



International Convention on the Elimination of All Forms of Racial Discrimination

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Summary record of the 2787th meeting

Held at the Palais Wilson, Geneva, on Wednesday, 4 December 2019, at 10 a.m.

Chair: Mr. Amir
later: Mr. Murillo Martínez
later: Mr. Amir

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The meeting was called to order at 10 a.m.

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

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

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

2. **Mr. Saidov** (Uzbekistan), drawing attention to the extremely detailed statistics in the 60-page annex to his country's periodic report ([CERD/C/UZB/10-12](#)), which was available in Russian only, said that a number of non-governmental organizations (NGOs) had participated in the preparation of the report. Information from academic institutions, the Bar Association and ethnic cultural centres – which represented every ethnic group residing in the country – had also been taken into account. NGOs were increasingly active in Uzbekistan, and the Government encouraged them to submit alternative reports to the human rights treaty bodies. With assistance from the Office of the United Nations High Commissioner for Human Rights (OHCHR), seminars had been held to help NGOs prepare shadow reports. Other treaty bodies had already received reports from Uzbek NGOs. It was only a matter of time before the Committee did, too. The forthcoming recommendations of the Committee would be widely shared with NGOs and other stakeholders.

3. The Government had issued a decree on the national sustainable development objectives in the context of the Sustainable Development Goals running up until 2030 and had developed national indicators to measure how they were achieved. A specific objective of the national policy was related to Goal 13, which addressed urgent action to combat climate change and its impacts. Uzbekistan had also recently ratified the Paris Agreement on climate change.

4. **Ms. Yunusova** (Uzbekistan) said that measures had been taken to give effect to the recommendations made by the Special Rapporteur on freedom of religion or belief, who had visited Uzbekistan in October 2017. For example, a bill had been drafted to amend the Freedom of Conscience and Religious Organizations Act, taking into account the results of public surveys on religion and interfaith tolerance and ensuring compliance with article 18 of the International Covenant on Civil and Political Rights. The Government had also sought to learn from the experience of other States in regulating the activities of religious organizations. It had undertaken an analysis of the existing jurisprudence and it had considered information relating to persons detained on the grounds of religious extremism or participation in unlawful religious organizations.

5. The bill amending the Citizenship Act included provisions aimed at streamlining the procedures for acquiring Uzbek citizenship, establishing an interministerial database and clarifying the right of children to citizenship. The bill had been approved by the Legislative Chamber – the lower house of the Oliy Majlis, the Uzbek parliament. The Committee's forthcoming concluding observations would be taken into account before the Act would be submitted for adoption by the Senate.

6. Regarding the situation of women in Uzbekistan, two landmark laws had recently been adopted: one on equal rights and opportunities for men and women, and the other on violence against women. Women currently accounted for 15 per cent of members of the Senate, which included representatives of all the major ethnic groups, including Karakalpaks, Russians, Kazakhs, Koreans and Tajiks. Parliamentary elections were scheduled for December 2019. So far, 750 people, including more than 300 women, had declared their intention to run.

7. All persons had an equal right to education, irrespective of sex, language, age, racial or ethnic origin, beliefs, views on religion, social origin, occupation, social status or place of residence in Uzbekistan. A law on preschool education had recently been adopted. Preschools would teach in the State language, Uzbek, and, in areas with large ethnic communities, in the languages of those groups. Parents were free to choose their children's language of study. In the courts, proceedings were conducted in the State language and in the main languages spoken in the local area. In court, people who were proficient only in other languages had the right to interpretation services and could use their native languages during proceedings. In a

similar vein, all persons living in Uzbekistan had the right to communicate with the State authorities either in Uzbek or in other languages. It was an offence to obstruct, prevent or restrict the use of the State language or the languages of the ethnic groups living in Uzbekistan. The offence was punishable under article 156 of the Criminal Code, which covered national, racial or religious hatred and the direct or indirect restriction of rights on national, racial or ethnic grounds.

8. The Government had acted on the recommendation to investigate allegations of the forced sterilization of Roma women, which appeared in paragraph 12 of the Committee's previous concluding observations (CERD/C/UZB/CO/8-9). The investigations had failed to identify any complaints that had been made to law enforcement officers or medical establishments. A law on reproductive health had nevertheless been adopted in April 2019 defining the concept of reproductive health and prohibiting the performance of medical procedures without the patient's prior and informed consent. In the absence of medical indications to the contrary, no woman could be forced to carry a pregnancy, to undergo contraceptive interventions or to have an abortion.

9. **Mr. Saidov** (Uzbekistan) said that forced sterilizations simply did not – and could not – occur in Uzbekistan. Procedures of that nature could only take place with the written consent of the woman concerned or of a close relative. The overriding objective was always to protect the life, health and reproductive health of the women concerned.

10. The Government worked closely with the United Nations special procedures mandate holders. It had welcomed the visit by the Special Rapporteur on freedom of religion or belief and had found particularly useful the follow-up visits he had carried out to see how his recommendations were put into practice.

11. *Mr. Murillo Martínez (Vice-Chair) took the Chair.*

12. **Mr. Kurbanov** (Uzbekistan) said that everyone in Uzbekistan had an equal right to housing. Where necessary, the State provided support, including loans, for vulnerable families, regardless of their ethnic origin. Since most people lived in extended families in settlements, there was no shortage of housing in Uzbekistan. However, efforts were being made to improve housing conditions in rural areas, where many ethnic communities lived.

13. Around 5,000 Meskhetian Turks remained in Uzbekistan, many of whom worked in agriculture. Members of the Turkish diaspora were also represented in academia and the civil service, among other sectors. The Turkish Ethnic Cultural Centre in Tashkent strove to preserve and revive Turkish culture, language, customs and traditions. Around 50,000 Luli/Roma had settled in Uzbekistan, with communities present in all regions of the country. They had integrated into society, had identification documents and had the right to elect representatives to their local government councils. Ethnic groups were represented in all areas of public life in the country, including in management positions in the civil service and in other public agencies. They were also represented in the parliament and in the Government.

14. Under the Aral Sea Region Development Programme 2017–2021, a number of measures had been taken to address the impact of the Aral Sea environmental disaster and improve the socioeconomic situation of the ethnic groups living in that region. The Programme provided for job creation, the reconstruction of settlements and the building of new schools. For the period 2019–2021 alone, the Government was investing 1.4 trillion sum to regenerate the area of Müynoq by replanting the land, repairing schools and other public institutions and building new housing.

15. The Committee on Inter-Ethnic Relations and Friendly Ties with Foreign Countries had received 49 communications so far in 2019 and 105 in 2018, 4 of which had concerned ethnicity. The remaining complaints had concerned the leadership of ethnic cultural centres and had been resolved through dialogue or, on one occasion, by replacing the head of the centre. Children from ethnic groups who did not speak any of the seven languages of instruction of the national education system could receive instruction in their own language at the ethnic cultural centres. The cultural centres were provided with facilities free of charge and received government grants. In 2019, 28 centres had received grants totalling some 800 million sum.

16. The activities of the country's 138 ethnic cultural centres and 34 international friendship associations were an excellent example of public diplomacy. Such institutions maintained ties with their historic homelands, including through mutual visits. In 2019, 29

delegations had gone abroad and 31 delegations had visited Uzbekistan. The Shanghai Cooperation Organization People's Diplomacy Centre had been established under the auspices of the Committee on Inter-Ethnic Relations and Friendly Ties with Foreign Countries. It promoted intercountry engagement by way of seminars, conferences and delegation exchanges. In the Bishkek Declaration of 14 June 2019, the Organization's Heads of State had stressed the importance of public diplomacy in strengthening ties between their countries.

17. *Mr. Amir resumed the Chair.*

18. **Mr. Saidov** (Uzbekistan) said that his Government was fully aware that the absence of complaints did not mean the absence of problems. It therefore monitored the situation on the ground closely.

19. **Mr. Tashpulatov** (Uzbekistan) said that incitement to national, racial, ethnic or religious hatred was a punishable offence under an article of the Criminal Code, and that racist motivation constituted an aggravating circumstance. He provided data on the number of criminal proceedings instituted under the article in 2016 and 2017, noting that no such crimes had been recorded in subsequent years. The Committee's recommendations would be heeded during the drafting of the new criminal code, which was currently under way.

20. The new system to combat human trafficking focused on prevention, with public participation and awareness-raising, particularly among women and youth. A national commission on combating human trafficking and forced labour had also been established. As a result, the number of criminal proceedings brought for trafficking in persons had dropped from 305 in 2017 to 123 in 2018 and 77 so far in 2019, and the number of victims had decreased from 440 to 250 and 109, respectively. Since 2014, State-funded rehabilitation centres had delivered support to more than 3,000 trafficking victims in the areas of housing, medical and psychological care and social rehabilitation, and had helped them return to the labour market.

21. Following the adoption of legislation on private employment agencies in 2018, 50 private employment agencies had been set up and had helped more than 3,000 people find jobs. There were nearly 100,000 stateless persons in Uzbekistan. Just over 10,000 of them had been granted Uzbek citizenship since 2016, the majority in 2019. A bill amending the Citizenship Act was currently before the parliament. If adopted, it would make it easier for more than 40,000 stateless residents to obtain Uzbek citizenship.

22. He provided detailed statistics on the ethnic composition of the country's prison population, noting that there were 1,700 Russians, 1,400 Tajiks and 900 Kyrgyz prisoners, and smaller numbers of inmates of some 12 other nationalities, including Roma and Uighur prisoners, but that the vast majority of the prison population were Uzbek nationals. The authorities had received no complaints of racial discrimination in prison. A comprehensive body of legislation had been adopted on crime prevention, and the number of reported offences had decreased significantly. State bodies cooperated closely with local self-government structures (mahallas), including by deploying crime prevention officers who held activities at universities, vocational schools and elsewhere. Media awareness campaigns and the promotion of safe tourism had also played an important role in reducing the crime rate. In 2018, the crime rate had fallen in 4,000 mahallas and 2,000 mahallas had reported no serious crimes at all. Crime prevention efforts focused in particular on the prevention of gender-based crimes. Reports of such offences had fallen by 23 per cent.

23. Biometric passports had been introduced by presidential decree in 2017, and the use of exit visas had been discontinued.

24. Uzbekistan had acceded to several international anti-corruption instruments and had introduced a comprehensive system for detecting crimes of corruption. The Office of the Procurator General coordinated all anti-corruption efforts, and all government programmes incorporated an anti-corruption component. A parliamentary committee to combat corruption had been established under the State Anti-Corruption Programme 2019–2020. Legislation on administrative reforms and public oversight had also been presented for adoption. Since 2012, more than 500 criminal proceedings had been instituted in connection with corruption cases against some 60 individuals, and over 30 billion sum had been confiscated.

25. Citizenship was a prerequisite of employment at the internal affairs agencies. Their staff included people of various ethnicities, and their mission was to protect the rights,

freedoms and lawful interests of citizens, irrespective of their sex, race, ethnicity, language, religion, social origin, beliefs, or personal or social status.

26. **Mr. Saidov** (Uzbekistan) said that, while child labour had been virtually eradicated, forced labour remained a subject of concern. The Decent Work Country Programme was being implemented in cooperation with international partners and civil society organizations in order to address that issue. With 60 per cent of the population under 30 years of age, tackling the problem of unemployment, especially among young people, was a major policy priority. The country's prison population had shrunk by half over the past decade, and the current occupancy rates were 80 per cent at adult institutions and 20 per cent at juvenile facilities. The reduction of the number of prisoners was a result of successful prison reform, liberalization of criminal and civil law, the introduction of reconciliation mechanisms, the use of non-custodial sentences, presidential pardons and the release of all political prisoners. The mahallas had contributed greatly by promoting the social rehabilitation of former inmates. The Government considered the fight against corruption to be a priority. Anti-corruption activities were based on five pillars: ratification of international instruments and adoption of relevant national laws; establishment of an anti-corruption architecture and cooperation with civil society organizations; education for zero tolerance; monitoring and parliamentary oversight; and international cooperation.

27. **Mr. Lapasov** (Uzbekistan) expressed his gratitude to the Committee for its high level of professionalism and constructive approach of its work, which enabled a truly productive dialogue. Uzbekistan had made great strides with regard to international cooperation. The authorities cooperated closely with the International Labour Organization (ILO), and the ratification of the ILO Private Employment Agencies Convention, 1997 (No. 181) and Domestic Workers Convention, 2011 (No. 189) was currently on the Government's agenda. Prior to accession, all relevant State bodies examined in detail the practical implications of implementation and monitoring of such instruments.

28. A presidential decree had been issued granting asylum to families seeking protection against human rights violations perpetrated against them owing to their political activities, religious convictions or racial or ethnic origin. Asylum seekers had to submit an asylum application to their local branch of the Ministry of Internal Affairs, with a written request that was sent to the Office of the President of Uzbekistan. A Commission on Citizenship Issues then examined the application and proposed a decision to the Office of the President. Persons whose applications were denied could reapply a year later.

29. **Mr. Saidov** (Uzbekistan) said that the Government was considering whether to ratify the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, the Convention on the Reduction of Statelessness and other conventions. Although ratification could be done quickly, it would also be necessary to ensure that such instruments could be implemented, and that was the bulk of the work. The Government would continue to improve the country's legislation prohibiting racial discrimination. Uzbekistan had national human rights institutions, including three ombudsmen's offices, respectively addressing issues related to parliamentary affairs, the rights of businessmen and children's rights. The National Human Rights Centre was responsible for drafting the country's periodic reports, presenting them to the treaty bodies and monitoring implementation of the recommendations made by the treaty bodies or under the universal periodic review mechanism. The various human rights institutions had been set up bearing in mind the need to ensure compliance with the Paris Principles, with a view to future membership in the Global Alliance of National Human Rights Institutions.

30. The presidential help desks were an innovation allowing the Head of State to hear out citizens' views. Some 3.5 million questions and complaints had been submitted to the Office of the President regarding a range of social issues. The issues raised were indicators of problems that needed to be addressed, and legislation was adopted and measures were taken in response. The Government had accepted 94 per cent of the recommendations made under the universal periodic review mechanism. Of those not accepted, 12 related to the rights of lesbian, gay, bisexual, transgender and intersex persons and 2 addressed the status of the International Criminal Court. The Government of Uzbekistan was committed to supporting African countries. It had embassies on the continent and worked with the African Union. It also wholeheartedly supported the Durban Declaration and Programme of Action.

31. **Ms. Li** (Country Rapporteur) said that she wished to know whether minority-language education was provided all the way from preschool through to higher education, how the State party struck a balance between the official and minority languages and whether statistics were available on dropouts among students from the various ethnic groups.

32. **Mr. Murillo Martínez** said that it would be helpful to know what proportion of the prison population and what proportion of the overall population belonged to each ethnic group. Noting that annex 2 of the country's core document (HRI/CORE/UZB/2017) listed 12 ethnic groups and a group labelled as "other", he said he would like to understand why the number in the "other" category had fallen by almost 10,000 between 2014 and 2016. What proportion of the overall prison population were of Roma or Uighur ethnicity? He welcomed the Government's commitment in support of the International Decade for People of African Descent and the Durban Declaration and Programme of Action and noted that some progress had been made towards the adoption of an international declaration on the rights of people of African descent. He wished to know whether surveys had been conducted in the country to find out about the concerns of the various ethnic and national groups. Had the Government considered adopting affirmative action measures to support any groups that considered that they had been victims of racism?

33. **Ms. Dah** said that she had been surprised to hear that there was corruption in education, and she asked whether that meant that people had bought academic qualifications. If not, what did it mean? She noted that languages other than the seven used in public education were taught at cultural centres and asked whether there were private schools in Uzbekistan and whether it was possible to open a school with instruction in another language, subject to State oversight.

34. She noted that innovative preventive measures had been widely adopted, not only to lower the crime rate but also to reduce the number of cases in the justice system. Victims and perpetrators were encouraged to come to terms without the intervention of the courts. Were such preventive measures universally applicable?

35. **Mr. Tashpulatov** (Uzbekistan) said that the total number of prisoners was confidential, but there were prisoners from 48 ethnic groups, a third of all the ethnic groups living in Uzbekistan. There were 126 Uighurs in prison, out of a total Uighur population of more than 47,000, 112 Roma prisoners out of a population of over 57,000, and 21 German nationals out of a total of nearly 4,000.

36. **Mr. Saidov** (Uzbekistan) said that the information provided by the delegation would be submitted in writing to permit the Committee to proceed with a more thorough analysis. Uzbekistan had opened up to the entire world, including Africa. Noting that there were many footballers of African origin in the country, he said that the Government would need to look at foreign best practices to deal with racism in sport.

37. **Ms. Yunusova** (Uzbekistan) said that legislation had recently been passed for a census, which would generate data on the total population, the different ethnic groups and persons with disabilities. In accordance with the Constitution and the State Language Act, the official language was Uzbek, but the Government created enabling conditions for all ethnic groups to maintain their languages and traditions. The Government followed the principle whereby everyone, including stateless persons, was provided with access to education at all levels. Kindergartens and schools normally taught in Uzbek, but in areas densely populated by other ethnic groups they taught in other languages. Some 500,000 pupils were taught in Russian, and more than 100,000 attended school in the Karakalpak language. Teaching at several hundred schools was conducted in Tajik, Kazakh, Kyrgyz or Turkmen.

38. **Mr. Kurbanov** (Uzbekistan) said that there was a growing network of private schools providing education from preschool age upwards. Schools operating in languages other than Uzbek were also proliferating: there were around 800 Russian-language schools, for example, around half of which also offered tuition to members of ethnic groups other than Russians, mainly Uzbeks. Mother-tongue tuition was also organized free of charge by the various national cultural centres. While there were no State-run Korean-language schools, tuition in Korean was offered by the Korean cultural centres. The Korean population was scattered across the national territory rather than concentrated in a particular area. Around 70 per cent of the children at Korean schools were in fact not Korean, while at the Inha Korean

University, 85 per cent of students were of other ethnicities, 70 per cent being Uzbek. In his view, there was no problem with the provision of education in other languages.

39. **Mr. Saidov** (Uzbekistan) said that there were no legal restrictions on the opening of private schools and that the number of private schools had increased significantly in the past three years. Support for education at the preschool and primary levels was provided in the form of public-private partnerships with education entrepreneurs. In addition to English-language and French-language schools, there were also Islamic schools, where Arabic was taught, as it was the language of the Qur'an. The State aimed to avoid all discrimination on grounds of language, and tuition was available at State schools in seven languages, from preschool to the secondary level. Naturally, Uzbek, as the national language, was given a great deal of importance.

40. In its fight against corruption, the Government placed priority on eradicating corrupt practices in the education, health-care and construction sectors. Research was being carried out into the causes of corruption. There was a need to change mindsets: punitive measures alone would not solve the problem. An effective way of combating corruption in higher education, for example, was to form partnerships with foreign universities, which facilitated the incorporation of best practices from elsewhere into local institutions. Twenty out of the 100 Uzbek universities had forged such close ties, and some had begun issuing joint degrees.

41. The presidential help desks and reception sessions had indeed opened up the structures of the State to public scrutiny. They offered a way for citizens to give feedback to their leaders, who were, after all, public servants. The last census had taken place in 1989, when the country had been part of the Union of Soviet Socialist Republics. The recently adopted Census Act provided for the digitization of the electoral roll, which would facilitate the extraction of statistics from the census.

42. **Mr. Avtonomov** urged the State party to ratify the amendment to article 8 (6) of the Convention. He said that the Committee would appreciate receiving statistics on the number of Africans and people of African descent in the State party in the next periodic report.

43. **Mr. Yeung Sik Yuen** said that he would like to hear more about the State party's success in reducing the prison population by means of alternative measures such as agreements reached between offenders and victims.

44. **Ms. Shepherd** said that she was grateful to the State party for the interest it showed in the International Decade for People of African Descent, which was an event that was in the interests of the elimination of racial discrimination and beneficial not just for people of African descent, but for everyone.

45. **Mr. Saidov** (Uzbekistan) said that the Committee's recommendation to ratify article 8 (6) of the Convention would be taken into account in the road map currently being devised on the implementation of treaty body recommendations. That document would also contain measures and activities related to the International Decade for People of African Descent. So far, some 200,000 people had avoided imprisonment by making use of the conciliation procedure introduced in 2001. Conciliation was an option under more than 50 articles of the Criminal Code, although it was excluded under other articles of the Code. In foreign relations, the President prioritized good relations with neighbouring States. It was true that in the past Uzbekistan and its neighbours had found it difficult to agree, for example on water use and borders, but those issues had been resolved. Uzbekistan had favoured the bilateral rather than the regional approach in solving such problems, but in the light of developments in the region, it had recently proposed a resolution in the United Nations General Assembly to strengthen regional and international cooperation to ensure peace, stability and sustainable development in Central Asia, which had been adopted.

46. Torture was totally prohibited at all levels. Although Uzbekistan had not ratified the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, all the elements of that instrument were in place, including a national preventive mechanism. Discussions were under way on the establishment of an ombudsman's office for the prison system. His Government was aware that life tenure for judges was one way to guarantee judicial impartiality, however, change could not come overnight, not least because it was important to ascertain that judges were good at their jobs. A step-by-step approach would be adopted: judges' terms of office currently initially ran for 5 years, and could subsequently be extended to 10 years and then to life tenure. Before

lifetime appointments could be made standard, public opinion would also need to be prepared. Civil society was currently governed by more than 200 laws and enactments. The Government was considering codification of the regulations in a single code on civil society.

47. **The Chair** said that, given the number of Koreans living in Uzbekistan, he would like to know why their children did not have the opportunity to attend school in their own language.

48. **Mr. Saidov** (Uzbekistan) said that Uzbekistan tried to ensure that all ethnic groups were able to live in harmony and that they all had equal opportunities. In the education system a variety of methods were used. He wished to point out that it was rare for any country to provide State schooling for its children in seven languages.

49. **Ms. Li** thanked the delegation for the rich and detailed information it had provided and for its contribution to a constructive dialogue.

50. **Mr. Saidov** (Uzbekistan) said that he was grateful for the frank and productive discussion. His delegation would value the Committee's recommendations as an objective assessment of the situation in his country.

The meeting rose at 12.55 p.m.