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Committee on Economic, Social and Cultural Rights

Information received from Uzbekistan on follow-up to the concluding observations on its third periodic report*

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I. Introduction

1. The Government of Uzbekistan highly appreciates constructive cooperation with the United Nations treaty bodies, including the Committee on Economic, Social and Cultural Rights, and expresses its gratitude to the Committee for the concluding observations and recommendations submitted on 31 March 2022 (E/C.12/UZB/CO/3).
2. Uzbekistan attaches great importance to follow-up to the implementation of recommendations by United Nations treaty bodies. An important part of this process is the preparation and adoption of national action plans in response to reviews of national reports. In accordance with Human Rights Council resolution 35/29, a procedure has been in place since 2018 for approval by the parliament of Uzbekistan of national action plans on the implementation of recommendations made by the Charter-based and treaty-based bodies of the United Nations.
3. On 19 December 2022, a joint resolution of the chambers of the parliament of Uzbekistan approved the 2022–2026 national action plan on follow-up given to the Committee’s concluding observations on the third periodic report submitted by Uzbekistan under the International Covenant on Economic, Social and Cultural Rights.
4. In 2023, the Oliy Majlis parliamentary commission on the fulfilment of the international human rights obligations undertaken by Uzbekistan, established in accordance with the recommendations of the Inter-Parliamentary Union, monitored progress on the status of implementation of the 2022–2026 national action plan.
5. The Government of Uzbekistan notes that the implementation of the Committee’s recommendations has led to progress in ensuring economic, social and cultural rights in the country.
6. In accordance with paragraph 64 of the Committee’s concluding observations, Uzbekistan submits the following information on the implementation of paragraphs 13, 21, 33 of the concluding observations.
7. This information was prepared by the National Centre for Human Rights of Uzbekistan on the basis of submissions by the Ministry of Health, the Ministry of Justice, the Ministry of Higher Education, Science and Innovation, the Ministry of Internal Affairs, the Ministry of Employment and Poverty Reduction, the Committee on the Family and Women, the Committee on Inter-Ethnic Relations and Friendly Ties with Foreign Countries, the Anti-Corruption Agency, the Supreme Court, the Office of the Procurator General, the Agency for Youth Affairs and civil society institutions.

II. Follow-up to paragraphs 13, 21 and 33 of concluding observations (E/C.12/UZB/CO/3)

A. Follow-up information relating to paragraph 13 (a) of the concluding observations

8. In order to improve the fight against corruption, the country has adopted 13 laws and regulations relating to this area, and 24 laws and regulations aimed at reducing the factors that contribute to corruption, as part of the implementation of socioeconomic reforms.
9. Under the Anti-Corruption Act of 3 January 2017, the following activities have been carried out for the period from 31 March 2022 to 31 March 2024:
 - (a) An expert assessment of laws and regulations and draft laws and regulations to combat corruption has been carried out by the Anti-Corruption Agency and, in accordance with the Act of 8 August 2023 on expert assessments of laws and regulations and draft laws and regulations to combat corruption, Uzbek citizens, citizens’ self-governing bodies, non-governmental non-profit organizations and the media may participate in the assessments conducted by public bodies and organizations; moreover, proposals and recommendations

put forward by the public are subject to mandatory review by the relevant public bodies and organizations;

(b) Measures have been taken to further improve the anti-corruption system and to increase the effectiveness of the system of public control over the activities of public bodies and organizations;

(c) A transparency index has been introduced aimed at rating the effectiveness of anti-corruption efforts in public bodies and organizations and assessing the effectiveness of efforts to promote transparency;

(d) The State anti-corruption programme for the period 2023–2024 has been approved;

(e) The Anti-Corruption Sphere project was introduced to ensure openness and transparency in preschool and school education, improve public monitoring mechanisms and enhance the effectiveness of the internal corruption monitoring system;

(f) The practice of determining the annual anti-corruption rating of higher education institutions by conducting anonymous surveys through the higher education management information system (HEMIS) has been introduced;

(g) An e-platform was launched to reduce bureaucratic barriers, corruption risks and the human factor in human resources management (hrm.argos.uz);

(h) The Supreme Court’s interactive services portal (<https://public.sud.uz>) has established a procedure for the public announcement of judicial decisions to set aside unlawful decisions by public bodies and organizations and their officials;

(i) The methodology for identifying factors that give rise to corruption in laws and regulations and draft laws and regulations has been approved (order of the Minister of Justice of 30 October 2023);

(j) The “E-Antikorrupsiya” corruption risk prevention project was introduced in public bodies and organizations;

(k) Liability has been established for violating legislation on transparency in the work of State executive and administrative bodies; through such preventive mechanisms, the responsibility of government bodies in combating corruption has been strengthened and their accountability to the public enhanced.

10. In order to strengthen the role of the Anti-Corruption Agency, the following activities were carried out:

(a) The procedure for appointing the head of the Agency was revised; thus, in accordance with the new version of the Constitution of the Republic of Uzbekistan, it has been determined for the first time that the head of the Anti-Corruption Agency is to be appointed by the Senate of the Oliy Majlis on the recommendation of the President;

(b) The Agency is vested with the authority to organize and conduct a “secret shopper” feedback exercise by which binding submissions are provided to public bodies and organizations;

(c) In accordance with paragraph 17 of the State Programme on Combating Corruption for 2023–2024, the Agency is obliged to draw up records of administrative offences in connection with cases of violations of public procurement laws.

11. Thanks to the measures taken, significant progress has been made in the fight against corruption, the ranking of Uzbekistan in the Corruption Perceptions Index of Transparency International has improved, and the number of violations of public procurement laws has been halved.

B. Follow up information relating to paragraph 13 (b) of the concluding observations

12. Under the State programme for the implementation of the Uzbekistan 2030 Strategy during the Year of Support for Youth and Business, established on 21 February 2024 and developed on the basis of proposals put forward during a broad public discussion, plans for practical measures in a number of areas were approved for 2024, one of which is to improve the effectiveness of the system for eliminating factors that contribute to corruption and to continue efforts to foster an attitude of zero tolerance towards corruption in society.

13. Presidential Decree No. UP-200 of 27 November 2023 approved the State Programme on Combating Corruption for 2023–2024. This programme includes 40 practical measures aimed at preventing corruption in 9 areas:

- Preventing corruption in public administration
- Preventing corruption in the public service
- Preventing corruption in administrative procedures
- Preventing corruption in the public procurement
- Preventing corruption in socioeconomic development and entrepreneurship
- Improving the institutional framework for combating corruption
- Preventing corruption in the judiciary
- Raising the legal awareness and legal culture of the public and fostering an attitude of zero tolerance towards corruption in society
- Strengthening international cooperation in the fight against corruption

14. As of 2023, 10 out of 30 objectives of the State Programme have been fully implemented and work is ongoing to implement the remaining objectives.

C. Follow-up information relating to paragraph 13 (c) of the concluding observations

15. The Uzbekistan 2030 Strategy, approved by a presidential decree of 11 September 2023, provides for increasing the effectiveness of the system of prevention of factors that contribute to corruption and intensifying ongoing efforts to foster in society an attitude of zero tolerance towards corruption.

16. On 23 March 2023, a presidential decision was adopted to facilitate the payment of administrative fines and reduce the burden of financial penalties on the people, to further simplify the system for enforcing the penalties imposed and to eradicate unnecessary bureaucratic barriers and factors that contribute to corruption in the relations between public bodies and the people.

17. A rating system for assessing the effectiveness of efforts to combat corruption in public organizations has been introduced in accordance with a presidential decree of 12 January 2022. This rating system consists of five areas, the first of which is the assessment of the establishment and implementation of mechanisms and the legal framework for combating corruption in public organizations.

18. At least four communication channels for reporting corruption have been established (official website, social media page, hotline, email address). Information on communication channels for reporting corruption is available on the official website and in other media. The Anti-Corruption Agency publishes an annual report on the results of the review of allegations of corruption on the official website anticorruption.uz.

19. In accordance with the Presidential Decree of 29 June 2020 on additional measures to improve the anti-corruption system in Uzbekistan, an electronic platform, e-anticor.uz, has been set up to enable citizens to report corruption promptly. Persons may file applications on the platform in four cases, namely if they have:

- Faced corruption and have been forced to pay a bribe
- Faced corruption but did not pay a bribe
- Faced corruption unrelated to bribery
- Encountered an honest public servant

20. Based on the review of such applications and analyses of corruption cases identified in various areas, the Anti-Corruption Agency takes measures to eliminate factors contributing to corruption.

21. In 2023, the ministries and departments received 416 applications through the above-mentioned communication channels. More than 40 official inspections were conducted and 23 cases of corruption were found and referred to law enforcement agencies.

22. In addition, the Anti-Corruption Agency received 119 applications through the e-anticor platform and 350 through call-centr, all of which were reviewed in accordance with the established procedure.

D. Follow-up information relating to paragraph 21 (a) of the concluding observations

23. Pursuant to paragraph 9 of the 2022–2026 national action plan on follow-up given to the Committee’s concluding observations on the third periodic report and paragraph 12 of the road map for the implementation of the national human rights strategy, the National Centre for Human Rights, in cooperation with the Ministry of Justice, has drafted a framework law on equality and non-discrimination. This bill defines the meaning of the concepts of “discrimination”, “direct discrimination”, “indirect discrimination”, “multiple discrimination”, “anti-discrimination assessment”, “incitement to discrimination”, “positive discrimination” and others. This equality and non-discrimination bill defines the main areas of public policy and the duties of public bodies relating to the protection of equality and non-discrimination, the forms of participation of non-governmental organizations in this process and specific measures to prevent discrimination in education, employment, health care and medical services, social security, access to goods and services, housing, land and property. The bill is now being finalized, taking into account the proposals and comments received as a result of public discussions.

E. Follow-up information relating to paragraph 21 (b) of the concluding observations

24. Uzbekistan is a party to a number of international human rights instruments, in particular the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, which prohibit discrimination on any grounds. Uzbekistan is also a party to the International Convention on the Elimination of All Forms of Racial Discrimination, which, in similar fashion, establishes the basic requirements for the prohibition and prevention of discrimination on any grounds.

25. Uzbek legislation (the Constitution, the Criminal Code, the Code of Criminal Procedure, the Code of Civil Procedure, the Administrative Liability Code and others) prohibits discrimination on grounds of sex, race, ethnicity, language, religion, social origin, beliefs, or personal or social status.

26. Uzbek human rights law is characterized by the absence of direct discriminatory provisions for lesbian, gay, bisexual and transgender persons, namely rules that restrict their access to education, employment, medical care, etc.

27. However, homosexual propaganda, expressed in one form or another, is a serious danger in our society today. Open displays of non-traditional sexual relationships would lead to the wilful overturning of the national culture and shake the foundations of human relationships.

28. The repeal of article 120 of the Criminal Code runs counter to the traditions of the multi-ethnic people of Uzbekistan, the values of the institution of the family and national customs that have been developed over thousands of years.

29. Same-sex sexual relations are frowned upon by the religion of Islam and other faiths. The decriminalization of same-sex relationships would be widely opposed by the 97 per cent Muslim population and lead to stigmatization and an increase in hate crimes, and could have negative consequences for certain groups or individuals on the basis of their sexual orientation and gender identity.

30. At the same time, an opinion poll conducted on 17–21 May 2023 among respondents aged 18 and above (57.1 per cent men, 42.9 per cent women) showed that 67.4 per cent of respondents were in favour of increasing the penalties and 25.8 per cent of respondents of maintaining the current criminal liability for sodomy, while 5.6 per cent of respondents declined to answer or remained neutral. Only 1.2 per cent of respondents considered it necessary to exclude such liability from the Criminal Code.

F. Follow-up information relating to paragraph 21 (c) of the concluding observations

31. Article 19 of the amended Constitution proclaims that all citizens have the same rights and freedoms and are equal before the law, without distinction as to sex, race, ethnicity, language, religion, beliefs, social origin or social status.

32. Under article 26 of the Constitution, human honour and dignity are inviolable. Nothing may serve as a basis to diminish them and no one may be subjected to torture, violence or other cruel, humiliating or degrading treatment.

33. The constitutional rules and principles thus show that the Constitution does not contain any restrictions on human rights with respect to a person's state of health or social status.

34. Under article 13 of the Health Care Act of 29 August 1996, Uzbek citizens have an inalienable right to health care. The State must provide citizens with health care and guarantee protection against discrimination, irrespective of whether they have any form of illness.

35. The Act on combating the spread of disease caused by the human immunodeficiency virus (HIV) of 24 September 2013 is currently the primary statutory instrument by which the main international standards for the protection of the rights of persons living with HIV and other vulnerable groups are implemented.

36. The Act specifies that voluntary examinations are to be carried out, at the request of the person being examined, in a manner that respects confidentiality. A voluntary medical examination for HIV may be anonymous at the request of the person being examined (art. 14).

37. In accordance with article 300 of the Code of Civil Procedure, prospective adoptive parents must also attach to the required set of documents a medical report on the state of their health (certificates from psychiatric, tuberculosis and substance-abuse institutions, and from an AIDS centre).

38. This provision of the legal and regulatory framework governing the process of adoption, guardianship and foster care does not limit the right of adults to raise a child in their family, including in cases where there is a certificate indicating that the person's HIV status is positive.

39. HIV-positive persons who have not reached the age of 18 are entitled to a monthly social allowance regardless of the stage of the disease and to the child disability benefits established by law.

40. Parents of HIV-positive children, or persons acting in loco parentis, have the right to stay together with their children in an inpatient medical institution, with temporary release from work and payment of a temporary disability allowance in accordance with the procedure established by law.

G. Follow-up information relating to paragraph 21 (d) of the concluding observations

41. The principle of non-discrimination is one of the basic principles underpinning Uzbek legislation on the protection of human rights. In accordance with article 19 of the amended Constitution, “all citizens have the same rights and freedoms and are equal before the law, without distinction as to sex, race, ethnicity, language, religion, beliefs, social origin or social status”.

42. The basic principles and rules concerning the creation of conditions for gender equality in all areas of political and public life are enshrined in the Guarantees of Equal Rights and Opportunities for Women and Men Act. Under article 6 of the Act, the State guarantees the equality of men and women before the law in respect of the exercise of civil rights and their equal participation in the management of social and public affairs and the electoral process, and equal rights and opportunities in health care, education, science, culture, labour and social protection, and other areas of public and social life. The State is taking temporary special measures for the implementation of a gender policy to achieve de facto equality between women and men, increase their participation in all spheres of society and eliminate and prevent direct and indirect sexual discrimination.

43. Under article 7 of the Children’s Rights Safeguards Act, the State must take the necessary measures to ensure the protection of children against all forms of discrimination.

44. Discrimination on the basis of disability is prohibited under article 6 of the Rights of Persons with Disabilities Act, which prohibits any singling out, exclusion, removal, restriction or preference with respect to persons with disabilities, and the refusal to provide access to facilities and services for persons with disabilities. Special measures aimed at ensuring equality of opportunity for persons with disabilities and their inclusion in social and public life are not considered discriminatory against other citizens.

45. One of the basic principles in the field of education in Uzbekistan is to ensure equal opportunities and non-discrimination in education. Under the Education Act (adopted on 7 August 2020), “everyone is guaranteed equal rights to education, without distinction as to sex, race, ethnicity, language, religion, social origin, beliefs or personal or social status” (art. 5).

46. The Labour Code (adopted on 28 October 2022) prohibits discrimination in employment and occupation on grounds of sex, age, race, ethnicity, language, social origin, property and official status, place of residence, attitude to religion, beliefs or membership of voluntary associations. Valid distinctions, exclusions and preferences, along with restrictions on the rights of workers in employment and occupation, resulting from the inherent requirements of a given job or special concern for persons requiring increased social protection, including persons with disabilities, do not constitute discrimination (article 4). This provision is reinforced by article 119 of the Labour Code, which prohibits unlawful refusal of employment in violation of the prohibition of discrimination in employment and occupation.

47. In accordance with article 16 of the Natural and Legal Persons’ Petitions Act (adopted on 11 September 2017) “discrimination in the exercise of the right of appeal on the grounds of sex, race, ethnicity, language, religion, social origin, beliefs or the personal or social status of individuals and on the grounds of the type of ownership, location (postal address), form of legal incorporation and other circumstances of legal entities is prohibited”.

48. Article 7 of the Pretrial Detention during Criminal Proceedings Act, article 5 of the Criminal Code, article 16 of the Code of Criminal Procedure and other Uzbek laws also provide for equality of rights and non-discrimination.

49. Article 16 of the Advertising Act (adopted on 7 June 2022) prohibits discrimination in advertising on the grounds of sex, race, ethnicity, language, religion, social origin, beliefs, personal or social status, or other circumstances.

50. The legal system of Uzbekistan provides for administrative and criminal liability for violations of the equal rights of citizens. Article 42 of the Administrative Liability Code

establishes the penalty of a fine for violating citizens' rights to free choice of language of education and instruction, obstructing or restricting the use of a language, or showing disregard for the State language or the languages of the other peoples and ethnic communities living in Uzbekistan.

51. The Criminal Code provides for criminal penalties for violations of citizen's equal rights (art. 141). The offence is covered in chapter VII of the Code, which sets out offences against constitutional rights and freedoms.

52. Article 156 of the Criminal Code establishes criminal liability for incitement to ethnic, racial or religious hatred, or deliberate acts that offend national honour or dignity and are committed for the purpose of inciting hatred, intolerance or discord with respect to any group on national, racial or ethnic grounds, and for the direct or indirect restriction of rights or the granting of direct or indirect privileges on national, racial or ethnic grounds.

53. Article 153 of the Criminal Code establishes penalties for genocide, namely deliberate infliction of conditions of life calculated to bring about the physical destruction of a group in whole or in part, the forcible prevention of births or the transfer of children of a group to another group, and the ordering of such acts.

54. The Committee on Inter-Ethnic Relations and Friendly Ties with Foreign Countries has been established under the Ministry of Culture and Tourism. The Committee, which is the State administrative body responsible for inter-ethnic relations, is actively involved in working to ensure the continued implementation of State policy on inter-ethnic harmony and tolerance in society.

H. Follow-up information relating to paragraph 21 (e) of the concluding observations

55. In order to implement the recommendation contained in this paragraph, the judiciary has carried out a total of more than 40 activities (5 promotional spots, 7 television broadcasts, 9 radio broadcasts and awareness-raising campaigns conducted in more than 20 social media platforms) on the use of legal mechanisms and instruments for the protection of human rights against all forms of discrimination among health workers, judges and law enforcement officers.

56. In addition, training courses to explain the content of laws and regulations in the field of health care are available on the platform of the Ministry of Justice (<http://kurslar.legalportal.uz>).

57. Doctors, nurses and junior medical staff working in central and regional medical institutions of the internal affairs system regularly attend training programmes on HIV prevention. In particular, on 1 December, various statements and articles are published in the news media to mark World AIDS Day.

58. Education and awareness-raising work has been carried out among officers of internal affairs agencies on the use of legal mechanisms and ways of protecting human rights against all forms of discrimination. More than 150 workshops and lectures have been organized for internal affairs officers with the participation of qualified specialists in the fight against AIDS, and visual material to raise legal awareness has been posted with titles such as: "This is something everyone should know!", "Prevent HIV!", "Keep out of danger!", "STOP AIDS" and "Avoid HIV!". Some 500 brochures, booklets and reminders of three kinds on HIV prevention were distributed to the officers for use while on duty.

I. Follow-up information relating to paragraph 21 (f) of the concluding observations

59. The National Centre for Human Rights has set up a working group of experts from ministries, departments, organizations and civil society institutions to draft a national plan of action for 2022–2026 in follow-up to the Committee's concluding observations on the third periodic report of Uzbekistan. The first meeting of the working group was held in

March 2022 and took the form of a workshop to explain the substance of general comment No. 20 (2009) on non-discrimination in social and cultural rights and the requirements and recommendations to be considered in the development of the national action plan.

60. On 22 November 2023, the Committee on Labour and Social Affairs of the Legislative Chamber of the Oliy Majlis, the Senate Committee on Judicial and Legal Issues and Combating Corruption and the National Centre for Human Rights held a workshop with the participation of representatives of the ministries and departments concerned and international organizations on the theme “Improving the effectiveness of measures aimed at reducing all forms of inequality”, where clarification was provided on the issues highlighted in general comment No. 20 (2009).

61. In the course of monitoring activities for the implementation of the national action plan for 2022–2026, the National Centre for Human Rights is planning to organize a training workshop in the second quarter of 2024 for the staff of organizations and departments concerned in the regions to explain the substance of general comment No. 20 (2009).

62. In order to inform the general public, the National Center for Human Rights is developing manuals and handouts in Uzbek on the content of general comment No. 20 (2009).

J. Follow-up information relating to paragraph 33 of the concluding observations

63. The Ministry of Higher Education, Science and Innovation, together with the regional centres of the Ministry of Employment and Labour Relations, organized short courses for young people and unemployed persons, and for women and citizens wishing to acquire a new profession in vocational training institutions.

64. Short courses have now been organized in 174 vocational educational institutions to train 25,434 young and unemployed citizens (including 12,209 women) wishing to acquire a new profession. A total of 20,527 people (including 11,106 women) have completed courses and received certificates, and 3,910 are still in training.

65. Vocational educational institutions have organized 20 types of short courses and programmes (in trades such as brickwork, carpentry and flooring, masonry, plastering, stuccoing, reinforced concrete work, electric and gas work, tailoring, etc.) to train migrant workers and improve the qualifications of citizens going abroad in professions and sectors of importance in the labour markets of foreign countries.

66. Since 2023, with a view to reducing unemployment more effectively under the new youth employment system, youth employment programmes have been developed at the mahalla (local community), sector, district or city, and regional levels to provide employment for school leavers and every unemployed young citizen.

67. Through the implementation of the youth employment programme, 452,000 unemployed young people and school leavers were employed in 2023. As a result, 2,620 mahallas were transformed into “zones free from youth unemployment”.

68. In 2023, 3.8 billion sum in loan funds were allocated to 174,000 young people to involve them in entrepreneurship and support their business initiatives. In addition, 67,000 ha of land were allocated to 163,000 young people who wanted to take up agriculture.

69. Social support for young people was extended to 388,000 persons through 24 socioeconomic programmes to improve their economic potential. In particular, equipment and tools were allocated to 18,000 young people who wanted to enter the world of work.

70. Some 23,464 new jobs were created by launching 1,054 projects in 210 “youth industrial and entrepreneurial zones” to fully support young entrepreneurs’ projects in the industry and service sectors.

71. In addition, 782,000 young people in the informal sector were supported to become self-employed in the social, industrial, agricultural, information and communication, manufacturing and service sectors.

72. On 21 February 2024, a presidential decree approved the State programme for the implementation of the Uzbekistan 2030 Strategy during the Year of Support for Youth and Business. The programme identifies a number of objectives to address the problems of young people and help them to realize their potential and to ensure employment through training in professions in high demand.

73. In order to ensure the employment of young people and create additional opportunities for them to engage in entrepreneurial activities, the State programme provides for the implementation of the following measures:

(a) At least 40 per cent of loans allocated under the family entrepreneurship programme will be used for the development of youth entrepreneurship;

(b) “Young Entrepreneur” competitions will be introduced on 1 June 2024;

(c) The Agency for Youth Affairs is to make a selection of promising business projects and ideas of young people at competitions in several stages, at the mahalla, district, provincial and national levels; furthermore, special attention is to be paid to projects and ideas of young entrepreneurs with disabilities;

(d) Concessional loans of up to 1,000 times the basic calculation unit are to be offered for each project selected at the national stage of the competition;

(e) The winners of the business projects and ideas competitions are to be sent to foreign countries for advanced training through the Young Entrepreneurs Support Fund;

(f) Various benefits and privileges will be granted to young entrepreneurs who have supported unemployed young people;

(g) The practice of channelling resources from the Youth Notebook Fund to train young people in foreign languages and professions will be introduced and a special platform, Ustoz, will be launched to train young people in modern professions, initially reaching 250,000 young people.

74. There are plans to launch a “Girls Academy” platform to train young women and girls in modern professions, such as entrepreneurship, marketing and graphic design, through which various competitions, projects, training camps and internships will be organized for them.
