



Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

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Summary record of the 1789th meeting

Held at the Palais Wilson, Geneva, on Wednesday, 13 November 2019, at 3 p.m.

Chair: Mr. Modvig

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The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 19 of the Convention *(continued)*

Fifth periodic report of Uzbekistan (continued) (CAT/C/UZB/5, CAT/C/UZB/Q/5 and CAT/C/UZB/Q/5/Add.1)

1. *At the invitation of the Chair, the delegation of Uzbekistan took places at the Committee table.*
2. **Mr. Saidov** (Uzbekistan) said that Uzbekistan had undergone fundamental changes since its previous review by the Committee. The country had opened itself up to the international community, including the human rights treaty bodies. The United Nations High Commissioner for Human Rights had been invited to visit for the first time in the history of Uzbekistan and invitations had also been extended to two special rapporteurs. In the preceding three years, the Government had submitted reports to most of the human rights treaty bodies and provided written replies to numerous questions from special rapporteurs, independent experts and human rights bodies of the United Nations. It had also undergone its third universal periodic review by the Human Rights Council, following which it had accepted the vast majority of the recommendations and developed a road map for their implementation.
3. From 2017 to 2019, a large number of laws had been adopted in relation to either torture or reform of the justice system. All new legislation was based on three fundamental pillars: national experience, best practices from other countries and compatibility with international human rights standards. Many international experts had acknowledged the quality of his country's recently adopted legislation. Of course, it was also necessary to ensure that the law was applied in practice and so, in cooperation with its international partners, the Government was working to close the gap between the law on paper and the law in action. In that respect, training on human rights for government officials and law enforcement personnel was one of the main priorities. Detailed information on the training courses introduced, including the number of participants and their occupational profiles, would be submitted in writing.
4. Extensive reform of the judicial and legal system was one of the priority areas of the national strategy of action for 2017–2021. One major innovation in public life had been the introduction of virtual and physical “help desks” under the authority of the President, which gave every citizen the opportunity to report concerns and problems directly to the Head of State. In the three years since the help desks had been introduced, more than 3.3 million complaints had been received, almost all of which had been examined. The introduction of that new mechanism helped explain the large increase in the number of complaints, which might at first sight appear paradoxical given that the number of prosecutions had remained relatively low. The help desks had been highly praised by the Secretary-General of the United Nations and by United Nations experts who had seen how they worked in practice. They operated at both the national and regional level, although even the regional staff reported directly to the Office of the President.
5. Pursuant to the Act on Transparency in the Work of State and Government Bodies, all citizens had the right to contact government officials directly and the officials could not refuse to reply. President Mirziyoyev had led the way in opening up a high-level public debate on torture, including through the proposal of legislation aimed at its elimination.
6. A major indicator of change in the justice system was the dramatic increase in acquittals handed down by judges since 2015. It showed that judges were truly independent and did not simply accept the indictments filed by the prosecution, as had sometimes occurred in the past. There were no political prisoners in Uzbekistan – no such concept existed in criminal law. Nonetheless, all the persons whose release had been recommended by the Committee in 2013, along with others whose release had been requested by the European Union and the United States of America, were no longer in detention. Moreover, more than 20,000 persons had been removed from the blacklist created as part of the fight against extremism and fundamentalism.

7. Although many amnesty laws had been adopted in the past, since 2015 that practice had been replaced with individual pardons issued by the President. No perpetrators of torture had been pardoned. As a point of legal principle, it did not make sense to prohibit the granting of amnesty only to perpetrators of torture when no such restriction applied to perpetrators of other serious crimes.

8. The request by the Special Rapporteur on torture to visit Uzbekistan had not yet been formally accepted. Since 2017, 11 special rapporteurs had made such a request, and two of them had already visited the country. Rather than issue an open invitation to all Special Rapporteurs, the Government preferred to invite them in turn and then to issue a follow-up invitation once the recommendations had been implemented. A former Special Rapporteur on torture, Mr. van Boven, had visited in 2001 and issued a one-sided and unjust report. The Government had taken seven years to refute his claim that torture in the country was “systematic”. Eventually, his successor as Special Rapporteur and the United Nations High Commissioner for Human Rights at the time had acknowledged that such an assessment exceeded the mandate of the Special Rapporteur. Furthermore, no international or regional instrument contained a definition of “systematic torture”. The European Court of Human Rights had made the same mistake when it had referred to the same undefined concept in a decision concerning Uzbekistan.

9. Regarding the direct application of international law by national judges, the Special Rapporteur on the independence of judges and lawyers had recommended the addition of a provision to that end in the Constitution. The Government was actively considering the proposal.

10. **Mr. Mirzayev** (Uzbekistan) said that there were no restrictions on detainees’ access to lawyers. Lawyers could visit their clients at any time of the day or night as soon as the authorization to act as the detainee’s lawyer had been issued. The duration of police custody was calculated from the time of arrest. In practice, the 48-hour period was almost never extended for a further 48 hours. The Supreme Court ensured that any judge who violated the legislation by extending the custody period without justification was held to account.

11. A new law on victim and witness protection had been adopted at the beginning of 2019; it stipulated that all victims of torture or ill-treatment should be provided with legal assistance and, upon request, the services of a qualified lawyer. The adoption of the law had boosted the number of acquittals ordered by judges. The Code of Criminal Procedure provided that rehabilitated persons were entitled to compensation for unlawful detention and ill-treatment, with payments made from an extrabudgetary fund, the pension fund of the Ministry of Finance and the national budget. Pursuant to the Code, persons who had been subjected to torture had the right to seek moral and material damages through a civil lawsuit.

12. There had been instances of acquittals on the grounds that the defendant had been subjected to torture and ill-treatment during the preliminary investigation. For example, approximately 10 years previously, several judges and law enforcement officials who had been accused of corruption-related offences had been acquitted after it was shown that their confessions had been extracted under torture.

13. No perpetrators of torture or ill-treatment had benefited from an amnesty law in the reporting period because no such laws had been adopted. Instead, special panels, whose members included judges, were constituted to consider individual cases and determine whether a presidential pardon would be justified. The Supreme Court, which had the right to propose legislation and constitutional amendments, was currently drafting a bill to enshrine the applicability of international law in the Constitution, as recommended by the Special Rapporteur on the independence of judges and lawyers. The Supreme Judicial Council had been established to increase the independence of the judiciary, based on the Kyiv Recommendations on Judicial Independence in Eastern Europe, South Caucasus and Central Asia of the Organization for Security and Cooperation in Europe. Its purpose was to make decisions on the appointment of judges; more than half of its members were themselves part of the judiciary. The Special Rapporteur’s recommendation that civil society, lawyers and academics should also be represented on the Supreme Judicial Council

was currently being considered. The Supreme Judicial Council had complete responsibility for the appointment and dismissal of the presidents of district, interdistrict and city courts. The equivalent judges in provincial courts were appointed by presidential decree solely in order to give them a higher administrative status. Such a procedure was not indicative of executive interference, as the appointments were based on the findings of the Supreme Judicial Council and no judge who had been categorically rejected by the Council could be appointed.

14. During the trial of former Procurator-General Rashitzhon Kadyrov, the presiding judge had ordered a forensic medical examination on his own initiative. It had been conducted by highly qualified medical personnel from the Ministry of Justice. Usually, investigations of allegations of torture were initiated in response to a complaint by the alleged victim. However, judges could also initiate such investigations and increasingly took the initiative to do so.

15. **Mr. Yuldashev** (Uzbekistan) said that a prohibition on torture with almost identical wording to article 1 of the Convention was enshrined in the Constitution. To bring the legislation fully into line with those requirements, and based on the Committee's previous recommendations, article 235 of the Criminal Code, on torture, had been amended in April 2018. The new provision fulfilled the constitutional requirements and ensured that acts of torture would not go unpunished. Since the Government supported all promising initiatives for torture prevention, it was prepared to consider suggestions for further improving the article, which could be incorporated in the new drafts of the Criminal Code and the Code of Criminal Procedure that were currently being prepared.

16. Data had been collected on offences other than those under article 235 that included elements of torture, such as unlawful detention, the infliction of bodily harm and overstepping one's authority. Since 2013, between 6 and 18 criminal cases related to such offences, often involving more than one perpetrator, had been opened each year.

17. The Office of the Procurator-General had received 372 complaints of torture and ill-treatment so far in 2019, compared with 231 in 2018 and 141 in 2017. A total of 132 complaints had been made against officials of the Ministry of Internal Affairs in 2019, versus 231 in 2018. A handful of those had been made against prison officers. The growth in the number of such complaints was not necessarily a cause for concern. The Office of the Procurator-General duly investigated complaints and prosecuted perpetrators where there were sufficient grounds to do so. In 2018, it had inspected detention facilities and reported on more than 170 infringements of detainees' rights, including in relation to living conditions. Disciplinary measures were taken against prison officers who were found to have committed violations.

18. There was an internal mechanism for investigating complaints of torture by law enforcement agents. Officers found guilty of torture or ill-treatment were disciplined and generally dismissed from service. A special procurator monitored places of detention and was empowered to carry out unannounced visits and interview detainees. Between 2017 and 2019, it had received and investigated around 1,300 complaints of unlawful acts by prison officers. Of those, it had upheld 76 complaints and ordered that compensation be paid in respect of 56 complaints. In the same period, the Deputy Minister of Internal Affairs had investigated 687 complaints of unlawful acts by officials of the Ministry of Internal Affairs.

19. The revision of the Criminal Code and Code of Criminal Procedure was under way, although it was currently difficult to say whether the statute of limitations for crimes of torture would be abolished. The Office of the Procurator-General was working with the Office of the President on that question. Article 235 of the Criminal Code, once revised, would distinguish between crimes of torture on the one hand and cruel, inhuman and degrading treatment on the other. Amnesties for crimes of torture would not be permitted, and no restriction would be placed on the number of complainants who could be party to criminal proceedings in relation to torture. The views and recommendations of international partners, human rights organizations and civil society were being taken into account in the course of the revision.

20. The use in court of evidence obtained under duress was prohibited. The Presidential Decree of 21 October 2016, on measures for the further reform of the legal and judicial system and the strengthening of safeguards for the protection of human rights and freedoms, afforded particular protection to persons participating in criminal proceedings and their relatives. Moreover, article 235 of the Criminal Code, once amended, would require judges to ascertain whether evidence had been obtained using illegal investigative methods. Such evidence would be inadmissible under a new provision of the Code of Criminal Procedure.

21. The pilot project in the area of juvenile justice, which had been rolled out in the Chilanzar district of Tashkent in collaboration with the United Nations Children's Fund (UNICEF), was due to be expanded to the rest of the city and, depending on results, to the country as a whole.

22. **Mr. Saidov** (Uzbekistan) said that the Committee had continually raised concerns about article 235 of the Criminal Code for a number of years but had not put forward any concrete proposals as to how it might be reworded. He would be happy to table any such proposal before parliament for debate.

23. **Mr. Adilov** (Uzbekistan) said that a working group had studied penitentiary systems in the Commonwealth of Independent States and the European Union and the legislation of more than 30 countries for the purposes of redrafting article 235. Prisoners' rights had been expanded so that they could vote, receive pensions, communicate electronically with their families, enrol in training courses and take delivery of parcels.

24. The Jaslyk detention facility had been closed down and its 400 or so inmates transferred to other institutions with due regard for their place of residence prior to imprisonment. Responsibility for the Jaslyk facility had been transferred to a pretrial detention centre in the city of Nukus purely so that the building and its contents could be taken care of. It would not be used to house pretrial detainees.

25. Health-care services were provided around the clock in detention facilities at the cost of the State. All new detainees underwent medical examinations upon their arrival at facilities and biannually thereafter. Those requiring specialist medical assistance were treated in hospitals or local departments of the Ministry of Health. In addition, measures were being taken to prevent the spread of common diseases. Staff had received training on the Directly Observed Treatment, Short-course (DOTS) methodology and on how to identify signs of torture and ill-treatment.

26. Detainees' prison sentences could be extended for failure to follow the legitimate orders of prison officers under article 221 of the Criminal Code. The sentences of around 400 prisoners had been extended pursuant to that article in 2016 and around 200 in 2017, but none in the past two years.

27. With regard to the confidentiality of the figures on the number of people held in detention facilities, a draft decree had been prepared with a view to making those figures public.

28. **Mr. Shigabuddinov** (Uzbekistan) said that the International Committee of the Red Cross (ICRC) had unilaterally decided to stop visiting prisons in Uzbekistan in 2013, although it had continued to implement joint programmes with various ministries. The Government had signalled its desire to re-establish a programme of visits to detention facilities.

29. Uzbekistan was considering acceding to the Convention relating to the Status of Refugees. It cooperated actively with the Office of the United Nations High Commissioner for Refugees, which had praised the Government for its efforts to tackle statelessness. It had also become a member of the International Organization for Migration (IOM) in March 2019 and was examining the possibility of opening an IOM regional office in Tashkent.

30. **Mr. Saidov** (Uzbekistan) said that ICRC had promised to provide humanitarian assistance to correctional facilities in Uzbekistan under the terms of a 2001 agreement. However, no such assistance had been forthcoming. The Government considered, furthermore, that ICRC's unilateral decision to cease detainee visits had been politically

motivated. Nevertheless, the ICRC delegation that had recently visited Uzbekistan had agreed to prepare a new agreement on visits to detainees, and the Government would consider its proposals.

31. The decision to create a children's ombudsman had been formally adopted, and a bill for that purpose was being prepared, with support from UNICEF, for consideration by parliament in 2020.

32. Legislation had been introduced in September 2019 to protect women from violence, threats and intimidation. Moreover, a commission headed by the President of the Senate had been established to consider gender-related issues. Marital rape had been made an offence in the Criminal Code, and the relevant provision was applied by the courts.

33. The mahalla was a democratic institution that had operated very effectively for centuries. Criticisms of that institution by Western experts were based on a misunderstanding of the Uzbek way of life. As the role of the mahalla was to promote family unity and preserve the sanctity of the family unit, the Government did not view the actions of mahallas as in any way incompatible with citizens' human rights.

34. Judges were obliged, at the beginning of every hearing, to ask defendants whether they had been subjected to torture by the investigating authorities. In several cases, statements detailing the use of torture by State officials had led to defendants being acquitted.

35. Although the Supreme Judicial Council currently included only one representative of the Ministry of Justice and two members of parliament, the Government agreed that politicians and members of the executive branch should be withdrawn from the Council in order to guarantee its independence. Discussions were under way to ensure that, in future, only members of the judiciary would select new judges, with input from civil society.

36. Uzbekistan was fully committed to achieving the Sustainable Development Goals. Details of the national indicators for the attainment of the Goals, including Goal 16, would be submitted to the secretariat of the Committee.

37. Noting that Uzbekistan had donated money to the Office of the United Nations High Commissioner for Human Rights on two occasions, most recently in 2018 to mark the seventieth anniversary of the Universal Declaration of Human Rights, he said that the Government would certainly consider contributing to the United Nations Voluntary Fund for Victims of Torture.

38. Supreme Court jurisprudence already referred to international conventions such as the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. However, in order to make the practice of referring to international instruments systematic, the possibility of developing a constitutional provision for that purpose was being considered.

39. In order to enhance transparency with respect to judicial decisions, the Government had invested in an e-justice system, which had been implemented in cooperation with the United Nations Development Programme (UNDP) and the United States Agency for International Development (USAID), including at the local level.

40. He wished to clarify that the abolition of the death penalty had required three years of preparatory work, as the Government sought to sway public opinion in favour of abolition. Its efforts had been successful, and the death penalty had been formally abolished in Uzbekistan, as a punishment in both wartime and peacetime, in 2008.

41. The national preventive mechanism provided for the involvement of non-governmental organizations (NGOs) in the monitoring of places of detention. Both national and international NGOs, notably Human Rights Watch, had been granted admission to penitentiary facilities in Uzbekistan.

42. **Ms. Gaer** (Country Rapporteur) said that the presence at the meeting of NGOs from Uzbekistan was a testament to the State party's growing openness. In that regard, she wondered whether the Government would consider accepting the procedure for the consideration of individual communications under article 22 of the Convention. She hoped

that all outstanding invitations from special procedures would soon receive a response from the State party.

43. She had not heard assurances from the delegation that the State party conducted independent and thorough investigations into allegations of torture that were raised in the courts. She wished to reiterate her call for statistical information regarding the penalties applied to those convicted of acts of torture under article 235 of the Criminal Code, specifically the terms of imprisonment, fines or earnings deductions imposed. Likewise, she would appreciate assurances from the delegation that State officials convicted of torture were dismissed from duty and not rehired by other detention facilities.

44. She would be interested to know how much compensation the State party had awarded in total to victims of torture for the violation of their rights. The Committee was concerned that the prosecuting authorities continued to refer allegations of torture to the Ministry of Internal Affairs, even though the latter oversaw many of the departments accused of ill-treatment. What steps was the State party taking to create a truly independent and separate authority for investigations into allegations of torture?

45. It would be useful to know whether medical personnel in prisons reported both to the Ministry of the Interior and the Ministry of Health, and whether they received training on the Istanbul Protocol. In the context of the modernization process under way in Uzbekistan, she wished to know whether the Government was considering transferring responsibility for prisons from the Ministry of the Interior to the Ministry of Justice.

46. While she was pleased to hear that the arbitrarily detained individuals listed in the Committee's previous concluding observations (CAT/C/UZB/CO/4) had all been released, she wished to know whether the allegations of torture made by many of them had been investigated. Moreover, she wished to know what steps were being taken to review the cases of individuals who remained imprisoned after having been charged or convicted on the basis of coercion or inappropriate procedures.

47. In relation to paragraph 11 of the list of issues (CAT/C/UZB/Q/5), she wished to know how many violent incidents and deaths in custody had been investigated since 2013. Further information on measures taken to abolish the practice of forced labour in detention would be welcome.

48. While she acknowledged the strong cultural and historic role of mahallas, there was strong evidence that one had been complicit in the death of Maksuda Alimardonova after her complaints of domestic violence had been repeatedly ignored. It would be useful to know whether any plans were in place to reform the mahallas.

49. Finally, the Committee would welcome information on how the State party was implementing accountability and compensation mechanisms for victims of the events in Andijan in May 2005.

50. **Mr. Rodríguez-Pinzón** (Country Rapporteur) said that, while the Committee welcomed the information provided regarding the education and training provided to public officials on the prohibition of torture, it was essential to be able to measure the impact of such training. Did the State party have any protocol for assessing whether the training provided had led to a decrease in the number of acts of torture committed?

51. The delegation's comments regarding the relationship between judges and prosecutors suggested that the judicial oversight of prosecutors was somewhat limited. In particular, article 358 of the Code of Criminal Procedure stated that complaints against prosecutors must be filed with another, albeit higher-ranking, prosecutor, which risked paving the way for impunity for prosecutors who committed acts of torture or ill-treatment. He wished to know whether the State party planned to amend its legislation in that regard in order to create a more effective system of checks and balances.

52. Had he correctly understood that amnesty for acts of torture was authorized under the State party's legal system but not granted in practice? As the Convention provided that acts of torture must be investigated and punished, he encouraged the State party to amend its legislation to prohibit the granting of amnesty in such cases.

53. The Committee welcomed the State party's plans to introduce constitutional recognition of international human rights standards. He would appreciate an indication of how long such constitutional reform was likely to take. In addition to providing for the application of international standards by the courts, it would be useful if the State party would take steps to ensure the acceptance of such standards by the bodies responsible for implementing them.

54. As international human rights bodies and NGOs alike had presented evidence that the right of the accused to have access to a lawyer was not always upheld in Uzbekistan, he encouraged the Government to take steps to remedy that situation.

55. If he had correctly understood, the possibility of individuals being held for more than 48 hours in police custody was recognized in law but seldom applied in practice; it would be preferable to amend the law to limit the period of custody to 48 hours in all cases.

56. He wondered if the delegation could confirm that the financial resources used to provide compensation and redress to victims of torture were from a special fund that was separate from the State party's regular budget.

57. Regarding the planned overhaul of the system for selecting and appointing judges, he wondered if the specific modalities of the future system had been decided. In particular, he wished to know about the planned guarantees of transparency and the procedure that would allow for the participation of NGOs and civil society in the process.

58. Welcoming the news that the Government was interested in entering into a new agreement with ICRC, he said that he would be interested to know whether the State party had established a specific timeline for acceding to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol and whether the Government was considering becoming a party to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness. In the light of the large number of stateless persons in the State party, it would also be useful to know whether there were plans to amend the Citizenship Act to enable stateless persons to apply for residency or citizenship.

59. He would be grateful for replies to his questions regarding the measures taken by the State party to ensure that it fulfilled its non-refoulement obligations under article 3 of the Convention. He would likewise welcome information on the steps taken to ensure that persons returned to Uzbekistan by other States were extradited or forcibly returned through the proper legal channels, were not subjected to torture or ill-treatment and were guaranteed the right of due process. Lastly, it would be useful to know whether the State party had universal jurisdiction for acts of torture committed abroad, whether the bill on free legal aid had been finalized and whether the reports of the Ombudsman were made public.

60. **Mr. Hani** said that he was still waiting for an answer to his question about the steps being taken by the Government to meet the Sustainable Development Goals, with regard, in particular, to the indicators relating to the eradication of torture and other ill-treatment, such as indicator 16.10.1 on the number of verified cases of killing, kidnapping, enforced disappearance, arbitrary detention and torture of journalists, associated media personnel, trade unionists and human rights advocates. He was also still waiting to learn if the State party envisaged making the declaration provided for in article 22 of the Convention, recognizing the competence of the Committee to receive and consider individual communications.

61. With reference to the Committee's general comment No. 3 (2012) on the implementation of article 14 by States parties, he emphasized that the practice of granting amnesties to persons convicted of torture or ill-treatment should be abolished, since it constituted an impermissible obstacle to victims' efforts to obtain redress, contributed to a climate of impunity and was incompatible with the Convention. If he had understood correctly, a bill aimed at abolishing amnesties for perpetrators of torture or ill-treatment was in the pipeline; if that was the case, he would welcome more information on its content and the timeline for its adoption.

62. **The Chair** said that he would be interested in learning more about the Government's plans to allow Human Rights Watch and other international NGOs to

participate in monitoring places of detention. In particular, he wondered whether those NGOs would be able to conduct visits to places of detention independently or in partnership with the national preventive mechanism.

63. **Ms. Gaer** said that she would appreciate answers to several of the questions she had raised in the previous meeting with the State party (CAT/C/SR.1786). In particular, she would welcome information on the status of investigations into a number of specific cases of alleged torture or other ill-treatment, including those involving: Rahim Ibodov – she would like to know in particular whether he had obtained redress; Zulhumor Hamdamova, Gulnaza Yuldasheva and Mutabar Tajebaeva, who had complained of sexual violence while in detention; and Nafosat Olloshukurova, a blogger who had reportedly been forcibly committed to a psychiatric facility after publishing a video of police using excessive force against protesters. She would also like to know whether full investigations into the allegations of torture of Bobomurod Abdullaev and of Kadyr Yusupov had been conducted; if so, by whom; and whether, in the case of Mr. Yusupov, those allegations had been taken into account during his trial for treason. Lastly, it would be useful to know whether any bodies other than the Ombudsman had received complaints of threats or acts of sexual violence against persons held in detention and why certain human rights defenders had allegedly been denied a request to register a non-governmental organization.

64. **Mr. Saidov** (Uzbekistan) said that, although he would endeavour to provide replies to the Committee's numerous questions, he was concerned that his delegation had not been allotted sufficient time to answer them all. The annual reports of the Ombudsman had been circulated in the media and published in English, Russian and Uzbek on the Ombudsman's website, where reports dating back to 2013 could be obtained. Regarding access to lawyers, measures were being taken to remedy the shortage of qualified lawyers in the country, including by establishing new law colleges. It was hoped that a bill on free legal aid – which had been developed with assistance from the UNDP country office in Uzbekistan – would be adopted during the next parliamentary session. As far as the selection and appointment of judges by the Supreme Judicial Council was concerned, there were plans to ensure that the process would involve only legal professionals and members of civil society and academia.

65. The Ministry of Justice was responsible for the registration of NGOs. All applications for new NGO registrations had to be submitted in accordance with the rules and procedures governing that process. With regard to the monitoring of places of detention, national and international NGOs were invited to participate in visits, a practice that would continue. Human Rights Watch had been provided by the Ombudsman with all the necessary information on the procedure to be followed. He wished to insist that ICRC had ended its visits to penal colonies and other places of detention for politically motivated reasons. Nevertheless, the Government was interested in receiving sincere and constructive cooperation from ICRC in areas including, but not limited to, visits to places of detention. He hoped that a new cooperation agreement could be arrived at, without ICRC resorting to unwarranted diplomatic pressure.

66. To lay the groundwork for accession to the Optional Protocol to the Convention, the Government had extended the mandate of the Ombudsman to include the role of national mechanism for the prevention of torture. Consideration was being given to making the declaration provided for under article 22 of the Convention and to acceding to a number of international conventions, such as the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, in line with several recommendations made in the context of the universal periodic review. However, it was difficult to set specific timelines for acceding to such instruments or adopting constitutional amendments, since the Government had no control over the speed at which parliament gave its assent. For example, although Uzbekistan had signed the Convention on the Rights of Persons with Disabilities in 2009, parliament had yet to approve its ratification.

67. Regarding the suggestion to rule out granting amnesty to persons convicted of torture, he pointed out that there was a need for legal consistency and respect for equal rights. He could not agree with the Committee that such persons should not be entitled to benefit from amnesties when offenders convicted of other crimes would be.

68. It was outrageous to suggest that a mahalla had been complicit in the death of a woman who had complained of domestic violence. The country's very low divorce rate was largely due to the work of the mahallas, which were based on centuries of tradition and sought to preserve the family and promote family values. It was important to respect the culture and traditions of Uzbekistan, which differed from Western values.

69. With regard to the allegations of forced labour in a brick factory at colony No. 64/4, he would like to point out that any form of labour undertaken in prisons was, by its very nature, forced labour, since prisoners necessarily faced certain restrictions on their rights.

70. Manuals on identifying the signs of torture had been distributed and a training course put in place for medical professionals working under the auspices of the Ministry of Internal Affairs. Efforts were being made to ensure that there was no conflict of interest when it came to persons who reported the identification of signs of torture and those persons who carried out the subsequent investigation. His Government would welcome guidance from the Committee on how to monitor progress made in respect of human rights education. What kind of indicators should be used?

71. Information on the various cases mentioned by Ms. Gaer would be provided to the Committee in writing, as would replies to other questions that he had been unable to answer within the time allotted. He reaffirmed his Government's willingness to continue an open and constructive dialogue with the Committee. Uzbekistan was entering a new phase in its development, one that placed the rights of persons front and centre. For that purpose, the Committee's forthcoming concluding observations would be widely disseminated and a national plan of action would be drawn up to give effect to its recommendations.

72. **The Chair** said that he wished to remind the State party that any further replies to questions should be sent in writing within 48 hours so that they could be taken into account in the Committee's concluding observations. In the interests of maintaining an ongoing dialogue, the Committee would select three recommendations in its forthcoming concluding observations requiring urgent follow-up by the State party within one year. The State party would also be invited to submit an implementation plan for the remaining recommendations.

The meeting rose at 6 p.m.