**Breakdown of replies by Uzbek citizens to the question “What does Uzbekistan mean to you?”, percentage\***

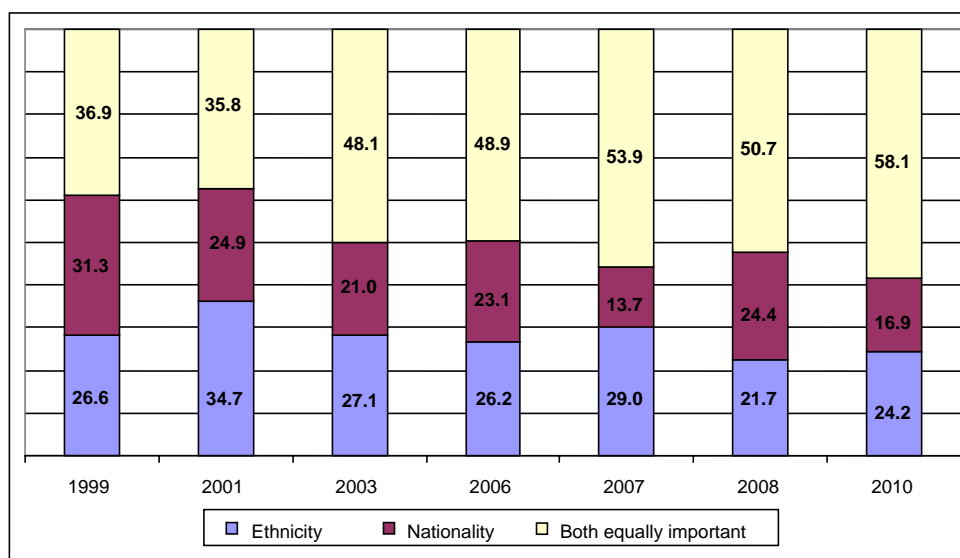
<i>Reply options</i>	<i>2003</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>	<i>2010</i>
My beloved homeland	55.1	54.1	54.3	50.0	60.0
The homeland of my ancestors	33.3	35.5	41.0	36.1	37.9
The country where I was born and grew up	35.0	35.2	42.4	41.1	34.7
My beloved home	15.4	19.2	19.3	22.3	1.6
The country I live in	11.8	8.1	7.9	11.5	11.6

\* Respondents were allowed to choose up to two possible replies.

95. Quite plainly, most Uzbek citizens regard Uzbekistan as their “beloved homeland” (55.1 per cent in 2003, 54.1 per cent in 2006, 54.3 per cent in 2007, 50 per cent in 2008, 60 per cent in 2010), while 33.3 per cent of respondents in 2003, 35.5 per cent in 2004 and 41 per cent in 2007 considered the country as “the homeland of my ancestors”. Close in terms of content and preference is the attitude towards Uzbekistan as the country where the respondents were born and grew up (34.7 per cent). Uzbek citizens have a durable conception of the country as the homeland of their ancestors (37.9 per cent). These figures testify to the increasing awareness in the minds of our citizens of their ties with their historical roots and rich national traditions.

96. A second indicator, expressed by way of the question “What is more important to you, your ethnicity or your nationality?” made it possible to track specific aspects informing the sense of citizenship. By analysing the importance that Uzbek citizens attach to the notions of “ethnicity” and “nationality”, assessment can be made of their sense of citizenship and its growth in recent years (figure 1).

Figure 1  
**Public attitudes towards ethnicity and nationality, percentage**



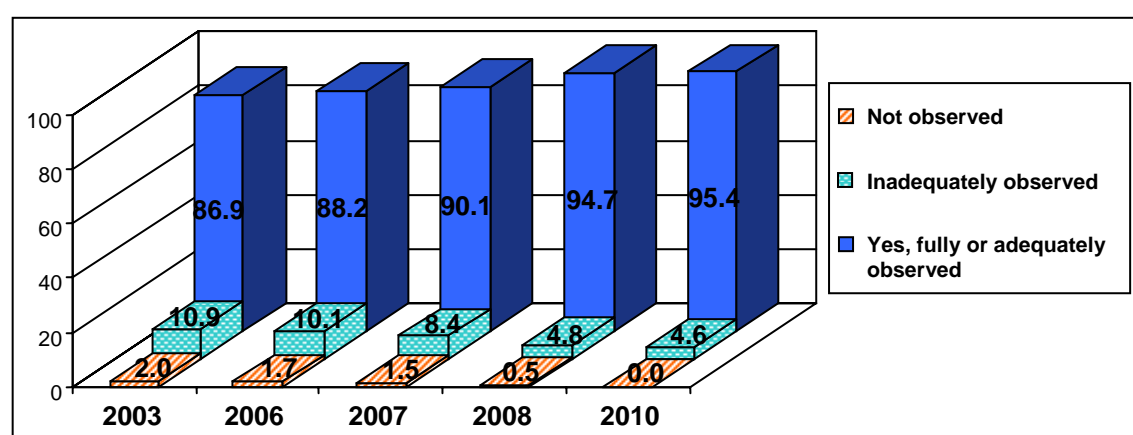
97. Public opinion monitoring indicates that Uzbek citizens place equal emphasis on ethnicity and nationality, as well as the tendency of this concept to prevail over other views on this question. For example, compared with the results of a poll conducted in 2008, the number of respondents expressing this opinion rose by almost 8 per cent (50.7 per cent in 2008, 58.1 per cent in 2010).

98. Uzbek society shows a sustained trend towards robust civic solidarity, with a strong tendency to accord ethnic and national identity equal weight.

99. Comparative analysis of how Uzbek citizens, regardless of their ethnic and religious backgrounds, have, over a period of several years of polling, evaluated compliance with human rights and freedoms in different years indicates that rights and freedoms are observed either fully or adequately. In 2008, for instance, 94.7 per cent of respondents considered observance to be full or adequate, and in 2010 95.4 per cent (figure 2.)

Figure 2

**Evaluation by Uzbek citizens of observance of civil rights and freedoms, irrespective of ethnic or religious background (based on survey results for 2003, 2006, 2007, 2008 and 2010)**



100. The results indicate a sustained trend in the breakdown of respondents' opinions, depending on the year of the survey. The proportion of those who believe that rights and freedoms are inadequately observed (8.4 per cent in 2007, 4.6 per cent in 2010) is decreasing, while the proportion of respondents affirming full or adequate observance is, correspondingly, increasing.

101. Comparative analysis of the breakdown of respondents' opinions on the observance of civil rights and freedoms in Uzbekistan revealed no discrepancies, irrespective of social factors such as place of residence (urban/rural), sex, education and marital status.

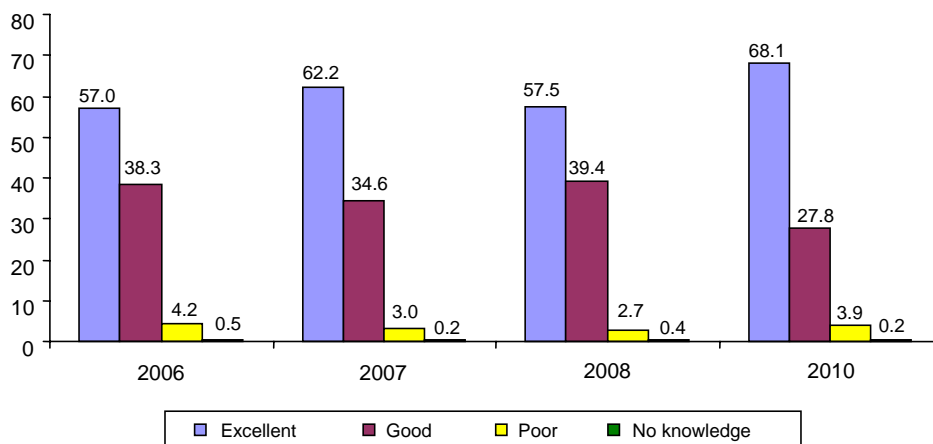
102. As the survey showed, public opinion in Uzbekistan is that civil rights and freedoms enshrined in the Constitution are by and large well observed.

103. Public attitudes towards knowledge of the official language, Uzbek, were tracked in the survey by analysing four indicators:

- Self-assessment of knowledge of the language;
- Desire to learn the language;
- Evaluation of opportunities to study the official language;
- Facilities for and help in studying Uzbek.

104. Analysis of public views on knowledge of the official language showed that the vast majority of respondents have an excellent (68.1 per cent) or good (27.8 per cent) command of Uzbek, thereby demonstrating their high level of proficiency.

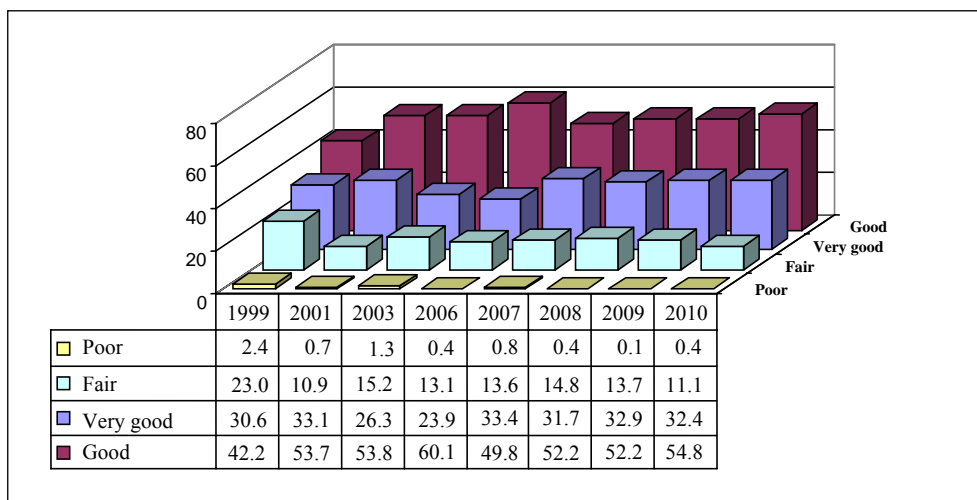
Figure 3  
**Self-assessment of knowledge of official language, percentage (based on survey results for 2006, 2007, 2008 and 2010)**



105. Assessment of the findings suggests that each year ignorance of Uzbek is becoming less of a problem and that Uzbek citizens are, in varying degrees, proficient in the official language, irrespective of their place of residence (urban/rural) and sex. At same time, two strong trends are apparent: (1) an increasing number of respondents saying they have an excellent knowledge of the official language (57 per cent in 2006, 62.2 per cent in 2007, 57.5 per cent in 2008 and 68.1 per cent in 2010); (2) a decreasing number of persons with no knowledge of Uzbek (19.8 per cent in 1999, 2.3 per cent in 2003, 0.5 per cent in 2006, 0.2 per cent in 2007, 0.4 per cent in 2008 and 0.2 per cent in 2010).

106. The vast majority (87.2 per cent) of Uzbek citizens say that from the ethnic and social perspective they live well, while others (11.1 per cent) are basically satisfied with life.

Figure 4  
**Assessment of the state of ethnic relations, percentage**



107. A mere 0.4 per cent of respondents speak of difficulties and tensions in ethnic relations. Interestingly, these are women resident in Tashkent. Personal experience of discrimination or ethnic conflict tends to be based on attitudes encountered in shops, markets and on public transport. Accordingly, negative experiences in ethnic relations are more common in everyday situations, specifically those areas with which women are traditionally more connected. It is notable, however, that replies of this kind are exceptional and that the positive attitudes predominating in the mind of the general public are deeply rooted and are to be found everywhere in daily life.

108. There were found to be no significant differences in the assessment of ethnic relations depending on sex, education, marital and social status. The state of ethnic relations in Uzbekistan is viewed as satisfactory and calm by members of all ethnic groups (table 2).

Table 2

**Assessment of the state of ethnic relations by ethnic group, percentage**

	<i>Good</i>	<i>Very good</i>	<i>Fair</i>	<i>Poor</i>
Uzbeks	56.5	36.9	10.9	0.4
Karakalpaks	60.9	36.9	2.2	-
Kazakhs	54.5	45.5	-	-
Tajiks	43.9	35.0	19.3	-
Kyrgyz	11.1	83.3	5.6	-
Slavs	51.9	23.1	21.2	-
Other ethnic groups	51.3	30.7	15.4	2.6

109. In the period 2006–2010, the number of respondents regarding ethnic relations as fraught with conflict fell from 5.4 per cent to 1.1 per cent.

110. The results of the survey showed the inter-ethnic situation in Uzbekistan to be positive and the population disposed to tolerance, with no discernible reasons for ethnic conflict. Be that as it may, the task of promoting a culture of inter-ethnic dialogue and of harmonizing relations between ethnic groups remains on-going for Uzbek society.

111. Underpinned by a genuinely tolerant attitude toward the values of other ethnic groups, social interaction and behaviour in Uzbekistan is determined by the common cultural space and sense of multicultural community. That having been said, nobody could deny that outbursts of nationalism in everyday life, primarily through lack of understanding and ignorance of the cultural and traditions of other ethnicities, are possible.

112. As to the question of how often Uzbek citizens encounter ethnic enmity, the results of multi-year research indicate that the situation has improved over time. Thus, data compiled during the entire survey period, i.e. 1999–2010, show that on average only 5–6 per cent of respondents said they regularly encountered nationalism in daily life, whereas 65–70 per cent had not.

113. 28.1 per cent of Slavs polled (24.4 per cent in 2009), 26.3 per cent of Tajiks (21.4 per cent in 2009) and 16.8 per cent of Uzbeks (21 per cent in 2009) said they had occasionally encountered ethnic animosity in everyday life, while 5.6 per cent of Kyrgyz and 18.2 per cent of Kazakhs said they had experienced hostility from other ethnic groups, albeit rarely.

114. Most respondents (63.7 per cent, 60.9 per cent in 2009) believe ethnic quarrels are primarily caused by a “shortfall in education”. Given that this has been a major problem for a number of years, promoting a culture of inter-ethnic communication remains a priority

task. Negative phenomena may be countered by strengthening and making greater use of social, cultural and moral education mechanisms, particularly with regard to the younger generation.

115. According to the survey, the vast majority of respondents, irrespective of ethnicity, said they had not experienced any problems on ethnic grounds. Only 3.9 per cent in 2010 (4.3 per cent in 2009, 4.5 per cent in 2008) stated outright that they had encountered ethnic discrimination.

116. The main and most common problems experienced by respondents were: ethnic discrimination when applying for a job (18.6 per cent), difficulties when performing military service (11.6 per cent), nationalism in day-to-day life (conflict in everyday situations, commercial transactions, in the service sector: 9.3 per cent), language barrier (9.3 per cent), difficulties when applying to higher education institutions (9.3 per cent) and lack of literature in one's mother tongue (9.3 per cent).

117. Respondents' views on whether ethnic relations will remain stable going forward constitute a key qualitative indicator for measuring progress in this area (table 3).

Table 3  
**Public expectations regarding ethnic relations, percentage**

<i>Do you believe that ethnic relations will remain stable going forward?</i>	2006	2007	2008	2009	2010
Yes	47.5	48.4	46.4	59.5	54.8
Yes, although this will require continuous efforts on the part of government agencies and voluntary organizations in order to strengthen the country's ethnic relations	32.8	30.5	36.3	26.6	28.7
Perhaps	10.5	13.3	12.1	6.3	12.6
No	1.0	1.7	0.6	0.9	0.2
Not sure	8.2	6.1	4.6	6.7	3.7

118. Data on the outlook for inter-ethnic harmony conclusively confirm an earlier assumption made with regard to the stability of the country's social and political situation, which also holds true for ethnic relations.

119. The public mood regarding emigration remains unchanged, with most respondents (96.8 per cent) expressing no wish to leave Uzbekistan, compared with 3.2 per cent who say they would prefer to. In most cases, emigration is motivated by the desire to join relations or friends (41.2 per cent) living abroad, to look for work, by the fear of losing employment (20.6 per cent) or interest in other countries (14.7 per cent).

120. Year after year, survey results show the important role played by makhallas (citizens' self-governing bodies) in strengthening peace and ethnic and civil harmony. The multi-ethnic composition of makhallas is proportionally increasing (49.4 per cent in 2007, 52.8 per cent in 2008 and 56.5 per cent in 2008). In the regions makhallas are either multi-ethnic or mono-ethnic.



Table 4  
**Multi-ethnic composition of makhallas by region, percentage**

	<i>Multi-ethnic makhallas</i>	<i>Mono/multi-ethnic makhallas</i>
Tashkent	83.1	16.9
Karakalpakstan	100.0	-
Provinces:		
Andijon	50.5	49.5
Bukhara	60.9	39.1
Jizzax	78.6	21.4
Qashqadaryo	46.9	53.1
Navoiy	50.0	50.0
Namangan	25.0	75.0
Samarqand	41.8	58.2
Surxondaryo	48.1	51.9
Sirdaryo	32.1	67.9
Tashkent	92.2	7.8
Fergana	49.2	50.8
Xorazm	3.1	68.9
<b>Total</b>	<b>56.5</b>	<b>43.5</b>

121. When asked if a makhalla had helped solve a particular problem, most respondents (84.4 per cent) said yes, 31.7 per cent of them also noting that the makhalla helped them on a regular basis. Only 8 per cent said it didn't help at all, while 7.6 per cent were unable to say for sure.

122. The results of the survey showed the inter-ethnic situation in Uzbekistan to be positive and the population disposed to tolerance, with no discernible reasons for ethnic conflict. Be that as it may, the task of promoting a culture of inter-ethnic dialogue and of harmonizing relations between ethnic groups remains on-going for Uzbek society.

## **B. Undertaking to condemn racial discrimination (art. 2)**

123. Uzbekistan is a country with a civilization dating back many centuries and tolerant of ethnic, religious, racial, cultural and lingual differences. Since ancient times, persons belonging to different ethnic groups and religions have lived in peace and harmony within its borders.

124. The Government of Uzbekistan regards inter-ethnic harmony and stability as the fundamental objective of State policy and social development.

125. National policy on racial discrimination is geared towards:

- Creating an atmosphere of ethnic harmony and tolerance in society;
- Developing the institutions and legislative machinery to safeguard individual and collective rights, including those of racial and ethnic minorities;
- Taking practical steps to preserve the cultural identity of minority communities and encourage their integration into Uzbek society;

- Ensuring the proportional representation of minority communities in all areas of public life.

126. The State undertakes to ensure a respect for the languages, customs and traditions of the peoples and ethnic communities residing in its territory and to create conditions for their development by various means:

127. President of the Republic, Islam Karimov, notes that “the enormous, determined efforts made to strengthen inter-ethnic and inter-faith peace and harmony in the country, to improve spiritual and moral guidance, return to our roots and raise the level of political and legal awareness among the population have been decisive in ensuring stability and implementing wide-ranging reforms to modernize the country.

128. The climate that has been created in society, where our nation’s age-old, intrinsic human traits of understanding and mutual acceptance, openness, tolerance, kindness, hospitality and generosity are emerging to their fullest extent, is having a positive effect on people’s state of mind”.<sup>4</sup>

129. When enforcing international human rights standards, including those relating to the elimination of racial discrimination, Uzbekistan actively applies the recommendations contained in the Programme of Action and the Outcome Document of the Durban Review Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance.

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

- Banning political parties organized on racial or national principles;
- Prohibiting the use of religion to foment enmity or ethnic dissension;
- Preventing the use of the media to propagate ethnic or religious hatred;
- Granting citizens from the right to free choice of language in communication, education and training.

131. The State Language Act establishes the following important principles for protecting the culture and language of the ethnic groups living in Uzbekistan, ensuring:

- That according the Uzbek language official language status does not infringe the constitutional rights of the peoples and ethnic communities living in the territory of Uzbekistan in use of their mother tongue;
- That citizens have the right to choose the language of inter-ethnic relations at their own discretion;
- That provision be made for the establishment of preschool children’s organizations in the languages spoken in areas with high concentrations of ethnic communities;
- That the right to be educated in the language of one’s own choice be upheld;
- That translations of legislative acts are published in the languages of the peoples living in the country;
- That in areas with high concentrations of ethnic communities the documents of local authorities and administrations be accepted and announced in the official language and the language of the community in question;

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<sup>4</sup> See speech by President Islam Karimov at the meeting of the Oliy Majlis, the Cabinet of Ministers and the President’s Administration marking the sixteenth anniversary of Uzbekistan’s independence/Narodnoe slovo, 31 August, 2007.

- That the official language be the working languages used by international forums and the languages chosen by participants is the official language;
- That legal proceedings be conducted in the official language and in the language used by the majority population in a given locality;
- The right to the use of an interpreter in court litigation and the right to use one's mother tongue in court;
- That certificates of civil status and documents may be duplicated in another language;
- The right to apply to State and other organizations in the official and other languages;
- The right to write one's name, patronymic and surname in keeping with national and historical traditions;
- That television and radio programmes, publishing activity, postal and telegraphic correspondence, the texts of seals, signboards, announcements, labels and instructions be provided in the official and other languages;
- That disparaging or hostile attitudes to the official or other languages be prohibited.

132. A significant contribution to improving the inter-ethnic situation and promoting cultural diversity continues to be made by non-governmental organizations.

133. Uzbekistan currently has over 150 ethnic cultural centres and associations set up by 27 different ethnic groups; 14 of these centres have national status.

134. Among the cultural centres, 31 were established by Koreans, 23 by Russians, 9 by Kazakhs, 6 by Tatars, 3 by Bashkirs, 6 by Kyrgyz, 7 by Turkmen, 4 by Armenians, 4 by Germans, 10 by Tajiks, 3 by Uighurs, 8 by Jews, 5 by Turks, 6 by Ukrainians, 8 by Azerbaijanis, 4 by Poles, 2 by Belarusians, 2 by Crimean Tatars and 1 each by Arabs, Bulgarians, Greeks, Georgians, Latvians, Karakalpaks, Chinese and Dzungars.

135. 131 ethnic cultural centres operate in the country's regions: 4 in Karakalpakstan, 6 in Andijon province, 5 in Jizzax province, 5 in Qashqadaryo province, 10 in Navoiy province, 5 in Namangan province, 11 in Samarqand province, 6 in Sirdaryo province, 4 in Surxondaryo province, 7 in Fergana province, 4 in Xorazm province, 33 in Tashkent province and 22 in the city of Tashkent.

136. The Inter-ethnic Cultural Centre was established by Cabinet decisions No. 10 of 10 January 1992 and No. 180 of 8 April 2003.

137. The Centre represents the country's ethnic cultural centres at meetings of the Committee on the Elimination of Racial Discrimination. One example of this was when the Centre's director attended the meeting of the 77th session of the Committee in Geneva on 2–7 August, where he gave a presentation on the implementation of national policy, illustrating it with a photo album produced by the Centre entitled "Uzbekistan, Our Common Home".

138. The Centre participates in joint events with ministries and departments, the Council of Ministers of the Republic of Karakalpalstan, the regional, municipal and district khokimiyats and voluntary organizations in implementing the State's unified ethnic relations policy.

139. The Centre and ethnic cultural centres have received prestigious government awards. Three were issued in 2010, while in 2011 two ethnic cultural centres were given one each.

140. During the tragic events of 10–14 June 2010, Centre personnel travelled to districts in Andijon province bordering on Kyrgyzstan in order to engage in outreach work among the population and promote civil peace and harmony.

141. At the initiative of the Armenian National Cultural Centre, the Association of Korean Cultural Centres, the Korean Tashkent City Centre and various other centres, collection points were set up to receive deliveries of humanitarian assistance from charitable organizations.

142. Humanitarian assistance worth 84,078,000 sum, including clothing and footwear for children and adults, food and personal care and hygiene products, was also provided by the Azerbaijani, Turkish, Jewish, and Tajik ethnic centres, the Chinese Tashkent City Cultural Centre and the Andijon province Uighur Cultural Centre.

143. The Inter-ethnic Cultural Centre focuses on encouraging, coordinating and promoting public initiatives designed to reinforce the principles of inter-ethnic harmony, enhance culture and ethnic relations and to provide charitable assistance to different peoples and ethnic groups living in Uzbekistan.

144. In 2011, the Russian and Polish cultural centres conducted a charity drive at the Mekhribonlik Home No. 21 to mark International Children's Day, organizing a gala concert and gifts for children. Similarly, the Russian Cultural Centre, its branch in Olmaliq and the Tashkent Tatar Cultural Centre held a number of special events collectively entitled "With All My Heart!" at the Sakhovat Home for the Elderly, Ohangaron, Tashkent province, which included providing humanitarian assistance. The German Cultural Centre staged a concert for senior citizens at the Chatkal Sanatorium.

145. The Russian Cultural Centre is a permanent patron of the Society for the Blind, an SOS village, the National Care Home for War and Labour Veterans, while the Association of Korean Cultural Centres is a patron of the Arirang Home for the Elderly in the Yuqorichirchiq district of Tashkent province, organizing monthly concerts.

146. The Russian Centre and its provincial branches held a programme of events entitled "Ten Days of Good Deeds" and a range of charitable initiatives in support of persons (adults and children) with disabilities, senior citizens, including at mercy houses. The Armenian Cultural Centre staged a traditional charity event at Mercy House No. 21, which involved presenting children with New Year gifts worth a total of 4.5 million sum. The Mekhribonlik and Sakhovat sponsored homes, war and labour veterans and diasporas in straitened circumstances were provided with material assistance totalling over 20 million sum.

147. The Inter-ethnic Cultural Centre represents the interests of cultural centres in government agencies, coordinates their activities with regard to the implementation of statutory tasks, reviving and promoting the unique traditions, customs and ceremonies of the country's different peoples and ethnic groups.

148. Each year ethnic cultural centres celebrate a variety of national holidays including, *inter alia*, Armenian Motherhood and Beauty Day, Catholic and Orthodox Easter, Jewish Passover, Slavonic Literature and Culture Day, the Tatar-Bashkir festival Sabantuy, the Korean holidays Dano and Chuseok, the Georgian vintage and rural harvest holiday Rtveli and the celebration of the Tatar national dish chak-chak. Thus, in 2011 the German harvest holiday Erntedankfest was celebrated (9 October), Poles marked Dożynki and the Bashkir Cultural Centre the Pumpkin Festival (22–23 October). The Greek Culture Society commemorated national Ohi Day ("No to Fascism") (30 October), the Russian Cultural Centre celebrated Mother's Day with a concert entitled "I kiss your hands, mama" (29 November).

149. Special events celebrating language have become a regular fixture. The year 2011 alone saw the fifth annual Uzbek-language public speaking competition, organized by the Inter-ethnic Cultural Centre among students at the Korean language department of the Nizami Tashkent State Pedagogical University; the final of the annual competition to find the best Chinese-language student at the country's higher education establishments, organized jointly with the Embassy of China and the Tashkent City Chinese Cultural Centre; initiatives held by the Russian Cultural Centre devoted to Slavonic Literature and Culture Day in collaboration with other ethnic cultural centres; national summer youth linguistics forum, organized by the national and regional German cultural centres Wiedergeburt in Samarqand; the bilingual "Musical Theatre Forum", involving the study of German and Uzbek, the history of music and theatre, organized by the German Cultural Centre; the "Word of the Year" children's calligraphy contest in celebration of Armenian national Translation Day and a festival marking Translators Day and Armenian literature. State Language Day was celebrated with an Uzbek-language contest for young people and a concert at the Tashkent Paediatric Medical Institute, organized in collaboration with the Inter-ethnic Cultural Centre and various ethnic cultural centres.

150. On 23 February 2011, the Russian Cultural Centre held a seminar entitled "Mother tongue as a means of communication: Modern methods of retention and development" to mark International Mother Language Day. The event was attended by lecturers from Tashkent's top universities and the Tashkent Regional Institute of Tashkent Regional Institute for the Retraining and Advanced Training of Teachers, by editorial staff of "Teaching Language and Literature" magazine and the heads of the Tatar, Bashkir, Jewish, German, and Korean ethnic cultural centres.

151. The National Turkmen Ethnic Cultural Centre works to enhance mutual cooperation and friendship between peoples and promotes the ethnic culture, language, traditions, customs and ceremonies of the Turkmen community, the harmonious development of personality, ethnic accord, peace and stability in Uzbekistan. The Centre unites, on a voluntary basis, the members of any ethnic group, religious denomination or political party, cultural, art, research and education workers, as well as the members of various creative ensembles and workers' associations motivated by the desire to preserve and promote Turkmen culture, the spiritual, traditional and material values of the Turkmen community and to strengthen inter-ethnic peace and friendship.

152. The Centre plans, organizes and coordinates the activities of ethnic cultural centres in areas where the Turkmen diaspora is concentrated. Operating within the Centre is the Turkmen cultural centre of the Republic of Karakalpakstan, Bukhara province, Qashqadaryo province, Surxondaryo province, Tashkent province and the city of Tashkent. The Centre's regional branches help members of the Turkmen diaspora to develop and disseminate their culture.

153. In the period 2010–2012, the Centre conducted numerous public awareness initiatives.

154. An academic conference was held at the Uzbekistan Academy of Sciences to mark 200 years since the birth of the Turkmen poet Mollanepes, attended by members of the Uzbek Government, the diplomatic service of Uzbekistan and the Academy of Sciences, as well as by the Ambassador Extraordinary and Plenipotentiary of Turkmenistan to the Republic of Uzbekistan and the chairmen of cultural centres.

155. On 19–29 October 2011 the XIII Conference of the Humanitarian Association of Turkmens of the World took place in Ashgabat, organized by President of Neutral Turkmenistan and President of the Association, Gurbanguly Berdimuhamedov. Those invited to the conference included the representatives of 22 countries and seven members of the Turkmen diaspora in Uzbekistan.

156. In April 2012 Uzbekistan hosted a festival of Turkmen cinema, attended by members of the Uzbek Government, the Minister of Culture and Sports, guests from Turkmenistan and representatives of the Turkmen diaspora.

157. In Tashkent a programme in the Turkmen language is broadcast by the Yoshlar television channel. Every month in Karakalpakstan 500 copies are published of the Turkmen-language newspaper “Mekan”, which features articles on the culture, everyday life, traditions and customs of Turkmen and other ethnic groups living in Uzbekistan. The country also has Turkmen schools with tuition in the Turkmen language and publishes Turkmen-language books, newspapers and magazines, thereby ensuring that members of the Turkmen community do not forget their mother tongue and are able to discover more about the culture and history of their ancestral homeland. Uzbekistan has a number of popular Turkmen musical ensembles.

158. The Inter-ethnic Cultural Centre coordinates the activities of cultural centres seeking to establish ties with similar organizations in other countries by providing comprehensive support and maintaining a database of international legal instruments regulating ethnic relations.

159. In 2011 and 2012, the Centre hosted a meeting between the OSCE High Commissioner on National Minorities Knut Vollebaek and ethnic cultural centre heads, who provided the former with details regarding the education of ethnic minorities.

160. On 15 April 2011, the new the Ambassador Extraordinary and Plenipotentiary of Poland to Uzbekistan Marian Pshezdetski met with members of the Polish Cultural Centre, discussing, *inter alia*, forms of collaboration going forward.

161. On 26 April 2011, the Ukrainian Cultural Centre, the Inter-ethnic Cultural Centre and the Embassy of Ukraine held a meeting to commemorate the 25th anniversary of the Chernobyl disaster, the consequences of which Uzbekistan helped to eliminate.

162. On 24 May 2011, representatives of the Zeki Velidi Bashkir Cultural Centre met with the academic secretary of the Bashkir Academy of Sciences Professor Niyaz Abdulkhakovich Mazhitov, Academician, Doctor of Historical Sciences and Chairman of the Executive Committee of the World Kurultai (Congress) of the Bashkirs (1995–2002), who gave a lecture on the excavation of an ancient settlement on the site of the present-day capital of Bashkortostan.

163. On 14–15 May 2011, the German Cultural Centre held a national festival of German-language amateur theatre companies at the Youth Theatre of Uzbekistan, which featured a performance by the Galli Theatre Company from Dresden, Germany.

164. On 6 September 2011, the Inter-ethnic Cultural Centre and the Kazakh Cultural Centre sponsored a series of meetings at the Nizami Tashkent State Pedagogical University with Bakhyt Rustemov, a writer and social commentator from Kazakhstan who lived in Uzbekistan until 1976.

165. On 14 September 2011, the Heydar Aliyev Embassy of Azerbaijan Cultural Centre hosted a meeting of representatives of the Azerbaijani Cultural Centre and the Inter-ethnic Cultural Centre with the Minister of Internal Affairs of Azerbaijan, Colonel-General Ramil Usubov, as part of an official visit to Uzbekistan by a delegation from the Azerbaijan Ministry of Internal Affairs.

166. On 20 October 2011, the Centre’s director took part in a reception given by the Regional Authorised Representative of the Konrad Adenauer Foundation in Central Asia Thomas Kunze for Michael Schindhelm, cultural manager, performing arts specialist, theatre director, novelist and former Director General of the Stiftung Oper in Berlin, a

foundation comprising the German capital's three opera houses, then on a visit to Uzbekistan.

167. In 2011 ethnic cultural centres collaborated with the Centre on a series of evening functions celebrating Tatarstan Day (31 October), Russia's National Unity Day (8 November), Bashkortostan Day (19 November), Uzbekistan Independence Day and Polish Independence Day (1 December).

168. The Inter-ethnic Cultural Centre advises voluntary organizations on issues such as sustaining inter-ethnic harmony and promoting the culture and spiritual values of different peoples and communities in Uzbekistan, provides administrative, operational and legal assistance with regard to the study of ethnic relations, organizing conferences, seminars and round tables.

169. Each ethnic cultural centre maintains contacts with its ancestral homeland via embassies and representations accredited in Uzbekistan, receiving from them periodical and media publications, works of fiction in the respective mother tongue, national costumes for amateur performance ensembles and teaching resources for language studies. Visits are organized for cultural centre members to their ancestral homeland, including meetings with delegations from there, and so forth. In addition, bilateral ties with artistic associations and voluntary organizations in these countries are growing increasingly strong.

170. Cultural centre members are elected to international voluntary organizations such as the Presidium of the Ukrainian World Coordinating Council of the Ukrainian World Congress, the World Kurultai of the Bashkirs and the Humanitarian Association of World Turkmen.

171. The governments of these countries operate humanitarian, material and technical assistance programmes.

172. For example, the director of the National Inter-Ethnic Cultural Centre and the chairman of the Wiedergeburt German Cultural Centre participated in the fourth meeting of the Uzbek-German Intergovernmental Commission on the Affairs of Germans Living in Uzbekistan in Berlin on 13–16 June 2011.

173. A delegation from the Ukrainian Cultural Centre took part in the fifth World Forum of Ukrainians in Kyiv on 19–22 of August 2011 and the Ukrainian World Congress on 23–30 of August.

174. On 18–31 October 2011, a delegation from the Turkmen Cultural Centre participated in the 14th conference of the Humanitarian Association of World Turkmen.

175. In 2011, at the initiative of the Embassy of Korea and in collaboration with the Association of Korean Cultural Centres, 120 members of the Korean diaspora aged 60–80 visited their ancestral homeland, the Republic of Korea for the first time in 20 years of Uzbek-Korean relations.

176. The Inter-ethnic Cultural Centre is involved in preparing radio and television programmes, as well as the publication of books, brochures, guides, handbooks, leaflets and other forms of print media designed to meet the cultural needs of different peoples and ethnic communities and promote harmonious ethnic relations.

177. With the Centre's assistance an "Ethno-Religious Atlas of Uzbekistan" has been produced, published by the Publishing House of the State Scientific and Production Company Kartografiya. Similarly, the National Kazakh Cultural Centre has sponsored the publication of around 50 books in Kazakh by writers, akyns (poets) and journalists and the National Uighur Cultural Centre has published a book entitled "The Uighurs of Uzbekistan". The activities of the Fergana province branch of the German Wiedergeburt

Cultural Centre have resulted in the publication of a book called “Germans of the Fergana Valley: Yesterday and Today”.

178. The Inter-ethnic Cultural Centre oversees the work of ethnic cultural centres throughout Uzbekistan. Councils coordinating their activities have been set up in the regions, headed by provincial deputy khokim (local executive authorities) and, in the Karakalpakstan Republic, by the chairman of the Republic’s Council of Ministers.

179. The Forum of Culture and Arts of Uzbekistan Foundation (known as the Fund Forum), established in 2004, is a non-governmental organization implementing major projects whose objective is to support State policies promoting inter-ethnic friendship and the cultural and artistic achievements of ethnic groups living in Uzbekistan. Set up on the initiative of well-known cultural personalities and entrepreneurs with the aim of supporting scientific research, culture and education in Uzbekistan, the Fund Forum has offices in Beijing, Moscow, Tokyo, Paris, Vienna, Geneva, Madrid, New York and Berlin and works in cooperation with UNESCO (since 2007), the British Council, the Swiss Cooperation Office, the Cristiano Ronaldo Foundation, the China Soong Ching Ling Foundation, the Chinese People’s Association for Friendship with Foreign Countries, the Samuel Eto’o Foundation, Nagoya University, Moscow State Linguistics University, the Cultural Development Fund (Egypt), the Ikuo Hirayama Silk Road Museum, the International Friendship Exchange Council (Japan) and the National Museum of Korea. In 2010 the Fund Forum was granted consultative status with the United Nations Economic and Social Council.

180. Since 2005 the Fund Forum has teamed up each year with the Kamolot youth movement to hold the Kelazhak ovozi (Voice of the Future) national competition for talented youth aged 15–25. Competition categories include architecture and design, information technology, labour-saving innovations and engineering solutions, decorative and applied art, creative writing and social commentary. Winners of the Kelazhak ovozi competition afterwards receive support from the Fund Forum and partner organizations, together with university grants and a special Kelazhak ovozi scholarship. The most interesting ideas proposed by competition winners are subsequently commissioned using funds allocated for the purpose and sponsorship is provided to enable the young innovators to take part in international festivals and programmes and to take out patents. To date, 27 Kelazhak ovozi winners have had their inventions and designs patented, while dozens have been invited to join the country’s top organizations and sent to study abroad in China, Germany, Korea, Malaysia and the United Kingdom.

181. Gifted young people receive active support from the Mekhr Nuri charitable foundation, which each year works in partnership with the Fund Forum to organize an educational grants programme and also holds a scholarship competition for talented students enrolled at the country’s higher education institutions. Since 2005, 496 students have been grant recipients, the best of whom continue to receive annual funding while they study. Grant competitions are usually held in late August/early September each year and are open to school leavers already enrolled at a higher education institution but who have not attained sufficiently high grades to obtain a government education grant.

182. The Fund Forum and the Mekhr Nuri Foundation provide gifted students studying in the third and fourth year with incentive scholarships for the duration of the academic year. Scholarship programmes for talented students enable recipients to access funding each month for a single academic year on top of their higher education grant, with the option of renewing it for the following year. In the period 2006–2009, over 300 students were awarded scholarships.



183. Students from Uzbekistan are able to take part in the Interregional Olympiad for Students,<sup>5</sup> the US Central Asia Education Foundation bachelor's degree programme and the annual Reagan-Fascell Democracy Fellows Program offering study placements in the United States.<sup>6</sup> The United States Embassy EducationUSA Advising Centre runs various education exchange programmes that are specially designed for senior pupils and applicants to postgraduate degree courses and promote the free exchange of information and mutual understanding: the Fulbright Program, the Edmund S. Muskie Graduate Fellowship Program (fields of study: business administration, economics, education, environmental management, international affairs, journalism, law, library and information science, public administration, public health, and public policy, as well as various related disciplines and specializations) and the Global Undergraduate Exchange Program (UGRAD).

184. All these measures and programmes are geared towards helping gifted young people to unlock their full potential and develop their talents and abilities, to encourage them to achieve practical results and, by so doing, to facilitate the all-round development of gifted and talented youngsters in Uzbekistan from all ethnic groups.

### **C. Condemnation of racial segregation and apartheid (art. 3)**

185. Uzbekistan condemns racial segregation and apartheid and undertakes measures to prevent, prohibit and eliminate any manifestation of these practices throughout the country.

186. Uzbekistan acknowledges and supports the decisions of the United Nations Security Council with regard to preventing, suppressing and punishing crimes of apartheid.

187. As stipulated by national policy, Uzbekistan rejects the domination by one racial group over any other racial group, its systematic oppression, deprivation of the rights to life and personal liberty and the creation of difficult living conditions.

### **D. Legislative measures to eradicate all incitement to, or acts of, racial discrimination (art. 4)**

188. Uzbek law prohibits all propaganda and all organizations based on ideas or theories espousing the supremacy of one race or group of persons and steps have been taken to eradicate all incitement to racial discrimination.

189. Article 57 of the Constitution "prohibits the creation and operation of political parties and other public associations whose purpose is to change the constitutional system by force, acting against the sovereignty, integrity and security of the Republic and the rights and freedoms of its citizens under the Constitution, advocating war or social, ethnic, racial or religious strife and undermining the health and morality of the people, as well as the creation and operation of paramilitary groups and political parties based on ethnic or religious criteria and the formation of secret societies and associations".

<sup>5</sup> The Interregional Olympiad for Students is organized annually by the National Research University "Higher School of Economics" for final-year students and bachelor degree graduates from CIS countries and the Baltic States. The olympiad is to be held for 39 master's programmes. Winners receive a government grant without the need to take additional tests.

<sup>6</sup> International exchange programme that allows scholars and journalists from different countries to spend five months at the National Endowment for Democracy, Washington, All programme participants receive a monthly grant, medical insurance and funds to cover the cost of a return airline ticket.

190. The Political Parties Act of 26 December 1996 prohibits the creation and operation of political parties advocating war or social, ethnic, racial or religious strife, including those based on ethnic or religious criteria (art. 3).

191. Pursuant to article 24 of the Non-Governmental Non-Profit Organizations Act of 14 April 1999, non-governmental non-profit organizations offending citizens' morality and ethnic and religious sensibilities are denied registration.

192. The Freedom of Conscience and Religious Organizations Act (new version) of 1 May 1998 makes explicit that the State shall not tolerate religious or other forms of fanaticism and extremism, nor any actions aimed at antagonizing and aggravating relations and fomenting enmity between different denominations. The same act prohibits the activities of religious organizations, movements, sects and the like that promote terrorism, drug trafficking and organized crime or pursue other mercenary aims (art.5).

193. Under the Mass Media Act (new version) of 15 January 2007, the mass media may not make use of propaganda on behalf of war, violence or terrorism or the ideas of religious extremism, separatism or fundamentalism or circulate information inciting national, racial, ethnic or religious enmity (art. 6).

194. Incitement to racial hatred is an administrative and criminal offence under Uzbek legislation.

195. Article 42 of the Code of Administrative Liability prescribes fines of once to twice the minimum wage for violating citizens' right to use the language of their choice in child-rearing and education, for obstructing or restricting the use of a language and for showing disrespect towards the State language or other languages of the ethnic groups and peoples living in Uzbekistan.

196. Article 156 of the Criminal Code, "Incitement to ethnic, racial or religious hatred", makes wilfully offending the honour and dignity of an ethnic community or insulting the feelings of believers or atheists with a view to inciting enmity, intolerance or discord towards groups of people on the basis of national origin, race, ethnic background or religion, or directly or indirectly restricting rights or extending direct or indirect privileges based on national origin, race, ethnic background or religion, punishable by deprivation of liberty for up to five years.

197. Under article 141 of the Criminal Code, a direct or indirect infringement of or restriction on rights or the granting of direct or indirect privileges to citizens on the basis of sex, race, ethnic group, language, religion, social background, beliefs, personal or social status is punishable by a fine of up to 50 times the minimum wage, deprivation of a specified right for up to three years or correctional labour for up to two years. Cases of this type involving violence are punishable by correctional labour of two-three years, detention of up to six months or deprivation of liberty for up to three years.

198. Article 97, paragraph 2 (k), of the Criminal Code states that intentional homicide motivated by ethnic or racial enmity is punishable by deprivation of liberty from 15 to 25 years or by life imprisonment.

199. Under article 104, paragraph 2 (h), intentional grievous bodily harm motivated by ethnic or racial enmity is punishable by deprivation of liberty from 8 to 10 years.

200. Under article 105, paragraph 2 (h), intentional moderate bodily harm motivated by ethnic or racial enmity is punishable by deprivation of liberty from 3 to 5 years.

201. A separate paragraph in each of these articles deals with "ethnic and racial enmity" as a motive, classifying it as an aggravating circumstance attracting a harsher penalty: an indication by the legislature that race crimes are a particular threat to society and will be severely punished.

202. Underpinned by the provisions of the Constitution, efforts have been made to improve the following mechanisms for protecting and redressing violated economic, social and cultural rights, including cases of discrimination.

203. First, filing complaints with the appropriate government agencies, which consider and authorize the complaint in accordance with established procedure by verifying the allegations made by applicants and then informing them in writing as to the action taken to redress their rights (administrative protection).

204. The Applications Act of 12 December 2002 prohibits the delegation of complaints to agencies whose decisions and actions have already been challenged and prohibits the disclosure of information regarding the private life of citizens and the victimization of them and their families for lodging a complaint. The government agencies examining complaints must ensure that the applicant is accorded the right to engage the services of a lawyer or a representative, take immediate action to stop unlawful acts or omissions and take steps to see that the applicant is compensated for any harm or emotional distress resulting from the violation of his/her rights, freedoms and legal interests.

205. It is noteworthy that in 2010, 2011 and the first half of 2012 the Ministry of Labour and Social Protection received not a single complaint from members of the public with regard to racial discrimination.

206. Second, judicial recourse in cases regarding unlawful conduct or decisions on the part of government agencies and officials (judicial protection).

207. In 2010, of the total number of persons sentenced by criminal courts, 0.12 per cent were convicted for fomenting national, racial, ethnic or religious enmity (article 156 of the Criminal Code), in 2011 0.1 per cent, and in the first half of 2012 0.08 per cent.

208. Third, the filing of complaints with the Human Rights Commissioner (Ombudsman) of the Oliy Majlis for violation of civil rights and freedoms in cases where a citizen has used the aforementioned remedies and mechanisms for protecting his/her rights (extrajudicial protection). The Ombudsman is entitled to consider complaints lodged by Uzbek citizens, foreign nationals resident in Uzbekistan and stateless persons and to investigate the complaint. The Ombudsman does not consider cases falling within the jurisdiction of the courts. After verifying the claims made by the applicant, he/she submits his/her conclusions to the appropriate government agency with recommendations with regard to redressing the applicant's rights.

209. Where exercising the right to freedom of conscience is concerned, in 2010 the Ombudsman received 288 petitions from citizens and international organizations objecting to the detention, criminal prosecution and conviction on religious grounds, and calling for the readmission of students and teachers to higher educational institutions and so forth.

210. In 2011–2012 the number of petitions on these issues fell substantially. However, examination of the petitions filed with the Ombudsman indicates that the standards and rules stipulated in the Freedom of Conscience and Religious Organizations Act are not always properly applied. Citizens petition with regard to the unwarranted criminal prosecution and sentencing of persons to long terms of imprisonment on religious grounds.

211. Fourth, application to the procuratorial authorities, which monitor compliance with the law by ministries, departments, companies, institutions and organizations and khokim, as well as overseeing the conduct of preliminary criminal investigations and the detention of citizens in correctional facilities. Procuratorial authorities consider applications and complaints from citizens and implement measures to redress their violated rights. Where there are sufficient grounds for doing so, a procurator is entitled to instigate criminal or administrative proceedings against persons who have violated human rights, as well as to

institute and pursue court action if the citizen whose rights were violated on grounds of health or age is personally unable to assert his/her rights in court.

212. In 2010, 2011 and the first half of 2012 the procuratorial authorities received no complaints or petitions relating to racial discrimination.

213. In pursuance of article 156 of the Criminal Code, during 2011 and the first half of 2012 the country's law enforcement agencies instigated and investigated ten criminal cases against 20 members of religious extremist groups and tendencies.

214. In the same period, no investigations were initiated into crimes committed under article 141 of the Criminal Code, given that no complaints or petitions relating to racial discrimination were submitted to the procuratorial authorities.

215. Fifth, recourse to judicial bodies authorized to protect the human rights and freedoms enshrined in the Constitution and laws of Uzbekistan by way of objective and detailed consideration of citizens' complaints regarding violations of their constitutional rights and freedoms and responding to them in compliance with legislation.

216. In the period 2010–2012, the Ministry of Justice received no complaints relating to cases of racial discrimination. Also, of the total number of complaints considered with regard to various human rights issues, 170 were submitted in Russian in 2011 and 60 in Russian in the first half of 2012. Pursuant to article 14 of the State Language Act, persons petitioning in Russian are entitled to receive the response to their petition in the same language.

217. Sixth, petitions to public law firms providing services for natural and legal persons underpinned by the principles of lawyer independence, strict observance of professional ethics, lawyer-client confidentiality and the use of remedies not prohibited by law. Lawyers' rights and obligations are spelled out in the Legal Profession Act of 27 December 1999 and the Guarantees of Attorney's Activity and Social Protection Act of 25 December 1998, as well as the Code of Civil Procedure, Code of Criminal Procedure and the Code on Administrative Responsibility.

218. Seventh, petitions to non-governmental organizations which are entitled to protect the rights of their members (participants) in accordance with their charters.

219. In the first half of 2012, of the total number of written submissions received by the Council of the Federation of Trade Unions, 89 per cent came from women, 1.02 per cent from young people and 9.7 per cent from persons with disabilities. Of these, 50.8 per cent of submissions from women had positive outcomes, 100 per cent of those from young people and 78.9 per cent of those from persons with disabilities. Correspondingly, in the same period of the total number of oral communications, 70.8 per cent were from women, 25.3 per cent from young people, and 3.9 per cent from persons with disabilities. All oral communications were fully clarified. Appropriate action was taken and advice given in response to calls made to the telephone help line.

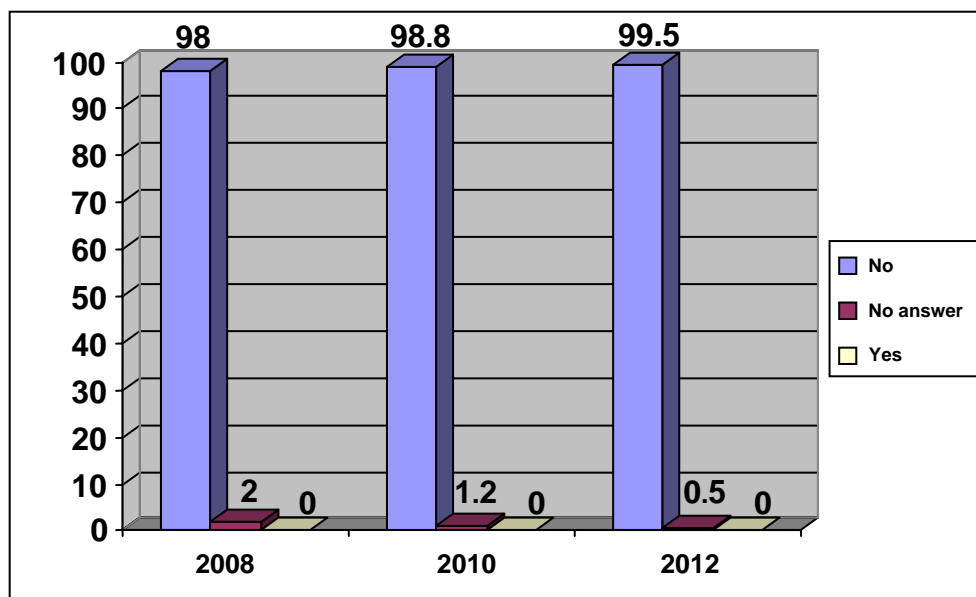
220. In regard to paragraph 14 of the recommendations made by the Committee on verifying the absence of complaints relating to racial discrimination, pursuant to paragraph 8.1 of the national plan of action to implement the recommendations of the Committee, between 1–10 February 2010 the Centre for the Study of Public Opinion Ijtimoi Fikr conducted two public opinion polls respectively entitled "Uzbekistan, Our Common Home" and "Reform of the Judicial and Legal System in the Mirror of Public Opinion".

221. In the aforementioned polls not a single case of racial discrimination was recorded, as is evidenced by the data given below.

222. Have you personally or your close relations or friends experienced discrimination with regard to your civil rights and freedoms on the grounds of your race or ethnicity? (As percentage of the total number of poll respondents.)

Figure 5

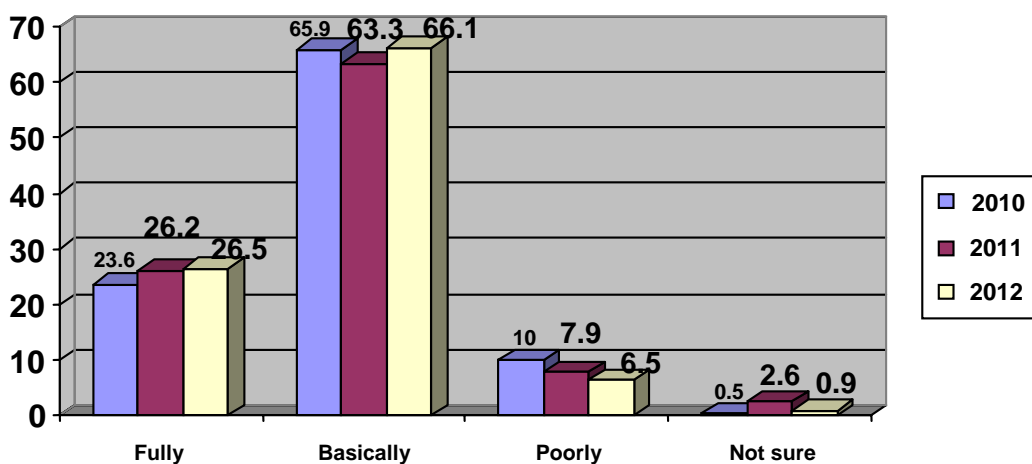
**Have you personally or your close relations or friends experienced discrimination with regard to your civil rights and freedoms on the grounds of your race or ethnicity? (percentage)**



223. The reason why this social survey recorded no complaints of racial discrimination is explained precisely by the fact that not a single member of an ethnic group living in Uzbekistan had encountered discrimination in any form on the grounds of race or ethnicity.

224. The results of the “Reform of the Judicial and Legal System in the Mirror of Public Opinion” social survey indicate that the country’s citizens are fairly well informed as regards their rights and that law enforcement agencies enjoy a high degree of public confidence. The Centre conducts this particular survey annually as a public opinion monitoring exercise. When polled in 2012, over a quarter of respondents said that they were fully aware of their constitutional rights. Two thirds said they had a general idea of their civil rights, while 6.5 per cent of them admitted that their knowledge of their constitutional rights was poor. Most importantly, however, is that nobody said they were totally unaware of their civil rights, which means that the country’s citizens are well informed as to how to go about protecting their constitutional rights and which legal instruments and mechanisms they can use for this purpose.

Figure 6  
How well are you aware of your civil rights? (percentage)



225. A poll conducted in March 2012 revealed that, by and large, the general public had confidence in the country's law enforcement agencies. The survey showed, for instance, that 86.8 per cent of citizens have faith in the procuratorial authorities, while courts enjoy the confidence of 83.5 per cent of respondents and internal affairs authorities 79.6 per cent. 83.8 per cent of those polled said they had confidence in the legal profession.

226. Particularly notable is the public's increasing confidence in the institution of the Human Rights Commissioner (Ombudsman) of the Oliy Majlis. Thus, whereas in May 2011 84.8 per cent of respondents expressed confidence in the Ombudsman, in 2012 their number had risen proportionally to 85.2 per cent. Most citizens (80.5 per cent) said they had confidence in the National Centre for Human Rights.

Table 5

**Do you trust the following law enforcement agencies and human rights organizations to perform their professional duties fairly and impartially?**

<i>Legal body</i>	<i>Yes</i>	<i>No</i>	<i>Not sure</i>	<i>Refused to answer</i>
Court	83.5	2.4	10.7	3.4
Prosecutor's office	86.5	2.2	9.5	1.4
Ministry of Internal Affairs	79.6	4.5	13.7	2.2
The Bar	83.8	2.0	12.6	1.6
Ombudsman	85.2	1.0	13.8	-
National Centre for Human Rights	80.5	1.1	16.5	1.9

227. Public opinion polls reveal no cases of racial discrimination against any ethnic group living in Uzbekistan.

228. The general public's legal literacy and awareness regarding its constitutional rights is by and large satisfactory. The claim that the absence of complaints of racial discrimination is a result of the citizens' ignorance of the country's laws is insufficiently substantiated.

229. Positive evidence supporting the assertion that citizens' awareness of their constitutional rights is at a satisfactory level rests on the fact that virtually all poll

respondents know which government agencies they can contact if their civil rights are violated or infringed.

230. Polls also reveal that the absence of complaints of racial discrimination cannot be attributed to public lack of confidence in the country's law enforcement agencies, which, as surveys show, by and large enjoy the confidence of most citizens and ethnic groups in Uzbekistan.

231. Thus, the results of the opinion polls support the claim that the absence of complaints of racial discrimination is attributable to a single factor, namely that in Uzbekistan no discrimination of any form is practised against any person on the grounds of race or ethnicity.

**E. Measures undertaken to prohibit and to eliminate racial discrimination and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, notably in the enjoyment of the following rights (art. 5)**

**1. The right to equal treatment before the tribunals and all other organs administering justice**

232. Pursuant to article 18 of the Constitution, all citizens of the Republic of Uzbekistan enjoy equal rights and freedoms and are equal before the law, irrespective of their sex, race, ethnic background, language, religion, social origin, beliefs, or personal or social status.

233. Article 44 guarantees legal protection for every individual's rights and freedoms, and the right to complain to the courts about unlawful acts by government agencies, officials or voluntary associations.

234. Legal proceedings in Uzbekistan are conducted in Uzbek, Karakalpak or the language of the majority population in the area concerned. Persons not proficient in the language in which the proceedings are being conducted have the right to be fully apprised of the case, to participate in the proceedings through an interpreter and the right to address the court in their native language.

235. In accordance with paragraph 15 of the Committee's recommendations, the Supreme Court of Uzbekistan has submitted data on the number of trials where the services of an interpreter were employed in the cases of persons not proficient in the language in which the criminal or administrative proceedings were conducted: 2,133 in 2010 (2,080 in 2009), of which 7 were provided for a fee (3 in 2009) and 2,126 were free of charge (2,077 in 2009). Specifically, in 2010 there was one case involving translation from Kyrgyz (6 in 2009), 17 from Kazakh (5 in 2009), 38 from Tajik (59 in 2009), 7 from Turkmen (7 in 2009), 5 from Tatar (16 in 2009), 1,996 from Russian (1,836 in 2009), 3 from English (5 in 2009) and 66 from other languages (146 in 2009).

236. With regard to civil lawsuits, the services of an interpreter were provided free of charge in 948 cases in 2010, as compared with 1,456 in 2009.

237. There were 9 cases involving translation from Kazakh in 2010, 8 from Tajik (9 in 2009), 4 from Tatar, 925 from Russian (1,425 in 2009), 2 from English in 2009 and 2 from other languages in 2010 (20 in 2009).

238. In 2011, the courts considered 3,213 cases involving the services of an interpreter for persons not proficient in the language in which the criminal, civil or administrative proceedings were conducted. In 3,210 cases the services were provided free of charge. In the first half of 2010 there were 771 cases employing the services of an interpreter.

239. Under the Constitution and the Criminal Correctional Code, irrespective of their racial or ethnic background, all persons held at pretrial detention facilities or serving time in correctional institutions have equal rights, which are determined by the conditions applicable to the type of sentence concerned.

240. Each day the Organizational Analysis Department of the Ministry of Internal Affairs checks the log book of complaints and communications received by the control room helpline. To date, no cases relating to racial discrimination or violation of the rights of ethnic minorities have been recorded by beat officers employed by the Main Directorate of the Patrol Inspection Service or the Public Order Maintenance Department.

241. In compliance with articles 71–72 of the Code of Criminal Procedure, investigative units of the Department of Internal Affairs conducting preliminary investigations are obliged to ensure that an interpreter is present if a suspect, accused person or victim is not proficient or not sufficiently proficient in the language in which the investigation is conducted, or is deaf or mute.

242. Interpreters are appointed on the basis of their impartiality as to the outcome of the case and have a higher education degree in a specialized field. They must without fail be briefed on their rights and obligations under article 72 of the Code of Criminal Procedure prior to the start of an investigation.

243. The Main Investigations Directorate has considered recommendation No. 15 made by the Committee regarding the introduction of a separate statistical system for documenting the ethnicity of persons held in pretrial detention facilities. Given that investigative departments and units already record the necessary data, it is considered unnecessary for personnel at temporary detention facilities to adopt a separate system.

244. In addition, the Main Investigations Directorate keeps statistical records of foreign nationals who have committed a crime in the territory of Uzbekistan, including details of their citizenship, the article under which they are charged, the type of measure of restraint applied and the outcome of the preliminary investigation.

## **2. The right of security of person and protection by the State against violence and bodily harm**

245. The protection of persons from torture and other forms of violence is guaranteed under article 26 of the Constitution, which states that any person accused of committing a crime is considered innocent until lawfully proven guilty in an open trial that affords the accused every opportunity for defence.

246. Article 235 of the Criminal Code defines torture as “the use of torture and other cruel, inhuman or degrading treatment or punishment, i.e. illegal exertion of mental or physical pressure on a suspect, accused person, witness, victim or other party to criminal proceedings, or on a convict serving sentence, or on close relatives of the above, by a person conducting an initial inquiry or pretrial investigation, a procurator or other employee of a law enforcement agency or penal institution by means of threats, blows, beatings, cruel treatment, torment or other illegal acts in order to obtain from them information of any kind or a confession, or to punish them arbitrarily for an act they have carried out, or to coerce them into action of any kind”.

247. Only persons conducting an initial inquiry or pretrial investigation, procurators or other employees of law enforcement agencies or penal institutions may be classed as perpetrators of the offence in question.

248. If the offence is committed by a person who is not an employee of a law enforcement agency, but at the instigation of or with the consent or acquiescence of a person conducting an initial inquiry or pretrial investigation or other employee of a law



enforcement agency, his/her action will be categorized as aiding and abetting the use of torture or other cruel, inhuman or degrading treatment or punishment in the form of provision of the means for the commission of an offence under articles 28 and 235 of the Criminal Code (complicity in a crime).

249. The prohibition of the use of torture and other cruel, inhuman or degrading treatment or punishment is also included in the Rights of the Child Safeguards Act. Article 10, paragraph 4, “Safeguards of the freedom and inviolability of a child’s person”, contains the following provision: “The State shall ensure the inviolability of a child’s person and home and the confidentiality of his/her correspondence and shall protect the child from all forms of exploitation, including physical, mental and sexual violence, torture or other forms of cruel, harsh or degrading treatment, sexual abuse, involvement in criminal activity or prostitution.”

250. Article 11 of the Act establishes safeguards of the rights of the child by ensuring the right to a judicial remedy and the right to file complaints about the acts and decisions of government agencies, clubs and associations, and officials.

251. In addition, pursuant to article 56 of the Criminal Code, the use of particular cruelty in the commission of an offence is considered an aggravating circumstance. The Criminal Code establishes liability for offences involving cruel treatment of the victim, where the evidence of such treatment includes elements of torture, i.e. other forms of cruel, inhuman or degrading treatment of the person.

252. The prohibition of the use of torture is established in the Pretrial Detention during Criminal Proceedings Act, of 29 September 2011. Article 7 of the Act, which specifies the legal status of detainees and remand prisoners, provides that “the use of torture and other cruel, inhuman or degrading treatment against detainees and remand prisoners shall be prohibited”.

253. Article 7 of the Criminal Code, “Principle of humanity”, states that the purpose of punishment and other legal sanctions shall not be to cause physical suffering or to undermine human dignity.

254. In accordance with article 17 of the Code of Criminal Procedure, judges, procurators and persons conducting pretrial investigations or initial inquiries are obliged to respect the honour and dignity of persons involved in a case. No one shall be subjected to torture, violence or other cruel, humiliating or degrading treatment. Under article 15 of the Code, where there are sufficient grounds to suspect the commission of a crime, including torture, criminal proceedings must be instituted.

255. Pursuant to paragraph 19 of the Decision of the Plenum of the Supreme Court of the Republic of Uzbekistan of 19 December 2003 on the application by the courts of laws safeguarding the right of suspects and accused persons to a defence, pretrial investigators, procurators and judges must always ask individuals brought before them from remand centres about their treatment during the initial inquiry and pretrial investigation and must also ask about the conditions in which they have been held. Any report of torture or other prohibited methods of inquiry or investigation must be thoroughly checked by forensic examination and other means, and procedural and other legal action must be taken on the findings, up to and including the institution of criminal proceedings against officials.

256. Analysis shows that in the period 2010–2012 there were no recorded cases of the use of torture or prohibited methods of treatment against minors, members of ethnic minorities, persons with disabilities, foreign nationals or stateless persons, or persons receiving compulsory medical treatment.

257. It should be noted that measures to combat violence against women are provided for in the national plan of action to implement the concluding recommendations of the

Committee on the Elimination of Discrimination against Women following consideration of the fourth report of Uzbekistan with regard to implementing the Convention on the Elimination of All Forms of Discrimination against Women (paras. 20–30).

258. A working group studying international experience in the prevention of violence against women operates under the auspices of the Women's Committee.

### **3. Political rights**

259. All Uzbek citizens, irrespective of ethnic background, may exercise their political rights, including the right to vote in elections to representative organs of the State and to stand for election. The legislative instruments guaranteeing the right of citizens to participate in elections are:

- The Constitution of 1992;
- The Presidential Election Act of 5 December 2008;
- The Oliy Majlis (Elections) Act of 29 June 2003;
- The Councils of Peoples' Deputies (Provincial, District and City Elections) Act of 25 December 2008;
- The Citizens' Voting Rights (Guarantees) Act of 3 December 2004;
- The Central Electoral Commission Act of 25 December 2008.

260. The Constitution accords all citizens:

- The right to participate in administering the affairs of society and the State either directly or through representatives by means of self-governance, referendums and the democratic election of State bodies;
- The right to vote in elections to representative bodies and to stand for election;
- The right to vote, equality and freedom of expression of will;
- The right to serve on no more than two representative bodies simultaneously.

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

- Citizens ruled incompetent by a court;
- Persons held in prisons and detention centres pursuant to a court sentence.

262. The right to vote is accorded in Uzbekistan only to Uzbek citizens. Foreign nationals and stateless persons do not have this right.

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

264. All voters have the same legal status. All citizens of Uzbekistan, irrespective of their social, racial or ethnic background, sex, language, education, personal, social or property status, have the same voting rights, as well as the right to participate in the activities of the Central Electoral Commission, district and precinct electoral commissions and referendum commissions.

265. Thus, 17 Uzbeks (81 per cent), two Karakalpaks (9.1 per cent), 1 Tajik (4.6 per cent) and one Kyrgyz (4.6 per cent), 4 (18.2 per cent) of whom were women, contributed to the work of the Central Electoral Commission on elections to the Oliy Majlis in 2009.

266. Following elections to the Legislative Chamber in 2009, 132 Uzbeks, 5 Karakalpaks, 3 Russians, 1 Kazakh, 2 Tajiks and 1 person of other ethnic background were voted in as deputies.

267. 82 Uzbeks, 3 Karakalpaks, 1 Russian, 1 Kazakh, 1 Turkmen and 2 persons of other ethnic background were elected to the Senate.

268. Compliance with the provisions of the Oliy Majlis (Elections) Act, which require at least 30 per cent of political party candidates to be women, made it possible for 33 women (22 per cent) to be elected to the Legislative Chamber in 2009. Similarly, 15 per cent of candidates elected to the Senate were women, as were 20 per cent of those elected to local representative bodies.

269. Members of different ethnic groups and peoples living in Uzbekistan are free to enter public service and to choose a profession. There are no laws restricting the recruitment of candidates to vacant posts in public service or other employment on the grounds of ethnicity.

270. Members of different ethnic groups work — in some cases as senior officials — for State executive and administrative bodies, educational, training and scientific institutions, as well as for non-governmental organizations, including citizens' self-governing bodies.

271. Middle management posts in the judiciary system, for instance, are held by persons who are not ethnic Uzbeks, namely 29 Karakalpaks, 12 Tajiks, 2 Tatars, 2 Armenians, 2 Koreans, 2 Kazakhs, 2 Kyrgyz and 1 Russian.

272. With regard to persons employed in senior positions by the Ministry of Labour and Social Protection, 95.5 per cent are Uzbeks, 2.2 per cent Karakalpaks, 1 per cent Russians, while Kazakhs, Tajiks, Tatars and other nationalities each account for 0.6 per cent.

273. Persons employed in senior positions by the public education department at the district level include 12 Karakalpaks, 5 Kazakhs and 4 Tajiks. Of 194 senior district-level personnel, 23 are women (11.8 per cent). 1,378 (14 per cent) principals at general education schools are not ethnic Uzbeks.

274. The secondary specialized vocational education system employs 110,000 teachers from different ethnic groups, of whom 92,712 are Uzbeks, 4,582 Karakalpaks, 4,474 Russians, 3,384 Tajiks, 1,346 Kazakhs, 349 Kyrgyz, 1,069 Tatars, 60 Armenians and 49 Ukrainians. Women account for 51 per cent of teaching staff.

275. Of 1,537 educational institutions, 1,230 principals are Uzbeks, 66 Karakalpaks, 33 Tajiks, 14 Kazakhs, 4 Tatars, 4 Turkmens, 1 Greek, 2 Russians, 2 Koreans and 2 Azerbaijanis.

276. In 2010, 615 court officials were employed by the Higher Economic Court and inter-district economic courts, 459 of whom were men and 156 women. In the first half of 2012 this statistic included 579 judges, of whom 431 were men and 148 women. Specifically, of 110 judges 98 are Uzbeks, 1 Russian, 3 Tajiks, 7 Karakalpaks and 1 Kazakh.

277. As of 1 June 2012, Uzbekistan had 33,603 trade union leaders, of whom 29,116 were Uzbek, 1,410 Russian, 1,015 Tajik, 77 Karakalpak, 488 Kazakh, 380 Tatar, 105 Kyrgyz, 87 Koreans and 423 members of other ethnic groups. Women accounted for 48 per cent of all trade union leaders.

278. Following the election of representatives of citizens' self-governing bodies and their advisors in May-June 2012, the ethnic composition of the total 9,973 representatives was as follows: 8,935 Uzbeks (89.6 per cent), 438 Tajiks (4.4 per cent), 259 Kazakhs (2.6 per cent), 184 Karakalpaks (1.8 per cent), 65 Kyrgyz (0.65 per cent), 26 Turkmens (0.26 per

cent), 24 Tatars (0.24 per cent), 15 Russians (0.15 per cent) and 27 from other ethnic groups (0.27 per cent).

279. According to data compiled by the Turkmen Cultural Centre, its members include Turkmen working, *inter alia*, as: a teacher at the Academy of the Ministry of Internal Affairs, faculty head at the 3rd Clinic of the Tashkent Medical Academy, a cardiologist at the National Cardiology Centre, the chairman of the Oliy Majlis Budget Commission (senator) and the director of the Medical College of the Republic of Karakalpakstan.

#### **4. Other civil rights**

##### *(a) The right to freedom of movement*

280. Under article 28 of the Constitution, Uzbek citizens have the right to freedom of movement throughout Uzbekistan and to enter and leave the Republic except as restricted by law.

281. Pursuant to Cabinet Decision No. 8 of 6 January 1995, which established procedures for travelling abroad, Uzbek citizens have the right to freely travel abroad on private or public affairs, for permanent residence, as tourists, for study, for work, for medical treatment or for business.

282. These procedures apply to movement outside the Commonwealth of Independent States (CIS), to which Uzbek citizens may travel without first completing the necessary international travel formalities.

283. Uzbek citizens intending to travel outside the CIS must go to their local internal affairs authority, fill out an application form and submit their Uzbek citizenship passport. The application form is considered within 15 days after submission and a sticker granting permission to leave is pasted into the passport. This permit remains valid for a period of two years and allows holders to travel abroad temporarily without further need to apply to the internal affairs authorities. In the event that an applicant does not have an Uzbek citizenship passport, the authorities are required to issue him/her with a passport and an international travel permit within 15 days.

284. Where persons are leaving to take up permanent residence abroad, the internal affairs authorities paste a sticker granting permission to leave for permanent residence abroad for an indefinite period onto a page of the passport provided for visas. In such cases, document processing times may be extended up to 30 days.

285. To obtain a visa for entry into a foreign country, citizens apply to the diplomatic and consular missions of the country in question.

286. Applications to travel abroad in connection with private work contracts are subject to approval by the Ministry of Labour and Social Protection.

287. Persons travelling abroad who have had access to information that constitutes a State secret are required to submit, along with an application form, a statement from the head of the organization for which they work indicating their security clearance level.

288. Travel abroad may be restricted for the following reasons:

- If a person has access to information that constitutes a state secret, or in relation to this has a contractual obligation preventing him/her from going abroad — until the obligation expires;
- If criminal proceedings have been instituted against an individual — until the proceedings end;

- If an individual is adjudged by a court of law to be a particularly dangerous recidivist or is on parole — until the conviction is spent (cancelled) or the parole period ceases;
- If an individual evades obligations imposed upon him/her by the court — until the obligations are fulfilled;
- If an individual has knowingly reported false information about himself;
- If a civil case is brought against an individual — until the proceedings end;
- If a person is registered with a recruiting office as liable for active service — until the period of active service is completed or exemption is granted in accordance with the law.

289. If the right to travel abroad is denied on the grounds stipulated by the aforementioned procedures or the prescribed response time frames not observed, citizens may appeal to a higher authority, which is required to reply within one month, and to a court if they disagree with the latter's decision. Restrictions placed on travel abroad may not be appealed in the cases set forth in subparagraphs (b) and (g) of the procedures.

(b) *The right to leave any country, including one's own, and to return to one's country*

290. Uzbek citizens permanently resident abroad have the right to freely enter, leave and return to permanent residence in Uzbekistan.

291. Residence abroad does not entail loss of Uzbek citizenship (article 7 of the Citizenship Act). To facilitate the procedure guaranteeing the exercise of this right, Uzbekistan has signed a number of treaties, mostly with CIS countries, to simplify as far as possible procedures relating to the movement and residence of citizens from one State within another State, and to guarantee citizens of these States the right to travel freely and without visas, duties, registration fees or other restrictions.

292. Article 22 of the Constitution guarantees Uzbek citizens legal protection and support both inside and outside the territory of Uzbekistan.

293. In the light of the need to combat international organized crime and human trafficking and given that international standards require tighter control over entry into and exit from countries, Uzbekistan has put in place an exit visa procedure for citizens travelling abroad, as stipulated by the Cabinet Decision of 15 May 2007 designed to improve the registration of citizens travelling to take up employment abroad. All the same, the procedure for obtaining an exit visa is fairly simple.

294. Members of nations and ethnic groups living in Uzbekistan are free to visit their ancestral homelands and to travel abroad for study, leisure or business.

(c) *The right to nationality*

295. Procedures for acquiring citizenship are covered in chapter VI of the Constitution and chapter II of the Citizenship Act.

296. The conditions to be met for granting citizenship of Uzbekistan are:

- First, renunciation of foreign citizenship;
- Second, continuous residence in Uzbekistan over the past five years (this rule does not apply to persons wishing to become citizens if they were born in Uzbekistan and can prove that at least one parent or grandparent was born there, and if they are not citizens of other States);
- Third, lawful means of subsistence;

- Fourth, recognition of and compliance with the Uzbek Constitution.

297. In view of the foregoing, a foreign citizen or stateless person with continuous residence in Uzbekistan over the past five years is entitled to submit an application for citizenship to the internal affairs authority nearest to his/her place of permanent residence, addressed to the country's President, confirming recognition of the Uzbek Constitution, the pledge to abide by its provisions and renunciation of foreign citizenship.

298. The Citizenship Commission attached to the Office of the President considers the submitted documents then forwards its recommendations to the President for a decision.

299. 14 September 2011 saw the adoption of the Act on the List of Categories of Uzbek citizens subject to permanent registration in the city of Tashkent and Tashkent province. Regulations governing procedures for the permanent registration at place of residence of Uzbek citizens in the city of Tashkent and Tashkent province and on Procedures for Permanent and Temporary Registration of Foreign Nationals and Stateless Persons in the City of Tashkent and Tashkent province were approved by the Cabinet Decision of 16 February 2012.

300. Pursuant to section III of the regulation governing the passport system, approved by presidential decrees No. 2240 of 26 February 1999 and No. 4262 of 5 January 2011, and Cabinet Decision No. 178 of 16 April 1999, internal affairs authorities are responsible for registering citizens at their place of residence.

301. On 7 July 2011, the Cabinet adopted a decision approving regulations for procedures under which a biometric citizenship passport and a stateless person's travel document are to be issued to minors under age 16.

302. Pursuant to the Citizenship Act, Uzbek passports are issued to:

- Citizens of Uzbekistan who have reached 16 years of age;
- Persons who were living in the territory of Uzbekistan as of the time the Citizenship Act came into force;
- Persons who have acquired Uzbek citizenship in accordance with the Citizenship Act.

303. The passport contains, in Uzbek, Russian and English (and in Karakalpak in the Republic of Karakalpakstan), the following information on a citizen's identity:

- Surname, first name, patronymic;
- Date of birth;
- Place of birth;
- Ethnicity;
- Sex;
- Identification number.

304. The statement of ethnicity shown in the passport corresponds to the ethnicity of the holder's parents. If the parents belong to different ethnic groups, when a passport is issued for the first time the ethnicity indicated is that of the father or mother, according to the recipient's wishes. Later, by submitting a written request, the statement of ethnicity may be changed to match the ethnic origin of either the father or the mother, but not more than once.

305. Persons exchanging their passport following the adoption of a new surname, first name, partryomic, change of ethnicity, year of birth or owing to the detection of

inaccuracies in the holder's passport information, do so by submitting documents confirming these details.

306. Residence registration is the process by which internal affairs authorities record an individual's permanent or temporary residence at a specific location in accordance with procedure established by law.

307. A permanent residence permit is issued when an individual intends to live at a given place of residence on a permanent basis.

308. The right of permanent residence in Uzbekistan is accorded to:

- Uzbek citizens;
- Foreign nationals, including the citizens of CIS countries and stateless persons in cases where such persons have been issued with residence permits by internal affairs authorities in accordance with the established procedure.

309. A temporary residence permit is issued for the time that an individual stays at the location he/she specifies, is valid for a period of three to six months and is granted without cancelling the person's permanent residence permit. A temporary residence permit issued for a period of more than six months entails the termination of the holder's permanent residence permit.

310. In 2010, residence permits were issued to 1,743,277 individuals, of whom: 1,330,281 were Uzbek citizens, 1,345 citizens of CIS countries, 280 from non-CIS countries and 2,168 stateless persons. In 2011, residence permits were issued to 1,857,963 individuals, of whom: 1,483,905 were Uzbek citizens, 2,887 citizens of CIS countries, 94 from non-CIS countries and 607 stateless persons.

311. Between 2010 and 1 June 2012, the Constitutional Court received 11 petitions concerning the granting of Uzbek citizenship and nine relating to the issuing of residence permits. The Court examined these petitions and, with due regard for their content, explained to the persons who had submitted them the legal norms applicable to each case. Some of the petitions were referred to the relevant authorities as matters falling within their remit,

312. With a view to implementing paragraph 16 of the Committee's recommendations, a pilot study was conducted into the social and economic situation of the country's Roma population, specifically the Roma community of Tashkent.

313. An opinion poll carried out by the Ijtimoi Fikr Centre showed that 99 per cent of Roma respondents said they had not experienced any infringement or restriction of their right in Uzbekistan to pursue their traditional way of life. Roma in Uzbekistan live among the local population. Although they are bilingual (i.e. speak Tajik and Uzbek), their everyday language is Tajik, supplemented by a small number of Romany words. Some groups primarily speak Uzbek. Most Roma people in Uzbekistan are Muslims.

314. Roma live in private homes (92 per cent of respondents). A mere 8 per cent said they lived in flats in apartment buildings. Most respondents (84 per cent) were Uzbek citizens, while 16 per cent had residence permits.

315. The overwhelming majority of Roma respondents believed that no restrictions are imposed on their right to Uzbek citizenship, nor had they encountered any discrimination in gaining access to education at all levels. The poll showed that 1.4 per cent of Roma people have higher education, 13.9 have complete secondary education, 20.8 per cent lower secondary education and 63.9 per cent primary education.

316. Research conducted by the Ministry of Higher and Secondary Specialized Education has revealed that in the period 2009–2011 no members of the Roma community were enrolled at the country's higher education institutions.

317. Given the geographical location of Uzbekistan, the current situation in the neighbouring Republic of Kyrgyzstan, the on-going armed conflicts there and the mass influx of refugees into Uzbekistan, it is now proposed that a law be drafted concerning refugees.

318. In view of the fact that the situation in Afghanistan and Tajikistan had stabilized, on 17 April 2006, the representation of the United Nations High Commissioner for Refugees (UNHCR) wound up operations in Tashkent, temporarily delegating its duties to the United Nations Development Programme (UNDP).

319. Uzbekistan currently has 292 registered mandate refugees that UNDP is helping gradually to resettle in third countries. In the first half of 2012, 12 Afghan citizens emigrated to the USA with UNDP assistance.

320. Pursuant to paragraph 12 of the Committee's concluding observations, the question of how appropriate it would be for Uzbekistan to accede to the Convention on the Status of Refugees and the Optional Protocol thereto was studied, with due regard for paragraph 29.1 of the national plan of action to implement the recommendations of the United Nations Human Rights Council following consideration of the Universal Periodic Review of Uzbekistan approved on 9 September 2009, as well as paragraph 6.1 of the national plan of action to implement the recommendations of the Committee on the Elimination of All Forms of Racial Discrimination following consideration of the sixth and seventh periodic reports of Uzbekistan to implement the Convention of 30 March 2011.

321. When considering the appropriateness of the country's accession to the 1951 Convention on the Status of Refugees and the related 1967 Optional Protocol, it was borne in mind that the purpose of asylum policy is for the State to grant asylum in its territory based on the principle of *non-refoulement* and to provide protection in accordance with international standards and domestic law.

322. The problems of statelessness prompt the need for special consideration to be given to the question of accession to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness. Acceding to these international instruments will require appropriate measures to be taken, including, *inter alia*:

- Drafting national legislation regulating procedures for determining the status of stateless persons;
- Consolidating institutional capacity with regard to migration and asylum through the creation of a specialized body authorized to take decisions on petitions requesting recognition of stateless person status;
- Formulating regulations and practices for addressing issues related to persons with unclear status;
- Improving institutional capacity with regard to the problems faced by stateless persons by training administrators responsible for considering requests to be granted stateless person status.

323. Uzbekistan currently has no legal or institutional instruments for operating an asylum system consistent with the requirements of international law.

324. Analysis of the issue of forcibly returning persons to a country where they could be in danger has shown that the extradition of fugitives for the purpose of criminal prosecution



is in accordance with national legislation and international treaties to which Uzbekistan is a party.

325. Article 10 of the Code of Criminal Procedure prohibits the extradition of a person from Uzbekistan if:

- The person whose extradition is requested is a citizen of Uzbekistan and unless the treaties and agreements concluded by Uzbekistan with other countries stipulate otherwise;
- The crime was committed in the territory of Uzbekistan;
- The person has already been given a sentence that has already entered into force after being charged with the same crime for which his/her extradition is requested or a ruling has been issued requiring that the charges be dropped;
- Under Uzbek law proceedings may not be instituted or sentence enforced due to the period of prescription having expired or other legal cause;
- The request for extradition is made with regard to an act that is not an offence under Uzbek law.

326. Additionally, the provisions specified in article 17 of the Code of Criminal Procedure are consistent with those stipulated in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, namely that no one shall be subjected to torture, violence or other cruel, humiliating or degrading treatment and that any act or decision offending the honour and dignity of a human being or resulting in the dissemination of information regarding the circumstances of someone's private life, causing a threat to someone's health, or physical or mental pain is forbidden.

327. If necessary, the Office of the Procurator-General requests other countries to guarantee that they abide by the aforementioned provisions of domestic legislation. Furthermore, when requesting the extradition of someone to Uzbekistan, the Prosecutor-General's Office gives the country in question guarantees that the person to be extradited will be tried only for the offence for which he/she is being deported and that once the trial is over and the sentence has been served he/she will be free to leave Uzbekistan and will not be sent or transferred to a third country without the consent of the State that extradited him/her.

328. Uzbekistan receives the same guarantees from a country to which it extradites persons to stand trial for an offence committed in the territory of the requesting party.

(d) *The right to marriage and choice of spouse*

329. Marriage and family relations are regulated by the Family Code.

330. Article 3 of the Code reads: "all citizens have equal rights in family relations. Direct or indirect restriction on rights is prohibited, nor may any direct or indirect privileges be extended upon entering into marriage, nor any interference in family relations permitted based on sex, race, ethnic background, language, religion, social origin, beliefs, personal or social status or similar considerations".

331. Members of ethnic groups and peoples living in Uzbekistan have the right to follow their own customs and traditions governing family relations in the absence of corresponding rules in legislation, so long as those traditions do not run counter to the principles of Uzbek legislation (art. 8).

332. Citizens' rights in family relations may be restricted only on the basis of the law and only to the extent that doing so is necessary in order to protect the morality, honour, dignity, health, rights and lawful interests of other family members and other citizens.

333. Article 11 stipulates that family rights are protected by the court in accordance with the rules of civil procedure and, where provided for by the Code, by tutorship and guardianship agencies or other government bodies.

334. The Family Code specifies the rules for contracting a marriage, as well as the circumstances in which a marriage cannot be contracted or is invalid.

335. Article 13 of the Code states that marriages are contracted at civil registry offices.

336. A marriage contracted in a religious ceremony has no legal value.

337. Marriage is concluded in the personal presence of the contracting parties one month after the day they submitted their application to the civil registry office.

338. Refusal on the part of a civil registry office to register a marriage may be contested by filing a complaint directly with the court or a by a higher-ranking body.

339. The Family Code explicitly states the cases where a marriage may not be registered.

340. Marriage is not permitted:

- Between persons, one of whom is already in another registered marriage;
- Between direct ascendants and descendants, between full and half siblings, or between adoptive parents and adoptees;
- Between persons, one of whom has been declared legally incompetent due to a psychiatric disorder (mental illness or dementia).

341. Article 136 of the Criminal Code envisages liability for forcing a woman to marry or preventing a marriage, and article 126 for polygamy.

342. Uzbekistan recognizes as valid marriages contracted between foreign nationals outside Uzbekistan in compliance with the law of the country where the marriage took place.

(e) *The right to own property alone and in association with others*

343. Article 36 of the Constitution establishes everyone's right to own property.

344. The Civil Code, the Property Act, the Act on the Protection of Private Ownership and other legislation on property rights impose no restrictions on owning property on the basis of race, ethnic background, language or religion.

345. Specifically, article 4 of the Property Act states: "The right to own property shall be enjoyed by citizens of the Republic of Uzbekistan, collectives, associations of collectives, voluntary and religious organizations, family and other civic associations, local authorities, councils of people's deputies at all levels and their executive arms, other States, international organizations, the bodies corporate and citizens of other States and stateless persons. Title to property may be held jointly by various legal persons, citizens, or stateless persons."

346. Grounds for acquiring the right of ownership are: labour activity, business and other economic activities involving the use of property, including the creation, development and acquisition of property via transactions, the privatization of State property, inheritance, acquisitive prescription and other grounds not inconsistent with law.

347. The right of ownership ceases when the owner voluntarily fulfills an obligation or takes a unilateral decision regarding the future of the property, where the property is confiscated (redeemed) by judicial decision, as well as by a legislative act terminating right of ownership.

*(f) The right to inherit*

348. In Uzbekistan, all persons have the right to inherit, irrespective of ethnic background. Legal relations pertaining to the exercise of this right are regulated by the rules of civil law. Chapter five of the Civil Code is entirely dedicated to inheritance law.

349. Pursuant to article 1116 of the Civil Code, succession opens upon a person's death or when the court declares death in absentia.

350. Succession opens as of the day (or, if necessary, the time) the testator dies or, in the case of death in absentia, on the day when the judicial decision declaring the person in question to be presumed dead enters into effect, unless another day is stipulated.

351. Pursuant to article 1118, persons alive at the opening of the succession may inherit, as may children conceived during the testator's lifetime but born after the opening of the succession.

352. Legal persons already established at the opening of the succession, as well as the State and citizens' self-governing bodies may also inherit.

353. Anyone who has wilfully taken or made an attempt on the life of the testator or any possible heirs may not inherit either by will or by law. An exception is made for persons to whom the testator makes a bequest after they have made an attempt on his/her life.

354. Anyone who has wilfully prevented the testator from carrying out his/her last will and testament and thus enabled themselves or persons allied to them to be recognized as entitled to an inheritance or an increased share in the inheritance due to them may not inherit either by will or by law.

355. Parents may not inherit by law from children over whom they have been deprived of their parental rights if they have not regained those rights when the succession opens; nor may parents (or adoptive parents) and adult offspring (or adopted children) who have failed to meet their legal obligation to support the testator.

356. In such cases, the grounds for denying unworthy heirs the inheritance are established by the courts on application from a person for whom such disqualification has proprietary consequences (art. 1119 of the Code).

357. The right to inherit is accorded on a first-priority basis equally by law to the testator's children (including those adopted), spouse and parents (or adoptive parents). First priority is given also to children of the testator who are born after his/her death. The right to inherit is accorded on a second-priority basis equally to the testator's full and half siblings, as well as to his/her paternal and maternal grandparents.

*(g) The right to freedom of thought, conscience and religion*

358. In Uzbekistan freedom of conscience is guaranteed for all. Under the Constitution and the Freedom of Conscience and Religious Organizations Act of 1 May 1998, everyone has the right to profess any religion or none. The imposition of religious views by force is prohibited.

359. There are 2,225 religious organizations and 16 different faiths currently active in Uzbekistan, including Islam, Orthodox, Catholic, Lutheran, Baptist, Full Gospel, Seventh Day Adventist and other Christian churches, religious communities of Bukhara and European Jews, Baha'i, Hare Krishnas and Buddhists, as well as an inter-faith Bible society.

360. There are 175 non-Islamic religious organizations and 2,050 Islamic organizations operating in Uzbekistan.

361. Every year, more than 120 members of non-Islamic religious communities make pilgrimages to their respective holy sites in Israel, Greece and the Russian Federation, and enjoy all the privileges extended to believers travelling abroad.

362. In the years since independence, over 85,000 Uzbek citizens have travelled to Saudi Arabia for the hajj and more than 1,000 have undertaken pilgrimages to Russia, Greece and Israel.

363. Religious training is conducted at the Tashkent Islamic Institute, 9 madrasas, Orthodox and Protestant seminaries.

364. In September 1999, Tashkent Islamic University was founded in the country's capital, awarding bachelor degrees for the first time in 2003 and master's degrees in 2005. An academic lycée operates under the auspices of the university.

365. A Council on Faith Matters has been established under the Committee on Religious Affairs tasked with collaborating closely with religious organizations, assisting different denominations to conduct their activities and working with them to formulate proposals and initiatives promoting inter-religious and inter-ethnic peace and harmony in society, nurturing a culture of inter-ethnic peace and harmony and enhancing inter-faith communication.

366. Members of the Council on Faith Matters include the heads of the Muslim Board of Uzbekistan, the Tashkent and Central Asian diocese of the Russian Orthodox Church, the Roman Catholic Church, the Union of Churches of Evangelical Christian Baptists, the Full Gospel Christian Church Centre, the Evangelical Lutheran Church and the Jewish religious community of Tashkent.

367. Council members meet to discuss the implementation of national legislation, compliance with the rights of religious organizations and believers, as well as other pressing concerns.

368. Believers are free to celebrate all religious holidays. Muslims mark Kurban Khait and Ramadan, Christians Easter and Christmas, and Jews Purim and Hanukkah increasingly widely with every passing year.

369. In the years since independence, the Koran has been translated into Uzbek and published three times. An Uzbek translation of 16 books of the Old Testament and the entire New Testament has also been published. Hundreds of mosques, churches and houses of worship have been built or restored, including Orthodox churches in Tashkent, Samarqand and Navoiy, a Catholic church in Tashkent and an Armenian church in Samarqand. Pursuant to a Cabinet Decision of 22 August 2003, 15 facilities — religious compounds, places of pilgrimage and burial vaults — have been placed under the jurisdiction of the Muslim Board of Uzbekistan.

370. A number of newspapers and magazines are published covering all aspects of religious life in Uzbekistan. These include the newspapers *Islom nuri* and *Slovo zhizni* and the magazines *Khidoyat* and *Vostok svyshe*.

371. Also, the Muslim Board of Uzbekistan, the Tashkent and Central Asian diocese of the Russian Orthodox Church, the Roman Catholic Centre, the Full Gospel Christian Church Centre and the Bible Society of Uzbekistan have created web pages on the Internet.

372. Believers are currently served by an appropriate number of religious organizations and are given every opportunity to satisfy their religious needs.

*(h) The right to freedom of opinion and expression*

373. Article 29 of the Constitution states: “everyone has the right to freedom of thought, speech and belief. Everyone has the right to seek, receive and impart any information, except information aimed at undermining the existing constitutional system or otherwise restricted by law. Freedom of opinion and expression may be restricted by law on grounds of State or other secrecy”.

374. Today, the mass media operate in 12 languages, and titles published include 502 in Uzbek, 164 multilingual publications and 84 publications in three or four languages (Uzbek, Russian, Karakalpak and Tajik).

375. National newspapers in Uzbekistan published in minority languages include the Korean *Kore sinmun*, the Tajik *Ovozi tochik* and the Kazakh *Nurli Jol*. Other periodicals, such as the Armenian diaspora newspaper *Apaga, Tkhonil — Edinstvo —*, published in Korean and Russian, and *Bulubulcha Dono*, in Tajik, enjoy large readerships.

376. Newspapers in minority languages are published in districts with dense concentrations of minority populations. Examples include the Tajik papers *Ovozi Samarkand* in Samarkand province and *Istiklol iuli* and *Sadoi Sukh* in Fergana province.

377. The Republic of Karakalpakstan publishes about 40 newspapers and 7 magazines. More than 80 per cent of these publications are in Karakalpak.

378. Television and radio programmes such as *Under One Sky*, *In One Family*, *Uzbekistan Our Common Home*, *Chinsen*, *Didar*, *Striving to Be Just*, *Rondo* and *Elaman* illustrate the history and daily lives of the peoples, ethnic groups, and minority communities living in Uzbekistan, and their distinctive cultures, art, customs and traditions, and seek to strengthen inter-ethnic understanding, concord, cross-cultural relations and communication.

379. More than 20 television and radio programmes are broadcast on national radio in the languages of the peoples and minority groups living in the country, including Korean, Tajik, Kazakh, Karakalpak, Russian, Turkmen, Tatar, Uighur and Kyrgyz.

380. Members of different ethnic groups living in Uzbekistan freely use their own languages when exercising their rights in judicial proceedings.

*(i) The right to freedom of peaceful assembly and association*

381. Under Article 33 of the Constitution, citizens have the right to engage in public life by holding rallies, meetings and demonstrations.

382. In order for this right to be exercised, the State undertakes to guarantee public order and safety, to safeguard the rights and lawful interests of citizens and comply unswervingly with existing legislation.

383. Procedures for organizing meetings, rallies, processions and demonstrations entail submitting a mandatory preliminary application to a *khokimiyat*, requesting permission to hold a mass event no fewer than ten days before it is due to take place. The application states the purpose, type and location of the event or the route to be taken, the time it will start and end, the potential number of participants, the surnames, first names and patronymics of the organizers (authorized representatives), their place of residence, work and/or study, as well as the date on which the application is submitted.

384. Those eligible to apply to hold meetings, rallies, processions or demonstrations include persons over 18 years old authorized to represent workers’ associations, companies or institutions and organizations, the offices of cooperative and other voluntary organizations, community action groups and individual citizens’ groups.

385. The khokimiyat considers the application and informs the authorized representatives (organizers) of its decision no later than five days before the event is to take place. Where circumstances dictate, the khokimiyat is entitled to propose a different time and place for holding the event.

386. The decision may be challenged by appealing to a higher executive and administrative body in accordance with the established legal procedure.

387. Article 201 of the Code on Administrative Responsibility provides liability for violating the procedures for organizing and holding meetings, rallies, processions or demonstrations.

388. Only persons taking part in these events may be held administratively liable for violating the procedures.

389. Article 34 establishes the right to form trade unions, political parties and other voluntary associations and to participate in mass movements.

390. Uzbekistan has a number of laws regulating the activities of voluntary associations, including, *inter alia*, the Trade Unions (Rights and Safeguards) Act, the Voluntary Associations Act, the Political Parties Act and the Non-Governmental Non-Profit Organizations Act.

391. The legal status of non-governmental organizations was further consolidated by the Voluntary Funds Act, Charitable Activities Act, the Non-Governmental Non-Profit Organizations (Safeguards) Act, as well as other legislative instruments.

392. The aforementioned laws strengthen the principles of voluntary participation and equality of their members, as well as the legality and transparency on whose basis voluntary associations are formed, including political parties. Legal restrictions have been put in place designed to prohibit the formation of organizations whose activities could harm society and individual citizens. Similarly, regulations preventing government agencies and officials from interfering in voluntary associations' activities have been tightened. Legislation provides that voluntary associations and political parties that have violated their charters or have broken the law may be dissolved only by judicial proceedings.

393. Today, the Ministry of Justice and its local subdivisions have placed 1,587 non-governmental organizations on the State register and 3,446 on local registers.

394. On an equal basis with Uzbek citizens, foreign nationals and stateless persons may set up or join an non-governmental organization, except as otherwise established by domestic law and international treaties to which Uzbekistan is a party.

## **5. Economic, social and cultural rights**

### *(a) The right to work*

395. Under article 37 of the Constitution, citizens are guaranteed the right to work. Everyone has the right to work, to free choice of employment, to fair working conditions and to protection against unemployment in accordance with the procedure established by law.

396. Forced labour is prohibited, except in execution of a court sentence or in other instances specified by law.

397. With a view to developing the constitutional norms that safeguard every person's right to work, to the free choice of work, to fair working conditions and to protection against unemployment, Uzbekistan adopted, *inter alia*, the Labour Code, the Employment Act, the Labour Protection Act, the Farming Act and the Household Plots (Dekhkan) Act.

398. State employment policy and measures adopted to ensure that everyone wanting to work or seeking work finds employment are underpinned by principles such as:

- Ensuring that equal opportunities in exercising the right to work and to the free choice of employment are enjoyed by all citizens, irrespective of sex, age, race, ethnic background, language, social origin, property and employment status, views on religion, beliefs and other characteristics not related to employees' qualifications and the results of their work;
- Supporting and promoting workplace and entrepreneurial initiatives, encouraging people's productive and creative capabilities as a guarantee of decent working and living conditions;
- The voluntary nature of work;
- Providing social safeguards with regard to employment and protection against unemployment;
- Pursuing employment initiatives that are coordinated and integrated with other areas of economic and social policy.

399. Legislative measures have recently been adopted to boost employment.

400. Pursuant to the Cabinet Decision of 20 August 2008, categories have been established of persons who require social protection and have difficulty finding work. Such persons are, on a first-priority basis, to be given positions in organizations and companies which have created them at their own expense.

401. A decision by the Cabinet of Ministers of 29 July 2009 on measures to develop and expand family businesses and cottage industries approved regulations for the creation of family businesses and cottage industries and established procedures for the participation of juveniles aged over 15 in such activities.

402. The Family Business Act of 26 April 2012 defines the concept of family business, its participants and the respective procedures for starting such a business.

403. Great importance is attached to the development of home-based work, which is organized by way of cooperation with manufacturing companies. To this end, an incentive system was introduced both for companies and for persons working from home. Home-based work has enabled women to engage in creative production work, particularly women with children, women with disabilities and other women with a limited capacity to work.

404. Annual job-creation schemes and programmes geared toward providing employment for the population have improved employment rates, household incomes and standards of living and successfully harnessed the potential of the country's regions and economic sectors by increasing demand for human resources on the labour market. They have also made the Council of Ministers of the Republic of Karakalpakstan and provincial, municipal and district administrations more responsible for creating jobs and finding practical solutions for boosting employment.

405. The realization of the programmes is monitored by the Ministry of Labour and Social Protection, the Ministry of Economy and their regional offices, specifically with regard to tracking compliance with the parameters specified under the regional and provincial programmes.

(b) *The right to form and join trade unions*

406. Article 34 of the Constitution safeguards the right of citizens to form trade unions, political parties and other social movements.

407. Trade unions have been active in Uzbekistan since 1925. Trade unions amalgamated in the Federation of Trade Unions of Uzbekistan are voluntary, self-governing, public, non-governmental non-profit organizations of workers bound by common interests by virtue of their occupation in both the production and the non-production spheres, and of part-time and temporarily unemployed workers, higher and further-education students, unemployed pensioners and other social categories.

408. Trade union membership, by branch of industry and as a proportion of the total workforce, is shown in table 6.

409. The Federation of Trade Unions currently comprises 14 industrial trade unions and has a total membership of 6,394,669.

Table 6

**Trade union membership by branch of industry and as a proportion of the total workforce**

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

410. Trade union members account for 43.2 per cent of the total workforce of 14,791,900 persons.

411. The Federation of Trade Unions represents workers' interests in social dialogue at national level and enjoys a constructive relationship with the Cabinet of Ministers and the Chamber of Commerce and Industry.

412. A new version of the Trade Unions (Rights and Safeguards) Act is now in preparation.

(c) *The right to housing*

413. Uzbekistan recognizes and upholds the right of each citizen to an adequate standard of living, including adequate and good-quality food, clothing, housing and the continuous improvement of living conditions.

414. The State is engaged in major efforts to enforce the right of citizens to housing and to prevent cases of unlawful eviction.



415. An important instrument helping to safeguard housing rights is the Housing Code of 24 December 1998, which spells out the duties of the State in this area, defines the concept of living accommodation, its various forms, as well as the grounds on which citizens and legal persons may assume ownership of residential properties. The Code establishes the right of persons owning a dwelling scheduled to be demolished for State or community needs to receive a residential property equal in value, as well as monetary compensation (art. 27).

416. The Housing Code specifies the rules governing the eviction of tenants from offices and special-purpose housing facilities in cases where alternative accommodation is or is not provided (arts. 79, 80, 85). Evicting tenants without providing alternative accommodation is possible only on the basis of a court decision.

417. The State is engaged in major efforts to enforce citizens' right to housing and to prevent cases of unlawful eviction.

(d) *The right to public health, medical care, social security and social services*

418. The right to public health is established by the Constitution, the Public Health Care Act, the Social Protection of Persons with Disabilities Act, the State Sanitary Inspection Act, the Medicines and Pharmaceutical Activities Act, the Compulsory Treatment of Patients with Alcoholism, Narcomania or Toxicomania Act, the Act on the Prevention of Illnesses caused by the Human Immunodeficiency Virus (HIV Infection), the Narcotic Drugs and Psychotropic Substances Act, the Psychiatric Care Act, the Protection Against Tuberculosis Act, the Prevention of Iodine-Deficiency Disorders Act and other legislative instruments.

419. In order to ensure social protection for specific patient categories, various benefits are available under the public health care system.

420. In accordance with Cabinet Decision No. 532 of 1997 on improving procedures for funding health-care facilities, persons disabled since childhood, orphans, persons with category I and II disabilities, persons disabled in and veterans of the 1941–1945 war, as well as persons of equivalent status, pensioners living alone, registered with social security departments, labour front veterans of the 1941–1945 war, persons with disabilities sustained overcoming the disaster at the Chernobyl nuclear power plant and veterans who saw active service abroad are exempt from paying for meals when receiving treatment at residential care facilities. Out-patients suffering from oncologic diseases, tuberculosis, leprosy, endocrine diseases, psychiatric illness, who are HIV-positive or who have had heart valve replacement surgery or an organ transplant receive free medicines paid for out of the State budget.

421. Data for 2006 compiled by the Save the Children Fund show Uzbekistan placing nineteenth out of 125 countries for favourable conditions created for children and twenty-seventh for protecting motherhood. These are the best results in Central Asia and among the highest rankings in the CIS and Asia.

422. One priority area in the system of social protection measures, which concerns virtually all segments of the population and has been broadly applied throughout the entire reform process, is ensuring regular increases in minimum and average wages in response to the liberalization of prices and rising inflation.

423. Another important area of social protection is the adoption of measures to protect the domestic consumer market and support a certain level of consumption of basic food products and consumer goods.

424. Effective measures of social protection and support for the poor constitute a third key area of active social policy.

425. In addition to State resources, the funds of workers' associations, voluntary and charitable organizations and foundations have been activated to tackle social welfare problems and improve people's circumstances.

426. The legal instruments underpinning the State's social function include the Labour Code, the Family Code, the Public Health Care Act, the Social Protection of Persons with Disabilities Act, the Citizens' Pensions Act, the Labour Protection Act and the Social Insurance Act.

427. Uzbek citizens are currently entitled to the following social security benefits:

- Cash sickness benefits;
- Maternity benefits;
- Benefits for non-working mothers caring for children under two years old;
- Old-age disability and loss-of-breadwinner pensions;
- Compensation for occupational injuries and diseases;
- Unemployment benefits;
- Benefits for families with children and material assistance for low-income families.

428. These forms of targeted social assistance for economically disadvantaged families are paid for using allocations from the State budget.

429. It should be emphasized that in order to strengthen safeguards protecting citizen's rights to social welfare provision, the Code on Administrative Responsibility (art. 175-2) envisages liability for bank directors and administrators who unduly delay paying State-funded institutions and organizations allocations for wages, benefits, grants and equivalent expenditures.

430. A network of non-governmental organizations rendering social assistance to various categories of children in need has been set up, comprising the Forum of Culture and Art of Uzbekistan Foundation, the Soglom Avlod Uchun Foundation, which runs health-care and education programmes and advocates healthy living and the Sen Yolg'iz Emassan Foundation, which focuses on supporting orphaned children, children left without parental care, children with disabilities and children from economically disadvantaged families.

431. The Forum of Culture and Art of Uzbekistan Foundation contributes to helping some 4,480 residents of children's homes by supplying them with essential equipment, domestic appliances, school paraphernalia, food, clothing and children's toys. By way of example, as part of a charity initiative by the Women's Council, special centres for children with disabilities and children's homes in Jizzax, Xorazm and Fergana provinces and the Republic of Karakalpakstan accommodating 1,480 youngsters received toys, sweets, domestic appliances and bedding items. Similarly, the Women's Council and the National Association of Microfinance Organizations and Credit Unions opened savings accounts containing an amount equal to the minimum fixed salary for 112 families caring for a child with disabilities.

(e) *The right to education and training*

432. Pursuant to the Education Act, school education is compulsory and free of charge. Registration is based on the year a child was born, not on ethnic background.

433. Enrolment of children of school age, regardless of their national or ethnic origin, is 100 per cent, thanks to a system whereby teachers visit households located in their respective school catchment areas and register the children living there.

434. All ethnic minorities have access to education. Secondary and higher education is offered in seven languages: Uzbek, Karakalpak, Russian, Tajik, Kazakh, Turkmen and Kyrgyz.

435. Uzbekistan has 9,779 general education schools, 246 of which conduct lessons in Karakalpak, 110 in Russian, 172 in Tajik, 207 in Kazakh, 28 in Kyrgyz and 34 in Turkmen. There are also schools with classes taught in these languages: 134 offer tuition in Karakalpak, 689 in Russian, 96 in Tajik, 265 in Kazakh, 33 in Kyrgyz, and 22 in Turkmen.

436. In terms of language breakdown, the number of pupils in these schools is as follows: Karakalpak: 91,091, Russian: 335,842, Tajik: 76,702, Kazakh: 61,873, Kyrgyz: 9,178 and Turkmen: 8,363. The publication of textbooks for these schools is funded by the Government.

437. In the 2011–2012 school year, 416,188 teachers were employed at the country's schools, 300,233 (72.1 per cent) of whom were women. 1,378 (14 per cent) principals at general education schools are not of Uzbek ethnicity.

438. Many ethnic cultural centres run Sunday schools and classes, where the mother language and other languages are studied, as well as the culture, art and traditions of the ethnic group in question. By prior agreement with the local education department, such schools are opened under the auspices of general education schools or in the ethnic cultural centre itself. Lessons are held outside of school time.

439. Uzbekistan has a total of 1,537 intermediate vocational educational institutions, attended by 1,688,283 students of different nations and ethnic groups.

440. Around 1.7 million (1,533,151) students at intermediate vocational institutions are Uzbeks, 33,988 Karakalpaks, 46,415 Tajiks, 31,367 Kazakhs, 18,200 Russians, 9,328 Kyrgyz, 6,230 Tatars, 630 Armenians and 76 Roma.

441. More than 1,600 subjects are taught in Uzbek, Karakalpak and Russian. Information and resource centres at academic lycées and vocational colleges contain literature in all three languages.

442. Intermediate vocational educational institutions employ over 110,000 teachers, of whom 92,712 are Uzbeks, 4,582 Karakalpaks, 4,474 Russians, 3,384 Tajiks, 1,346 Kazakhs, 1,069 Tatars, 349 Kyrgyz, 60 Armenians and 49 Ukrainians, 51 per cent of the teaching staff are women.

443. Today, around 253,412 students attend institutions of higher education, 222,297 (87.7 per cent) of whom are Uzbeks, 9,766 Karakalpaks (3.9 per cent), 5,040 Russians (2 per cent), 4,772 Tajiks (1.9 per cent), 4,640 Kazakhs (1.8 per cent), 2,553 Tatars (1 per cent), 1,520 Koreans (0.6 per cent), 642 Kyrgyz (0.3 per cent), 505 Turkmens (0.2 per cent), 59 Jews (0.02 per cent), 204 Uighurs (0.1 per cent), 202 Ukrainians (0.2 per cent) and 1,212 members of other ethnic groups (0.5 per cent).

444. At 68 higher education institutions tuition is in Uzbek (206,002 students: 81.29 per cent), at 66 in Russian (35,994 students: 14.20 per cent), at 6 in Karakalpak (9,125 students: 3.60 per cent), at 7 in Kazakh (1,299 students: 0.51 per cent), at 4 in Tajik (859 students: 0.34 per cent), at 1 in Kyrgyz (71 students: 0.03 per cent) and at 1 in Turkmen (62 students: 0.02 per cent).

445. Higher education institutions employ around 22,242 teachers, of whom 19,107 are Uzbeks, 1,096 Karakalpaks, 641 Russians, 378 Tajiks, 285 Tatars, 275 Kazakhs, 96 Koreans, 53 Kyrgyz, 45 Uighurs, 43 Turkmens, 41 Ukrainians, 18 Jews and 164 members of other ethnic groups.

446. Today, of 69 chancellors of institutions of higher education, 5 are Karakalpaks; of 290 pro-vice-chancellors, 16 are Karakalpaks, 4 Tajiks, 1 Russian, 1 Tatar, 1 Kazakh and 3 members of other ethnic groups.

447. The teaching of children of foreign nationals is regulated by Cabinet Decision No. 169 of 4 August 2008 “On improving procedures for enrolling and teaching foreign nationals at educational establishments of the Republic of Uzbekistan”. Stateless persons have the same rights as Uzbeks citizens with regard to education.

(f) *The right to equal participation in cultural activities*

448. Article 42 of the Constitution states that everyone is guaranteed the right to enjoy the benefits of culture and that the State shall take care to ensure the cultural, scientific and technological development of society.

449. At present, the country has 37 professional theatres and many amateur theatres, including:

- 1 opera and ballet company performing in 2 languages (Uzbek and Russian);
- 7 theatre companies (including 3 performing in Russian);
- 14 musical and musical drama companies (including 1 Russian and 1 Karakalpak);
- 4 young people’s theatres and 1 young spectators’ theatre (including 1 Russian and 1 Karakalpak);
- 10 puppet theatres (including 1 Karakalpak and 4 bilingual — Uzbek and Russian).

450. Uzbekistan has many amateur theatres: the Ilhom, Aladin, Mulokot, Eski Machit, Turon and others. In addition, almost all higher educational institutions have theatre groups. Nihol or Hazina theatre group festivals take place every year.

451. The Ministry of Culture oversees 90 museums. The museum collections comprise 1.5 million exhibits. These include historical documents, archaeological and ethnographic objects, coins and works of applied art, sculpture, painting and graphic art.

452. Uzbekistan has 1,853 cultural and arts centres, 148 amusement parks, 78 sports federations representing different types of sport.

453. Particular emphasis is placed on guarding the cultural heritage of the country’s ethnic groups and members of the public have a duty to conserve historical, spiritual and cultural artefacts. Cultural monuments are protected by the State.

454. The Conservation and Use of Cultural Heritage Sites Act of 30 August 2001 and the Conservation and Use of Archaeological Heritage Sites Act of 13 October 2009 define the concept and types of cultural and archaeological heritage, the powers of government agencies to protect them and the procedures regulating the work of archaeologists, art historians and other specialists conducting research in this area.

**6. The right of access to any place or service intended for use by the general public**

455. Uzbek citizens, foreign nationals and stateless persons, irrespective of their ethnic or racial background, enjoy a full range of services, including transport, hotels, commercial organizations, cultural and educational institutions and sports centres, as well as other public facilities.

## F. Access to justice (art. 6)

456. The Constitution defines the main principles for improving human rights legislation, as well as the rules and precepts that government agencies must abide by when enforcing human rights.

457. Article 19 of the Constitution establishes the principle that “the civil rights and liberties set forth in the Constitution and the law are inviolable and no one may deny or restrict them without recourse to the courts”. The rights of citizens to freedom and personal integrity, to freedom of movement, freedom of opinion and expression may be restricted only on the grounds stipulated by law, the supremacy of which is enshrined in article 15 of the Constitution.

458. The Constitution states that the judiciary is one of the main branches of government and operates autonomously and independently of other State institutions. Judicial authority is exercised in legal relations through constitutional, civil, commercial, administrative and criminal procedure.

459. Under article 107 of the Constitution, the judicial system comprises the Constitutional Court, the Supreme Court, the Higher Economic Court, the supreme civil and criminal courts of the Republic of Karakalpakstan and the Economic Court of the Republic of Karakalpakstan, each elected for a five-year term, as well as provincial, Tashkent municipal civil and criminal courts, inter-district, district and municipal civil and criminal courts, military and commercial courts, appointed for the same duration. Establishing extraordinary courts is prohibited.

460. A court’s autonomy and independence is intrinsic to its legal status. Courts are autonomous and exercise their authority independently of anyone’s wishes, accountable only to the Constitution and the law.

461. Pursuant to article 67 of the Courts Act, the independence of judges is ensured by:

- The statutory procedures governing their election, appointment and removal;
- Judicial immunity;
- Stringent procedures governing the administration of justice;
- The confidentiality of their deliberations when delivering judgements and the ban on requests that they be disclosed;
- Liability for contempt of court, interference with judicial decision or violation of judicial immunity;
- Salaries and benefits paid to judges by the State commensurate with their important status.

462. The independence of lower court judges from those presiding at courts of higher instance is ensured, *inter alia*, by the recruitment and placement of court personnel, is conducted independently of the judiciary by the country’s President on the recommendations of the Higher Qualification Commission on the Selection and Recommendation of Judges attached to the Office of the President. Lower courts are also independent of higher courts with regard to funding and technical and administrative support, given that these areas, rather than falling within the competence of courts of higher instance, are the responsibility of the Department for Implementing Court Decisions and the Technical, Administrative Support and Funding of Courts, attached to the Ministry of Justice.

463. Citizens are accorded the right to seek redress in court for violation of rights not only by the Constitution and the Court Appeals (Acts and Decisions Violating Civil Rights

and Liberties) Act, but also by other legislative acts. All natural persons enjoy this right. The ability to appeal directly to the courts considerably improves the effectiveness of civil rights protection. Under existing legislation, citizens are entitled to file complaints with regard to actions violating their rights and freedoms either directly to a court or to a higher authority.

464. Under the law, actions (decisions) that may be contested in court include collective or individual actions (decisions) that have, firstly, violated civil rights and freedoms, second, created obstacles preventing a citizen from exercising his/her rights and freedoms and, third, illegally imposed an obligation on the citizen.

465. Complaints brought against the actions (decisions) of government agencies, companies, institutions, organizations, voluntary associations, citizens' self-governing bodies or officials are considered by the court in accordance with the Rules of Civil Procedure.

466. The provisions of the Court Appeals (Acts and Decisions Violating Civil Rights and Liberties) Act were further elaborated in the Code of Civil Procedure adopted on 30 August 1997. Specifically, subsection 3 of the Code establishes procedures for proceedings dealing with complaints and petitions against the actions (decisions) of government and other agencies — a development which has proved highly instrumental in realizing the right to effective judicial protection.

467. The core principles of Uzbek criminal procedure include article 19 of the Code of Criminal Procedure, which stipulates that criminal cases are to be heard in open court. Everyone is entitled to a public trial.

468. Public trial means that court proceedings with regard to a particular case are conducted in the presence of citizens meeting the age requirements established by law who wish to attend the courtroom and that information relating to the process and results of the trial may be freely published in the press, broadcast on the radio or by other means brought to the attention of the general public.

469. The right to defence is a fundamental principle of criminal procedure, guaranteeing that the final verdict is legal, valid and just. Under Article 116 of the Constitution, "the accused is ensured the right to defence. The right to professional legal assistance shall be guaranteed at all stages of investigations and court proceedings. Citizens, companies, institutions and organizations are to be rendered legal assistance by a defence counsel, whose activities are structured and regulated by law".

470. Violation of the right to defence under article 487 of the Code of Criminal Procedure is to be deemed material, resulting in the overturning of a judicial decision, if said violation has prevented the court from considering all aspects of the case and affected, or may have affected, the imposition of a legal and valid verdict.

471. In all criminal proceedings, the person charged with committing an offence, irrespective of national, ethnic or religious affiliation, is informed of his/her rights and obligations as stipulated under articles 46–48 of the Code and provided with all the conditions necessary for ensuring his/her legal defence.

472. Under article 114 of the Code, examination of a witness or victim who has appeared with counsel takes place with the participation of the counsel. When the examination is over, the counsel may submit complaints about violations of the rights and legal interests of the witness or victim, which are noted in the record of the examination.

473. A new article, 66-1, "Counsel for witnesses", has been added to the Code of Criminal Procedure, setting out the status of the counsel for a witness as a person who is authorized, in accordance with established procedure, to uphold the rights and legal

interests of a witness and provide him/her with any necessary legal assistance. Persons defending the interests of the parties to a criminal case may not be counsel for witnesses in that case. A counsel for a witness may participate in the case from the time when a summons for the witness is issued, on presentation of a lawyer's certificate and warrant.

**G. Combating prejudices which lead to racial discrimination and promoting understanding, tolerance and friendship among nations and racial or ethnic groups, as well as propagating the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights and this Convention (art. 7)**

474. Uzbekistan has fully embraced the ideas of the United Nations and has created its own system of human rights education. This has primarily involved taking steps to develop a legal framework for education and national programmes geared towards promoting and protecting human rights. In pursuance of these objectives, on 29 August 1997 the Education Act was passed, the national staff training programme was approved and the Oliy Majlis adopted a resolution on a national programme to improve legal awareness in society; on 29 May 1998 the Cabinet adopted a national programme of measures to implement this programme. On 25 June 1997, a Presidential Decree was adopted aimed at improving legal education, legal awareness, the training of legal professionals and public opinion research.

475. In the 1997–1998 academic year, a special course teaching human rights was introduced. Issues relating to protecting human rights, deepening democracy and strengthening the rule of law were incorporated into programmes at educational institutions at all levels, primarily at general education schools, universities, law and teacher training colleges, institutes of administration and management, as well as educational institutions within the Ministry of Defence, the Ministry of Internal Affairs and the National Security Service.

476. In this regard, the Ministry of Education devised a Legal Education Outline Plan for preschool, general and vocational education, while “ABC of Rights” talks were introduced for the 1st–4th grades of general and vocational schools, and a subject entitled “Lessons in Law” for the 5th–7th grades.

477. In schools, human rights education is broken down into three areas. The first deals with human rights within the context of the Constitution, emphasizing in particular citizens' constitutional rights, freedoms and obligations and the system of national human rights institutions. The second concerns the study of human rights as part of the “Foundations of State and Law” course taught in secondary schools, focusing on the legal aspects involved in the exercise of human rights and freedoms. The third teaches human rights under a special “Human Rights” module that looks at problems of human rights and freedoms in all their diversity.

478. The Convention and other conventions pertaining to children's rights are taught in schools as part of the “Journey to the World of the Constitution”, social science and other lessons.

479. This broad and systematic approach to the teaching of human rights in schools fully covers all international human rights instruments, including the Convention.

480. The Ministry of Higher and Secondary Special Education is engaged in a major effort to instil in young people firm convictions and views capable of countering threats posed to spirituality and by alien influences and which are conducive to forging national identity, as well as a sense of involvement with unfolding events. Ma'naviyat soati lessons feature discussions, seminars and presentations with titles such as “international friendship

and religious tolerance as the foundation of civil harmony”, “Biz bir Vatan farzandlarimiz!”, “Shu aziz vatan barchamizniki!”, “Philanthropy is a great strength”, and so forth.

481. Specifically, in the 2012–2013 school year, a course was introduced for persons attending the Centre of Secondary Special Vocational Education entitled “The Eastern Family”, part of which will involve the study of the customs and traditions of eastern and western peoples.

482. Improving inter-ethnic tolerance, preventing ethnic and racial discrimination and promoting friendship among young people are important aspects of the State’s school education policy. The principles of inter-ethnic harmony are widely covered in lessons in national history, religious studies, national independence, cultural studies, the individual and society, the Uzbek Constitution and the spiritual and moral foundations of the struggle against religious extremism and terrorism, as well as seminars entitled “Inter-Ethnic Tolerance as the Basis for Peace”, “We are the Children of a Single Homeland” and “Uzbekistan, Our Common Home”.

483. Tashkent State Institute of Law is an education and training organization, whose task is to study and disseminate knowledge in the sphere of human rights. The institute’s educational activities are premised on the provisions of globally important international instruments, namely the Universal Declaration of Human Rights (1948), the International Covenant on Civil and Political Rights (1966), the International Covenant on Economic, Social and Cultural Rights (1976), the Convention on the Elimination of All Forms of Racial Discrimination, the Vienna Declaration and Programme of Action of 25 June 1993 and many others.

484. Attached to the Institute is the non-governmental Centre for the Study of Humanitarian Law and Human Rights, which conducts human rights awareness activities and studies humanitarian law, holding, for these purposes, seminars, training workshops and conferences for students, teachers and representatives of media outlets, non-governmental organizations and State institutions whose work is directly connected with human rights. Since 2002 the Centre has collaborated with the United Nations Development Programme, the University of World Economics and Diplomacy and Samarqand State University on holding an annual student contest for the best essay on human rights in the 21st century.

485. The Academy of Public Administration in the Office of the President runs a human rights course, part of which involves practical onsite training at the National Centre for Human Rights and the office of the Human Rights Commissioner. Training modules have been designed as part of the work programme, including analysis of the Convention, conferences, seminars and round tables on human rights issues.

486. The National Centre for Advanced Legal Training within the Ministry of Justice accords special emphasis to raising awareness of the international legal system for protecting human rights and freedoms. The curriculum includes the following courses: Uzbek domestic law and international standards of justice; the foundations of international humanitarian law; the legal framework for combating international organized crime; the place and role of international human rights standards in the work of law enforcement agencies; Uzbek domestic law and international human rights law; and the legal status of the public in international law.

487. Study programmes are tailored in accordance with the trainees’ educational and professional background (Ministry of Justice department staff, judges, candidates for judgeships, court officers and clerks, lawyers, notaries, civil registry office staff, legal advisers to companies and organizations, employees of other ministries and departments undergoing further training). These provide a grounding in, *inter alia*, international and



domestic legal systems for enforcing and protecting human rights, including, the rights of ethnic minorities, the State's reporting system on compliance with international human rights instruments ratified by Uzbekistan, the conclusions and recommendations of United Nations treaty bodies with regard to compliance, improving existing legislation and increasing human rights awareness activities.

488. The Academy of the Ministry of Internal Affairs runs a full-time study programme that includes modules focused on general human rights theory, international law and preliminary investigations in internal affairs agencies, which are tailored to the professional requirements of Ministry personnel. Trainees attending higher academic courses undertake a module on international cooperation in fighting crime, which includes studying the Convention, as well as a module on human rights in the work of internal affairs agencies.

489. Programmes run by the University of World Economics and Diplomacy include subjects such as the history of Uzbekistan, religious studies, the concept of national independence and cultural studies, which cover the cultural and spiritual heritage of different ethnic groups living in Uzbekistan. Other subjects studied include the country's economic, spiritual and cultural achievements since attaining independence, theoretical aspects of promoting ethnic cultures, independence and cultural development and world and religious culture. A module on jurisprudence and the Constitution covers the legal status of the individual, focusing particularly on racial discrimination.

490. Undergraduate students in the university's International Law and International Relations faculties take a course in human rights where they study the legal framework for eliminating all forms of discrimination, the content and substance of international and domestic standards, as well as the work of government agencies and national human rights and civil society institutions fighting discrimination. As part of the international human rights study programme, students working for master's degrees learn about the Convention, its content and substance, as well as about the activities of United Nations bodies monitoring its implementation.

491. The university joins forces with the Inter-ethnic Cultural Centre to hold special days celebrating the culture, language and art of different countries of the world. In 2011 and 2012, for example, days festivals were held celebrating the culture, language and art of China, France, Germany, Spain and Japan, attended by representatives of the respective embassies and ethnic cultural centres. Since 2007 a museum of Korean culture has operated under the auspices of the university's information and resource centre.

492. On 27 December 2010, the university hosted an event entitled "We are Children of One Nation", attended by members of all cultural centres and, on 3 November 2011, a conference on cross-cultural communication, which featured an exhibition of the national costumes, traditions and literature of different peoples around the world.

493. Members of the Committee on Religious Affairs attached to the Cabinet of Ministers and Tashkent Islamic University regularly visit the university together to discuss religious, spiritual and moral education with students. These discussions cover issues relating to the implementation of ethnic minority rights to freedom of conscience and religion. Events of this type already held include a round table entitled "The Threat to Our Spirituality is a Threat to Our Identity and Future", a debate, "Tolerance is the Path to Peace and Harmony", which looked at issues concerning compliance with the Freedom of Conscience and Religious Organizations Act from a religious perspective, and a conference, "Creating Ideological Immunity in Combating Religious Extremism and Terrorism", dealing with the application of ethnic minority rights to freedom of conscience.

494. Since September 2011 and continuing into 2012, 179 citizens, 91 of whom were of non-Uzbek ethnicity, consulted the university's law clinic for legal advice, which they received on a range of civil law issues, including partition of property, receiving an

inheritance and obtaining a divorce, as well as with regard to documentation required for filing petitions of appeal and cassation to the court, judicial proceedings, foreign travel, and so on.

495. The Higher Economic Court is engaged in active efforts to raise awareness regarding the provisions of the Convention. For example, in the period 2010–2012, around 15 articles on the Convention were published in the Higher Economic Court Bulletin.

496. Advanced training courses run by the Office of the Procurator-General include modules dealing with current aspects of the country's domestic and foreign policy, the organization of procuratorial oversight of compliance with legislation on civil rights and freedoms and labour law, international cooperation and the legal aspects of the Convention. These modules focus on international and foreign law enforcement practices with regard to combating racial discrimination, domestic legislation and enforcement procedures. Particular attention is given to issues relating to citizenship and labour migration.

497. In the period 2010–2012, 1,222 students completed further training courses, 1,130 of whom were Uzbeks, 39 Karakalpaks, 39 Tajiks and 4 Russians. 38 students completed six-month training programmes for senior officials, 33 of whom were Uzbeks, 2 Tajiks, 1 Karakalpak and 1 Korean.

498. Throughout 2011 and the first half of 2012, procuratorial authorities implemented measures to raise awareness of legislation aimed at combating terrorism and religious extremism, including 1,027 radio and 397 television broadcasts, 354 published articles and 13,217 conventions and 7,480 meetings in makhallas.

499. On 2 March 2010, the Ministry of Internal Affairs approved and dispatched to all local internal affairs agencies a programme for training Ministry personnel in human rights protection with a view to improving their knowledge and training senior officers in this area. In 2010 3,306 training sessions were held on international standards and domestic laws relating to human rights protection, followed by 4,046 sessions in 2011 and 1,823 in the first half of 2012.

500. During the period 2008–2011 and the first half of 2012, the Department for Human Rights Protection and Legal Support of the Ministry of Internal Affairs organized around 20 training workshops in cooperation with the OSCE project coordinator in Uzbekistan, the regional office of UNDP and the regional delegation of the International Committee of the Red Cross. Featuring contributions from international specialists, the workshops were used to teach Ministry personnel about international human rights standards, focusing especially on the Convention on the Elimination of All Forms of Racial Discrimination. As a result, over 450 Ministry officers received certificates.

501. So far in 2012, officers of the Ministry of Internal Affairs prevention service have conducted 44,548 (79,372 in 2010, 79,100 in 2011) meetings, discussions and lectures among minors and young people on crime prevention, including with regard to protecting children's rights, compliance with the Constitution, the spiritual and moral education of young people, the prevention of racial discrimination and infringement of the rights of ethnic minorities and the liability borne by officials, natural and legal persons for discrimination against ethnic minorities. Of the total number of meetings, discussions and lectures, 11,416 (23,410 in 2010, 23,812 in 2011) were among members of the public at local makhallas; 25,169 (43,610 in 2010, 41,254 in 2011) among school pupils, 8,238 (11,632 in 2010, 13,347 in 2011) with students attending vocational colleges and academic lycées and 316 (720 in 2010, 587 in 2011) with students at higher educational institutions.

502. In the first half of 2012, the Department for Human Rights Protection and Legal Support in cooperation with other internal affairs units and local Ministry of Internal Affairs human rights protection agencies disseminated 1,606 (1,483 in 2011) public

information announcements in the media, including 338 (461 in 2011) on television, 631 (546 in 2011) on radio and 610 (454 in 2011) in newspapers. 2,564 (2,072 in 2011) awareness-raising initiatives were conducted, including 1,171 (954 in 2011) lectures, 1,286 (861 in 2011) round tables, 181(235 in 2011) seminars and 8 (22 in 2011) workshop conferences.

503. Of these, 1,115 (945 in 2011) conferences, seminars and round tables were organized in urban areas, 1,366 (1,053 in 2011) in rural areas and were attended by 153,030 (124,068 in 2011) people. Publishing activities have been conducted on a wide scale, with 21 publications produced, including eight textbooks, four study guides, three handbooks, as well as presentations and reports collected together in four volumes. 255 visual aids have been circulated, including 189 different posters and 90 booklets.

504. The Ministry of Justice conducts extensive awareness-raising activities. Thus, in 2011 judicial bodies undertook 14,057 (8,501 in the first half of 2012) initiatives, 2,652 of which (1,565) were in the media, 1,012 (6,536) by way of round tables, seminars, workshop conferences and 382 (400) other projects, involving, *inter alia*, raising the public's awareness of the Convention.

505. The Bar Chamber conducts awareness-raising and publishing activities relating to the issues covered by the Convention. The Chamber's journal, *Advokat*, features articles on legal services extended to members of the public, irrespective of their ethnic background. Improving legal literacy is one of the Bar's primary objectives. In 2009, the Chamber undertook 1,690 awareness-raising initiatives, as well as 3,532 public presentations in 2010 and 3,272 in 2011.

506. Print media play an important part in raising public awareness of human rights and freedoms, including those of ethnic minorities.

507. To date, the National Centre for Human Rights has translated and published the following collections:

- *Compilation of OSCE human dimension documents*, published for the first time in Uzbekistan in their entirety in the official language. A textbook primarily designed to be used by law-college students and teachers, cadets and trainees at military academies and law enforcement officers;
- *Compilation of the Geneva Conventions: International Humanitarian Law*. International instruments concerning compliance with human rights during armed conflicts, the Geneva Convention relative to the Protection of Civilian Persons in Time of War, to which Uzbekistan acceded in 1993, and their additional protocols;
- *International instruments on the rights of minors*. Published in Uzbek and Russian, this book contains the main provisions of international standards relating to juvenile justice, including the Convention on the Rights of the Child, the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines), the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules) and the United Nations Rules for the Protection of Juveniles Deprived of Their Liberty;
- *The Republic of Uzbekistan and International Human Rights Treaties: Universal Human Rights Instruments*. Core United Nations human rights instruments, international human rights documents of the International Labour Organization, international human rights treaties of UNESCO *et al.*;

- *The Universal Declaration of Human Rights*. An illustrated book for children of junior and secondary school age, in Uzbek and Russian. Half the edition was printed in Roman script and the other half in Cyrillic;
  - Compilation of the core conventions and recommendations of the International Labour Organization, in Uzbek;
  - *Eliminating the Worst Forms of Child Labour: A Practical Guide to ILO Convention No. 182*. Handbook for Parliamentarians;
  - *Human Rights for Parliamentarians*, in Uzbek;
  - *The Convention on the Rights of the Child*, in Uzbek;
  - *Child Protection: A Handbook for Parliamentarians*, prepared by the Inter-Parliamentary Assembly, in Uzbek;
  - *The Universal Declaration of Human Rights*, in Uzbek and Roman script, published by the Centre in association with the United Nations Development Programme in 2008;
  - *The Convention on the Rights of the Child and the Rights of the Child Safeguards Act*, in Russian.
508. The National Centre for Human Rights has also produced the following posters:
- *The Universal Declaration of Human Rights*, in Uzbek and Russian;
  - *The International Covenant on Civil and Political Rights*, two posters in Uzbek;
  - *The International Covenant on Economic, Social and Cultural Rights*, two posters in Uzbek;
  - *The Convention on the Elimination of All Forms of Discrimination against Women*, two posters in Uzbek;
  - *The Convention on the Rights of the Child*, two posters in Uzbek.
509. In addition, the Centre has prepared a series of brochures, in Uzbek and Russian, celebrating the Universal Declaration of Human Rights and the achievements of Uzbekistan in the area of human rights:
- *Inson huquqlari umumjahon deklaratsiyasi va shaxsiy daxlsizlik*;
  - *The Universal Declaration of Human Rights and its application in Uzbekistan*;
  - *Yashash hukuki va Ozbekistonda ulim jazozining bekor kilinishi*;
  - *Siesiy partiyalar va jamiyatni demokratlashtirish*;
  - *Fukarolik va siehsiy huquklar tugrisidagi halkaro pakt va uni Ozbekiston Respublikasida amalga oshirish jaraeni*;
  - *The International Covenant on Civil and Political Rights and its application in Uzbekistan*;
  - *Inson huquqlari va nodavlat nodavlat tashkilotlar*;
  - *Human rights and non-governmental non-profit organizations*;
  - *Fukarolaning uzini-yzi boshkarish organlari – milliy demokratik institut*;
  - *Inson huquqlari buyicha Ozbekiston Respublikasi milliy institutlari*;
  - *National human rights institutions*;

- *Guarantees of the rights of the child;*
- *The International Covenant on Economic, Social and Cultural Rights and its application in Uzbekistan;*
- *Women's rights in Uzbekistan;*
- *The International Convention on the Elimination of All Forms of Racial Discrimination in the Republic of Uzbekistan;*
- *The Universal Declaration of Human Rights and the national system for protecting human rights. A multiple-author booklet, in Uzbek, Russian and English.*

510. One of the priorities of the National Television and Radio Broadcasting Corporation's awareness-raising strategy for the period 2010–2012 is promoting friendly relations between different ethnic groups living in Uzbekistan by airing regular television and radio programmes and public service announcements. Specifically, this involves transmitting television and radio programmes via all national and regional channels in Uzbek, Russian, Kazakh, Tajik, Korean, Uighur, Kyrgyz, Tatar, Azerbaijani and English.

511. The television programmes O'zbekiston – umumiy uyimiz and Mustaqillikning 20 yilligi are about the lives of the peoples living in Uzbekistan. Two special programmes celebrating the twentieth anniversary of the Inter-ethnic Cultural Centre have been produced; Yagona oilada (in Uighur, Kyrgyz, Tatar and Azerbaijani) are shown twice a month (60 times), Ranginkamon (in Tajik, twice a month, 60 times). Chinsen (in Korean, twice a month, 60 times), Didar (in Kazakh, twice a month, 60 times) and Naupir (twice a month, 60 times). Radio programmes include Arayli ungr – nurli maskan (in Kazakh, 26 times a month, 780 times), Maurit (in Karakalpak, twice a month, 48 times) and Ekho planety (in Russian, daily, 912 times).

512. Uzbek citizens living abroad can keep up with important events in their homeland via the satellite channel Uzbekistan, transmitted daily.

513. In order to implement human rights and improve the public's legal awareness, a creative team working for the Yoshlar television and radio channel has produced and aired various television and radio programmes in different languages. Yoshlar radio currently broadcasts the following programmes: Chaman (in Turkmen, three times a week, 20 minutes long), Pulse (in English, once a week, 60 minutes), Novosti (in Russian, once daily, five minutes), Interaktiv (in Russian, once a week, 90 minutes), Sloennaya noch (in Russian, 90 minutes) and Namaste, Hindistan! (in Uzbek, once a week, 50 minutes). Chaman, Interaktiv and Sloennaya noch are education programmes designed to inform listeners about the national culture, history, customs and traditions of the peoples living in Uzbekistan.

514. Notable radio programmes broadcast in Kyrgyz include Elaman (Elomon), Ak Orgo (Ok Urga), Min – hyyal (Ming hael), which report on the culture, history, customs and traditions of the country's ethnic groups. These programmes are produced three times a week, each lasting 20 minutes (96 programmes a year), and feature categories such as O'zbekiston – umumiy uyimiz and O'zbekiston va mintaka. From time to time special reports are aired about different ethnic communities and their role in the social life of the country.

515. Mash'al radio station's Mash'al xabarlari news programme covers initiatives and meetings organized by the Inter-ethnic Cultural Centre in Tashkent and the regions (over 100 programmes in 2010–2012).

516. In addition, the news and current affairs programmes Ahborot, Davr and Poytaxt regularly cover major domestic initiatives geared towards implementing and protecting human rights in the political, economic, social, cultural and other spheres of public life. In

some of their shows, weekly and monthly television and radio programmes, such as Reportazh, Novoe utro, Utro budushchego, Arena molodezhi, Luchi razuma, Bodroe utro, Podrostok and others, deal with issues relating to human rights compliance, including efforts to combat racial discrimination and strengthen inter-ethnic accord.

517. Unique self-governing bodies without parallel anywhere else in the world, Makhallas are playing an increasingly important role in the system of civil society institutions.

518. Viewed from a historical and contemporary perspective, the makhalla is a voluntary organization whose members are connected by their residence in a single community with shared traditions, customs, modes of communication, legal, economic and family relations. The makhalla epitomizes a communal setting characterized by peace and tranquillity, mutual respect and consideration, friendship and togetherness, material comfort and prosperity. Conciliation boards have been set up within citizens' self-governing bodies and the posts of religious education consultant and spiritual and moral advisor introduced for citizens' assemblies, functions to which only women possessing the necessary experience and socio-psychological support skills having been appointed.

519. The board of the Makhalla charitable foundation provides assistance and support for community outreach initiatives promoting tolerance among different ethnic groups in 9,940 citizens' assemblies.

520. All the initiatives undertaken by the Makhalla foundation and citizen's self-governing bodies focus on explaining the principles of equality of all citizens before the law without distinction as to sex, race, ethnic background, language, religion, social origin, beliefs and personal or social status.

521. Numbering over 104,000, the chairmen and advisers of citizens' self-governing bodies are conversant with the Convention and conduct community awareness-raising activities in this connection.

522. Nominees for the chairmanship of citizens' self-governing bodies have included Azerbaijanis, Koreans, Armenians, Kurds, Dungans, Uighurs and Arabs. Overall, 35 nationalities and ethnic groups living in Uzbekistan are represented.

523. It should be stressed that of a total 9,973 chairmen sitting on citizens' self-governing bodies, 1,264 (12.74 per cent) are women.

524. The Makhalla foundation's actions encourage efforts to combat prejudice resulting in the restriction or violation of the rights of persons of non-Uzbek origin and ethnic conflict, while also helping to promote understanding, tolerance and friendship between the country's different nationalities and ethnic groups.

525. Every initiative undertaken by the Kamolot youth movement is geared towards uniting young people on the basis of the concept that "this is our sacred homeland". Members of the country's ethnic communities take an active part in projects such as "Uzbekistan, Our Common Home", "United We Stand" and "One Goal, One Idea, one Homeland".

526. The issue of equal rights for different ethnic groups is accorded special emphasis by 14 regional and 194 local councils, which are directly elected out of the 5.5 million members of the Kamolot movement. In 2012, declared "Year of the Strong Family", the movement held an online discussion devoted to this theme in which young people of different ethnic groups took part.

527. It is noteworthy that the seminars and conferences organized by State administrative bodies and educational and training institutions contribute considerably to raising awareness as regards the provisions of the Convention.

528. On 30 May 2011, Tashkent Islamic University held a national workshop conference entitled “Religion, Culture and Customs of the People of Uzbekistan: Yesterday and Today”.

529. On 12 November 2011, the Uzbek State Institute of Physical Culture hosted a workshop conference, “Independence In My Life”, to mark the twentieth anniversary of the country’s independence and the nineteenth anniversary of the Uzbek Constitution, which was attended by the Tatar Public Cultural and Education Centre of Tashkent.

530. On 27 May 2011, the Academy of the Ministry of Internal Affairs held a round table entitled “Human Rights Are The Supreme Value”, attended by trainees in their second and third year of study. During the seminar reports were heard and discussed that analysed domestic legislation and international legal instruments, including the Convention.

531. On 7–9 June 2011, a training seminar took place under the heading “Specific Methodologies of Teaching Human Rights to Law Enforcement Officers” organized by the Academy in association with the OSCE project coordinator in Uzbekistan.

532. On 28 December 2011, the Academy hosted a workshop conference entitled “the Convention on the Elimination of All Forms of Racial Discrimination and Uzbek Law: Problems and Guarantees”.

533. It is important to stress that issues relating to the implementation of the Convention were discussed at all the aforementioned seminars and conferences, as well as at similar events.

534. Ethnic cultural centres contribute significantly to promoting understanding and friendship among the country’s ethnic groups.

535. The Inter-ethnic Cultural Centre has done much to raise awareness among members of ethnic cultural centres and the general public on issues relating to tolerance, inter-ethnic accord and the need to prevent all forms of racial discrimination. The Centre has published various books appealing to a wide readership that have been distributed to ethnic cultural centres for their use. One example is “Uzbekistan, Country of Tolerance”, which looks at the social and spiritual integration of different ethnic groups into contemporary Uzbek society. Others include “The Uzbek Constitution: The Guarantee of Our Great Future” and “Independent Uzbekistan: A New Stage in Developing Ethnic Relations”, published in Uzbek and Russian. In 2011 a television film called “In The United Family” was made using materials produced in connection with initiatives celebrating the twentieth anniversary of the country’s independence. The Centre has also published the first issue of “In The United Family” magazine.

536. In newspapers and magazines, scholars, representatives of different sections of society and the heads of ethnic cultural centres discuss compliance with human rights and ethnic relations. The issues raised include tolerance as conducive to greater social and political activism by women and educating young people in the spirit of inter-ethnic harmony.

537. In 2010, as part of the State programme dedicated to the Year of the Harmoniously Developed Generation, the Inter-ethnic Cultural Centre, on instructions from the Cabinet of Ministers, teamed up with regional councils coordinating the work of ethnic cultural centres, the Academy of Arts and the Creative Association Tasviriy oyina to run a series of research and practice seminars in the Republic of Karakalpakstan, all provinces and Tashkent entitled “We Are Children Of One Earth, One Time”, attended by all the country’s ethnic cultural centres.

538. In August-September 2010, the Tashkent House of Photography organized a photography exhibition, “Uzbekistan, Our Common Home”, marking the country’s

independence, which displayed works by 22 well-known photographers from Uzbekistan. The exhibition was a vivid testament to the success of national policy and the peaceful and harmonious life of the country's multi-ethnic nation.

539. In 2010 a new television documentary entitled "Uzbekistan, Our Common Home" was broadcast in two languages with assistance from the Inter-ethnic Cultural Centre and ethnic cultural centres. The Centre also issued a multimedia compact disc with the same title detailing the activities of the Centre and ethnic cultural centres, including historical data, articles, videos and photographs, as well as songs and music. For the first time, documents were made available for the UNESCO website, as was a country report on art education in Uzbekistan.

540. In 2009–2011, successful work continued on a research project examining the specificities involved in improving ethnic relations in an emerging civil society and the role of ethno-cultural organizations in strengthening inter-ethnic accord. Based on the research results, new articles, a collection of documents entitled "The Uzbek Constitution is the Guarantor of Our Great Future" and albums were published, as well as books issued by ethnic cultural centres.

541. On 15 October 2010, the Council of Friendship Societies and Cultural-Educational Relations between Uzbekistan and Foreign Countries hosted a workshop conference under the heading "Multi-Ethnic Uzbekistan: Peace, Stability and Progress" marking the speech given by Uzbek President Islam Karimov at a plenary meeting of the Millennium Development Goals summit.

542. Following a cycle of seminars, in December 2010 the Inter-ethnic Cultural Centre held a workshop conference entitled "Educating Young People in the Spirit of Inter-Ethnic Harmony and Religious Tolerance as an Important Factor in Building a Civil Society", devoted to the eighteenth anniversary of the Constitution.

543. On 9 August 2011, the chairmen of national-level ethnic cultural centres took part in parliamentary hearings on the implementation of the Convention, organized by the Legislative Chamber Committee on Democratic Institutions, Non-Governmental Non-Profit Organizations and Citizens' Self-Governance Bodies.

544. On 5 December 2011, the Independent Institute for Monitoring the Formation of Civil Society marked the nineteenth anniversary of the Constitution by hosting a workshop conference on the specificities involved in improving ethnic relations in an emerging civil society. The event was organized by the Inter-ethnic Cultural Centre and the Society in collaboration with the Academy of Sciences, the Council of Friendship Societies and Cultural-Educational Relations between Uzbekistan and Foreign Countries, the Committee on Religious Affairs, the National Centre for Propagation of Spirituality, the Women's Committee, the Makhalla Foundation, the Kamolot youth movement and ethnic cultural centres.

545. On 12 December 2011, the Turkmen Centre of Tashkent marked the nineteenth anniversary of the Constitution with a conference entitled "Educating Young People in the Spirit of Inter-Ethnic Harmony and Religious Tolerance as an Important Factor in Building a Civil Society". On 19 January 2012, a conference took place on developing ethnic relations in an independent Uzbekistan, which was devoted to the twentieth anniversary of the Inter-ethnic Cultural Centre.

546. On 29 February 2012, the Centre held a national seminar on inter-ethnic harmony and religious tolerance, exhibitions collectively entitled "Uzbekistan, a Multi-Ethnic Friendly Family" and discussions under the headings "At the Round Table" and "A Strong Family is the Mainstay of the Country". These initiatives were organized in association with the Committee on Religious Affairs, the creative association Tasviriy oyina, provincial



and district khokimiyats, coordinating councils working with ethnic cultural centres, provincial women's committees, provincial branches of the Kamolot youth movement, the Makhalla and Nurony foundations, higher, secondary and intermediate vocational institutions and cultural establishments.

547. On 19 January 2012, the Presidium of the Academy of Sciences hosted a workshop conference entitled "Independent Uzbekistan: a New Stage in Developing Ethnic Relations" to mark the twentieth anniversary of the Inter-ethnic Cultural Centre.

548. Working in partnership with general and intermediate vocational education departments and makhalla committees, the Oila Centre for Applied Science organizes spiritual and educational events in the provinces variously entitled "Vatanparvarlik oiladan boshlanadi", "Men – shu yurt farzandiman" and "Yurt kelajagi eshlar kulida", which focus on ways to eliminate forms of prejudice that result in racial discrimination and ethnic conflict.

549. The Centre works closely with the Inter-ethnic Cultural Centre in raising awareness of the Convention, annually participating in seminars with titles such as "A Strong Family is the Mainstay of the Country", "Uzbekistan, a Multi-Ethnic Friendly Family", "We are Children of a Single Family" and "The Role of National and Universal Human Values in Strengthening Ethnic Relations in Uzbekistan".

550. On 10 November 2010, in collaboration with the Inter-ethnic Cultural Centre, the Centre held the first Inter-Ethnic Lullaby Festival, "Baynalminal alla kushiklari", followed on 2 November 2011 by a second festival featuring the lullabies of the country's different ethnic groups, as well as a demonstration of national costumes and traditions. The Centre's is also working on the publication of a series of brochures on ethnic lullabies. Uzbek and Azerbaijani lullabies have been published, together with translations.

551. Building friendlier relations and greater tolerance between the country's peoples and ethnic communities falls within the range of activities undertaken by the Federation of Trade Unions, which continues to conclude agreements with the Inter-ethnic Cultural Centre aimed at coordinating efforts to strengthen and improve ethnic relations in workers' associations.

552. For example, the agreement for 2010 envisages collaboration with regard to building good relationships between members of different ethnic groups working in the cultural sphere, encouraging social initiatives geared towards improving friendly inter-ethnic relations, organizing and conducting initiatives promoting the culture of different communities and helping to preserve and develop the national customs and traditions of the country's peoples.

553. In January 2012, as part of events held to celebrate the twentieth anniversary of the Inter-ethnic Cultural Centre, associations of workers employed in companies and organizations conducted round-table meetings and discussions under the headings "In the United Family" and "Uzbekistan, Our Common Home". The Council of the Federation of Trade Unions allocated 6.5 million sum to support participants in the fourth national festival of friendship and culture, held on 21 January 2012 in the Turkiston Palace of Arts.

554. The Forum of Culture and Arts of Uzbekistan Foundation (the Fund Forum) makes a considerable contribution to the publication of literature promoting the culture, traditions and customs of the country's ethnic groups.

555. The Fund Forum's publications include:

- *Civilizations, States and Cultures of Central Asia*, a book written by the academician and historian Edvard Rtveladze, published by the Fund Forum in English. The book

covers the history of the civilizations and States of the central Asian region and the cross-cultural relations of different countries in the Eurasian continent;

- *The Applied Art of Uzbekistan. Graduation of Values*, a catalogue that systematically records the price attributes of traditional art items in Uzbekistan, bringing order to the international market for Uzbek art. Contains texts and illustrations;
- *The Fund Forum Presents Uzbekistan*, a photograph album that is the result of an international publishing project involving photographers, designers, art historians, ethnographers and social commentators from France, Italy and Uzbekistan. Available in Russian, English and French, the album's striking images vividly depict the historically distinctive and at the same time modern country of Uzbekistan, its history, culture, ethnography and traditions;
- *The Fund Forum: A Potential Practical Model of Civil Society*, a book providing detailed information on the Fund's completed projects and programs, their practical results and the outlook for its work in the future. The book also systematically records the Fund Forum's history in terms of its institutional and organizational development and the satellite organizations it has set up. Available in Russian, Uzbek and English.

556. One of the Fund Forum's biggest projects is the Festival of Traditional Culture "Asrlar sadosi" (Echo of the centuries), which presents the ethnic traditions, customs, art and crafts, cuisine and unique oral and intangible heritage of Uzbekistan in all their diversity.

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