



**Convention on the  
Rights of the Child**

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**COMMITTEE ON THE RIGHTS OF THE CHILD**

**CONSIDERATION OF REPORTS OF STATES PARTIES  
UNDER ARTICLE 44 OF THE CONVENTION**

**Second periodic reports of States parties due in 2001**

**Addendum**

**UZBEKISTAN\***

[22 February 2005]

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\* This document contains the second periodic report of Uzbekistan, which was submitted on 28 July 2001. For the initial report of Uzbekistan, see document CRC/C/41/Add.8; for the summary records of the meetings at which the Committee considered that report and the Committee's concluding observations, see documents CRC/C/SR.743 and CRC/C/15/Add.167.

The annexes to the report submitted by the Government of Uzbekistan may be consulted in the Secretariat's files.

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## Introduction

1. The Republic of Uzbekistan, having obtained its independence, affirms its attachment to the ideals of democracy and human rights and acknowledges the primacy of the universally recognized norms of international law. Uzbekistan is notable for its relatively young population and high proportion of persons of working age. In all, 39 per cent of the population are below working age, 54 per cent are of working age and 7 per cent are above working age. The population has grown since 1999; by early 2005 it had reached 26 million, of whom 42 per cent are children under the age of 15.
2. Uzbekistan ratified the Convention on the Rights of the Child on 6 December 1992 at a meeting of the Supreme Council and undertook to observe all its provisions and to shoulder its responsibility before the international community.
3. In accordance with article 44 of the Convention, Uzbekistan submitted its initial report (CRC/C/41/Add.8) to the Committee on the Rights of the Child in 2000, in fulfilment of its obligations. The report was considered at the 743rd and 744th meetings of the Committee, held on 9 October 2001 (CRC/C/SR.743 and 744).
4. The second periodic report was prepared pursuant to article 44, paragraph 1 (b), of the Convention, in accordance with the general guidelines regarding the form and contents of periodic reports and taking into account the Committee's concluding observations (CRC/C/15/Add.167). In order to implement the Committee's concluding observations, the Cabinet of Ministers of Uzbekistan formulated a National Plan of Action (see annex 4).
5. During the reporting period, taking into account the Committee's observations, a number of legal and regulatory texts relating to children were adopted, including the following:
  - Cabinet of Ministers Decision No. 360 of 21 September 2000, on enhancing the activities of minors' affairs commissions. This ordinance approved the Regulations governing minors' affairs commissions;
  - Plenary Decision No. 21 of the Supreme Court of Uzbekistan of 15 September 2000, on judicial practice in juvenile criminal cases;
  - Office of the Procurator Act, amended in 2001;
  - Presidential Decree No. UP-3017 of 25 January 2002, on increasing targeted support for socially vulnerable segments of the population;
  - Cabinet of Ministers Decision No. 32 of 25 January 2002, on additional measures to improve the health of women and young people;
  - Cabinet of Ministers Decision No. 33 of 25 January 2002, on measures to implement the Programme of Targeted Support for Socially Vulnerable Segments of the Population for the period 2002-2003;

- Cabinet of Ministers Decision No. 301 of 26 August 2002, on organization of activities for the prevention of crime among unsupervised minors in Tashkent;
- Presidential Decree No. VII-3154 of 24 October 2002, on the establishment of the Fund for the Development of Children’s Sport;
- Cabinet of Ministers Decision No. 374 of 31 October 2002, on organization of the activities of the Fund for the Development of Children’s Sport;
- Cabinet of Ministers Decision No. 365 of 25 August 2003, approving the Regulations governing premarital medical examinations;
- In August 2003 the Uzbek Parliament amended article 234 of the Criminal Code, introducing a definition of torture that was consistent with that contained in article 1 of the Convention against Torture and All Forms of Cruel, Inhuman or Unusual Treatment or Punishment;
- Presidential Decree No. UP-3431 of 21 May 2004, on the State Nationwide Programme for the Development of School Education during the period 2004-2009;
- Cabinet of Ministers Decision on measures to implement the State Nationwide Programme for the Development of School Education during the period 2004-2009;
- Cabinet of Ministers Decision No. 419 of 7 September 2004, on education at the Republican Centre for the Social Adaptation of Children.

6. Several major national programmes were adopted, in particular the following programmes aimed at improving women’s reproductive health: “Family” and “Health Generation” (2000); “Mother and Child” (2001); “Ecology, Mothers and Children” (2001); “Supplementary Measures to Strengthen the Health of Women and Young Persons” (2002); “Measures for the Implementation of Priorities in Enhancing a Culture of Health in the Family, Strengthening Women’s Health and Improving Childbirth and Child Education” (2002); and “Goodness and Mercy” (2004).

7. The Minors’ Affairs Commission was established in 2000, and at the initiative of the Soglom Avlod Uchun foundation, the Uzbekistan Women’s Committee and the *hokimiyat* (local authority) of the city of Tashkent, working together with the international organization SOS - Kinderhof International, an SOS Children’s Village was established in Uzbekistan in 2000. Two non-governmental funds were established: the Republican Social Children’s Foundation, Sen Yolgiz Emassan, was set up in 2002 and the Fund for the Development of Children’s Sport in 2003. In addition, a children’s social and legal aid centre was established by the Ministry of Internal Affairs in 2002. Legal aid centres have been opened in five institutes of higher education, including the Tashkent State Institute of Law and the University of World Economics and Diplomacy.

8. During the reporting period major international conferences were held with the help of non-governmental organizations (NGOs) and international organizations:

- “Juvenile justice in Central Asia and Mongolia”, held from 22 to 24 August 2001, organized by the National Centre for Human Rights, the United Nations Children’s Fund (UNICEF) and Save the Children UK;
- “Education and democracy 2001: prospects for development and cooperation”, organized by the Ministry of Education, the Tashkent Centre for Public Education and the Open Society Institute Assistance Foundation-Uzbekistan;
- “Gender education: theory and practice”, held on 4 and 5 February 2003, organized by the Organization for Security and Cooperation in Europe (OSCE) and the Open Society Institute Assistance Foundation-Uzbekistan;
- “Social protection of orphaned minors”, held on 2 and 3 June 2004, organized by the Sen Yolgiz Emassan Foundation;
- “The rights of the girl child”, held on 23 and 24 February 2004, organized by the Tashkent State Institute of Law, the office of the American Bar Association’s Central European and Eurasian Law Initiative, and the Human Rights Clinic;
- “Human rights education”, held on 11 and 12 October 2004, organized by the National Centre for Human Rights and others.

9. Preparation of the report involved synthesizing materials submitted by 32 State organs and 14 NGOs. The report consists of eight sections containing information on measures taken in Uzbekistan to bring national legislation and practice into line with the provisions of the Convention on the Rights of the Child during the period 1999-2004 and on the progress achieved, and outlines factors and obstacles affecting the country’s implementation of the Convention. At the end of the document are annexes containing statistics in table form.

## **I. GENERAL MEASURES**

10. Implementation of the Convention in Uzbekistan takes the form of decisions that are determined by socio-economic conditions, traditions, popular customs and the level of development of legislation on the rights of the child.

11. The provisions of the Uzbek Constitution dealing with fundamental human rights and freedoms are consistent with the principles of the Convention on the Rights of the Child. Article 45 of the Constitution implements article 4 of the Convention, stressing that the rights of minors are protected by the State. Many constitutional provisions stress that children have the right to special assistance. Articles 18 and 65, for example, implement the principles of article 2 of the Convention, while articles 25 and 27 implement the provisions of article 16 of the Convention on protection of the right to privacy.

12. The protection of children’s rights in Uzbekistan is regulated by a wide range of national legislation, but chiefly by the norms of family law, criminal law and provisions relating to civil and labour rights. (Information on general measures implementing the provisions of the Convention until 1999 is contained in paragraphs 37 to 55 of Uzbekistan’s initial report.)

13. The National Plan of Action to implement the recommendations of the Committee on the Rights of the Child was adopted in 2001 and contains 32 paragraphs dealing with areas of concern.

14. Under the National Plan of Action, the legislation in force in the area of children's rights was reviewed by the Office of the Commissioner for Human Rights (Ombudsman) of the Oliy Majlis with a view to monitoring:

- Respect for the right of children, mothers and low-income families to obtain social benefits;
- Prevention of juvenile delinquency (2001);
- Safeguarding children's right to receive specialized vocational secondary education (2002);
- The rehabilitation of minors (2003);
- Respect for and protection of the rights of juvenile patients (2003);
- Guaranteeing children's right to preschool education (2004);
- Ensuring the rights of children in State facilities for children (2004);
- Respect for the rights of disabled children in State facilities (2004).

15. The analytical reports on the results of this monitoring were considered at meetings of the Commission on Observance Citizens' Constitutional Rights and Freedoms, sessions of the oblast councils and in the relevant ministries and departments, leading to the development of plans for the implementation of the Ombudsman's recommendations.

16. The National Human Rights Centre has prepared ambitious bills on guarantees for children's rights and the social protection of orphans and children deprived of parental care, which have been submitted to Parliament for consideration.

17. Pursuant to the Committee's recommendations, significant efforts have been made to increase children's involvement in, study of and familiarization with a culture of human rights.

18. Student ombudsmen's offices have been set up in Tashkent Agrarian University and the National University, and similar offices are being set up in other regional academic institutions.

19. Considerable attention is paid by the Ombudsman to the protection of children's rights by the law enforcement authorities. The Ombudsman meets with juvenile offenders when visiting reform schools and during inspections of pretrial detention centres. In addition, a computer science classroom has been equipped at the Zangiatinsk juvenile reformatory with the assistance of the Konrad Adenauer Fund.

## II. DEFINITION OF THE CHILD

20. In accordance with article 1 of the Convention, “a child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier”. Uzbekistan acknowledges the need for proper legal protection of children’s interests and constant concern for children’s welfare, in order to improve the living conditions of the country’s children. Accordingly, there are no fundamental differences between the Convention on the Rights of the Child and Uzbek legislation insofar as the legal status of children is concerned.

## III. FUNDAMENTAL PRINCIPLES

### A. Non-discrimination (art. 2)

21. No laws in Uzbekistan contain discriminatory provisions. The legislation grants children all rights provided for in the Convention, without discrimination of any kind, irrespective of race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.

22. In addition, children’s rights, like the rights of adults, are regulated in terms of gender equality. Every girl enjoys the right to education, choice of specialization, health care, honour and respect for her human dignity. Girls also have the right to express their opinion concerning the settlement of any family matter that affects their interests, to be heard during any court or administrative proceedings, and to the protection of their rights and interests by their parents or persons acting in their stead.

23. The problem of increasing public awareness of children’s needs and real opportunities in Uzbekistan is addressed in specialized popular and academic publications dealing in particular with child development and psychology, and special calendars are published for women and girls. In addition, the Ministry of Health, together with international donors, has in recent years published special brochures in Uzbek and Russian that are also intended for young people. Special resources are allocated by the ministries and departments concerned for the publication of such literature.

24. Each year the Oila (Family) national research centre publishes, as part of the Family Library series, brochures and pamphlets especially for parents on raising girls and preparing them for family life. As part of its educational programme the centre conducts special activities in *makhallas* (neighbourhoods) and settlements where particular attention is paid to the differential rearing of boys and girls, taking into account their needs, tastes and individual and personal characteristics, in a spirit of national and social values, instilling in them the skills for a healthy lifestyle, cleanliness and self-education.

25. Today talented girls from Uzbekistan are educated in many countries around the world. In addition, the Zulfi competition is held each year for talented and gifted Uzbek girls. Pursuant to Presidential Decree No. UP-2326 of 10 June 1999 (see annex 1), the Cabinet of Ministers each year adopts an order awarding the Zulfi Prize. To date some 70 girls have won this award.

### **B. Bests interests of the child (art. 3)**

26. Since Uzbekistan attained independence, the President and Government have given priority to the problem of the legal, economic and social protection of mothers and children, creating the conditions for comprehensive and harmonious development and education of children and youth in a spirit of universal human values.
27. Taking into account the observations of the Committee on the Rights of the Child, the principle of the best interests of the child is reflected in virtually all new codes and laws adopted in Uzbekistan. Work is being done in this area by both State and non-governmental bodies.
28. For example, pursuant to the Memorandum of the International Conference on the Social Protection of Orphans, held on 2 and 3 June 2004 in Tashkent, a coordinating council for the social protection of orphans and children left without parental care was set up within the Unit for the Social Protection of Families, Mothers and Children of the Cabinet of Ministers (see annex 2).
29. A National Centre for the Social Adaptation of Children attached to the Women's Committee of Uzbekistan was established by Cabinet of Ministers Decision No. 419 of 7 September 2004 with a view to enhancing the effectiveness of efforts to raise a spiritually and physically sound rising generation.
30. Considerable attention is currently being paid to the question of social partnership between State bodies and the non-State, non-governmental sector in joint undertakings. For example, the coalition of non-State, non-governmental organizations in Uzbekistan working on behalf of children consists of 122 non-State, non-governmental organizations active in many different areas that cooperate with State bodies and international and social organizations, foundations, foreign embassies and Governments.
31. The Umidvorlik centre, which provides support to children with limited opportunities, is a non-profit voluntary organization. Its mission is to provide social support for children with limited opportunities through educational and other programmes, to raise public awareness of their social and legal situation, and to help protect their rights and interests.
32. The organization was selected as a winner in the competition organized by the Civic Advocacy Support Programme (CASP) of Counterpart International. In 2003, at the initiative of Umidvorlik, a national conference was held which led to the creation of a coalition of 21 NGOs working with special needs children and youth in order to promote their interests in the area of education within the framework of the National Action Plan on Education for All. The National Educational Centre of the Ministry of Education and the United Nations Educational, Scientific and Cultural Organization (UNESCO) education adviser in Uzbekistan provided coalition participants with international materials for use in preparing the National Action Plan. The "Inclusive education - education for all" coalition currently includes more than 40 organizations.
33. Under article 44 of the Constitution, everyone is guaranteed judicial protection of his or her rights and freedoms, the right to appeal to a court against unlawful actions by State bodies, officials or voluntary organizations. The Court Appeals (Acts and Decisions Violating Citizens' Rights and Freedoms) Act establishes two routes for appealing such actions: the judicial route and the administrative route. The right to judicial protection is enjoyed by all individuals.

### **C. The right to life, survival and development (art. 6)**

34. Under article 24 of the Constitution, the right to life is the inalienable right of every person. Infringement of this right is a serious offence.

35. Uzbekistan's Criminal Code contains an entire section on crimes against life, particularly article 97 (intentional homicide), article 98 (intentional homicide committed in a state of extreme emotional disturbance), article 99 (maternal infanticide), article 100 (intentionally causing death by exceeding the limits necessary for self-defence), article 101 (intentionally causing death by exceeding the measures necessary to apprehend the perpetrator of a socially dangerous act), article 102 (reckless causing of death) and article 103 (incitement to suicide).

36. Provision is made in the Criminal Code for execution by firing squad as a form of capital punishment (art. 51). The death penalty may not be imposed on men over the age of 60, women or persons who committed a crime while under the age of 18.

37. As part of the overall reform of the judicial and legal system and the liberalization of criminal legislation, and considering that the right to life is an inalienable human right, the application of such forms of punishment as the death penalty is becoming increasingly infrequent in Uzbekistan.

38. Until 29 August 1998, 13 articles of the Criminal Code provided for the death sentence as the supreme penalty for crimes. As a result of the active role played by the extrajudicial protection bodies (National Centre for Human Rights, the Ombudsman and a number of NGOs), the Oliy Majlis adopted the Act of 29 August 1998 amending and updating selected statutes, whereby the death penalty was abolished for the following five types of offences: article 119, paragraph 4 (gratification of unnatural sexual desires by force); article 152 (violation of the laws and customs of war); article 158, paragraph 1 (attempt on the life of the President); article 242, paragraph 1 (organization of a criminal association); and article 246, paragraph 2 (smuggling).

39. In 2001, the number of crimes carrying the death penalty was further reduced. Under Act No. 254-II of 29 August 2001, the death penalty by firing squad is stipulated for only four offences: aggravated homicide (art. 97, para. 2); aggression (art. 151, para. 2); genocide (art. 153); and terrorism (art. 155, para. 3).

40. On 13 December 2003, at its thirteenth session, the Oliy Majlis removed the death penalty from two more articles of the Criminal Code: article 151 (aggression) and article 153 (genocide). Thus the Criminal Code now contains only two articles that provide for the death penalty: article 97, paragraph 2, and article 155, paragraph 3.

41. Recently, as part of the Government's policy of reform of the judicial and legal system, serious attention has been paid to questions of removing the death penalty from the system of punishments and changing capital punishment to deprivation of liberty, a matter on which President Karimov reported at length in his statement to the joint meeting of the Legislative Chamber and Senate of the Oliy Majlis on 29 January 2005.

#### **D. Respect for the views of the child (art. 12)**

42. Article 35 of the Constitution attaches importance to the implementation of the provisions of article 12 of the Convention on the rights of children to an opinion regarding the settlement of any family matter that affects them. Accordingly, children are entitled to be heard during any court or administrative proceedings that may affect them, either directly or through a representative or an appropriate body, in accordance with the relevant procedural rules. This children's right has been reflected in a strengthening of article 68 of the Family Code.

43. For example, the opinion of a child who has reached the age of 10 must be consulted with regard to the dissolution of a marriage (art. 75), a change of surname or given name (art. 71), the determination of parental rights (arts. 78 and 82), exercise of parental rights (art. 76), adoption (arts. 155, 169 and 171), registration of adoptive parents as the adopted child's parents (art. 172), appointment of a guardian (art. 179) and the placement of a child in a foster family (arts. 194 and 197).

### **IV. CIVIL RIGHTS AND FREEDOMS**

#### **A. Name and nationality (art. 7) and preservation of identity (art. 8)**

44. Implementation of the provisions of article 7 of the Convention is ensured by the Family Code and the Uzbekistan Citizenship Act, which provide for registration of children and the right to citizenship of Uzbekistan. Article 69 of the Family Code stipulates that children have the right to a given name, patronymic and surname.

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

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

47. If a child is born to persons who are not married to each other and legal paternity has not been established, the authority responsible for tutelage or guardianship, acting in the interests of the child, may decide to change the child's surname to the surname of the mother at the time the request is made. The given name or surname of a child aged 10 years or older may be changed only with the child's consent (art. 70).

48. The Convention calls for the prompt registration of newborns as an important means of guaranteeing their security. Article 7, paragraph 1, of the Convention stipulates that children should be registered immediately after birth; however, under article 205 of the Uzbek Family Code, the birth of a child must be registered with a civil registry office within one month of the date of birth at the place of birth or at the place of residence of one of the parents.

49. In this connection, the Government of Uzbekistan is currently reviewing a proposal by the Institute for Monitoring Legislation in Force attached to the Oliy Majlis aimed at improving human rights legislation and ensuring the consistency of national legislation with international norms.

### **B. Freedom of expression (art. 13)**

50. Uzbek legislation stipulates that every citizen has the right to freedom of thought, speech and opinion. Freedom of opinion and the freedom to express one's opinion may be restricted by law only in connection with a State or other secret (Constitution, art. 29 and ch. IV C and D).

### **C. Access to appropriate information (art. 17)**

51. Articles 29 and 30 of the Constitution implement article 17 of the Convention on access to appropriate information.

52. Article 29 of the Constitution states that "everyone has the right to freedom of thought, speech and opinion. Everyone shall have the right to seek, receive and impart any information, except information directed against the existing constitutional order and other restrictions specified by law. Freedom of opinion and the freedom to express one's opinion may be restricted by law only in connection with a State or other secret".

53. Article 30 of the Constitution obliges State authorities, voluntary associations and officials to grant citizens access to documents, decisions and other materials that pertain to their rights and interests.

54. The Constitution guarantees that the mass media may act freely and without censorship. However, it stipulates that public information must be reliable.

55. Article 29 of the Constitution upholds the human right to freedom of speech and guarantees this right to every citizen. It states that freedom of speech may be restricted by law only in connection with a State or other secret.

56. The Information (Guarantees and Freedom of Access) Act, adopted on 24 April 1997, regulates matters arising in the process of giving effect to the constitutional right of every citizen freely and without hindrance to seek, obtain, study, transmit and disseminate information. The Act guarantees every citizen the right of access to information.

57. Article 8 of the Freedom of Information (Principles and Guarantees) Act of 12 December 2002 stipulates:

"The State shall protect the right of each citizen to seek, obtain, study, disseminate, use and save information. Any restriction of the right to information on the grounds of sex, race, ethnic origin, language, religion, social origin, beliefs or individual or social status or other circumstances is prohibited.

State authorities and agencies, local authorities, voluntary associations and other non-governmental, non-profit organizations and officials are required by law to make use

of every opportunity to become familiar with information relating to the rights, freedoms and legal interests, to create adequate information resources, and to disseminate to users public information on questions of the rights, freedoms and responsibilities of citizens, their security and other matters of public interest.

Censorship and the monopolization of information is prohibited in Uzbekistan.”

58. Under article 9 of this Act, everyone has the right to request information orally or in writing, either directly or through a representative.

59. Some 490 newspapers and 138 magazines are published in Uzbekistan, and the country has three news agencies. Of the 490 newspapers, 69 are national and 139 are regional or published by small towns or districts, or are company papers. These include 348 State publications, 62 general publications and 41 other (religious or trade) publications. Of the 138 magazines, 108 are national and 30 are regional, and include State, general and other (religious, commercial) publications. Some of these publications contain articles on children. These contain information relating to children’s needs, such as school life, children’s clubs, contests and so forth.

60. The following publications are intended specifically for children: *Klass*, a Russian-language newspaper; *TongYulduzi* and *Gulkhan*, newspapers; and the magazine *Guncha*. In addition, the newspaper *Soglom Avlod*, which is intended for older children and adults, discusses problems of the younger generation.

61. In 2001 there were 5,710 libraries in operation under the supervision of the Ministry of Culture, and in 2003 there were 5,735. The libraries contain over 57,928,800 books. There are also specialized libraries in kindergartens, children’s schools and all educational institutions. Television and radio are children’s preferred source of information.

62. Uzbekistan’s national radio and television broadcasting company attaches importance to issues relating to the rising generation. The company operates children’s studios such as *Bolalar* (Children) and *Yangi Avlod* (New Generation), which specialize in the production of programmes for and about children. One example is the television programme *Sen yolgiz emassan* (You are not alone). These programmes provide children with information about their rights and freedoms, which cannot be violated or restricted. Programme participants are well-known politicians, scholars, human rights defenders, representatives of international organizations and State institutions. Thus the broadcasting company’s staff, versed in child psychology, are constantly preparing television and radio programmes for and about children.

63. Today in Uzbekistan a major effort is being made to provide information in various areas of public life. Information technologies have broad applications in the areas of education and management in particular. Local corporate and information networks are being set up, electronic information resources are being formed and the information services industry is being developed with the help of telecommunications networks. Many schools and children’s institutions already enjoy Internet access.

64. A national plan for information development has been prepared which includes the following elements:

- The creation and development of an information industry;
- Creation of a national information network and a single nationwide information space;
- The inclusion of Uzbekistan in global information systems and networks;
- The elaboration of legal and economic norms to further the development and use of information technologies;
- Promotion and support of basic and applied research in the area of information technology;
- The development and ongoing training of information specialists.

65. The plan calls for the implementation of specially designed programmes and development priorities that reflect the latest trends in information science. The specially designed programmes will involve the execution of the agreed programme of work in strategically important branches of the information industry that can stimulate scientific and technological breakthroughs in the creation of basic components of information systems.

66. One of the priority thrusts of the plan is the introduction of information technology in the field of education. To date a total of 20 companies and organizations in Uzbekistan have Internet services. Internet access is actively being developed throughout the country, in tandem with road development. The legal basis for information security is also being laid. For example, the Information Technologies Act provides for protection of the rights of subjects of information in their relations, access of legal entities and individuals to information about them and protection of personal information and information about private individuals.

67. The Government of Uzbekistan encourages the elaboration of principles to protect children from information and materials that may be harmful to their well-being. The use of the mass media for purposes of war propaganda or violence, cruelty, or ethnic, racial or religious hatred is prohibited by law.

68. Under the Freedom of Information (Principles and Guarantees) Act, the security of personal information is ensured through the creation of the necessary conditions and guarantees for free access to information, protection of privacy and protection from illegal psychological pressure from information. The use of information about individuals for purposes of causing them material or moral harm or to obstruct their rights, freedoms or legal interests is prohibited.

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

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

#### **D. Freedom of thought, conscience and religion (art. 14)**

71. Article 31 of the Constitution implements the provisions of article 14 of the Convention, which are given effect by the Freedom of Conscience and Religious Organizations Act, as revised on 1 May 1998. The Act provides for the right of everyone to freedom of conscience and religious belief, and for the equality of citizens regardless of religious affiliation, and governs relationships deriving from the work of religious organizations.

72. Under article 3 of the Act, minors may not be recruited by religious organizations nor may they be taught religion against their will or the will of their parents or persons acting in their stead. Article 7 of the Act stipulates that the Uzbek education system shall be separate from religion. Religious subjects may not be included in educational syllabuses.

73. On 1 January 2005 there were 2,186 religious organizations registered in Uzbekistan, including 1 Islamic institute, 10 madrasas and 2 seminaries (Orthodox and Protestant). Individual religious organizations run children's musical groups, Sunday schools, kindergartens and summer camps.

74. Under the Penal Enforcement Code (art. 12), freedom of conscience is guaranteed to convicts. Persons serving sentences of detention or deprivation of liberty may, at their request, invite members of the clergy from duly registered religious groups. Convicts are permitted to perform religious rituals and to possess worship materials and religious literature.

75. The Psychiatric Help Act of 31 August 2000 also governs the rights of patients in psychiatric facilities. In particular, article 34 stipulates that patients under treatment or observation in psychiatric facilities are entitled to meet privately with clergy members.

#### **E. Freedom of association and freedom of peaceful assembly (art. 14)**

76. As at 1 January 2005 there were 452 cultural, public health, sports and social protection organizations registered with the Ministry of Justice that have children and young people among their members. The growing number of such organizations includes the Kamalot Youth Movement, the Uzbekistan Children's Fund, the Fund for the Development of Children's Sport, the Sen Yolgiz Emassan Children's Foundation, the Soglom Avlod Uchun foundation and others.

77. The Uzbekistan Children's Fund seeks to familiarize children with the rights of the child and the principles and provisions of the Convention through the "Children's Parliament", which was established in 2002.

78. Under the statute of the Children's Parliament, 219 young deputies comprising equal numbers of boys and girls between the ages of 14 and 18 are selected from each district and town.

79. Sessions of the Children's Parliament are held twice a year in Tashkent and last for three to five days. Between sessions the young deputies work among their peers where they live, in schools and communities in the districts and towns from which they have been selected. At their initiative more than 400 clubs, school parliaments, ongoing seminars and other organs of self-government have been set up. Their main goal is to increase the number of child volunteers.

80. In addition, professional student clubs are being opened and run by students in various educational institutions. Of particular note are five legal aid offices dealing with human rights protection that have been opened at universities, in which questions are answered by law students.

#### **F. The right to privacy (art. 16)**

81. Article 25 of the Constitution states: "Everyone has the right to personal freedom and inviolability. No one may be detained or held in custody except as provided for by law." Moreover, article 27 states: "Everyone has the right to protection from attacks on his or her honour and dignity, interference in his or her private life, and the inviolability of his or her home. No one may enter a home, carry out a search or inspection, or violate the privacy of correspondence and telephone conversations except in the circumstances and under the procedure established by law."

82. Recognizing the right to privacy as an inalienable human right, the State guarantees to its citizens non-interference in and inviolability of their private life, which includes:

- The right to dispose of oneself, in other words to live without control from any side;
- The right to privacy (including individual and family privacy, and the confidentiality of correspondence, telephone conversations, postal, telegraph and other communications);
- The right to self-protection (including protection of one's name, honour, dignity and commercial reputation, protection of one's ethnic affiliation, of the right to use one's mother tongue and to choose one's language of communication, education and creative expression);
- The right to protection of one's home (inviolability of the home).

83. The Constitution requires that the organs of State power and self-government and their officials shall provide everyone with an opportunity to become familiar with texts and materials having to do with their rights and freedoms, unless the law provides otherwise (art. 30).

#### **G. The right not to be subjected to torture (art. 37, subpara. (a))**

84. In August 2003 the Uzbek Parliament adopted amendments to article 235 of the Criminal Code, which contains a definition of torture that is consistent with that contained in article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; this was confirmed in a plenary decision of the Supreme Court

on 19 December 2003. In accordance with the norms set out in the Criminal Code, the use of torture and other cruel, inhuman or degrading treatment or punishment at any point in criminal proceedings is a criminal offence punishable by law by up to eight years' deprivation of liberty.

85. In order to improve efforts to ensure that human rights are observed by the law enforcement authorities, including in the area of the prevention of torture, and to advance the reform of the legal and judicial system in Uzbekistan, on 24 February 2004 the Cabinet of Ministers adopted an order on the establishment of an interdepartmental working group to monitor the observance of human rights by law enforcement agencies, which is composed not only of representatives of law enforcement agencies but also representatives of human rights institutions, institutes of higher education, research centres and NGOs.

86. The working group, taking into account the recommendations of the Special Rapporteur on the question of torture and proposals from international organizations, developed a plan of action to implement the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which was approved by the Cabinet of Ministers on 9 March 2004. The plan will be implemented in 2004 and 2005. There are plans to hold a training programme during that period for lawyers, judges, law enforcement officers and NGO representatives. In addition, amendments to current domestic legislation, including the Criminal Code, the Code of Criminal Procedure and the Penal Enforcement Code, will be drafted and introduced in accordance with the provisions of the Convention against Torture.

87. Much work is being done with the staff of the health service with a view to eliminating situations that violate children's rights. Special manuals have been prepared, and teams on mission from the central office verify the extent to which their colleagues in regional departments are familiar with legislative texts, conduct special supplementary exercises with them and explain to them how to work with children and deal with any questions and solve any problems that may arise on the job.

## **V. FAMILY ENVIRONMENT AND ALTERNATIVE CARE**

### **A. Parental guidance (art. 5)**

88. Under the Family Code, responsibility for the raising and development of children lies with the child's parents. It is the parents who are required to look after their children's health and physical, psychological, spiritual and moral development and protect their rights and legitimate interests. Accordingly, national legislation stipulates that parental rights may not be exercised in a manner inconsistent with the interests of the child.

89. The Family Code also embodies the principle of the best interests of the child. To this end parents are accorded corresponding rights, including the right to raise their children themselves. This right is also guaranteed in article 64 of the Uzbek Constitution.

### **B. Parental responsibilities (art. 18)**

90. Article 64 of the Constitution is fully consistent with the provisions of articles 18 and 20 of the Convention, which provide for the responsibility of parents for child-rearing and the

protection of children deprived of their family environment. These constitutional provisions are regulated in more detail by the Family Code. Specific articles of the Code protect the rights of parents with regard to child-rearing, caring for their children's physical development and education and preparing them for socially useful work.

91. Pursuant to article 17 of the Family Code, and in order to create conditions conducive to family health and prevent the birth of children with inherited or congenital diseases, on 25 August 2003 the Cabinet of Ministers adopted Decision No. 365 approving the Regulations governing premarital medical examinations. This measure recommended that the *makhalla* and Soglom Avlod Uchun foundations, together with the Women's Committee of Uzbekistan, the Manaviyat va Marifat Centre and other public associations, should strengthen their work with families and young people contemplating marriage with regard to problems of forming a healthy family, childbirth and the raising of healthy children.

### **C. Separation from parents (art. 9)**

92. Like other countries, Uzbekistan has instances of deprivation of parental rights involving individuals who are relieved of their child-rearing responsibilities because their immoral conduct has a negative impact on their children's upbringing or would do violence to their children in some other way.

93. In 2003 alone there were 493 cases in which parents were officially deprived of their rights in citizens' courts. In most cases the parents were chronic alcoholics or drug addicts or led immoral lives. In all cases the public education authorities initiated the deprivation of parental rights.

### **D. Recovery of maintenance for the child (art. 27, para. 4) and family reunification (art. 10)**

94. According to information from the Oila (Family) Centre, the number of divorced families is decreasing annually as a result of a system of measures implemented by the Women's Committee, *makhalla* committees, regional Oila centres, psychological rehabilitation centres and others.

95. Unfortunately, Uzbekistan has not avoided the dire effects on society which are characteristic of most countries in the post-Soviet space, such as the increase in the number of orphans, the spread of child neglect and the rapid growth of juvenile and adolescent crime.

96. The adoption of such State programmes as "Enhancing Women's Role in Society", "Healthy Generation", "Mother and Child", "Family" and "Goodness and Mercy", which seek to create the necessary legal and economic conditions to serve the interests of women and children, enhance the role and participation of the family in the transformation of society, strengthen the role of women in the family and society, and raise a physically healthy, spiritually rich and harmoniously developed growing generation.

97. The law protects the rights of children born out of wedlock. Once their paternity has been established children have the same rights and duties vis-à-vis their parents and their parents' relatives as do the children of married persons.

98. Children, the State authorities and associations are entitled by law to have recourse to guardianship and protection agencies in matters relating to the protection of children's rights and interests when such rights and interests are breached by their parents or by persons acting in their stead. Anyone aware of a threat to a child's life or health or the violation of a child's rights and legitimate interests is required to report such matters to the guardianship and protection agencies. They are then required to take immediate measures to protect the child's rights and legitimate interests. Where there is a direct threat to the life or health of a child, the guardianship authorities, acting on the basis of the relevant legislation, have the right to remove the child immediately from his or her parents or guardians.

99. Under the Family Code, parents have an obligation to assist their minor children. The courts may require parents who do not voluntarily provide for their minor children to make maintenance payments.

100. The Family Code takes account of children's right to property. Minor children have the right to personal property in the family (personal effects, property received as a gift, earnings from entrepreneurial activity and so forth).

101. Pursuant to annex 2 of Cabinet of Ministers Decision No. 171 of 12 April 1999 governing guardianship and custody in Uzbekistan, a court may, when reviewing a child-rearing dispute, require the involvement of the guardianship and custody authorities, regardless of who has filed the application for child protection (para. 11); when there is a direct threat to a child's life or health, the guardianship authorities have the right to remove the child immediately from his or her parents or guardians. The immediate removal of a child shall have its basis in a relevant instrument prepared by a citizens' self-government body (para. 12); when a child is removed, the guardianship and custody authorities are required to notify the procurator at once and make temporary arrangements for the child, and shall within seven days of the time an order for the removal of the child issued by the citizens' self-governing body is presented file an application with the court for deprivation or restriction of parental rights (para. 13).

102. Pursuant to paragraph 22 of annex 3 to Cabinet of Ministers Decision No. 171 of 12 April 1999, governing the adoption of minors and the placement of children in foster homes, an adoption may be annulled if the adoptee is subjected to cruel treatment by the adoptive parents. The child's natural parents, the procurator, the guardianship and custody authorities, the Minors' Affairs Commission and the adoptee, if he or she has attained the age of 16 years, are entitled by law to seek the annulment of an adoption (para. 23). Pursuant to section 2, paragraph 19, of the Decision, "if the persons having responsibility for the upbringing of children use their rights for mercenary or other base motives in a manner harmful to the child's upbringing or leave such children without supervision and the necessary material assistance, the guardianship and custody authorities are entitled to hold such persons responsible in accordance with the prescribed legal procedure".

103. When cases of child abuse are investigated, depending on the results of the investigation and the facts of the case, legal measures may be taken in respect of the offenders to restrict or deprive them of their parental rights; they may be charged with disciplinary, administrative or criminal offences, depending on the degree of severity of the act committed (such as hooliganism, inflicting various degrees of bodily harm and so forth).

104. Parents who fail to meet their obligation to raise and educate their children or who have a negative influence on their children's upbringing are registered with the internal affairs authorities as a precautionary measure and must undergo individual remedial treatment in order to prevent them from committing any violations, particularly against their children. Dysfunctional families are a particular social concern and are monitored by citizens' self-government bodies, women's committees and various NGOs.

#### **E. Children deprived of their family environment (art. 20)**

105. An effective system for ensuring legislative safeguards of the rights of children deprived of a family environment has been set up in Uzbekistan. In situations where there are no parents and other situations involving a loss of parental custody, a child's right to be brought up in a family is guaranteed by the guardianship and custody authorities (Family Code, arts. 173-193). The care and guardianship authorities are also responsible for protecting the rights and interests of children in the event of the death of parents, the declaration of parents as incapable, the extended absence of parents, the refusal of parents to raise their children or to protect their rights and interests, including the refusal of parents to collect their children from childcare, medical, social welfare and other similar institutions and in other instances where parental care is lacking.

106. The system for the protection of children's rights and interests has been in place in Uzbekistan for several years and includes the identification and placement of such children under State care in specialized educational and care facilities (children's homes, "Mehribonlik" homes (orphanages) and boarding school residences) or alternative forms of custody.

107. There are currently in Uzbekistan 28 Mehribonlik homes, 85 specialized boarding schools and 23 boarding schools for children with health problems. These accommodate more than 30,000 children and adolescents.

108. Uzbekistan has 108 children's residential care facilities. The network of facilities for preschool and school-age children is developed, servicing visually impaired and blind children (10 facilities), hearing-impaired and deaf children (11 facilities), children with speech impediments (2 facilities), children requiring neuropsychiatric treatment (16 centres), children with tuberculosis (9 facilities) and children with multiple conditions (50 centres). These facilities employ more than 200 physicians and 400 nurses, most of whom are at the highest levels of their profession and have attended courses to improve their skills in the past three years.

109. Children cared for in residential facilities have extensive medical check-ups. Some 26,566 children have been examined, yielding a coverage rate of 76 per cent. Disabled children are the largest group living in residential facilities: these are children with severe mental handicaps or severe locomotor disabilities. A study has shown that the largest group of children suffering from mobility loss are children with cerebral palsy. Many children suffering from mental retardation have psychopathological disorders that make their care, education and development extremely difficult. In addition to their basic disorder, these children present a series of chronic somatic and neuropsychiatric conditions, chronic tonsillitis and other disorders of the ear, nose and throat, a high incidence of anaemia (over 38 per cent), epilepsy and so forth.

110. In a summary of the findings of a survey on the health status of children raised in children's homes, orphanages and residential care facilities, it should be noted that the pattern

of incidence of illness and the particular features of the children's physical and psychomotor development is largely due to the fact that most of them are children from dysfunctional families whose parents are alcoholics or drug addicts. These hereditary factors lead to the birth of children with various hereditary or genetic illnesses and congenital defects. Children deprived of parental guardianship and tenderness, which are necessary to the establishment of a child's personality and harmonious development, are liable to various types of psychomotor and moral deficiencies and improper functioning of organs and systems, which lead to a weakening of the organism and the development of various illnesses in the child. The problem of organizing optimal treatment and care from both educational and medical staff in homes where children deprived of parental care are raised and in boarding schools is also acute.

111. Some 13 per cent of all children in orphanages are children who have lost both parents while 54 per cent have only one parent; 23 per cent of those in children's homes come from disadvantaged families and 10 per cent have parents who are criminals.

112. The Sen Yolgiz Emassan Children's Foundation was established on 22 November 2002 in Tashkent. Statistics currently show a total of 3,193 children living in the Foundation's children's homes.

113. On 3 and 4 June 2004 an international conference on the social protection of orphans was held in Tashkent. The conference determined that there was a need for joint efforts to solve such problems as:

- The development of a unified strategy for the social and legal protection of orphans and children deprived of parental care and support for alternative forms of care for such children;
- Improvement of the legislative and regulatory basis for the protection of and social support for orphans and children deprived of parental care;
- Expansion of the network of educational and rehabilitation facilities providing the conditions necessary for the raising, development and education of orphans and children deprived of parental care;
- The regular monitoring of efforts to protect the rights of orphans, children deprived of parental care and others. Conference participants adopted a memorandum.

114. The number of children raised in Mehribonlik orphanages during the past four years has fallen from 4,050 to 3,193. The Foundation's database gives the following statistics for Tashkent: a total of 837 children live in Mehribonlik orphanages, of whom 386 are girls and 451 are boys. Of this population, 48 per cent are social orphans, 31 per cent are abandoned children and 21 per cent lack both parents.

115. In addition, an analysis of the geographical breakdown of children living in children's homes shows that the highest number (21 per cent) live in Mehribonlik orphanages in Tashkent; this is followed by Samarkand oblast, with 14 per cent, and Fergana oblast, with 11 per cent. Every year some 400 16- to 18-year-olds complete school. Finding work and housing is a serious problem for orphans who complete school and technical colleges. Statistics indicate that there are currently some 3,000 street children in Uzbekistan.

116. Uzbek legislation authorizes parents who so desire to educate their disabled children at home. In such cases one of the parents or a person acting in the parent's stead is provided with financial support and benefits. The home schooling of disabled children is financed from the State budget.
117. Follow-up to the implementation of social policy has taken the form of the elaboration of a programme for the medical and social rehabilitation of disabled children for the period 2001-2005, which seeks to address the problems of disabled children and their parents.
118. Social support for disabled children and children living in Mehribonlik orphanages is a major concern of a number of NGOs and charitable organizations, with whose assistance these institutions have been able to obtain modern educational technology, medical equipment and wheelchairs.
119. The Sen Yolgiz Emassan Foundation is active in the social protection of children living in orphanages and helps with special training and job creation.
120. Six Mehribonlik orphanages in Tashkent have set up telephone "trust lines" that children can use when they need to obtain legal or psychological assistance. The Post-Institutional and Adaptation Centre (PIASC) is involved in the areas of legal and social assistance to minors and crime prevention among adolescents. Work is being done with the Falak Nuri medical and teaching centre for the rehabilitation and social adaptation of disabled children to implement the programme for the social integration of children with limited opportunities from childhood onward. Significant work is also being done with international organizations such as Operation Mercy and Save the Children.
121. The Ministry of Education is working with various departments and agencies to protect children's rights and guarantee their interests. These include:
- State bodies: the Ministry of Health, the Ministry of Higher and Secondary Specialized Education, the Ministry of Internal Affairs, the Ministry of Labour and Social Protection, the State Sports Committee (Goskomsport) and other ministries and departments directly involved in such activities, and also through the relevant territorial divisional offices (oblast authorities, district and town administrations) and subsidiary bodies;
  - Voluntary organizations: the Women's Committee, the Children's Fund, international foundations such as Soglom Avlod Uchun, ECOSAN, Sen Yolgiz Emassan, the Makhallya, Navruz and Mehr-Shavkat va Salomatlik foundations, the Manhaviyat va Marifat Centre, the Red Crescent Society, the Vatanparvar organization, PIASC and Falak Nuri.
122. To enhance the work of the Mehribonlik orphanages in protecting children's rights and educating children under State guardianship:

- In March 2001 the Soglom Avlod Uchun foundation, the board of Uzzhilsberbank (the Uzbek State Housing and Savings Bank) and the Ministry of Education concluded an agreement on implementation of a programme of financial support for children in Mehribonlik orphanages;
- A system has been developed for the distribution of financial resources from donors and humanitarian assistance for children living in Mehribonlik orphanages into individual “Bolazhon” savings accounts in Uzzhilsberbank branches;
- In November 2003 a coordinating council of specialists was established, composed of psychologists, persons trained in working with the disabled, and teachers from the Mehribonlik orphanages and special education facilities;
- A plan for modernizing the Mehribonlik orphanages and enhancing their activities has been developed;
- A forward-looking plan for joint activities of the Ministry of Education and Sen Yolgiz Emassan has been developed;
- Regulations governing family-type children’s homes developed jointly by the relevant ministries, departments, voluntary associations and foundations have been registered with the Ministry of Justice.

123. The Oila Centre for applied research has studied data on dysfunctional and troubled families, in which children suffer from their own parents’ irresponsibility. The study focused specifically on the social and demographic characteristics of such families. An analysis of the data obtained shows that troubled and dysfunctional families who for various reasons have been unable to raise their children comprise 1.4 per cent of the troubled families studied. The average age of women who reject their children is 30 to 35 years, yet it is precisely at that age that women are best able to create normal conditions for the normal development of their children. It is typical in Uzbek society for children who fall into this category to be taken in by close relatives (grandmothers, grandfathers, uncles, aunts, older siblings and so forth). According to the study, 9.4 per cent of all families are raising orphans or children deprived of parental care in need of custody. Orphaned children enjoy all the same rights as the biological children of their foster families, and receive the necessary care and education. Most of these children (82.6 per cent) are enrolled in regular schools, 8 per cent are enrolled in preschools and 11.5 per cent are home schooled. Children in foster care are as likely to be placed in small families with one or two children as in large families with three to five or even more children.

124. “Abandoned, homeless” children are another category of children. According to statistics from the Oila Centre, 40.1 per cent of abandoned children receive the necessary assistance and support from their parents and close relatives. The conditions of their support are not always commensurate with their needs.

125. Yet another category of children is street children whose parents have been deprived of their parental rights. Under the law such children are officially registered and placed in charity

wards, special boarding facilities and so forth. However, according to reports in the press, some of these children are not registered anywhere when their parents are deprived of their rights. Statistics show that there were 107 such children in 2003, as compared with 81 in 2002.

126. Thus the system of social protection for Uzbek children who do not live with their parents includes a procedure whereby such children are identified and placed in the care of the State in specialized educational facilities or under alternative forms of care.

127. However, when children are assigned to such institutions, there is not, generally speaking, a unified scientific system for their adaptation or rehabilitation, even though such children generally suffer from somatic illnesses as well as psychological disorders and are more exposed to certain diseases. In addressing this problem it is the policy of government authorities and voluntary agencies in Uzbekistan, particularly the Oila Centre for applied research, to ensure that orphans are, to the extent possible, returned to families in which they can develop both intellectually and physically under normal conditions, or can live with at least one of their parents. In 2003 alone, 92 children who lacked care were returned to families. In Surkhandarya oblast 46 families took in orphans.

128. Children's homes, in which over 900 children under the age of three are raised (974 in 2003), are under the supervision of the Ministry of Health and are run by paediatricians. The operation of such homes is governed by Ministerial Decree No. 134 of 10 July 1997, on the status of educational and medical services provided to children being raised in children's homes and measures for their improvement. Pursuant to this Decree, children are under constant medical supervision. The organization responsible for the children's health is the Paediatric Research Institute of the Ministry of Health; leading specialists from the Institute visit the country's 13 children's homes regularly and provide ongoing monitoring, providing children with treatment and rehabilitation.

129. The Mehribonlik homes for orphans and children over 3 deprived of parental care are part of the national education system and are run in accordance with their statute, which is adopted by a decision of the Cabinet of Ministers.

#### **F. Adoption (art. 21)**

130. It must be noted that the best conditions cannot take the place of the parental home. Acknowledging the role and importance of the family, the State does everything within its power to strengthen it. The provisions of article 21 of the Convention are reflected in the Family Code (arts. 151-172), which govern in detail the modalities of and conditions for adoption and the guarantees enjoyed by children in Uzbekistan.

131. Adoption is permitted only in cases involving a minor child, and only when the adoption is in the child's interest. The confidential nature of adoption is protected by law. It is forbidden to disclose the contents of registry records or other documents or to issue extracts therefrom or any other information revealing that the adoptive parents are not the birth parents of the adopted child, without the consent of the adoptive parents and, in the event of their death, of the care and guardianship authorities. Persons violating the confidentiality of an adoption against the will of the adoptive parent or the care and guardianship authorities shall incur the liability established by law. For the adoption of a child aged 10 and over, the child's own consent is required. The consent of a child to adoption is established by the care and guardianship authorities.

132. At present the *makhalla* committees, which also help to organize the guardianship and adoption of children and adolescents, play a major role in the adoption procedure. There are currently 27,591 adopted children living in host families and 36,741 children placed with guardians. In 2001 some 2,790 children were adopted and 3,702 were placed with guardians, while in 2002 there were 2,987 adopted and 4,017 placed with guardians; in 2003 there were 2,712 children adopted and 4,053 placed with guardians.

133. There are currently four family-type children's homes in operation in Uzbekistan in Bukhara and Navoi oblasts accommodating more than 80 children and adolescents. There are plans to increase their number in the future. On the initiative of Soglom Avlod Uchun, the Uzbekistan Women's Committee and the Tashkent *hokimiyat*, working with the international association SOS-Kinderdorf International, an SOS Children's Village for Uzbekistan was built in Tashkent. The establishment of an SOS Children's Village in Samarkand is in progress.

#### **G. Abuse and negligent treatment (art. 19), including physical and psychological recovery and social reintegration (art. 39)**

134. The provisions of article 19 of the Convention requiring that children shall be protected from abuse and negligent treatment are reflected in a number of articles of the Administrative Liability Code.

135. Pursuant to Order No. 94 of the Minister of Higher and Specialized Secondary Education of 21 April 2003, children's homes in Tashkent are attached to institutes of higher education. Similarly, Order No. 119 of 16 May 2003 attached children's homes to higher education establishments in the Republic of Karakalpakstan. These orders were issued with a view to improving the system of social and psychological assistance provided to children deprived of parental care, enhancing the effectiveness of the education and training provided in orphanages and providing qualified psychological and medico-social assistance to children in order to protect them from the harmful influence of psychological factors within their families, on the street and in the system of interpersonal relations in Mehribonlik orphanages, as well to improve the conditions for implementing the measures called for in the national programme for the "Year of Goodness and Mercy".

### **VI. BASIC HEALTH AND WELFARE**

#### **A. Survival and development (art. 6, para. 2)**

136. Uzbekistan's maternal and child health policy takes into account existing realities: the basic socio-economic conditions, which are characteristic of a developing country; the difficulties of the transitional period; worsening climatic and environmental problems; and popular attitudes and traditions.

137. The infant mortality rate for the country as a whole has declined significantly over the past 12 years. The mortality rate for children under 1 year of age was 34.6 per cent in 1990, 37.4 per cent in 1992 and fell to 16.7 per cent in 2003. Since 2003 work has begun on recalculating rates in terms of live births, as recommended by the World Health Organization (WHO). These criteria have been introduced in Fergana oblast.

138. The main causes of infant mortality in Uzbekistan are most often respiratory illnesses, perinatal causes, infectious diseases and congenital birth defects.

139. In order to bring down infant morbidity and mortality, emphasis is placed first and foremost on improving the basic medical services provided to children. Children under 1 year of age and children aged 1 to 5 receive regular medical check-ups; 6-year-olds are given a thorough examination before they start school. Children under the age of 14 are given a full medical examination annually in which specialists take part. On the basis of their conclusions a comprehensive health profile is prepared for each child and adolescent, and corresponding therapeutic measures are taken according to health classification. In order to prevent diarrhoeal diseases, all areas of the country are provided with adequate supplies of oral rehydration products (Glucosolan and Rehydron). WHO systems for combating respiratory and diarrhoeal diseases and integrated treatment of childhood diseases have been successfully adapted in Uzbekistan, and specialists have been trained throughout the country in order to broaden coverage.

140. Natural breastfeeding is widely supported and encouraged in Uzbekistan. In all maternity clinics newborns are placed on the mother's breast within hours of childbirth. In all establishments providing obstetrical care for women and treatment and preventive care for children 10 breastfeeding principles have been introduced, emphasis is placed on keeping children in the same room with their mothers, extended breastfeeding, with breast milk the sole source of nutrition until the age of four months. Currently over 90 per cent of all children in Uzbekistan are breastfed for six months and longer. Efforts to combat hypogalactia in mothers are under way throughout the country.

141. Several examples serve to show the effectiveness of current policies. Compared with 2002, the beginning of 2004 saw:

- The infant mortality rate decline by 5.2 per cent and the birth rate by a factor of 11.5;
- Medical care and follow-up has been extended to 87.9 per cent of women in the early stages of pregnancy, and 99.8 per cent of all women undergo a medical examination upon confirmation of pregnancy;
- Various contraceptive methods are now in extensive use, which has led to a fourfold reduction in the number of abortions;
- Some 93 per cent of newborns are breastfed in the first hours of life; approximately 22 per cent of children under 4 months are exclusively breastfed, and 76 per cent of children aged 12 to 15 months continue to breastfeed while taking other food;
- As a result of improved immunization, the incidence of measles among children has been almost halved. Only isolated cases of whooping cough and diphtheria have been recorded. In the past five years, no cases of polio have been recorded.

142. To improve women's reproductive health, various State programmes are being implemented, including Healthy Children (2000), Mother and Child (2001), Additional Measures

to Enhance the Health of Women and the Rising Generation (2002), and measures for implementation of the priorities in enhancing a culture of health in the family, improvement of women's health, and the production and upbringing of healthy children (2002).

143. Since 1995 the international non-governmental organization ECOSAN has been carrying out a special programme on the environment, maternity and childhood, undertaking a series of complex measures to improve the socio-environmental situation and create favourable health, hygiene and environmental conditions for the lives of mothers and children.

144. Various events have been jointly organized by ECOSAN and the offices of the United Nations, the United Nations Children's Fund (UNICEF), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the United Nations Population Fund (UNFPA) and others.

145. Mothers and children living in environmentally disadvantaged areas of the country are given medical check-ups in ECOSAN health trains. Various projects are being implemented with a view to reducing the potential impact of worsening environmental conditions on the health and well-being of women and children, and introducing changes into society, the economy and infrastructure that may help to raise their standard of living.

146. The Manaviyat va Marifat Centre, working with the provincial offices, the Ministry of Education, the Ministry of Higher and Specialized Secondary Education, the Ministry of Internal Affairs, the Ministry of Health, the Makhalla Foundation and the Uzbekistan Women's Committee, is waging an information campaign on the following themes: "The Family - Our Future"; "A Healthy Family - A Healthy Generation"; "A Healthy Generation - Guarantee of A Great Future" and "A Model Family". Cultural events are organized with a view to preparing young people for family life and introducing them to a healthy lifestyle.

147. Likewise, pursuant to Cabinet of Ministers Decision No. 32 of 25 January 2002, setting out additional measures for improving the health of women and the rising generation, the Ministry of Higher and Specialized Secondary Education introduced a new programme of study lasting two to three years in secondary schools in 2002-2004. This programme contains a module entitled "Family health and marriage: creation and education of a healthy generation". Medical workers teach special optional courses lasting 16 hours on the topic "Basis for a healthy lifestyle and family", which is offered during the first semester of the academic year.

### **B. Disabled children (art. 23)**

148. The provisions of article 23 of the Convention relating to the rights of disabled children are reflected in the Protection of Disabled Persons Act, the Public Health Protection Act and the Education Act.

149. At the beginning of 2004 the social security authorities operated five homes for disabled children with psychological disorders; these homes accommodate 1,400 children, whose care is fully underwritten by the State.

150. The main types of medical and social services provided to disabled children with psychological disorders in the Muruvvat homes are:

- Medical services: preventive treatment and exams (clinic visits), clinic stays, specific treatment and recovery, rehabilitation programmes; provision of vitamins, phytotherapy (herbal remedies);
- Social services: education based on special, simplified programmes dealing with certain aspects of the individual's activity in society, means of communication, awareness of the immediate environment, elementary forms of care, self-care and helping others; carrying out of simple physical tasks, development of motivation for work, positive emotions, physical education and sport.

151. In addition, the State ensures that disabled persons enjoy the necessary conditions for obtaining education and vocational training. The State programme for the medical and social rehabilitation of disabled persons in Uzbekistan covering the period 1996-2000 has been fully implemented. In accordance with that programme measures were implemented to organize vocational guidance and education for disabled children, including in the home: the list of professions for which disabled children can be trained in special schools has been revised.

152. Recently, with the help of the international humanitarian organization World Concern, new social techniques have been introduced in the area of socio-medical rehabilitation. As a result of the coordinated, continuous work done by educators and nurses in Muruvvat homes over a period of seven years, 56 disabled bedridden children have learned to sit up, 38 to stand and 8 to walk.

153. In 2003 paralympic games were held on an experimental basis in the No. 2 Muruvvat children's home in Tashkent. There are, however, some problems that have yet to be solved: improvement of socio-medical rehabilitation methods, introduction of new social techniques, the study of the latest experiments conducted in other countries, reinforcement of the physical and technical infrastructure in socio-medical facilities, and strengthening partnerships with public and private agencies.

154. In an effort to combat negative attitudes towards the disabled and prepare disabled children for active lives, the State Sports Committee continues to organize a wide range of physical education and training activities for such children as well as mass sports events. Special Olympics featuring basketball, tennis, table tennis, swimming, bowling and gymnastics are organized for boarders at special schools and facilities. The holding of international football tournaments for child amputees has become a tradition.

155. Competitions are regularly held among blind and vision-impaired children and among deaf children.

156. Each year competitions in which more than 1,000 disabled children take part are held to mark the International Day of Disabled Persons. To improve the conditions in which disabled children participate in physical education, special materials and equipment are regularly provided to sports facilities, and disabled children are supplied with appropriate gym clothes and shoes.

157. There are many NGOs and non-profit organizations in Uzbekistan whose work is directly involved with children with limited opportunities: the Kamilla Centre in Angren, the Kridi Club for parents of disabled children, the Umidvorlik coalition of 23 non-profit NGOs, the Pegas Al-Falak Centre and others.

**C. Health and health care (art. 24) and periodic review  
of treatment (art. 25)**

158. Article 40 of the Constitution incorporates the provisions of article 24 of the Convention with regard to children's right of access to health care and rehabilitation services. The specific mechanism for the exercise of this right of children to qualified medical care is established in the Citizens' Health Protection Act.

159. One of the main thrusts of all programmes is to improve efforts in the area of reproductive health. Uzbekistan has a national reproductive health centre and a national centre for adolescent reproductive health which have regional offices that offer workshops for specialists in the field of reproductive health care.

160. In order to prevent unwanted pregnancies and prolong the period between births a full range of contraceptives is offered to women of childbearing age who require them.

161. The Ministry of Health successfully runs reproductive health-care programmes in cooperation with international organizations and donors such as UNFPA, the United States Agency for International Development (USAID) through such activities as Project HOPE (Healthy Family programme) and USAID/ZdravPlus, and the German Development Bank (KfW).

162. Uzbekistan has 12 reproductive health centres distributed throughout the oblasts; the centres are equipped with audiovisual and online materials.

163. Under Cabinet of Ministers Decision No. 242 of 5 July 2002, optional 16-hour courses on the basics of reproductive health and family health have been introduced in schools, high schools and colleges. In order to teach young people about reproductive health issues, brochures (800,000 copies) for teachers and pupils have been compiled and published with technical cooperation from the German Development Bank (KfW), along with 400,000 booklets.

164. Joint programmes have been executed with WHO, UNICEF, UNFPA and USAID to introduce various maternal and child health programmes, including projects on risk-free maternity, risk-free immunization, encouragement and promotion of breastfeeding, integrated management of childhood illnesses and prevention of micronutrient deficiency.

165. One of the priorities in implementing the Convention is preventing disabilities in children and providing disabled children with socio-medical rehabilitation. The work done with orphans and disabled children being cared for in children's homes and residential facilities is particularly important. On 24 October 2002, seeking to improve children's physical fitness, the President of the Republic issued Decree No. UP-3154 establishing the Fund for the Development of Children's Sport in Uzbekistan; on 31 October 2002, the Cabinet of Ministers adopted Decision No. 374, setting out the Fund's activities. Pursuant to those texts and the minutes of the meeting

of the Board of Trustees of the Fund for the Development of Children's Sport held on 7 February 2003, the Ministry of Health has taken a number of steps to promote the mass involvement of children and adolescents in physical education; recommendations based on medical and scientific plans were developed for the playing of various sports by children, taking into account their age and sex, in the first to fourth years of school, in the fifth through ninth years and in the *makhallas*, taking account also of the climate in the various parts of the country.

166. Each year more than 5,000 children from all over Uzbekistan enrolled in general education schools, lycées and colleges regularly take part in competitions organized by the State Sports Committee, chiefly in such sports as basketball, volleyball, handball, swimming, tennis, table tennis, *kurash* (Uzbek wrestling) and *belbogli kurash* (Uzbek belted wrestling).

167. In order to foster a love of physical exercise and sport, competitions known as "Papa, Mama and Me" and "Happy Starts" as well as military-patriotic competitions known as *Shunkorlar* are held on a regular basis.

#### **D. Social security and childcare services and facilities (art. 26 and art. 18, para. 3)**

168. Article 39 of the Constitution implements article 26 of the Convention, dealing with social security for children, and is regulated in greater detail by the State Pension Act and the Disabled Persons (Social Welfare) Act.

169. With a view to increasing the State's targeted support for socially vulnerable segments of the population, improving their material well-being and creating conditions for the full physical, intellectual and cultural development of the rising generation, the President of the Republic issued Decree No. UP-3017 of 25 January 2002 on increasing targeted support for socially vulnerable segments of the population. Under this decision:

- The amount of allowances paid to non-working mothers for the care of children from poor families up to the age of 2 was set at 170 per cent of the minimum wage as of 1 February 2002 (200 per cent as of 1 January 2003);
- Payment of allowances to families with children under the age of 16 was extended to needy families with children under the age of 18 who are enrolled in general education schools, lycées or colleges.

170. The Cabinet of Ministers also adopted Decisions Nos. 33 and 32 of 25 January 2002, on measures to implement the programme for the provision of targeted support for socially vulnerable segments of the population in 2002-2003 and additional measures to strengthen the health of women and the rising generation.

171. Under Cabinet of Ministers Decision No. 33, on measures to implement the Programme of Targeted Support for Socially Vulnerable Segments of the population for the period 2002-2003:

- Since 1 September 2002, in addition to primary school students from low-income families, students from low-income families who attend higher grades of general education schools also receive a free set of winter clothes;
- As of 1 September 2003, students from low-income families who attend general education schools are provided with a set of textbooks free of charge each year from the library collection;
- Social protection for orphans and children deprived of parental care who are full wards of the State has been increased: the allowances paid to these children at the end of their studies and at the outset of their working life for the purchase of clothing, shoes and various supplies, was increased to a total not exceeding 80 times the minimum wage in 2002 and 100 times the minimum wage in 2003, as was the monetary allowance paid to them in cash, to an amount not exceeding three times the minimum wage in 2002 and five times the minimum wage in 2003; they were also granted, at State expense, reductions on transport passes when their school is far from their place of residence;
- It has been decided that foster parents who agree to raise a child shall receive a monthly allowance equivalent to three times the minimum wage for every foster child.

172. To further raise the standard of living of the population and strengthen the social protection afforded to Uzbek citizens, the President of the Republic issued Decree No. UP-3450 on 1 July 2004, concerning the increase as of 1 August 2004 the levels of wages, pensions, stipends and allowances; in particular, the following measures were established:

- As of 1 August 2004 the earnings of workers in public institutions and bodies, all types of pensions and allowances and scholarships for students in institutes of higher education were increased by an average of 1.3 times;
- As of 1 August 2004 the following minimums were set for all of Uzbekistan:
  - Wages - 6,350 sum a month;
  - Old-age pensions - 12,920 sum a month;
  - Entry level of the unified salary rate system - 6,350 sum a month;
  - Child allowances - 12,920 sum a month;
  - Allowances for elderly persons who are unable to work and lack the requisite number of pensionable years - 7,825 sum a month.

### **E. Standard of living (art. 27, paras. 1-3)**

173. Since gaining independence, and throughout its transition from a centrally planned to a market economy, Uzbekistan has followed its own unique model, which differs from that recommended by the World Bank and the International Monetary Fund (IMF). This unique approach has helped Uzbekistan to maintain moderate yet stable and adequate annual rates of gross domestic product (GDP) growth within a range of 3.5-4 per cent. Consequently, Uzbekistan is the only former republic of the USSR that managed in 2001 to exceed the GDP indicators calculated on the eve of independence.<sup>1</sup>

174. The State development strategy has also had an impact on the population's income and standard of living. According to the United Nations Common Country Assessment,<sup>2</sup> two clear trends have emerged: a small increase in income compared with the early 1990s, expressed as an increase in per capita GDP in both United States dollars and Uzbek sum; and a widening income gap. Between early 1996 and 2001, average pay in the agricultural sector, which is the means of subsistence for almost 10 per cent of the population, shrank to 23 per cent of the average pay in industry.<sup>3</sup>

175. Various studies have produced quantitative data on the extent of poverty in Uzbekistan. However, the generally accessible data are of varying quality, which limits the possibility of comparing them with similar indicators for other countries in a transition period. Besides, most of these data reflect only quantitative aspects and describe the low volume of income, often overlooking the social aspect of poverty. In the absence of reliable data, it is hard to gauge the actual scale and range of poverty. There is also a lack of data disaggregated by gender, age and ethnicity, which makes it difficult to define and pinpoint vulnerable population groups.<sup>4</sup>

## **VII. EDUCATION, LEISURE AND CULTURAL LIFE**

### **A. Education, including vocational training and guidance (art. 28)**

176. Everyone has the right to education. The State guarantees free general education. Schooling is under State supervision. The right of children to education is guaranteed by article 41 of Uzbek Constitution, which is consistent with the provisions of article 28 of the Convention. The Constitution guarantees free general education to all, and the right to education is exercised through a unified State education policy and through norms and the provisions of the Education Act.

177. On 29 August 1997 the Oliy Majlis adopted a revised text of the National Professional Training Programme Act.

178. In the face of the rapid pace of scientific and technological progress, the State is concerned with making it possible for children regardless of their background to obtain on an equal footing the most modern secondary education possible. Under article 4 of the Education Act, everyone is guaranteed equal rights to 12 years of free education without distinction as to sex, language, age, race, ethnic origin, beliefs, attitude towards religion, social origin, occupation, social status, place of residence or length of residence in the territory of Uzbekistan.

179. Currently, over 6 million children are enrolled in more than 9,000 schools and are taught by some 500,000 teachers. Since 1997, over 520 schools and annexes have been built, providing nearly 200,000 new places. The number of educational establishments with data-processing and computer facilities increased by 340, which means that 50 per cent of such establishments are now equipped with these facilities.

180. Every year educational establishments of a new type are opened. By 2008, specialized secondary and vocational education will be offered by 1,689 colleges and 178 lycées. The number of candidates for the baccalaureate degree who were admitted on the basis of a competitive examination has risen to 51,000.

181. Presidential Decree No. UP-3431, announcing a State nationwide programme for the development of school education for the period 2004-2009, was adopted on 21 May 2004 in order to boost State policy on educational reform as a key link in the reform and rejuvenation of society, a necessary and compulsory condition for social democratization, sustainable economic development and the country's integration into the global community.

182. Pursuant to Presidential Order No. R-1910 of 19 February 2004, special commissions and working groups were set up to travel around the country and conduct full inventories of all ordinary schools and critical and detailed studies of the state of their equipment and infrastructure.

183. Under the National Professional Training Programme, which is designed to cover all pupils completing the nine grades of the vocational education system and to give students a specific profession in addition to a general secondary education, a network of fundamentally new vocational secondary educational institutions has been established. Some 533 vocational colleges and 54 academic lycées with modern study and laboratory equipment have been built. A national industry for the building and outfitting of colleges and lycées has been created.

184. Pursuant to Presidential Decree No. UP-3431 of 21 May 2004, on the State Nationwide Programme for the Development of School Education for the period 2004-2009, the Cabinet of Ministers adopted an order on measures to implement the Programme.

185. Cabinet of Ministers Decision of 16 July 2004 concerns the conduct of an experiment relating to additional incentives for teachers and the transition to a salary scale pegged to type of activity for workers in the national education system.

186. Over 20 per cent of children aged between 3 and 5 attend organized early-learning programmes. Free access to 12-year education and education in new education institutions including academic high schools and vocational colleges is guaranteed for all. The literacy rate among the adult population is 99.2 per cent.

187. Since 2000 Uzbekistan has had a programme of empowerment education. The objective of this programme is the attaining of sound skills for successful communication and tolerant, non-violent conduct based on a model of partnership in the relations between girls and boys (or skills in gender equality). Such instruction is built on the philosophy and ethic of non-violence and is based on the principle of acquiring skills by studying the social experience of participants

of both sexes. This activity is undertaken in partnership with the Ministry of Education, with initial support from the Network Women's Program of the Soros Foundation. In two years 54 trainers have been trained and have worked in 23 schools and 14 teacher training institutions. Training was then provided to 1,500 pupils and 3,000 teachers.

### **B. Aims of education (art. 29)**

188. The right to education is one of the priority rights of individuals. On the basis of the principles contained in the 1948 Universal Declaration of Human Rights, Uzbekistan has created an effective mechanism for implementing that right. The basic principles of the State's education policy are set forth in the Education Act of 29 August 1997:

“Education shall be a priority in the social development of the Republic of Uzbekistan.

The basic principles of the State's education policy are:

- Humanist and democratic nature of education and upbringing;
- Continuity and succession of education;
- Compulsory general secondary and specialized secondary and vocational education;
- Free choice between specialized secondary education or vocational education: academic lycée or vocational college;
- Secular nature of the education system;
- General accessibility of education within State educational standards;
- Unified and differentiated approach to the choice of a programme of study;
- Encouragement of learning and talent;
- Combination of State and societal administration of the education system.”

189. Compulsory 12-year education includes nine years of general secondary education and three years of specialized secondary or vocational education. General secondary education is conducted in two stages in general education schools: primary education (grades 1-4), and general secondary education (grades 1-9). Specialized secondary and vocational education is provided by academic lycées and vocational colleges.

190. Pursuant to a presidential decree issued in July 2004, the Istedod (Talent) Presidential Foundation, which was created from the Umid (Hope) Foundation for enabling talented young people to study abroad and the Ustoz (Teacher) Foundation, has the task of improving the qualifications and lengthening the probation period of promising young teachers and scientific personnel. The aims and purposes of the National Programme are being achieved in phases: first phase (1997-2001); second phase (2001-2005) and third phase (2005 onward).

191. The aim of preschool education is to form a healthy and integrated personality that prepares a child for school. Preschool education lasts until the age of 6 or 7 in the family, in kindergartens and in other educational establishments, irrespective of form of ownership. The aim of primary school is to lay the groundwork for literacy, knowledge and the habits necessary for obtaining a general secondary education. Children are accepted into the first grade at the age of 6 or 7. General secondary education provides the required volume of knowledge, develops independent thinking habits, organizational ability and practical experience, and offers initial career counselling and facilitates the choice of the next phase of education.

192. In order to obtain a specialized secondary or vocational education, everyone with a general secondary education has the right to choose, of his or her own accord, a field of study in an academic lycée or vocational college. Academic lycées and vocational colleges provide specialized secondary or vocational education that entitles persons to work in their chosen profession or to continue their studies.

193. In 2001, the first phase of the National Professional Training Programme was completed. During that phase, the legal basis and the prerequisites in the areas of personnel, methodology, funding and materials were created for reforming and developing the system of education in Uzbekistan. The first teachers' conference, held in 2001, discussed the implementation of the first phase of the National Programme. The board of the Ministry of Education adopted Decision No. 7/3 of 25 July 2001 on improving methodical assistance in the national education system. Appropriate measures based on the monitoring of the implementation of the first phase have been developed. The aim of the second phase (2001-2005) is the full implementation of the National Programme, and further improvements in education and training based on contemporary needs. On the basis of the Education Act and the National Professional Training Programme, virtually all Uzbek legislative acts and regulations concerning general secondary education were reviewed.

194. With a view to implementing the National Professional Training Programme, which provides for the placement of ninth grade graduates in specialized secondary or vocational education establishments, all specialized secondary schools and vocational education establishments in Uzbekistan have accepted students for the first year of the 2001/02 academic year in accordance with the curricula of academic lycées and vocational colleges.

195. Strategic measures in the national education system are being taken in the following areas:

- With a view to ensuring the continuity and succession of education pursuant to the requirements of the State educational standards for general secondary education, experimental work is being carried out in general educational subjects;
- The results of this work are generalized and studied, after which new academic curricula and plans are improved.

The following are gradually introduced:

- Full transition to compulsory general secondary and specialized secondary or vocational education, and to differentiated instruction based on students' capacities and capabilities;
- State educational standards that set out the necessary requirements for the quality of students' training and qualifications, and their cultural and spiritual and moral development;
- Multigrade ranking system for assessing students' educational levels;
- Guidelines for preparing a new generation of textbooks and study materials for the continuing education system have been approved;
- Experienced methods specialists, academics, teachers and foreign specialists are being invited to prepare sets of methodical textbooks and recommendations for teachers in preschool establishments and schools;
- The system of retraining and improving the qualifications of teachers is being reformed;
- The pedagogical and psychological groundwork for interdisciplinary integration is being developed and research is being conducted with a view to defining the parameters for integration and effective and optimum models.

### **C. Leisure, recreation and cultural activities (art. 31)**

196. Article 42 of the Constitution reflects the provision of article 31 of the Convention that stipulates that children have the right to rest and leisure and to participate in cultural and artistic life. This right is regulated in greater detail in article 17 of the Education Act.

197. The State has determined strategic areas and specific tasks for its cultural promotion work: a number of government instruments have been adopted, designed to foster spiritual values, to promote art, culture and enlightenment, and to reform the country's cultural sphere, enhancing its social and educational role.

198. Pursuant to the Presidential Decree of 26 March 1998 on the development of theatre arts in Uzbekistan and the Cabinet of Ministers Decision on the establishment of the Uzbekteatr creative and productive association, 37 professional theatres and many studio theatres are currently part of the association: 1 opera and ballet theatre in 2 languages (Uzbek and Russian), 7 drama theatres (including 3 Russian-language theatres), 14 musical and musical drama theatres (including 1 Russian-language and 1 Karakalpak-language theatre), 4 young people's theatres and 1 young spectators' theatre (including 1 Russian and 1 Karakalpak), and 10 puppet theatres (including 1 Karakalpak and 4 bilingual - Uzbek and Russian - theatres). The theatres are located in oblast capitals (except Navoi) and in the Republic of Karakalpakstan. Uzbekistan has many studio theatres, for example, Ilhom, Aladin, Mulokot, Eski Machit, Turon and others. In addition, almost all higher educational establishments have studio theatres. Every year, a festival of the Nihol or Hazina theatre company is held on an alternating basis.

199. The Ministry of Culture oversees 85 museums. Museum collections consist of 1.5 million museum objects. These include historical documents, archaeological and ethnographic objects, coins and works of applied art, sculpture, painting and graphic art. Uzbekistan has 10 art museums, of which the Savitsky State Art Museum of Karakalpakstan, owing to its rich and unique collections, has recently become world famous.
200. The Council of the Federation of Uzbek Trade Unions is active in the area of social protection and assists workers' families in the area of health and children's recreation, creation of the necessary conditions for the harmonious development of the rising generation. A series of collective agreements and conventions has enabled unions to maintain the level of services provided by cultural institutions, sports facilities, and the health and social services of companies and organizations for workers and their families.
201. Under a plan adopted in 2003, some 241,724 children have enjoyed stays in children's health camps, representing a plan fulfilment rate of 100.7 per cent. In all, more than 5.756 billion sum were spent on children's stays in health camps.
202. Some 601 camps are in operation during the summer months, of which 260 are suburban camps, 38 are sanatoria, 8 are sports camps, 294 are attached to schools and 1 is a vacation activity camp.
203. Children's health camps are financed by trade unions from their State social insurance budget, union budgets, expenditure from economic organizations and contributions from parents representing up to 20 per cent of the cost of the stay. During the camping season trade unions fully underwrite the stay in camps of 2,000 children from children's homes and boarding schools.
204. With the active participation of the Ministry of Internal Affairs, camps specializing in the treatment of troubled adolescents have been set up in Asaka, Andizhan oblast, where the education centre of the Regional Office of Internal Affairs took in 225 such young people, and in Khorezm oblast, where the Koinot children's camp took in 300.
205. During the summer the Ministry of Internal Affairs sent 1,069 members of its staff to camps to organize delinquency prevention activities for children.
206. Trade unions and economic organizations in Tashkent and Tashkent oblast, the national railway company Uzbekistan Temiri Yullari, the Ministry of Internal Affairs and other bodies have done much to send children from the Aral Sea region, which is the site of an environmental disaster, to health camps.
207. Trade unions carry out methodical and regular awareness-raising activities with children. The country's 83 trade union centres, cultural institutes and clubs are home to 147 groups including 98 amateur talent groups, 30 technical groups and 19 plastic arts groups in which some 3,230 children hone their creative talents. The trade unions have a large network of sports schools just for children and adolescents; these number 64 and allow some 26,000 children to take part in 41 different sports. Of these, 25 are in rural areas and 15 are known as "Olympic reserves".

## VIII. SPECIAL PROTECTIVE MEASURES

### A. Children in exceptional situations (arts. 22 and 38)

208. Although Uzbekistan has not signed the 1951 Convention relating to the Status of Refugees or its 1967 Protocol, Uzbek domestic law provides for arrangements for political asylum (Constitution, Uzbek Citizenship Act of 2 July 1992 and Criminal Code, art. 223).

209. Moreover, in August 1999 the Uzbek Government and the Office of the United Nations High Commissioner for Refugees (UNHCR) in Tashkent reached a verbal agreement that refugees covered by the mandate of UNHCR would not be detained, deported or expelled. Thus refugees in Uzbekistan are considered to be “foreign citizens”.

210. The number of refugees falling under the UNHCR mandate in Uzbekistan as at 1 January 2003 was 2,629.

211. The positive steps taken by the Government of Uzbekistan in this area were recently noted by the United Nations: “The Government has recently taken a positive step by providing, with effect from November 2003, free access to basic education for the children of refugees accorded this status by the UNHCR Office in Tashkent. UNHCR has also been cooperating with the Government in supporting the logistics and humanitarian operations in northern Afghanistan.”<sup>5</sup>

212. Nevertheless, refugees continue to face a number of problems, primarily owing to the shortage of resources to accommodate, in accordance with international standards, people who have fled Afghanistan and Tajikistan during armed conflicts. However, voluntary repatriation of this category of refugees is becoming possible as peace returns to these countries. The Hayot Yullari community social service in Tashkent works alongside other UNHCR partners with refugees in Uzbekistan.

213. Hayot Yullari began its work in 1996 when a group of individuals rallied round the notion of supporting the most disadvantaged segments of the population. This notion found concrete expression in a service offering social and psychological assistance. The service became actively involved - and remains so to this day - in helping an extremely broad range of segments of society, but especially the most disadvantaged among them, including the disabled, the elderly, unmarried women and orphans. In August 1998 the service concluded an agreement with UNHCR for the execution of a joint project as part of the programme to provide social services to refugees, and it continues to work with this programme as an implementing partner of UNHCR, carrying out several projects:

- Social assistance for refugees - consultations, provision of financial assistance, help in obtaining access to education;
- Medical services - primary health care, delivery of medicines;
- Education programmes - language courses (Russian, Dari, Pashto, English), drawing group, sewing classes.

214. The problems most often encountered by refugees are: finding work, obtaining financial assistance, the cost of studies, the high cost of medical care and repatriation assistance.

215. Since 2002 the United Nations Information Centre in Uzbekistan and the Tashkent Teacher Training Institute have each year organized in the National Human Rights Centre mock meetings of the United Nations Security Council on the topic of "Children in Armed Conflicts"; schoolchildren from Tashkent actively participate in these meetings.

#### **B. Children who infringe the law (arts. 40, 37 and 39)**

216. Considerable attention is paid in Uzbekistan to the establishment of a system of juvenile justice. Meetings that have been held are indicative of the State's efforts to this end and the extensive collaboration that has taken place with voluntary associations, non-profit NGOs and international organizations in this area. The following events were held within a short period of time:

- International conference on juvenile justice in Central Asia and Mongolia, 22-24 August 2001, jointly sponsored by the National Human Rights Centre and UNICEF;
- Questions on the development of juvenile justice in Uzbekistan, 12 February 2002, sponsored by the Centre for the Study of Legal Problems, with support from the Open Society Institute-Uzbekistan;
- Forum on juvenile justice, 18 February 2002, with the participation of the regional office of the Save the Children UK, UNICEF, OSCE, UNDP, the Centre for the Study of Legal Problems and others;
- National seminar on juvenile justice reform, 6 and 7 November 2002. Sponsored by the Central Asian regional office of Save the Children in collaboration with UNICEF;
- In October 2004 UNICEF, together with the Uzbek Children's Fund, held a series of forums on juvenile justice with a view to formulating recommendations for the establishment of a juvenile justice system in Uzbekistan.

217. International instruments, specifically the Universal Declaration of Human Rights, the Convention on the Rights of the Child, the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines), the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), 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, have been translated into Uzbek by the National Human Rights Centre and disseminated to the ministries, departments, institutions and organizations concerned. It should be noted in particular that copies of these instruments have been transmitted to senior officials in the Ministry of Internal Affairs, the Central Penal Correction Department, prosecutors' offices and courts. In addition, the continuing education centres for lawyers run by the Ministry of Justice, centres for ensuring legal compliance and the

advanced training of procurators and investigators (which fall under the Office of the Procurator) and teacher training institutes run by the Ministry of Education also regularly focus on juvenile justice issues when developing their training programmes.

218. Procedural questions relating to criminal cases involving juveniles are governed directly by chapter 60 of the Code of Criminal Procedure. Article 549 of the Code makes participation by the legal representative mandatory, on the authorization of the investigator from the first time the juvenile is interrogated as a suspect or defendant. Once legal representatives are authorized to participate, they are informed of their rights.

219. The investigator during a preliminary or pretrial investigation or the trial court may decide that the juvenile's legal representative should be removed from the proceedings if there is reason to believe that his or her actions are harmful to the juvenile's interests. In such cases defence of the juvenile's interests is entrusted to another legal representative or to a representative of the custody and guardianship authorities.

220. The investigator takes steps to ensure that counsel participates in the proceedings from the first interrogation of a minor as a suspect or defendant. To this end, a minor and his or her legal representative are notified that the minor is entitled by law to engage the counsel of his or her choice. If counsel is not designated by the minor, his or her legal representative or a person acting on his or her behalf or with his or her agreement, then the investigator or the court must, at their own initiative, ensure that counsel participates in the case.

221. Moreover, in juvenile cases the court notifies the date and place of the investigation to the minor's parents or persons acting in their stead, the enterprise, institution or organization where the minor studied or worked, the Juvenile Affairs authority and, as necessary, any other organizations. The court is authorized to summon representatives of these organizations and the defendant's guardian to a hearing.

222. Once the grounds on which the minor has been charged have been made public, the minor's legal representative is entitled to be present with the defendant. The interrogation of a minor suspect or defendant takes place with the participation of counsel. If the magistrate so agrees, the legal representative may attend the interrogation. Counsel and the legal representative have the right to ask the suspect or defendant questions. When the interrogation is over, the minor's counsel and legal representative may have access to the record of the proceedings and may submit observations concerning it. Total duration of the interrogation may not exceed six hours in a single day, exclusive of one-hour rest and meal breaks.

223. In addition, a child expert or psychologist may participate in the interrogation of a juvenile charged with an offence under the supervision of the examining magistrate or the procurator. The child expert or psychologist may, with the permission of the magistrate, ask the defendant questions and, when the interrogation is concluded, be given access to the record of the interrogation and submit written observations as to the accuracy and fullness of the account provided therein. The child expert or psychologist is informed of those rights by the examining magistrate before the minor is interrogated, and such notification is reflected in the record of the interrogation.

224. Where appropriate and in accordance with the law, one of the preventive measures provided for in the Code of Criminal Procedure may be taken in respect of a juvenile defendant. The defendant may also be placed under parental surveillance or, if necessary, under the surveillance of his or her guardian or the head of the institution in which he or she is placed.

225. The application of a preventive measure in respect of a juvenile defendant is notified to the defendant's legal representative or, in the absence of the legal representative, to other members of the defendant's family. The placement of a minor under the surveillance of his or her parents, guardian or the head of the institution concerned obligates the party concerned to agree in writing to ensure the defendant's appearance before the examining magistrate, the procurator and the court, and to ensure that the defendant has fulfilled all other obligations imposed by the Code of Criminal Procedure.

226. A minor may be placed under the surveillance of parents, guardian or other persons pursuant to the Code of Criminal Procedure only if the latter, as well as the minor, so agree. Before a minor can be placed under surveillance, the investigator, the procurator or the court must obtain information about the personality of the parents or guardian and their relationship with the minor, and must verify that they are in a position to maintain the minor under adequate surveillance. The parents or guardian are entitled at any time to cease their surveillance of the minor for reasons of illness, work or a deterioration in their relations with the minor that make it impossible for them to act as guarantors of the minor's good behaviour.

227. When the parents, guardian or director of the children's establishment indicate their agreement to assume responsibility for the minor they must be informed of the charge that resulted in the application of the preventive measure, of the penalty to which the minor is liable and of their responsibility in the event the minor should commit any of the acts that placement under surveillance is supposed to prevent. Such notification is reflected in the act placing the minor under surveillance or in the record of the proceedings in court.

228. If the defendant fails to fulfil his or her obligations, the person under whose surveillance the minor has been placed may be held responsible under the law.

229. If there are grounds for the imposition of a preventive measure but the juvenile suspect or defendant cannot be returned to his or her most recent place of residence because the living conditions and educational opportunities are inadequate, he or she may be placed in an institution for children pursuant to a decision by the investigator endorsed by the procurator or a judgement of the court.

230. A minor can be placed in provisional pretrial detention only on the basis of the grounds set out in article 246 of the Code of Criminal Procedure, and then only in exceptional cases, when the minor is charged with intentionally having committed an offence entailing a penalty of more than five years' deprivation of liberty and other preventive measures are not likely to ensure that the defendant will engage in appropriate conduct. If it is decided that a minor should be provisionally placed in pretrial detention, the procurator must personally review the case file, verify the grounds of the arrest, determine that the case does in fact constitute an exception and question the defendant about the circumstances that led to the application of the measure in question.

231. Minors in provisional pretrial detention must be held separately from adults and from minors who have been sentenced.
232. The minor's legal representative has the right to be present when the minor is notified of the conclusion of the preliminary investigation and provided with the materials from the case file. The examining magistrate is required to inform the legal representative of the date and place of transmission of the file to the defendant.
233. The examining magistrate has the right to issue an order waiving the need for the minor to be personally present in order to be made familiar with materials in the file that may have an adverse influence on the formation of his or her character.
234. Minors are tried in camera if there is a likelihood that State secrets will be revealed or if the case involves offences of a sexual nature.
235. Once the court has heard the views of counsel, the legal representative and the procurator, it may decide to remove the minor from the courtroom when the investigation deals with incidents that might have an adverse influence on the minor. When the minor returns to the courtroom the President shall inform him or her, within the necessary limits and in due form, of the content of the discussion that took place while the minor was absent and give the minor an opportunity to ask questions of those questioned in his or her absence.
236. If necessary, the court may announce the date and venue of the investigation in a case involving a juvenile offence. The court may also summon representatives of the Juvenile Affairs Commission to testify as witnesses.
237. During the deliberations the court is required to consider the appropriateness of assigning a social rehabilitation worker to the minor if the minor is given a suspended sentence or a sentence not involving deprivation of liberty.
238. The Code of Civil Procedure also contains certain provisions relating to cases of disputes involving minors. The interrogation of a minor during a trial has the following features.
239. The President shall inform minors under the age of 16 of their duty to tell the truth about everything they know about the facts of the case, but they are not warned that any refusal to testify or incomplete or false testimony may entail criminal responsibility.
240. When minors under the age of 14 or, if the judge in his or her discretion so decides, minors aged 14 to 16, are interrogated, an expert in child welfare and, if appropriate, the child's parents, adoptive parents or guardians are ordered to appear. These individuals may, with the President's permission, ask the witnesses questions.
241. In exceptional cases during the interrogation of a witness under the age of 16 it is possible, if the court so decides, to remove an individual participating in the trial from the courtroom. Upon returning to the courtroom, the individual must be allowed to read the testimony of the minor witness and be given an opportunity to ask the witness questions.

242. When questioning is over, witnesses under the age of 16 are removed from the courtroom, unless the court determines that their presence is necessary. In addition, article 38 of the Code of Civil Procedure contains the following provisions. The rights and legitimate interests of minors aged 14 to 18, but also of citizens deemed to have no legal capacity, are protected in court by their parents, adoptive parents or guardian. However, this does not deprive minors or those lacking in legal capacity to participate themselves in the investigation of matters concerning them.

243. In labour disputes and disputes involving acts relating to wages or other income, minors have the right to defend their rights and legitimate interests in court themselves. The decision as to whether parents, adoptive parents or guardians should assist them in such cases is decided by the court.

244. Minors who have attained the age of 16 years may exercise their rights and duties in court if they have been declared fully competent (emancipated) in accordance with the law.

245. The rights and legitimate interests of minors under the age of 14 and of citizens recognized as lacking in legal capacity owing to a physical illness or mental deficiency are defended in court by their legal representatives - their parents, adoptive parents or guardian.

246. Under article 14 of the Administrative Liability Code, persons aged 16 to 18 years who have committed administrative offences are covered by the measures set out in the regulations of the minors' affairs commissions.

247. The administrative liability of minors aged 16 to 18 shall be invoked in accordance with the rules of ordinary law if they have committed the administrative offences listed in the following articles of the Administrative Liability Code: 61 (petty larceny), 125 (violation of the rules governing the use of motor vehicles), 126 (use of vehicles with mirrored glass or non-standard tinted (smoked) glass windows), 127 (violation of the rules governing the use of sound or lighting fixtures on motor vehicles), 128 (excessive speed, failure to respect road signs and other traffic regulation violations), 129 (participation of vehicle operators in group travel endangering traffic safety), 130 (violation by vehicle operators of the rules governing railway crossings), 131 (driving while intoxicated), 132 (operating small craft while intoxicated), 133 (violation by vehicle operators of traffic regulations occasioning slight bodily injury or substantial material damage), 134 (violation by vehicle operators of traffic regulations occasioning damage to motor vehicles or other property), 135 (driving without a permit), 136 (refusal of a vehicle operator to submit to an alcohol-level test), 138 (violation of traffic regulations by pedestrians and other road users), 183 (simple hooliganism), 184 (manufacture or storage for purposes of dissemination of documents capable of undermining public safety and order), 185 (discharge of firearms in violation of the established rules), 194 (refusal to obey the lawful commands of a police officer), 218 (illegal production and dissemination of information by the mass media), 220 (violation of the rules for the storage or transport of firearms and ammunition) and 221 (failure to respect the deadlines or rules for registering (or re-registering) firearms). In the light of the offence committed and the personality of the offender, cases involving the aforementioned persons (with the exception of persons charged with violations of article 194 of the Code), may be transferred to the National Minors' Affairs Commission and the perpetrators of the offence provided for in article 61 of the Code shall be excused from appearing before the district, city or urban district minors' affairs commissions.

248. Enforcement of the law and the prevention of child abandonment and juvenile delinquency are the responsibility of the Minors' Affairs Inspectorate of the Ministry of Internal Affairs, the Ministry of Higher and Specialized Secondary Education and the Ministry of Education.

249. In order to ensure respect for the law, and in order that the courts may apply the rules of material and procedural law correctly where children are concerned, the Plenary Assembly of the Supreme Court adopted Order No. 21 of 15 September 2000, on judicial practice in cases involving juvenile offences.

250. To prevent the phenomenon of neglected and abandoned children, and also to prevent delinquency, the Cabinet of Ministers, in its Decision No. 360 of 21 September 2000, adopted a set of regulations for minors' affairs commissions. The President of the National Commission is the Procurator-General of the Republic of Uzbekistan. There are currently more than 246 committees in the district, city and oblast *hokimiyats* and in the *hokimiyat* of Tashkent city and oblast, the Council of Ministers of Karakalpakstan and the Cabinet of Ministers of the Republic of Uzbekistan in which over 3,000 qualified specialists work, paid by public funds.

251. The principal functions of these commissions are to:

- Implement measures to protect the rights and legitimate interests of minors, and identify and eliminate the causes and conditions that lead to child abandonment and juvenile delinquency;
- Coordinate the activities of public agencies, local communities and associations in the prevention of child abandonment and juvenile delinquency;
- Organize monitoring of conditions of the maintenance, instruction and education of minors in educational institutions and special facilities of the Ministry of Higher and Specialized Secondary Education, the Ministry of Education and facilities operated by the Ministry of Internal Affairs;
- Encourage the teaching of ethics to minors with a view to forming and increasing their awareness and thinking, expanding their conception of the world and their basic knowledge in the area of the law;
- Provide assistance with housing and employment for minors released from prison or a specialized facility, together with other social rehabilitation services as mandated by law.

252. The revised Procurator Act of 2001 contains a new chapter entitled "Monitoring respect for citizen's rights and freedoms". Under articles 24 to 26 of this Act respect for citizens' rights and freedoms is subject to monitoring by the Office of the Procurator. If the victim of a violation of a legally protected citizens' right or freedom is unable for reasons of health or age or for any other reason to defend his or her rights in court, the procurator shall defend the victim in court.

253. For a number of years Uzbekistan has been making steady progress towards liberalizing sentences, significantly affecting the reduction of penalties applied in juvenile cases. Criminal legislation stipulates that penalties involving deprivation of liberty may not be applied to minors except as a last resort in the case of serious or particularly serious offences.

254. Each year the President of the Republic issues an amnesty decree. Amnesty must be granted to all persons who were minors when their offence was committed. In some cases the sentence is lifted entirely while in others it is considerably shortened.

255. All minors released from penal institutions become the responsibility of the prevention services of the Ministry of Internal Affairs with a view to preventing recidivism. They automatically receive financial assistance from the social services to help them continue their studies and find employment.

256. The Ministry of Internal Affairs also works extensively with the staff of the prevention services to prevent any violation of children's rights. Handbooks are currently being prepared for the staff of the oblast-level prevention services, who are attending special training courses in working with children.

257. As part of the implementation of the National Plan of Action for the implementation of the recommendations of the Committee on the Rights of the Child, the Office of Crime Prevention of the Ministry of Internal Affairs is conducting a study on the situation of children from refugee families and has recommenced its work on the identification of street children.

258. The staff of the Office of Crime Prevention actively participate in various seminars and meetings on issues relating to the establishment of a juvenile justice system in Uzbekistan. The knowledge and experience acquired by the staff find direct application in practice.

259. The provisions of articles 37 and 40 of the Convention are developed in the Criminal Code and the Code of Criminal Procedure. In addition, among other preventive measures, article 555 of the Code of Criminal Procedure provides for a good behaviour pledge, release on recognizance, release on recognizance by an association or group, release on bail, and release on parole. A minor may also be placed under the surveillance of his or her parents or guardian or the director of the institution in which he or she was raised, as appropriate.

260. In 2003, according to Supreme Court statistics, 8 minors were convicted of rape, 19 were convicted of forcibly engaging in unnatural sex acts, 9 of having sexual relations with minors under 16, and 2 of sexual abuse of minors under the age of 16.

261. As a result of the collaborative relations which the Penal Correction Department of the Ministry of Internal Affairs enjoys with such entities as the National Human Rights Centre, the Office of the Ombudsman, UNICEF and Save the Children UK, representatives of these groups have been able to visit correctional institutions where minors who have committed crimes are held.

262. In 2001-2002 the National Human Rights Centre, with support from UNICEF and Save the Children UK, carried out a project called "You're Just Like Everyone Else" in the children's

camp at Zangiote, the children's and women's camps in Tashkent and the special school for children undergoing labour rehabilitation in Samarkand. The non-profit Legal Aid Society provides assistance to minors. It has, inter alia, undertaken a project in a vocational school for girls in Kokand.

263. The light industry vocational college at Kokand was established in 1976 as a specialized educational institution for minors. In 1996 the school was designated as a vocational school, and by Decision No. 133 of 22 August 2003 of the education department of the *hokimiyat* of Fergana oblast it became a vocational college specializing in light industry.

264. With a capacity of 200 students, the college is the only closed-type specialized educational institution in the country that caters for young women with behavioural problems. There are currently 169 girls enrolled.

265. The college is divided into three sections: the general secondary education school, the workshop and the dormitory. Education and training are subject to the college's own internal regulations. The teaching staff comprises 16 teachers with post-secondary training in general sciences, 10 instructors in industrial subjects and 10 residential counsellors with post-secondary training.

266. To rationalize the pupils' time, a schedule has been established consisting of various circles (secretarial skills, sewing, amateur art), sports units, competitions and round tables on subjects of interest to young girls. During holiday periods excursions are organized with a view to familiarizing pupils with historical monuments in cities.

267. The college building is currently being fully renovated. This will provide pupils with optimum conditions for study and rehabilitation.

268. Pursuant to the Criminal Code, persons under the age of 18 may not be sentenced to death or life imprisonment.

269. By law, persons who have attained 13 years of age at the time they commit a crime are liable to criminal prosecution, but only for aggravated intentional homicide; for certain serious offences criminal responsibility is incurred at 14 years, while for all other offences it is 16 years.

270. All minors who leave prison are placed under the supervision of the district internal affairs authorities with a view to preventing any recidivism, and must be provided with financial assistance and any necessary social services (to enable them to continue their studies, obtain employment, receive treatment, etc.). All necessary measures for their reintegration in society are taken as soon as possible. Thus every minor who has been released has an opportunity to enjoy the rights set out in the Convention and in Uzbek law.

271. Information campaigns in this regard are conducted by the various media, including Ministry of the Interior publications such as the newspaper *Na postu/Postda* and the magazine *Kalkon/Shchit*. A major topic is the problem of crime against women and children, and reports are published based on actual examples of the most typical types of child abuse, analysing their causes and the conditions that lead to them. Special attention is paid to making children and adolescents aware of the law.

272. With the help of representatives of children's rights NGOs and the prevention services' crisis units, children are told what procedures to follow to defend their rights, and they are provided with telephone numbers and addresses where they can find support. Much of the work in familiarizing children with the law is undertaken by the prevention services and various educational institutions.

273. The internal affairs authorities work extensively with other law enforcement bodies, NGOs, local communities and women's committees to combat trafficking in persons.

274. The directors of various services within the Ministry of Internal Affairs went as a delegation to visit Ukraine in order to study that country's experience in combating trafficking in persons, particularly women and children, with a view to their exploitation, including sexual exploitation.

275. Legislative and regulations governing trafficking in persons and human rights protection are currently being reviewed with a view to bringing them into line with international standards in this area.

276. In order to fully meet the requirements of the Convention for the protection of children from all forms of exploitation, including sexual exploitation, the possibility of creating special units within the criminal police services to combat trafficking in persons for purposes of sexual exploitation is under study, and a subdivision for the prevention of recruitment of persons for purposes of exploitation and sex crimes has been created within the Office of Crime Prevention of the Ministry of Internal Affairs.

277. By Decision No. 301 of 26 August 2002, the Cabinet of Ministers established the Centre for Social and Legal Aid in Tashkent.

278. Among its tasks, the crime prevention service of the Ministry of Internal Affairs seeks to ensure respect for children's rights in its prevention efforts aimed at minors in the care of internal affairs authorities, in its work with minors placed in the special social and legal aid centres for minors and in the organization of prevention efforts aimed at dysfunctional families. By the end of 2003 the internal affairs authorities were working with 6,313 minors and 2,793 parents or persons acting in their stead who were exercising a harmful influence on their children's upbringing.

279. The children placed in such centres are neglected, deprived of parental care and living on the street. All conditions are provided to allow them to benefit from timely medical, psychological, legal and social assistance. The fate of each child is determined individually in the light of all information in his or her file. The process of placement in the centres, the living conditions there and the decisions taken to direct children towards specialized facilities is the responsibility of the Ministry of Internal Affairs and the Office of the Procurator.

280. During 2003 the social and legal aid centres for children run by the Ministry of Internal Affairs took in 6,953 children, of whom 5,554 had left their families voluntarily.

281. The prevention service of the Ministry of Internal Affairs works closely with the UNICEF office in Uzbekistan in areas relating to respect for the rights of juvenile offenders, juveniles who have served their sentences or those in the care of the internal affairs prevention services, with a view to providing them with the necessary social and legal assistance. The service has carried out several projects with the UNICEF office: one of these involved monitoring the situation of children and adolescents who had infringed the law and the rehabilitation and reintegration of juvenile delinquents, especially those at risk, while another involved pilot projects for rehabilitation and social reintegration of juvenile delinquents and adolescents at risk, the latter being annual projects. The specialized training seminars that were organized (a total of 14 regional seminars) while the aforementioned projects were being executed led to significant improvements in the training of staff from the law enforcement bodies that work with such minors (juvenile delinquency prevention officers, staff of the children's social and legal aid centres operated by the internal affairs authorities and the staff of children's camps), especially in the area of prohibiting any infringement of children's rights by law enforcement officers in the course of their work.

282. In 2003 the centres took in 44 adolescents and 3,572 children including children from Tajikistan, Kazakhstan (18), Kyrgyzstan (11) and the Russian Federation (5).

283. In 2003 some 583 staff members from procurator's offices received training in the centres in problems relating to the strengthening of respect for the law by investigators and other court personnel as well as advanced training.

### **C. Child victims of exploitation, including physical and psychological recovery and social integration (arts. 32-36 and art. 11)**

284. Article 37 of the Constitution reflects the provisions of article 32 of the Convention regarding the obligation to provide fair conditions of employment and prohibit forced labour. The provisions of article 32 of the Convention are fully developed in the Labour Code.

285. Since independence, Uzbekistan has developed a sound legislative and regulatory framework aimed at defending children's rights and protecting minors from economic exploitation and exempting them from any work that might prove harmful to their health.

286. The Labour Code sets 16 as the minimum age for admission to employment. As part of their preparation for employment, pupils and students aged 14 and over at general education schools, vocational technical colleges and secondary educational establishments are permitted, during after-study hours, to perform light work which poses no hazard to health; to this end the written consent of one parent or of a person acting in the parent's stead is required.

287. Unlike earlier labour legislation, the Labour Code makes it possible for the first time to convert paid leave into monetary compensation, not only at the termination of employment but also during employment, and sets out a series of guarantees to ensure that the rights and interests of protected workers, particularly workers who are minors:

- First, under article 151, paragraph 2, of the Code, the conversion of paid leave into monetary compensation during employment can be authorized only at the worker's request;

- Secondly, in no case can a worker's accumulated rights to leave be converted in their entirety to monetary compensation. Only those periods of leave can be converted, at the worker's request, that exceed the minimum duration prescribed by regulation. As a result, workers must take an irreducible minimum of 15 work days of paid leave that cannot be converted into monetary compensation (the duration of leave is calculated in workdays on the basis of a 6-day work week);
- Thirdly, the law establishes a list of holidays that can only be taken as actual leave, and the conversion of which into monetary compensation is entirely prohibited. To these holidays must be added, pursuant to article 151, paragraph 3, of the Labour Code, the extended periods of leave granted to workers under the age of 18. The legal basis for granting minors extended periods of leave is the principle that such workers must have a minimum of 30 calendar days of annual and recuperation leave. Bearing this in mind, in the interest of preserving the health of minors under the age of 18, the extended periods of leave granted to them must be taken as such, and the conversion, even partial, of unused leave into monetary compensation may only be made upon termination of the labour contract.

288. Uzbekistan, a State Member of the United Nations, the International Labour Organization (ILO), OSCE and other international organizations, is a party to the major international instruments and has a well-developed legal foundation. Among the international instruments protecting working children, the ILO Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (Convention No. 182, 1999) is of particular importance. While Uzbekistan has not ratified the ILO conventions dealing directly with child labour, Uzbekistan legislation contains all the specific norms and standards for the social protection of workers relating to children's working conditions. Uzbek child labour legislation contains provisions that are not only stricter than those of international legal instruments, but are also broader in scope.

289. An analysis of Uzbek legislation governing working hours and rest periods for adolescents under the age of 18 shows that such adolescents enjoy the best possible conditions for reconciling study and work. The standards set in Uzbek labour legislation are considerably more favourable than the minimum standards set by international labour instruments and ILO conventions. That is the conclusion reached in the project carried out at the end of the period 2001-2002 by the Tahlil Centre with support from Save the Children UK, which involved a high-calibre sociological study carried out through in-depth interviews in Namangan, Fergana and Djizak oblasts, the Republic of Karakalpakstan and the city of Tashkent (see annex 3).

290. Uzbek legislation, which is based on universal labour law, is applied in specific socio-economic circumstances. It is precisely these circumstances that largely determine the ways in which the rights of Uzbek citizens, particularly minors, can be enjoyed in the sphere of labour.

291. In practice, employers do violate labour legislation. The most frequently observed violations include: employment of adolescents without the necessary labour contracts; hiring without a medical certificate; hiring without written permission from parents; failure to comply with the rules governing the reduced work week and to observe or remunerate school holidays; and dismissal without the agreement of trade unions or other local authorities.

292. It should be noted that cooperation with ILO has recently been growing. For example, an ILO mission visited Uzbekistan from 14 to 19 June 2004. The ILO representatives held consultations with public agencies and NGOs on the problem of child labour, seminars were held on the question and a draft document was drawn up. Mr. Klaus Günther, senior professional officer with the ILO International Programme on the Elimination of Child Labour (IPEC), head of mission, and Dr. Andrés Koenig, ILO/IPEC consultant, participated in the mission.

293. The Ministry of Internal Affairs, working with the State and voluntary agencies concerned, undertook a specific project in the area of the illicit use of narcotic drugs and psychotropic substances and the illicit transfer and non-return of children abroad.

294. A programme of activities of the internal affairs authorities to implement the National Plan of Action for implementation of the recommendations of the Committee on the Rights of the Child during the period 2006-2007 was established and issued to local services.

295. Various organizational and practical measures were taken to protect children from the illicit use of narcotic drugs and psychotropic substances, to prevent children from being used in the production and illicit trafficking in narcotic drugs and psychotropic substances and to combat the illicit transfer and non-return of children abroad.

296. On the basis of Cabinet of Ministers Decision No. 360 of 21 September 2000, on enhancing the work of the minors' affairs commissions, Cabinet of Ministers Decision No. 247-42 of 6 June 2001, on strengthening the role of the prevention service of the Ministry of Internal Affairs in combating crime, the programme of the Minors' Affairs Commission within the Cabinet of Ministers concerning the implementation of measures for raising cultured, physically sound and competent youth, prevent delinquency, crime and religious extremism among young people for the period 2000-2005, and the plan of the National Minors' Affairs Commission for 2004, members of the Office of Crime Prevention constituting a national inter-ministerial team headed by senior members of the Office of the Procurator-General, visited all regions of the country during the past year to verify the state of education in academic institutions and prevent vagrancy and juvenile delinquency among young people.

297. The results of these visits in the town of Nukus, in the administrative seats of the oblasts and in the capital were considered at meetings of the oblast commissions and the National Minors' Affairs Commission, in which representatives of the central administration, the oblast administrations and associations, including the *hokimiyats*, prosecutors' offices, the services of the Ministry of Internal Affairs, the Ministry of Education, the Ministry of Health, the Kamolot youth movement and the Makhalla Foundation participated.

298. During the current year, staff of the internal affairs authorities held over 46,959 meetings, interviews and lectures on legal topics and issues relating to the prevention of juvenile delinquency, particularly the war on drugs, including 10,000 with the population in the *makhallas* and in the field, 6,287 with post-secondary students and pupils in lycées and vocational colleges, 25,337 with pupils in general education schools, and 2,666 with staff in organizations, institutions and enterprises.

299. Individual prevention measures were taken in respect of 447 minors cited for use of narcotic drugs and psychotropic substances, who were warned about offences related to such substances.

300. The Minors' Affairs Commission of the Cabinet of Ministers and all other interested parties - the Office of the Procurator-General, the Ministry of Education, the Ministry of Higher and Specialized Secondary Education, the Kamolot youth movement and the National Women's Committee - were regularly informed of the efforts being made in the area of crime prevention, child abandonment and juvenile delinquency.

301. Targeted and coordinated operations going by such names as "Kompleks", "Tozalash", "Night", "Tusik", "Street" and "Teen" were systematically carried out in all areas of the country. One of the main objectives of these operations was preventing child abandonment and juvenile delinquency and the early identification of those likely to commit crimes and offences, particularly children who use narcotic drugs and psychotropic substances.

302. During the first 10 months of 2004, some 39,824 children and adolescents (as compared with 47,589 in 2003) were turned over to the internal affairs authorities for vagrancy and various offences, of whom 7,419 were cited by prevention officers who transmitted their case files to the commissions of juvenile affairs for review and follow-up. Of these, 6,382 (as against 3,592 in 2003) were placed in the care of the juvenile delinquency prevention units.

303. During this period, 40 minors were turned over to the internal affairs authorities for use of narcotic drugs and psychotropic substances. During the same period, 2,390 parents whose conduct was harmful to their children's upbringing (as opposed to 3,592 in 2003) were turned over to the juvenile delinquency prevention units and placed under supervision as a preventive measure.

304. To eliminate the causes of drug-related offences and the conditions that lead to their commission, members of the internal affairs authorities regularly draw up proposals intended for the heads of enterprises, organizations and *makhalla* committees.

305. Along with general preventive measures, much attention has been placed on individual prevention focusing on minors cited by the internal affairs authorities for drug use.

306. There are currently 72 adolescents listed in the internal affairs authorities records for abuse of medicines, psychotropic substances and other drugs. During 2003, as compared with the same period in 2002, the number of drug-related offences committed by adolescents declined by 11.3 per cent, falling from 44 to 39. During the first 10 months of 2004, as compared with the corresponding period in 2003, the number of drug-related offences committed by adolescents rose by 10.7 per cent, going from 28 to 31.

307. On the initiative of the Ministry of Internal Affairs, and in order to enhance the effectiveness of efforts to prevent child abandonment and juvenile delinquency in the capital, a project was formulated, and on 26 August 2002 the Cabinet of Ministers adopted Decision No. 301, on improving activities to prevent the abandonment of children and juvenile delinquency, by virtue of which the *Hokim* of Tashkent adopted Decision No. 496

of 5 September 2002, establishing the centre for social and legal aid within the Department of Internal Affairs of the city of Tashkent; the centre has a staff of 61.5, of which 43 are specialists. The centre staff is generally experienced and qualified and, on 24 October 2002, began its work taking care of abandoned children and adolescents. On the basis of the aforementioned regulatory texts, the Ministry of Internal Affairs adopted Decree No. 93 of 26 March 2003, giving the centre provisional status.

308. Throughout Uzbekistan there are 12 such centres: the centre operated by the Department of Internal Affairs of the city of Tashkent, with provisional status, and the centres operated by the offices of internal affairs of the various oblasts (with the exception of Surkhan-Darya and Navoi oblasts, which do not have a centre) and the Ministry of Internal Affairs of the Republic of Karakalpakstan.

309. The social and legal aid centres for children are a subdivision of the internal affairs authorities and are responsible for preventing child abandonment and juvenile delinquency, ensuring that children receive the necessary educational guidance and providing them with assistance from the State and society.

310. The work of these centres is governed by Ministry of Internal Affairs Decree No. 239 of 17 September 2004, adopting the regulations of the children's social and legal aid centres of the internal affairs authorities of Uzbekistan.

311. The number of abandoned adolescents placed in the children's social and legal aid centres practically doubled between 2002 and 2003, rising from 3,477 to 6,953. During the first 10 months of 2004 the number of children placed in the centres rose by 1 per cent as compared with the same period in 2003, from 5,422 to 5,479. Half of all children placed during the first 10 months of 2004 (2,868, or 52.3 per cent) were placed in the provisional centre in Tashkent. During the same period the Tashkent centre took in 30 minors from countries of the Commonwealth of Independent States, 13 of whom were from the Russian Federation and 17 from Central Asian States. All were returned home by centre staff.

312. During the first 10 months of 2004, of all children placed in the centres, 3,894 were returned to their parents or persons acting in their stead, 71 were placed in Mehribonlik orphanages, 74 were sent to specialized boarding schools and 57 were placed in specialized vocational training colleges.

313. Of the total number of vagrant children and adolescents placed in the children's social and legal aid centres during the first 10 months of 2004, 51.4 per cent did not work and were not enrolled in school, 45.2 per cent were school pupils and 1.8 per cent were students in vocational training colleges and lycées.

314. One of the factors working against vagrant and delinquent children has to do with the psychological problems they experience within their own families. Many adolescents from dysfunctional families are traumatized both morally and spiritually, and fall under the influence of the street, occasionally lapsing into delinquency. During the first 10 months of 2004, some 3,365 children and adolescents (as compared with 7,695 in 2003) had encounters with the authorities on account of systematic truancy, and 3,565 were placed in children's social and legal aid centres for that reason (as against 5,554 in 2003).

315. Parents exerting a harmful influence on their children's education were the target of a special individual prevention effort. As at 1 January 2004, 2,790 such parents were placed under preventive supervision by the internal affairs authorities. During the first 10 months of 2004, 2,390 such parents were registered, bringing the total to 5,180. Many of these are alcoholics and drug addicts.

316. Specific measures have been taken to bring about cooperation with international children's organizations such as UNICEF in the prevention of child abandonment and juvenile delinquency, as well as juvenile justice.

317. To prevent crimes and offences related to the illicit transfer and non-return of persons - particularly children - abroad, crime prevention units dealing with illicit trafficking in persons have been established and commenced operations during the current year within the criminal police services of the internal affairs authorities, while the prevention services have also had units added for the prevention of trafficking in persons.

318. Since the beginning of the year, 12 instances of the aforementioned violations involving minors have been identified throughout the country, 4 of which occurred in Tashkent, 4 in Andizhan oblast, 2 in Syr-Dara oblast, 1 in Bukhara oblast and 1 in Namangan oblast. In each case appropriate measures were taken, in accordance with the law.

319. To encourage minors to adopt a healthy lifestyle and law-abiding behaviour and to make the public aware of the results of efforts to prevent child abandonment and juvenile delinquency, and particularly to protect children from drug abuse and prevent the use of children in the production and illicit trafficking in drugs and psychotropic substances, as well as efforts to combat the illicit transfer and non-return of children abroad, much use has been made of the opportunities afforded by the mass media: television, radio and the press.

320. Two television programmes have been broadcast weekly: "From the Ministry of Internal Affairs Press Centre" and "Frequency 02". Articles on these topics regularly appear in the Ministry's information publications, such as the newspapers *Na Postu* and *Postda* and the magazines *Shchit* and *Kalkon*. During the current year more than 790 articles from newspapers in the oblasts, towns and districts as well as 352 radio broadcasts and 157 television programmes have dealt with the topics of combating drug addiction and trafficking in children.

321. Yet the efforts of the internal affairs authorities to protect children from the illicit use of narcotic drugs and psychotropic substances, prevent the use of children in the illicit production of and trafficking in such substances and combat the illegal transfer and non-return of children abroad have not always been successful.

322. Use of the mass media - television, radio and press - is not enough in dealing with these problems.

323. Cooperation between juvenile delinquency prevention officers, the administration and the teaching staff in schools and vocational colleges in the early detection of drug users among the student population is not what it should be. Teachers in schools and vocational and technical colleges still cover up such incidents within their institutions, creating a false impression that everything is fine.

324. The cooperation between staff of the internal affairs authorities and the staff of the health services in the identification of adolescents likely to use drugs is inadequate.

325. Uzbek legislation prohibits the recruitment of persons by devious means for purposes of sexual and other forms of exploitation. The Criminal Code punishes such acts involving minors with a maximum penalty of five years' deprivation of liberty. If such acts are committed with a view to taking such persons abroad, the penalty is five to eight years' deprivation of liberty (Criminal Code, art. 135).

326. The law prohibits the manufacture or distribution of pornographic items for purposes of display or dissemination, and the showing or distributing of pornographic items to persons under the age of 21. The Criminal Code provides for the punishment of such acts after an administrative penalty has been imposed (Administrative Liability Code, art. 189) by a fine of 100 to 200 times the minimum wage or up to three years of corrective labour (Criminal Code, art. 130).

327. The Criminal Code contains provisions to protect children from all forms of sexual exploitation and abuse (article 128 penalizes sexual relations with persons under the age of 16; article 131 deals with houses of prostitution and procurement involving minors; and article 135, subparagraph (c), deals with the recruitment of persons for the purposes of sexual or other forms of exploitation). Article 130 establishes criminal responsibility for the preparation or distribution of pornographic materials to persons under the age of 21.

328. Considerable attention is also paid to combating all forms of violence against minors, especially sexual violence. In 2003 alone, 202 sex crimes involving minors under the age of 16 were recorded. An effort is being made to report all incidents in which minors are involved in sex crimes (508 such incidents were reported in 2003, resulting in the criminal prosecution of 572 individuals).

329. Uzbekistan intends to continue its efforts relating to the Commitment and Plan of Action adopted by the participants from Europe and Central Asia in the Conference on the Protection of Children against Sexual Exploitation, held in Budapest on 20 and 21 November 2001.

330. On 1 May 1998 Uzbekistan became a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction (Oliy Majlis Decision No. 629-1). The Convention entered into force on 1 August 1998. On 18 May 2000 the Cabinet of Ministers adopted Decision No. 192 on organizational measures for the implementation of the Convention, in which it designated the Ministry of Justice as the central body responsible for fulfilling the obligations imposed by that instrument.

331. On 28 June 2001 Uzbekistan signed the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

332. Uzbek legislation contains special measures to prevent the sale, trafficking and abduction of children. Articles 137 and 245 of the Criminal Code punish the abduction of children and the taking of child hostages. The abduction of a minor not intended as a hostage is punishable by 5 to 10 years' deprivation of liberty (art. 137).

333. In order to study the experience gained in combating trafficking in persons, especially women and children, the heads of various services within the Ministry of Internal Affairs visited Ukraine, which for nearly six years has been waging a concerted campaign against trafficking in persons for the purpose of sexual or other forms of exploitation. The Uzbek delegation also participated in the OSCE Meeting of Police Experts on Improving the Effectiveness of Law Enforcement in Preventing and Combating Trafficking in Persons, Especially Women and Children, which was held in Vienna. The information obtained during those visits and a review of the literature on the problem brought back by the delegation will make it possible to improve efforts to combat trafficking in persons in Uzbekistan and to share the positive results achieved with other countries.

334. The internal affairs authorities, working with other law enforcement bodies, various NGOs and the mass media and drawing on the efforts of the *makhallas* and women's committees, are currently conducting a major campaign to promote public awareness of efforts to combat trafficking in persons, especially children. Special meetings, debates and discussions are being held. The internal affairs authorities are participating in various radio and television programmes dealing with the problem, talking about actual cases of women being recruited abroad to be sexually or otherwise exploited and the methods used by criminal elements to recruit and deceive people.

335. To ensure that the requirements of the aforementioned conventions on the protection of women and children from all forms of exploitation, including sexual exploitation, are met as fully as possible, special units are being created in the criminal investigation departments to combat trafficking in person for purposes of exploitation; a subdivision tasked with combating the recruitment of persons for purposes of exploitation and sex crimes has been established in the Office of Crime Prevention of the Ministry of Internal Affairs.

336. In view of the current demands for increased efforts in this area, adequate measures have been taken to prosecute the perpetrators of such offences. The achievements of law enforcement bodies in combating trafficking in persons are widely discussed in the mass media.

#### **D. Children belonging to a minority or an indigenous group (art. 30)**

337. Of the 25 million inhabitants of Uzbekistan, over 5 million belong to 130 different nations and peoples and constitute 20 per cent of the entire population. Uzbekistan's domestic policy seeks to create equal conditions and opportunities for the development of all peoples living in the country. Above all, the cultural centres link their activities to this policy.

338. Thanks to this policy, 762 schools provide instruction in Russian; 581 schools have Kazakh as the language of instruction; 318 provide instruction in Tajik; 64 offer instruction in Turkmen; and 56 provide instruction in Kyrgyz. In addition, mother tongue instruction is offered in Sunday schools by Armenian, Jewish, Korean, German, Polish, Ukrainian, Uigur, Bukhara Jewish, Greek, Georgian, Dungan, Chinese and other ethnic cultural centres.

339. After completing secondary school, every graduate has an opportunity to continue his or her studies at higher or specialized secondary educational establishments, colleges and lycées, both in Uzbekistan and abroad.

340. Currently in all oblasts, cities and districts and in localities with high concentrations of ethnic minorities, 135 ethnic cultural centres for 28 different ethnic groups actively cooperate and interact with State bodies at all levels of local self-government.

341. The cultural centres pay special attention to activities related to national traditions. Among these are Ramadan, Kurban Khait, Christmas, Easter, Shrovetide, Purim, Hansik, Khosil Bayrami and Chusok. A number of anniversaries were widely celebrated in Uzbekistan, including the one hundred and twenty-fifth anniversary of the Tashkent and Central Asian Eparchy of the Russian Orthodox Church, the thousandth anniversary of the Manas epic, the six hundredth anniversary of our great ancestor Amir Timur, and the anniversaries of Jami, Imam al-Bukhari, Ahmad al-Fergani, Abai, Pushkin, Makhtumkuli, Shevchenko, Esenin, Muhtar Avezov, Chingiz Aitmatov and others.

342. Young people's divisions have been created in some centres (Association of Korean Centres, the Kazakh Centre).

343. The media provide regular and full coverage of the activities of national cultural centres. The activities of the national cultural centres are covered in greater detail in various languages on the international television channel; such broadcasts include "Uzbekistan - our common home" and "In a common family" in Russian, "Umid" in Uigur, "Zhetigen" and "Diydar" in Kazakh, "Aichurek" in Kyrgyz, "Mekhrangez" and "Ranginkamon" in Tajik, "Biznen meres" in Tatar, "V dobriy khati" in Ukrainian and "Chinsen" in Korean.

344. The Uzbek International Cultural Centre and the national cultural centres cooperate closely with broadcasting stations in Uzbekistan, and also work with the editorial offices of a number of leading newspapers and magazines. The activities of the cultural centres receive regular and full coverage in the newspapers *Khalk suzi*, *Narodnoe slovo*, *Pravda vostoka*, *Toshkent okshomi* and *Tashkentskaya pravda* (under the rubric entitled "At national cultural centres"), and in *Nurly jol* in Kazakh and *Ovozi tojik* and *Fakhrangi Osie markazi* in Tajik. The social movement Khalk Birligi (Unity of the people of Uzbekistan) has its own periodical, the newspaper *Birlik-Edinstvo* (Unity), which was founded in 1995 on the initiative of the Uzbek International Cultural Centre and the national cultural centres. The Russian national cultural centre has its own periodical (*Vestnik*), the Korean national cultural centre publishes its own newspaper and the Yangiyul municipal Ukrainian cultural centre publishes the newspaper *Nadiya* (Hope). Newspapers are published in Russian, Kazakh, Tajik, Korean, Kyrgyz and Turkmen in Uzbekistan's districts and oblasts.

345. Representatives of the various ethnic groups take part in world forums in their historic homelands: since 2001 alone, more than 200 delegates from Bashkir, Tatar, Kazakh, Tajik, Lithuanian, Kyrgyz, Armenian, Korean and Ukrainian national cultural centres have participated in such forums. There have been no observed or recorded violations of children's rights stemming from the fact the children belonged to an ethnic minority in Uzbekistan.

### Notes

<sup>1</sup> UNDP and the Centre for Economic Research. The link between macroeconomic policy and poverty reduction in Uzbekistan, 2003.

<sup>2</sup> Uzbekistan: Common Country Assessment, prepared in 2003 by the United Nations Office in Uzbekistan.

<sup>3</sup> *Source*: World Bank, 2003.

<sup>4</sup> *Source*: Uzbekistan: Common Country Assessment.

<sup>5</sup> Uzbekistan: Common Country Assessment. United Nations, 2003; p. 48.

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**State bodies that contributed materials for the preparation of the report**

1. Plenipotentiary of the Oliy Majlis for Human Rights (Ombudsman)
2. Institute for Legislative Review within the Oliy Majlis
3. Office of the Secretary for Social Protection and Maternal and Child Welfare within the Cabinet of Ministers
4. Office of the Procurator-General of Uzbekistan
5. Ministry of Justice
6. Ministry of Internal Affairs
7. Ministry of the Economy
8. Ministry of Higher and Special Secondary Education
9. Ministry of Health
10. Ministry of Education
11. Ministry of Culture and Sport
12. Ministry of Labour and Social Protection
13. Ministry of Finance
14. State Statistical Committee
15. Uzbek Agency for Publications and Information
16. Oila (Family) Research Centre
17. Uzbek Broadcasting Company
18. Cabinet of Ministers Centre for Science and Technology within the Coordinating Council for Scientific and Technological Development
19. Council of Ministers
20. *Hokimiyat* of the City of Tashkent

21. *Hokimiyat* of Tashkent oblast
22. *Hokimiyat* of Andizhan oblast
23. *Hokimiyat* of Samarkand oblast
24. *Hokimiyat* of Namangan oblast
25. *Hokimiyat* of Fergana oblast
26. *Hokimiyat* of Syr-Dara oblast
27. *Hokimiyat* of Kashkadar oblast
28. *Hokimiyat* of Bukhara oblast
29. *Hokimiyat* of Surkhan-Darya oblast
30. *Hokimiyat* of Navoi oblast
31. *Hokimiyat* of Djizak oblast
32. *Hokimiyat* of Khorezm oblast

**Non-governmental organizations that contributed  
materials for the preparation of the report**

1. Uzbekistan Children's Fund
2. International Cultural Centre of Uzbekistan
3. Uzbekistan Women's Committee
4. *Soglom Avlod Uchun* international voluntary foundation
5. ECOSAN Foundation
6. *Sen Yolgiz Emassan* (You Are Not Alone) Republican Social Children's Fund
7. Council of the Federation of Uzbek Trade Unions
8. Umidvorlik Centre for Children with Limited Opportunities
9. SOS - Kinderhof International
10. *Mehr Tayanchi* Centre
11. *Ijtimoiy Fikr* Centre for the Study of Social Change
12. Uzbekistan Chamber of Commerce and Industry
13. *Manaviyat va Marifat* Centre
14. Council of Elders of Uzbekistan and the *Makhalla* Foundation

**List of annexes**

- Annex 1. Presidential Decree on support for the proposal to institute the Zulfiya State Prize
- Annex 2. Memorandum of the Tashkent International Conference on the Social Protection of Orphans
- Annex 3. Table comparing international standards and juvenile labour legislation
- Annex 4. National plan of action for implementing the recommendations of the United Nations Committee on the Rights of the Child

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