



# Convention on the Rights of the Child

Distr.: General  
12 June 2013

Original: English

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## Committee on the Rights of the Child Sixty-third session

### Summary record of the 1798th meeting

Held at the Palais Wilson, Geneva, on Tuesday, 4 June 2013, at 10 a.m.

*Chairperson:* Ms. Sandberg

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

**Consideration of reports of States parties** (*continued*)

*Third and fourth periodic reports of Uzbekistan (CRC/C/UZB/3-4; CRC/C/UZB/Q/3-4 and Add.1)*

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

2. **Mr. Saidov** (Uzbekistan) said that a wide range of non-governmental organizations, 19 in total, had played an active and direct role in drafting the reports. Uzbekistan had achieved the Millennium Development Goal of universal primary education and, according to World Bank figures, had a literacy level of 99.7 per cent. The Government had passed a package of further measures to attain the Millennium Development Goals for 2011–2015. The efforts to achieve those Goals had led to a considerable decrease in maternal and infant mortality during the reporting period. Life expectancy had also improved, standing at 73 years for men and 75 for women. Uzbekistan currently ranked ninth in the Save the Children health workers reach index.

3. A number of laws based on the recommendations of the Committee had been adopted in recent years, including the Rights of the Child (Safeguards) Act, the Human Trafficking Prevention Act, the Prevention of Child Neglect and Juvenile Delinquency Act and others. The Family Code, Criminal Code and Code of Administrative Liability had also been amended in order to bring national law further into line with the Convention. His Government attached much importance to the public programmes that had been adopted in conjunction with the declaration of the Year of Young Persons, in 2009, the Year of the Family, in 2012, the Year of Welfare and Prosperity, in 2013, and others. Draft legislation to establish a basic framework for a children's ombudsman was currently under consideration and had been subjected to public and international scrutiny. In addition, there had been a steady increase in public funding for health, preschool and primary education and social protection.

4. The Government had adopted a decision on State support for national human rights institutions in 2008, which sought to provide the Human Rights Commissioner (Ombudsman) with the necessary funding, human resources and means for capacity-building. The functions of the national human rights institution in Uzbekistan was fully in line with the Paris Principles. Other steps to strengthen human rights institutions included the establishment of an interdepartmental working group to monitor the observance of human rights by law enforcement agencies and the National Centre for the Social Adaptation of Children. A number of institutions had also been set up to coordinate the activities of ministries, departments and civil society organizations working on behalf of children, including an inter-agency coordination council attached to the Cabinet of Ministers. The Government attached great importance to public monitoring of children's rights. Civil society organizations were protected under the law on non-governmental organizations and received State support.

5. A special parliamentary session had been held on the implementation of the recommendations issued by the Committee following its consideration of the previous periodic report. With the support of the United Nations Children's Fund (UNICEF), the Oliy Majlis, the legislature of Uzbekistan, had set up a Child Resource Centre in the Legislation Chamber, the lower house. The Oliy Majlis had also organized several events to promote children's rights, including parliamentary hearings on the guardianship and custody bodies in Buxoro Province. It was also monitoring the implementation of the relevant International Labour Organization (ILO) conventions, in particular the ILO Worst Forms of Child Labour Convention, 1999 (No. 182).

6. A framework for the development of a juvenile justice system was gradually taking shape in Uzbekistan, with technical assistance from UNICEF. All courts had separate judges to handle juvenile cases, and all relevant proceedings were conducted in closed sessions. Family and child support centres offered a broad range of services, and legal aid centres provided social support and counselling to children up to the age of 18. Efforts were being made to prevent violence against children, including through awareness-raising and education.
7. More than 120 basic international instruments had been translated into the national language and widely disseminated, including the Convention and the Optional Protocols thereto. More than 50 official publications on the rights of the child had been issued, including *Monitoring the Rights of the Child*, a Russian-language manual published by the National Human Rights Centre with the support of UNICEF.
8. Uzbekistan had ratified a number of international human rights instruments in recent years addressing issues such as the death penalty, trafficking in persons, transnational organized crime, child labour and many others. It was following up under various national plans of action on the recommendations of other human rights treaty bodies that were directly related to the rights and freedoms of children and was cooperating closely with United Nations specialized agencies such as UNICEF.
9. Uzbekistan was currently facing many challenges, including a world economic recession, the transition to democracy, the environmental situation in the Aral Sea area, food security and access to water, geopolitical instability in Central Asia, notably Afghanistan, drugs trafficking and terrorism and extremism. Nevertheless, the Government would continue to work hand in hand with civil society to strengthen the institutional and legal mechanisms necessary for the rule of law and the protection of the rights of children.
10. **Ms. Herczog** (Country Rapporteur), commending Uzbekistan on its World Bank classification as a lower middle income country, particularly in the light of the current economic slump, highlighted the need for further poverty reduction efforts. Poor families should share in the country's increasing prosperity. Despite the economic growth in Uzbekistan, hundreds of thousands of people had been compelled to seek employment abroad, and many families continued to face great hardship. While extreme poverty had decreased, inequalities persisted. Unemployment, low wages and rising food and energy prices affected rural communities in particular, and the prevalence of large families and inadequate infrastructure tended to limit the opportunities of children.
11. While efforts to preserve the rich and diverse cultural past of Uzbekistan helped to give children a strong sense of belonging and tradition, children's lives could also be greatly enriched by exposure to the outside world. A fair balance between protection and openness was essential for children to fulfil their potential, understand the world around them, learn and grow.
12. Economic growth should go hand in hand with democratization. Corruption remained a problem that affected many areas of children's lives, including access to essential services such as health care and education. There was a need for greater transparency, better data collection and more rigorous monitoring of the implementation of laws and plans, including the national plan of action to give effect to the Committee's recommendations.
13. What steps had the Government taken to increase the funding for that plan? How was the Government coordinating the implementation of the Convention at national and local level? Was there a specific institution or authority responsible for monitoring implementation? What measures were being taken to collect more accurate and disaggregated data, as data from different domestic sources on poverty, the infant mortality rate and education, for example, were often inconsistent or did not tally with data from

international sources? There was a need for data on specific groups of vulnerable children such as children left without parental care, children with disabilities, children living with HIV/AIDS, ethnic minorities and others. What were the barriers to setting up an integrated data-collection system to measure the implementation of children's rights? She wondered why the Government did not use international standards of evaluation such as the programme for international student assessment (PISA) of the Organization for Economic Cooperation and Development (OECD) or the definition of "live birth" established by the World Health Organization (WHO).

14. Noting the importance of the right of children to be heard, she would like to know whether NGOs for young persons such as the Kamolot public youth movement provided them with a forum to express their views and included children living in remote areas or vulnerable children. She sought clarification of the State party's statement in paragraph 391 of the report that a child's freedom to have and express opinions could be limited according to the procedure established by law. The delegation should also clarify the statement in paragraph 424 that children were protected from information and material that was "harmful to their physical health and their morals". Was any mechanism in place to ensure that children could request information from the authorities or other stakeholders on matters of concern to them, including reproductive health? The alternative report submitted to the Committee by the Uzbek Bureau for Human Rights and the Rule of Law referred to a programme adopted in 2009 to "increase national spirituality" and prevent "practices alien to the way of life and mentality of Uzbek people". It also stated that the programme opposed ideas that conflicted with the policy of preserving the national culture. How was national culture defined in that context?

15. While child abuse was covered by the Family Code, the Criminal Code and the Civil Code, there was no clear prohibition of all forms of corporal punishment in alternative care settings. What steps had been taken to ensure that no child was subjected to humiliating or degrading treatment or punishment of any kind? Were there any plans to ban all forms of corporal punishment? She failed to understand why Uzbekistan had denied requests made under the special procedures mechanism for visits to places of detention. The aim of such visits was to ensure that children and others were not tortured.

16. **Ms. Khazova** (Country Rapporteur), commending the State party on its ratification of a number of international human rights instruments relating to children's rights, expressed the hope that it would ratify the Convention on the Rights of Persons with Disabilities. She asked whether the Convention on the Rights of the Child and other relevant instruments took precedence over national law in the event that there was a conflict between them. It was not clear whether courts applied the instruments directly. While the International Treaties Act stated that the treaties to which Uzbekistan was a party were subject to direct and mandatory application, international treaties were not listed under the law on enactments, which included only the Constitution, the laws of the Republic of Uzbekistan, regulations of the chambers of the Oliy Majlis, presidential decrees and other national laws and regulations. Furthermore, there were reports that judges referred only to national legislation and did not welcome references to international treaties by lawyers. She therefore wondered what measures had been taken to ensure that the Convention was directly applied in Uzbekistan.

17. While she welcomed the State party's efforts to include the Convention in school curricula and courses for law professionals, the public was still not sufficiently aware of its provisions. What were the obstacles to its wide dissemination and its direct application by the courts? What awareness-raising activities were being undertaken to redress the problem? Noting with concern that civil society and NGOs were still under the strict control of the State, she asked whether the State party would consider steps to enable them

to play a more prominent role in publicizing the Convention among children and their families.

18. Children still did not have a proper understanding of their rights, notwithstanding efforts made to raise their awareness of them. It was still not culturally acceptable for children to express their opinions within the family, at school, in children's homes and elsewhere. What steps were being taken to challenge old stereotypes so that children might be heard, including in judicial and administrative proceedings, in accordance with article 12 of the Convention? Would the State party consider developing a complaints mechanism for children through the establishment of a children's rights ombudsman?

19. Traditional stereotypes also perpetuated gender inequality and discrimination against girls, particularly in the provinces, which tended to be more conservative than the cities. Girls were widely viewed as future housewives and, as such, were expected to take on more domestic chores than boys, which detracted them from their homework and made them less competitive at school. In addition, there were reports that some girls were not allowed to attend specialized secondary schools because their families would not permit them to live away from home or commute long distances. Lastly, she noted with concern that, according to a recent demographic and health survey, girls were more adversely affected than women by disparities for all gender indicators.

20. **Mr. Gurán** asked whether the law establishing the competence of the Ombudsman had been enacted; whether the institution complied with the Paris Principles; whether a special department dealing with children's issues had been established; whether statistics on the number of complaints processed were available; whether the procedures of the Ombudsman's Office were sufficiently child-friendly; and whether the State party had considered the possibility of creating child-friendly forums for discussion and debate at the local and school level that were less formal than the Children's Parliament.

21. **Mr. Kotrane** asked whether the State party had any plans to accede to a number of international instruments, including the Convention on the Rights of Persons with Disabilities, the Migrant Workers Convention and the International Convention for the Protection of All Persons from Enforced Disappearance. He urged the State party also to accede to all optional protocols to principal United Nations treaties, particularly those that established complaints mechanisms, and to address the delays that were impeding the establishment of a children's ombudsman and the passing of the juvenile justice reform bill.

22. **Mr. Madi** asked why the amendment to the Family Code to raise the minimum age for marriage for girls to 18 years, in line with the minimum age for boys, had still not been received by the Legislative Chamber even though it had been approved by the Cabinet over a year ago. Did the Code, as amended, allow for any exceptions to the minimum age?

23. **Mr. Cardona Llorens**, referring to the Committee's general comment No. 14 and the interpretation of article 3 of the Convention, asked how the courts determined the best interests of the child and whether court decisions and administrative acts could be challenged, including by the children concerned, on the grounds that the child's best interests had not been correctly determined and respected. In the light of the Committee's general comment No. 16 on State obligations regarding the impact of the business sector on children's rights, with Uzbekistan rapidly developing into a middle income country, he would also like to know how the Government regulated the impact of private sector activity and what avenues of redress were available to adults and to children who believed a company's activities to have violated the rights of the child.

24. **Ms. Aidoo** expressed concern that a number of children in Uzbekistan had not been registered at birth and that the issuance of birth certificates remained subject to payment of a fee even though the Committee had called for that practice to be abolished in its previous concluding observations. She asked what the State party was doing to resolve those

problems and ensure that no child faced social exclusion or was unable to access social services as a result.

25. **Mr. Gastaud** said that the input of NGOs to the report's preparation was commendable but that the many remaining obstacles to their registration and operation should be addressed as a matter of urgency. With regard to the Children's Parliament, he would like to know how its members were appointed, what competencies it had and whether its resolutions were followed up in the Oliy Majlis. He sought assurances that the stringent criteria governing the construction of places of worship were not unduly restrictive, as had been reported, and clarification regarding the purpose of the article of the Criminal Code entitled "Breach of legislation on religious organizations" (art. 240), which prohibited all forms of unlawful religious activity.

26. **Mr. Mezmur** asked what was preventing the State party from signing the 1951 Convention relating to the Status of Refugees and the 1954 Convention on the Reduction of Statelessness so as to avert de facto statelessness in Uzbekistan. Expressing concern about the tendency in Uzbek society to view child abuse as an internal family matter, he asked whether specific legislation that defined and criminalized domestic violence had been adopted, in line with the recommendation made in the concluding observations. He also wished to know whether the State party had amended its definition of torture to comply with international law to meet the concern raised by the Human Rights Committee, and also by its own Supreme Court in a 2003 decision.

27. He was concerned that civil society organizations were required to endure a long and complex registration process and that a number of NGOs, especially groups working on HIV/AIDS and refugee issues, were still classified as "initiative groups" long after the six-month period of temporary registration had ended. He would also like to know the official definition of an "illegal" NGO: did the category include unregistered NGOs as well as those that had been shut down or suspended? Lastly, he asked how the Government ensured that the articles of the Criminal Code that dealt with defamation and insults were not used to hamper the operation of NGOs and that all alleged cases of intimidation or harassment of human rights defenders were duly investigated.

28. **Mr. Nogueira Neto** asked how the Government guaranteed the autonomy of civil society organizations and fostered a genuine climate of cooperation, not just with adult organizations working in the field of children's rights but also with organizations composed of children, thereby ensuring that they had the opportunity to express themselves freely and have their views heard.

29. **The Chairperson** said that the section of the report on the best interests of the child listed copious policies and bodies but gave little information about how the best interests principle was applied in practice. She asked whether research had been conducted to ascertain whether the courts applied the principle, whether administrative decisions, such as those affecting children's education, were guided by the principle and, lastly, whether the concept of the "legitimate interests of the child", to which frequent reference was made in the report, was not more restrictive than the best interests of the child principle.

30. **Ms. Wijemanne** asked what institutions and mechanisms were in place to ensure the collection of timely, gender-disaggregated data on, for example, disadvantaged, marginalized and minority groups, child labour and maternal and infant mortality, noting that data for the latter category should conform to World Health Organization guidelines. She also invited the delegation to comment on reports of considerable barriers to the distribution of resources at the local and regional levels in spite of sizeable national budget allocations for health and education.

*The meeting was suspended at 11.25 a.m. and resumed at 11.45 a.m.*

31. **Mr. Saidov** (Uzbekistan) said that, as the country's demographics differed considerably from those of Western Europe in that two thirds of its population was under 30 years of age and over 40 per cent was under 18 years of age, the Government of Uzbekistan regarded children and young people as its chief priority. Uzbekistan was also historically distinct in that its geographical position along the Great Silk Road made it an age-old hub of cultural, linguistic, ethnic and religious diversity and tolerance. Preserving that tolerance was another Government priority.

32. With regard to the status of international treaties in domestic law, he could confirm that the provisions of duly ratified treaties took precedence over national law. However, despite the priority status of international norms, in the vast majority of cases judges tended to refer solely to the norms of national law. That said, the Supreme Court Plenum had on occasion made reference to the Convention and had highlighted in its decisions the need for more frequent recourse to the Convention's provisions when reviewing cases referred from lower courts. Furthermore, in conjunction with the UNICEF country office in Uzbekistan, the authorities were exploring the possibility of providing training for judges in how to use the Convention's provisions in the administration of justice.

33. The legislative and executive branches of Government, by contrast, quite often applied the Convention's provisions. The Uzbek law on the rights of the child was drafted entirely on the basis of the Convention and included a whole raft of standards for the protection of socially vulnerable children that elaborated on the Convention's provisions.

34. **Ms. Khazova** asked why the law on enactments did not include international treaties in the provision setting out the order of precedence of applicable law in the national legal system. Was that a simple omission or did it reflect confusion and ambiguity in relation to the role of international treaties? Would the law be amended to clarify the place of conventions in the order of precedence?

35. **Mr. Saidov** (Uzbekistan) said that the law on enactments had been amended only recently. However, the status of international treaties was still not adequately reflected in the amended text. A group of ministers, including himself, had lobbied for that omission to be rectified but unfortunately had failed to win majority support.

36. Acknowledging the persistent time lag between the adoption and implementation of laws and programmes, he said that the Government had recently begun focusing its efforts on implementation. Those efforts were described in a brochure published in conjunction with UNICEF in Uzbek, Russian and English. There was close coordination between the executive, legislative and judicial branches of government. However, the legislative branch played a special role in monitoring the implementation of the provisions of the Convention.

37. **The Chairperson** asked whether a specific oversight body within the Oliy Majlis coordinated implementation efforts and which body was responsible for coordination in the executive branch of government.

38. **Mr. Saidov** (Uzbekistan) said that there was a specific committee in the legislature responsible for the preparation of laws on the rights of children and ratification of relevant international treaties, the Committee on Democratic Institutions, Non-Governmental Organizations and Citizens' Self-Government Bodies. In the executive branch, there was also a special Government commission responsible for implementing the State programme for ensuring the well-being of children. The Juvenile Affairs Commission worked on juvenile justice matters in coordination with NGOs and civil society. Lastly, the Supreme Court reviewed and interpreted criminal and civil juvenile cases referred to it.

39. **Ms. Narbaeva** (Uzbekistan) said that Uzbek State policy was geared to upholding the highest principles in all activities affecting children, whether conducted by State or private sector institutions. The cornerstones of the social protection framework included the

President's Office, the Cabinet of Ministers, the Human Rights Commissioner, the National Human Rights Centre, State bodies at the regional and local level, the Constitutional Court, the Supreme Court and the Office of the Procurator General. Each of those bodies had specific responsibilities for the protection of the rights of the child and had enshrined the best interests principle in their respective charters. Specific rights, such as the right to life, to health, to education and to protection from violence and exploitation, were governed by individual legislative acts and guaranteed by the relevant ministries. The rapidly expanding NGO sector also played a key role.

40. **Mr. Cardona Llorens** said that his question concerned the interpretation of the best interests principle. For example, what evaluation criteria were used and did the State party's legislation contain guidelines for interpretation? What evaluation criteria were used?

41. **Mr. Saidov** (Uzbekistan) said that the concept of the legitimate interests of the child was narrower than the best interests principle and that its use was confined mainly to legislation. The best interests principle had been adopted in accordance with the Convention and was upheld by the Government not just through legislation but also through practical educational, protection and empowerment measures and through monitoring and oversight. He was not aware of a general comment No. 14. Could the Committee clarify to which text it had been referring?

42. **Ms. Narbaeva** (Uzbekistan) said that her Government had introduced legislation and a number of social programmes to promote the best interests of the child. The right of children to express their views within the family and in educational establishments, and the right of children to be heard in judicial and administrative proceedings were recognized under Uzbek law. Children were guaranteed those rights once they had reached a stage of development that allowed them to formulate their own views. According to the Family Code, in certain circumstances, which included cases involving divorce, a change in family name, the restoration of parental rights, adoption or guardianship and the transfer of a child to a foster family or institution, the child's views had to be taken into account. Furthermore, a children's parliament had been set up to allow children to participate in decision-making processes.

43. **The Chairperson** said that general comment No. 14 concerning the right of the child to have his or her best interests taken as a primary consideration had been adopted in February 2013 and had only recently been published.

44. **Ms. Herczog** asked whether there were any practical examples of children asserting their right to express their views within the family and what specific issues were addressed in the children's parliament.

45. **Mr. Guráň** asked whether general comment No. 12 concerning the right of the child to be heard had been translated into Uzbek and whether initiatives aimed at raising awareness about that right had been undertaken.

46. **Mr. Saidov** (Uzbekistan) said that, to date, none of the Committee's general comments had been translated into Uzbek. His Government was aware of the need to do so and had requested assistance from UNICEF to that end. If UNICEF could not provide assistance, his Government would oversee the translation of the texts itself.

47. The members of the children's parliament were elected and came from all regions of the country. The children's parliament collaborated with the national parliament and had even signed a bill on guarantees of the rights of the child before the Oliy Majlis had enacted the Rights of the Child (Safeguards) Act.

48. **Ms. Herczog** asked how the children were elected; whether groups of vulnerable children or children from ethnic minorities were represented; and whether the children who



were members of the parliament had made any specific requests following the discussions held.

49. **Mr. Saidov** (Uzbekistan) said that, during the preparation of the bill on the rights of the child, members of the children's parliament had been invited to sittings of the Oliy Majlis. They had raised issues relating to the right to education and to the right to health, among others. Children with disabilities and children from ethnic minorities were represented in the parliament.

50. **Ms. Narbaeva** (Uzbekistan) said that the children's parliament had also discussed issues relating to healthy living, HIV/AIDS and drug abuse. It had also participated in drafting legislation on nutrition. Her Government was also devising a plan to deinstitutionalize children in care in an attempt to reduce the number of children's homes in the country.

51. **Mr. Alimukhamedov** (Uzbekistan) said that, according to national statistics, in 2012 there were 84,000 children with disabilities under the age of 16 in Uzbekistan. However, they were not distributed evenly across the regions. The economic growth achieved by Uzbekistan would have a positive impact on efforts to help children with disabilities and on social protection in general. Uzbek law afforded children with disabilities special protection. The Rights of the Child (Safeguards) Act contained several articles relating to the rights of children with disabilities and other children requiring special protection.

52. **The Chairperson** asked whether the State party had any concrete plans to ratify the Convention on the Rights of Persons with Disabilities.

53. **Mr. Saidov** (Uzbekistan) said that his Government had definite plans to ratify it. The text of the Convention had been translated into Uzbek and published. Following its publication, awareness-raising initiatives had also been undertaken. His Government was currently considering whether it would ratify the Convention with reservations. He added that economic and other factors could impede its full implementation.

54. His Government had no plans to ratify the 1951 Convention relating to the Status of Refugees or the Protocol relating to the Status of Refugees adopted in 1967 since it was not in the national interests of Uzbekistan to do so. While Uzbekistan had hosted refugees and had extended every form of assistance to them, the issue of refugees was no longer as pressing as in the past. However, his Government continued to adopt a responsible attitude towards refugees, as it had demonstrated in the wake of the crisis in Kyrgyzstan in 2010 when it had opened its borders to thousands of refugees.

55. In addition, his Government was considering ratifying the Optional Protocol to the Convention on the Rights of the Child on a communications procedure. However, it had not yet ratified the International Convention for the Protection of All Persons from Enforced Disappearance or the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, though it was considering doing so.

56. **Ms. Herczog** said that, while the Rights of the Child (Safeguards) Act included the right to be brought up in a family environment, inadequate family services remained a cause for concern. Moreover, special support for impoverished families living in rural areas with children with disabilities or children with special needs was very limited. She asked how family services could be strengthened and how the abuse and neglect of children could be avoided both within the family and in the community.

57. Despite the adoption of a law to prevent the neglect of children and juvenile delinquency in 2010, the Committee still had little or no information on the measures adopted to tackle domestic violence. She requested additional information on child abuse prevention programmes and services for victims and offenders. She asked whether any

awareness-raising campaigns had been undertaken in the media or in schools; whether there were plans to set up helplines for parents, children and professionals; and whether any data were available on issues such as neglect or abuse within families.

58. She noted with regret that children who were deprived of a family environment were still placed in institutions in spite of the efforts of the international community in that area. She added that many of the children residing in institutions had disabilities and that their rights were often violated. She wished to receive additional information on foster care and family support mechanisms and to know of the programmes in place to ensure that children remained with their biological or extended family if circumstances permitted. Finally, she asked whether there was a formal mechanism for selecting adoptive parents and for providing them with the necessary support and whether any campaigns had been undertaken to encourage adoption.

59. **Ms. Khazova** said that, while the Criminal Code prohibited polygamy, in practice it remained acceptable for a man to have more than one wife if they lived separately. She asked how children's rights were guaranteed in such a situation and whether the children of different wives enjoyed the same rights and the same legal status. Noting that the majority of the measures adopted by the State party were aimed at combating violence against children in institutions and in detention, she asked what was being done to help children who were direct or indirect victims of domestic violence.

60. The prevalence of alcohol abuse among teenagers and the fact that only one third of students were aware of the negative effects of alcohol were indicative of a serious lack of education in that area. There was also a lack of education on issues relating to HIV/AIDS, as that subject could only be broached in the context of sex education, which was considered taboo in Uzbek society.

61. She was pleased to learn that children no longer worked in the cotton fields. However, there were reports of teachers being sent to work in the cotton fields during school hours, which led to fewer or larger classes. There were even reports of parents paying teachers not to go to the cotton fields, which would amount to corruption.

62. **Mr. Kotrane** noted with satisfaction that Uzbekistan had ratified ILO Convention No. 182 and the ILO Minimum Age Convention, 1973 (No. 138). However, according to a report by the ILO Committee of Experts on the Application of Conventions and Recommendations, up to 1.5 million schoolchildren were still forced to work in the national cotton harvest for up to three months each year. He added that the work done by those children was also unpaid, which was tantamount to forced labour. He asked whether those children had been hired by State-owned or private companies and what the Government's position was on that issue. He requested additional information on the situation of children from poor families who dropped out of school. He noted with concern that, in practice, there was still no juvenile justice system and that children continued to receive the same treatment as adults in court proceedings and in detention.

63. **Mr. Gastaud** said that, while Uzbek law recognized the right of children to engage in play and recreational activities, activities were often organized collectively and provided few opportunities for individual play. Full participation in cultural and artistic life required opportunities for children, individually or as a group, to express themselves freely and engage in creative activities. He asked whether minority languages were taught in schools; whether there were handbooks available for minority communities; whether members of those communities were employed as teachers; and whether those communities could freely exercise their right to cultural activities.

64. **Mr. Cardona Llorens** requested clarification on the procedures for identifying disabilities in children. He wished to know what steps had been taken to promote a positive image of children with disabilities in all spheres and whether children's organizations were

involved in that endeavour. He enquired as to the State party's plans to deinstitutionalize children with disabilities and how their right to express their views was guaranteed in those circumstances. He also wished to know how the State party planned to achieve inclusive education in schools and whether children with disabilities received education on sex and reproductive health, including HIV/AIDS.

65. **Mr. Madi** said that there appeared to be conflicting information on whether or not children still worked in the cotton fields. Noting that ILO had made several requests to visit the country during the cotton harvest season, he asked whether the State party would invite it to monitor the situation in order to dispel any doubts. He would also like to know whether the school attendance rates covered both primary and secondary schools. What was the age range of the children in question?

66. **Ms. Aldoseri**, commending the fact that primary education was free and compulsory, wondered whether there were hidden costs for such education. She requested further information on the rate of dropouts, absenteeism and repetition. She asked what measures had been adopted to remedy the discrimination faced by refugee children in accessing primary education, as they had to pay the fees reserved for foreigners.

67. **Mr. Mezmur** asked what measures had been adopted to help children in families where a parent was a migrant worker. Noting that Uzbekistan had been accorded the status of a lower middle income country, he asked whether the country's economic growth would go towards social assistance schemes for children and their families. He requested additional information on the penalties for the sexual or other exploitation of children specified under the Rights of the Child (Safeguards) Act, as the Committee needed to determine whether the punishments actually fitted the crimes covered. Finally, he asked what steps the State party had taken to improve social services with a view to preventing violence against children.

*The meeting rose at 1 p.m.*