



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

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**Committee against Torture**

**Fifth periodic report submitted by Uzbekistan  
under article 19 of the Convention, due in 2017<sup>\*</sup>, <sup>\*\*</sup>**

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\* The present document is being issued without formal editing.

\*\* The annexes to the present report are on file with the Secretariat and are available for consultation.  
They may also be accessed from the web page of the Committee against Torture.



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## I. Introduction

1. Over the period from 2014 to 2017, Uzbekistan continued its social, political, economic and legal reforms, with a view to strengthening the rule of law and guarantees for the sound protection of the rights, freedoms and legitimate interests of citizens and to deepening the social partnership between the State and civil society institutions in this area.

2. Between 2014 and 2017, Uzbekistan worked to combat torture through the following measures:

- Policy interventions aimed at improving the work of the public executive and administrative authorities, the rule of law and the protection of all categories of human rights and freedoms in the courts and law enforcement agencies;
- Strengthening of mechanisms and procedures for public scrutiny and monitoring in the area of respect for and protection of the rights, freedoms and legitimate interests of citizens, the empowerment of non-governmental organizations, citizens' self-governing bodies and the media in this area;
- Empowerment of citizens to petition government authorities, including law enforcement agencies, the timely consideration of such petitions and the adoption of effective remedial measures;
- Upgrading the laws and regulations governing the activities of procuratorial bodies, internal affairs, justice, the enforcement of sentences and legal services to protect the rights of citizens, and measures to improve the modalities and substance of work in this area;
- Fundamental reform of the judicial system, primarily by strengthening the independence and autonomy of courts and judges, optimizing the structure of the judiciary and creating conditions for the courts' further specialization in specific areas.

3. It should be noted that, as part of its overall measures to ensure the openness and transparency of the work of the public executive and administrative authorities, particular importance attaches to the amendments to article 32 of the Constitution of the Republic of Uzbekistan introduced in 2014, relating to citizen participation in the administration of society and the State through the development of public monitoring of the activities of government bodies to enforce the law, and also to the adoption of the Acts of 5 May 2014, on openness in the work of the public executive and administrative authorities; of 25 September 2014, on social partnership; and of 3 December 2014, on communications by individuals and legal entities, as amended and supplemented on 11 September 2017.

4. In the follow-up to the concluding comments and recommendations of the Committee against Torture following its consideration of the fourth periodic report of Uzbekistan a significant role was played by the human rights policy documents adopted in 2014. These comprised the national action plan for the implementation of the recommendations of the Human Rights Council and the treaty bodies following its consideration of the national reports by Uzbekistan on human rights and freedoms (2014–2016) and the action plan for the implementation over the period 2014–2016 of Conventions Nos. 138 and 182 of the International Labour Organization (ILO).

5. In 2015, specific measures were taken to implement Acts and other regulatory statutory instruments and policies adopted in 2014. Thus, the Government adopted a series of measures to implement the Act on openness in the work of the public executive and administrative authorities and the model regulations on the processing of applications by individuals and legal entities in government agencies and public institutions. Pursuant to the Social Partnership Act, all across the country public commissions and councils on social partnership have been set up in public executive and administrative bodies, preparatory work has started on the ratification of the United Nations Convention on the Rights of Persons with Disabilities by translating the Convention into Uzbek and raising extensive awareness among government agencies and non-governmental organizations of its content,

and a state of emergency bill has been prepared and submitted for public discussion, among other measures.

6. Certain laws and other statutory instruments adopted in 2016 and 2017 are of particular importance for the strengthening of legal safeguards for the protection of human rights and freedoms. These include the Acts on parliamentary control of 11 April 2016; on the State youth policy of 14 September 2016; on trade unions, their rights and safeguards of their activities (new version) of 28 November 2016; on the procedure for the application of administrative detention of 9 January 2017; on amendments and additions to the Act on the Human Rights Commissioner of the Oliy Majlis (Ombudsman) of 29 August 2017; and on the dissemination of legal information and access to such information of 7 September 2017; and others.

7. The process of streamlining the work of the internal affairs authorities was significantly boosted by the Act on the internal affairs authorities of 16 September 2016, which identified the main operational areas of these bodies, including in the protection of civil rights, freedoms and legitimate interests (article 8), their rights and obligations, the grounds and procedure for their detention of suspects, and the conditions for the use of physical force, special devices and firearms.

8. The continued reform of the country's social, political, legal and judicial systems has been considerably advanced by the Presidential Decree 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 of 21 October 2016, aimed at identifying priorities for law enforcement and judicial officials and measures to strengthen the independence of the judiciary. On 1 April 2017, the penalty of short-term rigorous detention was abolished; the duration of police custody was reduced from 72 to 48 hours and the maximum period of remand in custody from one year to seven months; and the courts were granted the right to authorize the seizure of postal and telegraphic correspondence, to order the exhumation of bodies and to impose alternative preventive measures in the place of remand in custody.

9. By Presidential Decree of 28 December 2016, on measures to overhaul the system for the processing of communications by individuals and legal entities, a network of public help desks have been set up under the authority of the President of Uzbekistan and their legal status has been defined. These help desks have been established in the Office of the President, in the Republic of Qoraqalpog'iston, the provinces and the city of Tashkent, and also in each district and city (except in cities under district jurisdiction), for the full, objective and timely consideration of communications from individuals and legal entities, the monitoring and oversight of the processing of applications by the relevant State bodies and business management authorities. Since 1 January 2018, steps have been taken to set up public service centres as part of the presidential public help desk system, to provide specialized services for individuals and legal entities. These services will facilitate the development of a new system for dealing with reports from the public.

10. The President and the Prime Minister have also set up online help desks, providing citizens and legal entities in the country's most remote regions with a direct line for the submission of communications. Reports, complaints and proposals may now be submitted directly by the public via a website or a toll-free short-code telephone number accessible throughout the country. In recent months, more than 1.5 million communications have been submitted by citizens, and most of the issues raised have been resolved. On the basis of a Presidential Decree of 12 December 2017 on measures to overhaul the system for the delivery of public services, a public services agency has been set up under the Ministry of Justice which is responsible for coordinating the work of State bodies and organizations in this area.

11. Pursuant to a Presidential Decision of 19 January 2017, on measures to overhaul the legal service, a legal services system is being set up in all government bodies and organizations. This system is designed to verify that the rules and regulations of these bodies and organizations are consistent with the law, to support their drafting and expert appraisal (including for anti-corruption purposes), and to promote understanding of the law and legal awareness among employees of the relevant State agencies. An office has been set

up with responsibility for the coordination and system support of the work of the legal services of the Ministry of Justice.

12. The far-reaching reforms currently being carried out in Uzbekistan are underpinned by a framework for action in five priority areas for the country's development over the period 2017–2021. This framework was approved by a Presidential Decree of 7 February 2017, which set out specific measures aimed at improving the development of the State and society; safeguarding the rule of law and ensuring further reforms of the judicial and legal system; developing and liberalizing the economy; developing the social services sector; ensuring security, inter-ethnic harmony and religious tolerance; and implementing a balanced, mutually beneficial and constructive foreign policy. The framework serves as a road map towards attainment of the United Nations Sustainable Development Goals.

13. The year 2017 was declared the year of public dialogue and human interests, and the year's activities included a fundamental overhaul of the manner in which the authorities interrelate with the public. Funding support amounting to 37.7 trillion sum and 8.3 billion United States dollars was allocated for the conduct of these activities.

14. The principal challenge set before the strategic framework and the State programme for the year of public dialogue and human interests, which was adopted as part of the framework, was to upgrade the system of public administration in Uzbekistan through the practical implementation of effective arrangements for direct and open dialogue between State authorities and officials and members of the public and civil society; and the development of modern, efficient and innovative approaches, mechanisms and procedures for monitoring the work of central and local executive and administrative authorities.

15. Regular field visits have been carried out since 2017 to take stock of the situation relating to the safeguarding of citizens' rights, freedoms and interests by deputies, senators and the heads of the executive authorities, with a view to ensuring that people receive meaningful assistance in dealing with pressing issues. The office of a Presidential Commissioner responsible for the protection of the rights and interests of business entities (Business Ombudsman) has been set up, entrusted with overseeing compliance with business law and regular monitoring of the situation of the rights of business operators. On 29 August 2017, an Act was adopted on the Presidential Commissioner for protection of the rights and legitimate interests of business entities.

16. With a view to improving parliamentary oversight of the work of the country's procurators and strengthening their responsibility for upholding the rule of law and defending citizens' rights and freedoms, a Senate commission has been set up to monitor the work of the procuratorial authorities, and every year the Senate meets to consider the report of the Procurator General of Uzbekistan.

17. In accordance with the Presidential Decree of 10 April 2017 on measures to boost the effectiveness of the work of the internal affairs bodies and to enhance their responsibility for the maintenance of public order and the sustainable protection of citizens' rights, freedoms and legitimate interests, the Senate meets twice a year to consider a report by the Minister of Internal Affairs of the Republic of Uzbekistan on the status of efforts to prevent and suppress criminal offences. The Jokargy Kenes (parliament) of the Republic of Qoraqalpog'iston and the Kengashes (councils) of People's Deputies of Tashkent and the provinces meet four times a year, to consider reports of, as appropriate, the Minister of Internal Affairs of the Republic of Qoraqalpog'iston and the directors of the Tashkent Department of Internal Affairs and the heads of the provincial departments of internal affairs. The district or municipal Kengashes of People's Deputies meet four times a year, to consider reports of the heads of the district or municipal departments or offices of internal affairs and, every month, to consider reports on youth issues submitted by their deputies, in charge of departments or divisions for crime prevention.

18. A system of legal and organizational measures has been set in place in Uzbekistan to tackle corruption. These include the Anti-Corruption Act of 3 January 2017 and the Presidential Decree of 2 February 2017 on measures to implement the Anti-Corruption Act. Under that decree, the State anti-corruption programme for the period 2017–2018 was approved and central and regional interdepartmental anti-corruption commissions were

established, which included among their members representatives of both government authorities and civil society institutions.

19. Pursuant to the Presidential Decree of 2 September 2017 on priority measures to liberalize the monetary policy, since 5 September 2017 there have been no restrictions on the exchange, acquisition and sale of foreign currency. On 8 September 2017, a policy framework for administrative reform was approved in Uzbekistan, along with a road map for its implementation.

20. In 2017, a law was passed to amend the Oliy Majlis Human Rights Commissioner (Ombudsman) Act, which strengthened the legal standing of the institution of ombudsman and granted it the right to file claims and complaints with the Constitutional Court, thereby enhancing its ability to provide more effective remedies to citizens whose rights had been violated. To ensure close interaction between government and parliamentary institutions, the office of plenipotentiary representative of the Cabinet of Ministers in the Oliy Majlis was created by a Presidential Decision of 28 September 2017 and, pursuant to a Presidential Decree of 16 August 2017, on fundamentally upgrading the arrangements for Uzbek citizens travelling abroad, the requirement for citizens travelling abroad to have a permit sticker in their passport was abolished.

21. Parliamentary oversight of compliance with international treaties in the area of human rights and freedoms has been significantly strengthened. Over the last three years, the Uzbek parliament has considered issues related to implementation of the International Convention on the Elimination of All Forms of Racial Discrimination, the International Covenant on Economic, Social and Cultural Rights and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. It has also considered the accession by Uzbekistan to the Convention on the Rights of Persons with Disabilities, the issue of combating HIV infection in the context of implementation of the Millennium Development Goals and the outcome of the consideration of the combined third and fourth periodic reports of Uzbekistan on implementation of the Convention on the Rights of the Child and its optional protocols and of the Act on safeguards of children's rights.

22. On 4 October 2017, the Senate met to consider measures to strengthen the safeguards of citizens' labour rights in accordance with the country's law and international labour standards. The senators adopted a decision pursuant to which a parliamentary commission was set in place on safeguards for the labour rights of citizens. It was decided that regular reports should be submitted to the Senate setting out the findings of appraisals of the work by the directors of government agencies and other organizations at both central and local levels to implement the law and international treaties of Uzbekistan relating to the prevention and suppression of forced labour.

23. On 12 October 2017, the Senate adopted a decision on the granting of amnesty on the occasion of the twenty-fifth anniversary of the adoption of the Constitution of the Republic of Uzbekistan. Pursuant to application of this decision, more than 15,500 citizens guilty of offences which posed no particular danger to society or were of a less serious nature were exempted from criminal liability or punishment. The exemption was extended to 3,500 women, minors and persons over the age of 60. More than 2,800 persons have been released from custody. On 29 September 2017, a Presidential Order was adopted on preparatory measures for the pardoning of convicted persons on the occasion of the twenty-fifth anniversary of the adoption of the Constitution of the Republic of Uzbekistan, and 2,700 persons, including 956 persons serving sentences in correctional facilities, have been pardoned pursuant to a Presidential Decree of 6 December 2017.

24. Uzbekistan is deepening its international cooperation with the Charter and treaty bodies of the United Nations, the Human Rights Council and its special procedures, in matters relating to the application of basic international standards in the domain of human rights and freedoms. In 2016, drawing on the strengthening international relations between Uzbekistan and the Office of the United Nations High Commissioner for Human Rights (OHCHR), the National Centre for Human Rights of Uzbekistan concluded a memorandum of understanding with the United Nations country office and other international organizations.

25. From 10 to 12 May 2017, the first visit was made to Uzbekistan by the United Nations High Commissioner for Human Rights, Zeid Ra'ad Al Hussein. The High Commissioner met with the President and a number of high-level officials, representatives of civil society, the media and ordinary citizens, noted the progress made in the sphere of human rights and freedoms in Uzbekistan and expressed support for the adoption of the framework for action in five priority development areas over the period 2017–2021. Following that visit, the Uzbek parliament adopted an action plan for the further modernization of the system for the protection of human rights and freedoms in the country.

26. On 9 and 10 June 2017, the United Nations Secretary-General António Guterres visited Uzbekistan. During his visit, the Secretary-General held discussions on the current status of and prospects for cooperation between Uzbekistan and the United Nations and its organizations and on pressing regional and international issues, relating in particular to mitigation of the consequences of the Aral Sea disaster.

27. From 5 to 8 September 2017, a delegation from the regional office of the United Nations High Commissioner for Human Rights in Central Asia, headed by Ryszard Komenda, visited Uzbekistan. Following the delegation's visit, with the aim of furthering constructive cooperation, consideration was given to the appointment of a national focal point within the United Nations system for engagement with OHCHR and the OHCHR Regional Office for Central Asia.

28. Over the period from 28 August to 11 September 2017, visits to Uzbekistan were made by the Director of the Europe and Central Asia Division of Human Rights Watch, Hugh Williamson, and the organization's Office Director, Steve Swerdlow. As part of the visit, the delegation observed the work of the presidential help desk system in Tashkent and participated in a forum of civil society organizations on the topic of non-governmental organizations and the development strategy, which was attended by representatives of some 60 non-governmental non-profit organizations and other civil society institutions.

29. From 18 to 20 September 2017, the President of Uzbekistan, Shavkat Mirziyoyev, attended the seventy-second session of the United Nations General Assembly and made an address to the Assembly in which he put forward initiatives aimed at ensuring stability and sustainable development in the Central Asian region. He proposed the adoption of a special General Assembly resolution on that question, and also proposed the drafting of a United Nations convention on the rights of young persons and the adoption of a General Assembly resolution on the issue of education and religious tolerance.

30. From 2 to 12 October 2017, a visit to Uzbekistan was made for the first time by a delegation from the Human Rights Council, headed by Ahmed Shaheed, the Special Rapporteur on freedom of religion or belief of the Human Rights Council, who was personally received by the President and held meetings with the heads of parliamentary chambers, ministries and departments, law enforcement agencies and representatives of civil society institutions. He was able to see for himself the arrangements in place in the Republic of Qoraqalpog'iston and in the provinces of Farg'ona and Buxoro for religious denominations and for ethnic cultural centres, to observe the work of the presidential help desk system for the processing of citizens' claims and complaints and to appreciate the significant achievement over recent months of the return to normal healthy life of some 16,000 citizens who had fallen under the sway of illegal religious sects.

31. Uzbekistan is deepening its regional cooperation in the field of human rights and freedoms. Thus, pursuant to an agreement between Uzbekistan and the European Union, a European Union project was carried out on the provision of support to criminal judicial reforms in Uzbekistan. The project's key partners were the Ministry of Justice, the Supreme Court, the Office of the Procurator General and the Ministry of Internal Affairs. In the course of the project, more than 180 collaborative activities were carried out on various aspects of reform of the judicial and legal system and more than 120 conferences, seminars, training sessions and workshops have been organized and conducted, with the participation of more than 110 highly skilled foreign specialists and more than 2,000 law-enforcement officers.

32. Over the period 2014–2017 the following policy documents on human rights were adopted, which cover issues relating to the suppression of torture.

33. First, in 2014, with the support of experts from OHCHR and the United Nations Development Programme (UNDP), a national action plan was adopted for the implementation over the period 2014–2016 of the recommendations of the Human Rights Council and the international human rights treaty bodies based on their consideration of the national reports of Uzbekistan in the area of human rights and freedoms.

34. Second, in 2015, the aforementioned national action plan was supplemented with a second section, on follow-up to the recommendations of the Committee on the Elimination of Racial Discrimination based on its consideration of the eighth and ninth national reports of Uzbekistan (for the period 2015–2018), and a third section, on follow-up to the recommendations of the Committee on Economic, Social and Cultural Rights based on its consideration of the second national report of Uzbekistan (for the period 2015–2017).

35. Third, in 2016, a national plan of action was adopted to implement the recommendations of the Human Rights Committee following its consideration of the fourth national report of Uzbekistan on the implementation of the International Covenant on Civil and Political Rights (for the period 2016–2018).

36. Fourth, in 2017 a national plan of action was adopted to implement the recommendations of the Committee on the Elimination of Discrimination against Women following its consideration of the fifth national report of Uzbekistan on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women.

37. Fifth, following the visit to Uzbekistan on 16 June 2017 by the United Nations High Commissioner for Human Rights, the Kengash of the Legislative Chamber and the Senate of the Oliy Majlis adopted a joint decision approving the action plan for the further development of cooperation with OHCHR, and a plan of practical measures, or road map, was adopted by a Presidential Decision of 27 September 2017 for the promotion of the initiatives in Uzbekistan launched at the seventy-second session of the General Assembly on the implementation of arrangements with the United Nations High Commissioner for Human Rights, and other measures.

38. Sixth, a Presidential Decision was adopted on 14 December 2017 to approve the programme of measures for the implementation of the tasks outlined by the President of Uzbekistan at the commemorative meeting to mark the twenty-fifth anniversary of the adoption of the Constitution of the Republic of Uzbekistan, together with a programme of State activities to mark the seventieth anniversary of the Universal Declaration of Human Rights.

39. A system has been set up in Uzbekistan for monitoring fulfilment of the aforementioned national plans of action and annual meetings on this matter are held by the Academic Coordination Council of the National Centre for Human Rights with UNDP, the Project Coordinator of the Office for Security and Cooperation in Europe (OSCE), the European Union delegation and diplomatic missions abroad, for the purpose of discussing progress in implementing the recommendations of international human rights treaty bodies, including the Committee against Torture.

40. The present fifth national report of Uzbekistan on the implementation of the provisions of the Convention against Torture has been drawn up in accordance with the instructions provided in the compilation of guidelines on the form and content of reports to be submitted by States parties to the international human rights treaties. It provides an update on the implementation of each substantive article of the Convention, including through legislative, administrative and other measures, together with specific information on the implementation of the concluding observations and recommendations of the Committee against Torture and on areas offering good prospects for the further improvement of the system for protection of the human rights and freedoms covered by the Convention.

## **II. Information on individual articles of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment**

### **Articles 1 and 4**

41. In the process of implementing articles 1 and 4 of the Convention against Torture, Uzbekistan has given close attention to the Committee's recommendation (para. 10) on the need to revise its criminal law to bring article 235 of the Criminal Code into line with article 1 of the Convention and, to that end, the following activities have been carried out in accordance with the national plan of action to implement the recommendations of the Human Rights Council and treaty bodies following the consideration of national reports on Uzbekistan in the sphere of human rights and freedoms (for the period 2014–2016).

42. First, with the participation of representatives of the Ombudsman's Office, the National Centre for Human Rights, the Ministry of Internal Affairs, the Office of the Procurator General, the Ministry of Justice, the Supreme Court and the Bar Chamber, a detailed study has been made of the experience of foreign countries in the implementation of article 1 of the Convention, which demonstrated that, in many countries, the definition of torture does not entirely duplicate the text of article 1 of the Convention, but is consistent with its meaning and reflects specific features of the evolving domestic legal system of Uzbekistan.

43. Second, on 23 and 24 June 2014, an international conference was held on the theme of the further reform of the judicial and legal system – priority areas for the development and democratization of society. The conference was attended by Uzbek and foreign experts and representatives of international organizations, and an address was delivered by Bill Bowring, Professor of Law at the University of London, in which he described the experience gathered by his country in the protection of human rights in the justice system, including in combating torture.

44. Third, on 24 June 2014, the Academic Coordination Council for Research in the Field of Human Rights and Freedoms, which reports to the National Centre for Human Rights, held a symposium on the issue of torture, the perception of torture in Uzbekistan and abroad and consistency between Uzbek provisions and those of the United Nations Convention against Torture, at which presentations were made by Uzbek experts, by Professor Bowring, and by A. Shatelyan, the Legal Adviser of the Democratization Department of the OSCE Office for Democratic Institutions and Human Rights, who all concluded that article 235 of the Criminal Code was broadly in line with article 1 of the Convention, that it reflected the specific features of the country's evolving legal system and that its wording had been brought as close as possible to the text of article 1 of the Convention in the definition of "torture and other cruel, inhuman or degrading treatment or punishment". Where the texts do differ is that article 1 of the Convention does not define the scope of perpetrators of the offence of torture, while article 235 of the Criminal Code limits that category to police detectives, investigators, procurators and other law enforcement officials and prison officers, demonstrating the specific thrust of the campaign against torture in Uzbekistan. As part of further efforts to incorporate the rules of international law into domestic law and to promote best practices from other countries, it was recommended that consideration be given to the steps required to bring article 235 of the Criminal Code fully into line with the provisions of article 1 of the Convention.

45. Fourth, work is continuing on incorporating the Convention's provisions on the prohibition of torture into the country's new laws. Thus, article 8 of the Act of 16 September 2016 on the internal affairs authorities stipulates that internal affairs officials are forbidden to employ torture, violence or any other cruel or degrading treatment. Internal affairs officials are obliged to halt any action deliberately intended to inflict pain or physical or mental suffering.

46. The Act of 9 January 2017 on the procedure for the application of administrative detention includes provisions designed to prevent and eliminate the torture of persons held

in administrative detention. In particular, the personal security of such persons shall be ensured and the use on them of physical force and special devices should not involve the infliction of any suffering, nor be accompanied by cruel, inhuman or degrading treatment. The procurator shall be notified without delay of every case in which harm is caused to the lives and health of persons taken into custody and of any other persons (art. 29).

47. Under a Presidential Decree of 30 November 2017 on additional measures to strengthen guarantees of the rights and freedoms of citizens during judicial investigations, information obtained through violations of procedural laws, including through the use of torture, is inadmissible as evidence in criminal cases. In his address at the ceremony to mark Constitution Day, on 7 December 2017, the President of Uzbekistan categorically declared that the use of torture or of psychological or physical coercion or other forms of violence against persons held in custody or subject to criminal prosecution will not be tolerated in Uzbekistan. In a message delivered to the Oliy Majlis on 22 December 2017, the President stated once again that officers who committed such acts and persons carrying out such acts under anyone's orders must be prosecuted.

48. Fifth, work continues on monitoring implementation of the Convention. In June and July 2014, on the initiative of the Oliy Majlis Legislative Chamber Committee on International Affairs and Interparliamentary Relations in the Province of Qashqadaryo, a parliamentary review was carried out of the implementation of the provisions of the Convention and the findings of this review were presented at an expanded round-table meeting on 24 July 2014, attended by representatives of law enforcement agencies and civil society institutions.

49. Sixth, work is continuing in the Tashkent State University of Law and other advanced educational institutions on the study of issues relating to the incorporation of article 1 of the Convention into Uzbek law. This work involves such activities as the conduct of fundamental legal studies aimed at defining the notion of "torture" in Uzbek law; the analysis of international practice of the application of the Convention by courts; and a wide-ranging discussion of issues related to the application of acts of amnesty and introduction of the practice of awarding compensation to the victims of torture.

50. Seventh, in the drafting of national action plans for the implementation of the recommendations of the international human rights treaty bodies, including those concerned with torture, particular emphasis is placed on issues related to the suppression of torture. On the basis of the national action plan for the implementation of the recommendations of the Human Rights Committee of 26 August 2018 following its consideration of the fourth periodic report of Uzbekistan on the implementation of the International Covenant on Civil and Political Rights, steps are being taken to examine the application of the acts of amnesty (para. 9.4), to provide victims of torture with an effective remedy (para. 10.1), to establish a preventive mechanism to monitor places of detention (para. 14.1), and other such measures.

51. In particular, studies show that an act of amnesty does not negate the statute under criminal law which establishes liability for the specific offence in question, nor does it vacate a judgment handed down by a court: it merely alleviates the situation of convicted persons and offenders. Amnesty is granted only to certain categories of convicted persons or offenders or for certain categories of offences. The question of whether amnesty may be granted to perpetrators of torture will be discussed at a meeting of the Academic Coordination Council of the National Centre for Human Rights, to be held in 2018 and attended by deputies, senators and members of the judiciary and law enforcement agencies.

52. The action plan approved by the houses of the Oliy Majlis of Uzbekistan following the visit to Uzbekistan by the United Nations High Commissioner for Human Rights on 16 June 2017 provides for further analysis of foreign experience, with a view to determining whether or not amendments and additions should be made to article 235 of the Criminal Code, and to drafting proposals relating to the accession of Uzbekistan to the Optional Protocol to the Convention against Torture; to strengthening the oversight of complaints of torture, to ensure that they are comprehensively processed; and to boosting the effectiveness of parliamentary monitoring of the prohibition of torture.

53. Eighth, the memorandum of understanding between the United Nations country office and the National Centre for Human Rights, concluded in October 2016, also makes

provision for the implementation of projects associated with the campaign against torture. The project document for the implementation of the memorandum includes measures to improve the monitoring of correctional facilities, a draft law on free legal aid and other initiatives. Draft terms of reference have been developed on the national system for the prevention of torture, which is operated by the Office of the Ombudsman.

54. Ninth, issues relating to the rights of citizens to protection from torture were also considered in the drafting of a bill on emergencies, which guarantees that article 7 of the International Covenant on Civil and Political Rights, on the prohibition of torture, shall be non-derogable in the event of the restriction of human rights and freedoms at a time of emergency.

55. Tenth, a system has been set in place for the monitoring of the national action plan for the implementation of the Committee's recommendations by the National Centre for Human Rights. In its preparatory work for the fifth national report on the implementation of the Convention against Torture, on 20 April and 5 October 2016 the National Centre held working meetings with representatives of law enforcement agencies and non-governmental organizations. At these meetings, participants identified the tasks to be performed by the relevant bodies in collecting reliable data on progress made in the campaign against torture and in gathering information for the drafting of responses to communications from the international non-governmental organization Amnesty International and Human Rights Watch on the subject of torture.

56. The National Centre for Human Rights has also been monitoring the operation of the State's judicial arrangements for ensuring fulfilment of the country's international obligations in the area of human rights and freedoms, and in this process has identified problems associated with the inadequate involvement of the country's parliament in the implementation of international commitments; the failure to resolve certain issues relating to international activities of the executive bodies; and the lack of legal organizational arrangements to enhance the role of the judiciary in the application of international legal standards in the sphere of justice.

57. Vigorous efforts are under way in Uzbekistan to bring the perpetrators of torture to justice, in particular when these are officials of the internal affairs agencies.

58. In the course of putting into effect the recommendations of the Committee (para. 7), senior officials of the Ministry of Internal Affairs carry out a thorough review of every attested case of the use of physical force, ill-treatment or encroachment on the rights and legitimate interests of the aforementioned persons. The perpetrators are subjected to severe disciplinary measures; they are usually dismissed from the internal affairs agencies and it is mandatory for the official review file to be handed over to the procuratorial authorities.

59. In 2014, investigations under article 235 of the Criminal Code were carried out by the Tashkent provincial procurator's office against three officials of the Tashkent provincial internal affairs agencies. In 2015, 13 internal affairs officials in the city of Qarshi and one official in the city of Urganch were investigated under article 235 of the Criminal Code; in 2016, investigations were conducted against two officials of the Andijon provincial internal affairs office, two internal affairs officials from the Shahrisabz district of Qashqadaryo province and one official from the city of Navoiy. In 2017, criminal proceedings under article 104, paragraph 3, and article 206, paragraph 1, of the Criminal Code were instigated against two officials of remand centre No. 10 in Farg'ona province and five internal affairs officers were prosecuted.

60. Overall, in 2014, under article 235 of the Criminal Code, the courts considered 11 criminal cases and 14 persons received custodial sentences; in 2015, 14 criminal cases were considered and 29 persons convicted, including 11 persons sentenced to punitive deduction of earnings and 13 to deprivation of liberty, and 4 were sentenced under other articles of the Criminal Code; in 2016, 20 criminal cases were held and convictions handed down on 21 persons, of whom 1 received a fine, 3 were sentenced to punitive deduction of earnings, 3 to restrictions of liberty, 4 to deprivation of liberty and 2 received suspended custodial sentences; in the first three months of 2017, 5 criminal cases were considered and 8 persons were convicted, including 2 sentenced to punitive deduction of earnings, 4 to deprivation of liberty, and 2 convicted under other articles of the Criminal Code.

61. To prevent infringements of the rule of law and of human rights by internal affairs bodies in their law enforcement activities, units of the Ministry of Internal Affairs and local internal affairs agencies are sent quarterly reviews and progress reports on the status of respect for the rule of law and human rights by employees of the country's internal affairs authorities. These reviews are then discussed by the staff of the internal affairs offices. In addition, issues relating to respect for the rule of law and the protection of human rights by officials in the performance of their duties are systematically reviewed at meetings of the Board of the Ministry of Internal Affairs.

62. An audit found no instances where the internal affairs agencies had initiated criminal proceedings in response to the harassment or intimidation of journalists, media professionals and others exercising their rights to freedom of expression and freedom of the press.

63. In compliance with the Committee's recommendation (para. 29), particular weight has been given to discussions on the ratification by Uzbekistan of a number of United Nations international treaties. For example, in the process of carrying out the action plan for cooperation with OHCHR, on 16 June 2017, the chambers of Parliament conducted a detailed analysis of the advisability of the country's accession to the Optional Protocol to the Convention against Torture and drafted proposals to that effect (para. 4.8), and a study of the question of acceding to the International Convention for the Protection of All Persons from Enforced Disappearance highlighted the need to review the experience of other countries in the ratification and implementation of that instrument.

64. The discussion of Uzbekistan's accession to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, the Optional Protocols to the Convention on the Elimination of All Forms of Discrimination against Women and the International Covenant on Economic, Social and Cultural Rights suggests that further study is required, to take full account of the practices of those States that have acceded to those instruments. Generally speaking, accession to the first Optional Protocol to the International Covenant on Civil and Political Rights will provide an opportunity for citizens to exercise their right to appeal to the Human Rights Committee by submitting individual complaints on a range of different aspects of the protection of their rights and freedoms.

65. Where accession to the Convention on the Rights of Persons with Disabilities is concerned, Uzbekistan has commenced preparations for its ratification by upgrading its legislation and the practice of State authorities in this area.

## Article 2

66. Uzbekistan is implementing a series of phased measures to enhance the fulfilment of its international obligations in the sphere of human rights and freedoms, including with a view to ensuring the necessary organizational and legal conditions for the prohibition and suppression of torture.

67. A significant role in the campaign against torture and other cruel and inhuman treatment or punishment has been played by the sustained implementation of the Committee's recommendations following its consideration of the fourth national report. This work is based on the activities outlined in the policy documents adopted in this area over the period 2014–2017.

68. First, to ensure prompt and impartial investigations into all allegations of torture and other criminal acts, a system has been set in place of presidential help desks, in the capital and in the regions. An online presidential help desk, an online Prime Minister's help desk and online help desks of the law enforcement agencies and other government bodies are also in operation, together with a special presidential service for the protection of human rights and freedoms, responsible for monitoring the timeliness and effectiveness of the processing of complaints by the public.

69. Second, the managers and officials of law-enforcement agencies now incur greater liability for infringement of the law and failure to take necessary measures to restore the violated rights of citizens. To ensure the accountability of these agencies they regularly report to the public, to civil society associations and to representative government bodies, and these reports are published in the media.

70. Third, following application of the Senate's Amnesty Act and the Presidential Decree granting pardons, custodial sentences have been lifted for persons who have been held in detention for a long time and who are often mentioned in submissions by international human rights organizations and the Committee's recommendations (para. 8) and these persons have been released. They are receiving assistance and support in finding employment and, to this end, a prohibition has been introduced in the country's labour law barring any restriction of the labour rights of persons released from custodial facilities.

71. Fourth, legislative proposals are being drafted with a view to limiting the applicability of the amnesty acts to persons convicted under article 235 of the Criminal Code and for other serious offences.

72. Fifth, legislative and institutional measures have been taken to ensure that persons taken into custody are immediately granted access to independent counsel, are taken for a medical examination, are able to contact their families and are given information about their rights and the charges against them. Comprehensive arrangements are being made to ensure video recordings of all interrogations conducted by the internal affairs agencies.

73. Sixth, fundamental changes have been made to the Code of Criminal Procedure to give judges greater leeway to apply preventive measures other than pretrial detention. The changes are also aimed at strengthening the basis for acquittals, at prohibiting the referral of criminal cases for additional investigation and at granting courts the right to carry out their own verification of allegations that were been examined during initial inquiries and pretrial investigations. Penalties such as short-term rigorous imprisonment have been removed from the Criminal Code, and the maximum period of police custody has been reduced from 72 to 48 hours. The maximum period for holding a person in remand and for the pretrial investigation has also been reduced.

74. Seventh, far-reaching measures have been taken to strengthen the independence of the courts, optimize their capacities, strengthen safeguards for the protection of the rights of judges, including, among other measures, by extending the appointment of judges to 10 years and longer, to ensure the indefinite performance of their duties.

75. The work of the judicial and legal system, the courts and the law enforcement agencies received a positive boost from the adoption in 2017 of the framework for action in five priority areas for the development of Uzbekistan over the period 2017–2021, of the national programme for 2017 as the year of public dialogue and human interests, under which work has been conducted on the drafting of more than 100 bills and other statutory instruments aimed at effectively strengthening the safeguards for rights and freedoms in the justice sector.

76. Focused efforts have been made in Uzbekistan to identify specific shortcomings in the work of the law enforcement agencies and the courts which have significantly affected the level of protection of human rights and freedoms. The President has severely criticized the work of the procuratorial authorities, the internal affairs and justice bodies, the Office of the Ombudsman and judges in specially arranged telephone meetings that are openly aired on all television and radio channels, and also posted on the Internet. Attention was drawn to the importance, for the procuratorial authorities, of avoiding an officious approach to the needs and demands of citizens and of taking a responsible attitude to their duties (meeting of 7 February 2017), to the need to eliminate cases of violence and other shortcomings in the conduct of criminal detective work by the internal affairs agencies (meeting of 9 February 2017), and to the need to raise the level of legitimacy and fairness in the work of the courts, to eradicate all unlawful practices, corruption and indifference to the needs of the public by members of the judiciary (meeting of 13 July 2017). A Presidential Decree was passed on 30 November 2017 to prohibit the use of evidence obtained in breach of the provisions of the Code of Criminal Procedure, to establish criminal liability for the falsification of evidence obtained through forced confessions, and to accord the right to

lodge judicial challenges against court decisions on the imposition of remand in custody as a preventive measure for a period of 72 hours from the handover of a detainee by the body concerned.

77. Over the period 2016–2017, a number of amendments and additions have been made to the Procuratorial Service Act, fleshing out the principal areas of activity of the procuratorial authorities involving oversight of observance of the law by the law enforcement agencies, the military, the investigation services and the tax and prisons systems, and also oversight of compliance with the laws on citizens' rights and freedoms. These changes also include the duty to review and verify complaints and reports of torture and to bring the perpetrators to justice; the right to raise challenges, in accordance with due procedure, against sentences, decisions, determinations and judgments of the court; the obligation to submit annual reports on their activities, together with the Senate, to the Jokargy Kenes of the Republic of Qoraqalpog'iston and the kengashes of people's deputies, and also, where appropriate, to inform citizens' self-governing bodies on the status of the rule of law and the fight against crime. In addition, plans are also in place to reform the work of the National Security Service and to adopt laws on the law enforcement agencies and on the National Security Service.

78. The protection of the rights, freedoms and legitimate interests of citizens is identified in the Act on the internal affairs authorities as one of the priority activities of those authorities (art. 4). The Act emphasizes that officials of the internal affairs authorities may not justify their illegal actions or omissions by invoking the necessities of service, cost efficiencies, the unlawful demands, instructions and orders of superiors or any other factors that are not in conformity with the law. They are forbidden to incite, induce or encourage anyone either directly or indirectly to commit punishable acts (art. 6). They are also forbidden to employ torture, violence or other cruel or degrading treatment and are under an obligation to halt any action deliberately intended to inflict pain or physical or mental suffering on other citizens (art. 8).

79. The Act establishes guarantees that the activities of the internal affairs agencies will be monitored by individuals and legal entities exercising their right to receive information about the activities of those agencies in general and about any activities that directly affect their own rights and interests (art. 9). It also establishes the right to submit communications reporting the commission of offences and to receive essential medical and other assistance at the scene of an offence (art. 16). The Act defines the grounds and procedure for the detention by the internal affairs authorities of persons suspected of committing an offence. In particular, the Act stipulates that persons taken into custody shall have the right to make telephone calls or to inform a lawyer or close relative about their detention and their whereabouts, to be represented by a lawyer from the moment of apprehension, and also other rights enshrined in the Code of Criminal Procedure (art. 18).

80. It should be noted that the substantive areas and modalities for reforming the activities of internal affairs bodies are spelled out in the Presidential Decree of 10 April 2017 on measures to overhaul the work of the internal affairs bodies and to enhance their responsibility for the maintenance of public order and the sustainable protection of citizens' rights, freedoms and legitimate interests. They are also set forth in the Presidential Decisions of 18 April 2017 on measures to overhaul the work of the internal affairs authorities in the investigation of offences, of 14 March 2017 on further enhancing the system for the prevention and combating of crime, and of 11 August 2017 on measures to overhaul the work of the internal affairs agencies relating to the enforcement of custodial sentences. These statutory instruments have resulted in the establishment of an investigations department in the Ministry of Internal Affairs, a central office for organization, auditing and information analysis, a central office for migration and citizenship, an internal security office, an office responsible for the processing of claims and complaints by individuals and legal entities and a division for the protection of human rights and coordination with international organizations. Special rooms have been set up equipped with devices for the stenographic recording and video monitoring of interrogations, together with the audio and video recording of investigative actions. There is now a system of videoconferencing links between the Investigations Department and its regional units. A national interdepartmental commission has been set up to work on the

prevention of crime and suppression of criminal behaviour; new terms of reference have been drawn up for a central office on the enforcement of criminal sentences; and a programme of measures has been approved to develop the work of correctional facilities over the period 2018–2022. Every Thursday is now designated “Crime prevention day” and arrangements are made to hold public hearings and meetings with communities, to discuss the status of the rule of law in the country, including by use of the media.

81. The Act of 9 January 2017 on the procedure for the application of administrative detention stipulates that persons subject to administrative detention shall be handed over to the special holding centre by officials of the local internal affairs agencies. Person taken into administrative detention shall be searched and photographed and their fingerprints taken; their personal effects shall be inspected and they shall undergo a medical examination. From the moment that individuals subject to administrative detention are placed in a special holding centre, the management of that centre shall be obliged to accord them the right to make a telephone call or to contact a lawyer, relatives or other persons to inform them of their placement in the centre. If an individual placed in a special holding centre is a foreign national, written notification of that person’s placement shall be sent within a period of not more than 24 hours to the Ministry of Foreign Affairs of Uzbekistan.

82. Persons under administrative detention shall have, among other rights, the right to receive information about the procedure and conditions for serving their administrative detention, and their rights and duties; to submit applications, suggestions and complaints; to be held in conditions that ensure their personal safety and health and to receive medical care; to have access to a lawyer, family members or other individuals; to one limited telephone conversation per day within the territory of Uzbekistan; to perform religious rites provided that these do not run counter to the internal facility rules, or the rights, freedoms and legitimate interests of other persons; and to receive and keep medical products, in accordance with prescribed procedure.

83. Foreign nationals placed in administrative detention shall, in addition to the above-mentioned rights, also have the right to communicate with the diplomatic missions and consular posts of their State, and nationals of countries that have no diplomatic or consular offices in Uzbekistan, with diplomatic missions and consular offices of a State that has undertaken to protect their interests.

84. When, upon their admission to special holding centres, individuals placed under administrative detention are found to have physical injuries, their medical examination shall be conducted as a matter of urgency by the health-care staff at the special holding centre. The results of the medical examination shall be promptly communicated to the procurator.

85. Persons who, upon the determination of the medical officer at the special holding centre, are in need of inpatient medical attention, shall be transferred to State medical facilities. When individuals taken into administrative detention are transferred to hospital for medical attention, their relatives or other persons designated by them shall be notified immediately. The time spent administering inpatient medical attention to individuals subject to administrative detention shall be counted as part of their term of administrative detention.

86. From the moment that individuals subject to administrative detention are placed in a special holding centre, the management of that centre shall be obliged to accord them the right to make a telephone call or to contact a lawyer, relatives or other persons to inform them of their placement in the special holding centre; to grant them access to a lawyer, family members or other individuals; to inform them about the procedure and conditions for serving their period of administrative detention, about their rights and obligations and about the use of any technical supervision and monitoring devices. They shall ensure that such individuals have unhindered access to the special help desk of the Human Rights Commissioner (Ombudsman) and shall ensure their personal safety; and they shall immediately notify the procurator of the discovery on individuals placed in administrative detention of evidence of physical injuries, and also of every instance in which harm was caused to the life and health of such individuals and of other persons as a consequence of the use of physical force and special devices.

87. In the event of the death of a person subject to administrative detention, the management of the special holding centre shall promptly notify the deceased person's family and legal representative and the procurator. The death of such a person shall be subject to a preliminary investigation carried out in accordance with the procedure laid down in the Code of Criminal Procedure. After the conduct of a forensic examination and other actions prescribed by the Code of Criminal Procedure, the body of the deceased shall be handed over the spouse, parents, children and other relatives or legal representatives of the deceased or other persons assuming responsibility for the burial of the body. In the event that no application for the handover of the body is submitted by a spouse, parents, children or other relatives or legal representatives or other persons assuming responsibility for the burial of the body, the burial of the deceased shall be conducted in the manner prescribed by law. Appeals may be lodged against the actions or omissions of the management and employees of special holding centres with a higher authority in the chain of command, a procurator or the court.

88. As part of the extensive reforms to the legal and judicial system, the President has proposed, in his presidential message to the Oliy Majlis of the Republic of Uzbekistan, that a commission for the promotion of the independence of the judiciary be established under the Oliy Majlis.

89. Judicial oversight of the work of the pretrial investigation authorities has been substantially strengthened; specific measures have been set in place to streamline the functioning of the courts; amendments and additions have been made to the Constitution, the Criminal Code, the Code of Criminal Procedure, the Code of Civil Procedure, the Courts Act and a number of other statutory instruments with the aim of enhancing the administration of justice, with due consideration for the pre-eminence of human rights and freedoms and the need to strengthen guarantees of a fair and timely trial. As a result, in the first 10 months of 2017 alone, the courts handed down acquittals of 191 persons, compared to a mere 7 such acquittals over the previous five years. Added to which, in 2017, 3,511 criminal cases were discontinued by the preliminary investigation bodies on exculpatory and other grounds.

90. By an Act of 29 March 2017 amendments were made to the Criminal Code and the Code of Criminal Procedure, abolishing criminal penalties involving short-term rigorous detention and extending the application of alternative, non-custodial forms of punishment; the period during which a criminal suspect may be held in police custody has been cut from 72 to 48 hours; and the time limit for the imposition of such preventive measures as remand in custody and house arrest, and also for the conduct of preliminary investigations, has been reduced from one year to seven months.

91. The practice of referring criminal cases back to the courts for further investigation has been abolished and instead arrangements have been brought into effect to fill the gaps in incomplete investigations in the course of the trial proceedings. Since 1 April 2017 the courts have been empowered to authorize the seizure of postal and telegraphic correspondence, the exhumation of bodies and the imposition of alternative measures in the event that the imposition of preventive measures such as remand in custody or house arrest is rejected. From now on, it is planned, in line with the proposal of the President, to grant the courts the power to issue search warrants and to authorize the wiretapping of persons suspected of committing an offence.

92. Furthermore, with the aim of removing superfluous intermediate judicial bodies which only delay and complicate the judicial process, it has been decided to abolish the system of referring criminal and civil cases to provincial-level courts as a supervisory measure, to set aside the powers of the respective court presidents and procurators to lodge challenges as supervisory measures and to remove from the Plenum of the Supreme Court its duplicative powers to reconsider cases under the supervisory procedure. It is also planned to adopt a road map for the development of criminal and criminal-procedure legislation over the period 2018–2021.

93. Following the Committee's recommendations (para. 15), in shaping the State policy for the prevention of torture and the strengthening of guarantees of the rights of persons under investigation, particular attention is being given to reviewing the length of time that

suspects of offences can be held in police custody, the duration of remand in custody as a preventive measure and the duration of initial inquiries and pretrial investigations.

94. Under article 381-7 of the Code of Criminal Procedure, the period of initial inquiry may not extend beyond one month from the initiation of criminal proceedings. According to article 351 of the Code of Criminal Procedure, pretrial investigations must be completed within three months of the initiation of criminal proceedings. The pretrial investigation is considered to have been completed on the date on which the indictment is lodged with the procurator together with a decision to refer the matter to the court for the application of compulsory medical measures or for the purposes of conciliation of the parties, or a recommendation on the submission to the court of an application for the dismissal of criminal proceedings under the Amnesty Act or on the date on which the order to discontinue proceedings is handed down.

95. The period of initial inquiry may be extended by the procurator for up to 20 days, and a pretrial investigation may be extended for up to five months, by a procurator of the Republic of Qoraqalpog'iston, a procurator of one of the provinces or of the city of Tashkent, or a procurator of equivalent rank. A pretrial investigation may be further extended by the Procurator General of Uzbekistan or a deputy procurator general for up to seven months.

96. If a case is sent back for further initial inquiry, the period of such inquiry shall be limited to 10 days from the date on which the official carrying out the initial inquiry committed the case for trial. Where extended investigation is concerned, and also the resumption of suspended or discontinued proceedings, the period for additional investigation shall be set at no more than one month from the date on which the case is committed for trial. Any further extension shall be made following the standard procedure and taking into account the duration of the investigation prior to referral of the case to the procurator, or to its suspension or termination.

97. In accordance with article 237 of the Code of Criminal Procedure, preventive measures shall include: pledge of good conduct; personal recognizance or recognizance of a voluntary association or collective; bail; house arrest; remand in custody; placing a minor under supervision; supervision by commanding officers of the conduct of military personnel. Only one of these measures may be applied to the same individual at any given time.

98. Article 245 of the Code of Criminal Procedure establishes that remand in custody or house arrest during the investigation of a criminal offence may not exceed three months. The possibility of extending this legally prescribed three-month limit for remand in custody or house arrest shall be considered by a court, upon application as follows: for up to five months, from a procurator of the Republic of Qoraqalpog'iston, a procurator of one of the provinces or of the city of Tashkent, or a procurator of equivalent rank; or for up to seven months, from the Procurator General or the Procurator General's deputy. No further extensions shall be allowed. In considering the aforementioned requests, the court shall take into account the validity of submissions and also the considerations of due process and other requirements.

99. The file of a case closed by an investigation must be made available for perusal by the accused and the counsel for the accused no later than one month before the end of the maximum period prescribed by article 245 of the Code of Criminal Procedure for remand in custody. The time taken by an accused and the counsel for the accused to peruse the case file shall not be taken into consideration in the calculation of the period of remand in custody or house arrest when applied as a preventive measure.

100. Over the period from the beginning of 2016 to mid-2017, a variety of preventive measures were imposed on 101,652 individuals (67,018 in 2016 and 34,634 in the first six months of 2017) during the investigation of criminal cases by investigative bodies (the procuratorial service and the Ministry of Internal Affairs) and, of those, the preventive measure of remand in custody was applied against 16,153 individuals (9,612 and 6,541 respectively), including under article 235 of the Criminal Code, in respect of 9 individuals in 2016 (12 over the first nine months of 2017).

101. Uzbek law includes provisions establishing compensation for the victims of crime, including torture. The procurator is obliged to bring – or to endorse – a civil suit, or to oppose such a suit, if so required by the protection of State or public interests or the rights and legitimate interests of citizens (art. 279). In civil cases, proceedings during the initial inquiry, the pretrial investigation and in court shall take place in the manner prescribed by the Code of Criminal Procedure. If, during a civil suit, a procedural issue not covered by the Code should arise, the rules of civil procedure law shall be applied provided that they do not run counter to the principles of criminal proceedings (Code of Criminal Procedure, art. 280).

102. In addition, pursuant to article 991 of the Civil Code, harm caused to a citizen as a result of an unlawful conviction, an unlawful criminal prosecution, unlawful remand in custody or extraction of a pledge of good conduct as a preventive measure or unlawful administrative penalties in the form of short-term rigorous detention must be compensated by the State in full and in the manner prescribed by law, regardless of whether the officials of the bodies responsible for the initial inquiry or pretrial investigation, the procuratorial service or the courts are at fault. The court may decide to impose responsibility for paying the compensation on the officials who caused the harm.

103. The procuratorial authorities filed 17,938 (31,594) challenges against decisions in contravention of the law and a total of 10.2 (25.4) billion sum was voluntarily reimbursed by perpetrators for damage caused by individuals and legal entities. Disciplinary and administrative charges were laid against 43,844 (75,379) persons who permitted the commission of unlawful acts. In all, 16,473 (27,101) applications were lodged with the courts on behalf of individuals and legal entities for a total of 120.8 (409.9) billion sum in compensation for harm. To restore the rights of victims, 1,947 (5,216) criminal proceedings were instituted and the perpetrators duly prosecuted.

104. During its consideration of these applications and the conduct of procuratorial supervision under article 235 of the Criminal Code, over the period between the beginning of 2016 and the first six months of 2017, the procuratorial authorities prosecuted 13 (0) persons under six (0) criminal cases. It should be noted that all the individuals against whom criminal charges were brought were officials of the internal affairs agencies. Over the period between the beginning of 2016 and the first six months of 2017, as a consequence of criminal prosecutions based on investigations into allegations of torture, all those found guilty (13 officials of the Ministry of Internal Affairs) were dismissed from their posts.

105. In 2014, 241 complaints (compared to 374 in 2015, 438 in 2016, and 39 over the first quarter of 2017) were lodged of unlawful actions by internal affairs officers, 21 (4 in 2015, 23 in 2016, 5 over the first quarter of 2017) of which were found to be substantiated and led to the imposition of disciplinary punishments on the officers concerned. In all, 77 (90 in 2015, 143 in 2016 and 15 over the first quarter of 2017) complaints were not substantiated. Following their commission of offences, 22 internal affairs officers were dismissed from their posts.

106. The investigation of complaints and allegations of unlawful treatment by law enforcement officials in the performance of their duties has been entrusted to the special units for internal security (special staff inspectorates), which report directly to the head of the relevant law enforcement body. These units are independent, as their duties do not include the combating, detection and prosecution of offences and they do not report to any agencies or divisions of agencies engaged in combating crime.

107. Visits are arranged by procurators to correctional facilities, to meet with convicted prisoners. Every 10 days procurators review the legality of the detention of suspects in police cells and every month that of those in remand centres. Procurators routinely check the orders and instructions issued by the authorities and are empowered to challenge them if they are found to be at variance with the law. Where upholding the rights of citizens is concerned, particular attention is given to the consideration of their complaints and applications. Post boxes have been installed in custodial facilities for inmates to use in submitting complaints to the procurator, and only the supervisory procurators have access to these. In addition, a call centre has been set up in the Office of the Procurator General

which works around the clock, receiving complaints by telephone on the number 1007, which can also be used by convicted prisoners.

108. Thus, over the first six months of 2017, a total of 248 (481 in 2016) checks were carried out in Uzbek custodial facilities of compliance with the law on such matters as the conditions of detention of convicted prisoners, including 183 (344 in 2016) such checks in correctional facilities, 59 (125) in remand centres and 6 (12) in young offenders' institutions.

109. Based on the results of these checks, 36 (114) instructions were issued on the need to rectify violations of the law, to eliminate the causes of these violations and to remedy the conditions propitious to their occurrence; 48 (44) remonstrances were filed against practices in contravention of the law; and disciplinary and administrative charges were laid against 20 (46) officials for permitting violations of the law. To restore the rights of victims, two (seven) criminal proceedings were instituted and the perpetrators duly prosecuted; and the rights of 36 (62) persons held in custody were restored.

110. To familiarize the public with the essential elements of new laws, over the first six months of 2017 a total of 71,820 events (119,119 in 2016) were organized, including 14,510 (22,404) over the media, of which 5,400 (6,545) were aired on television and 4,357 (6,801) over the radio, and 4,575 articles (8,762) were published. Of these, 6,640 events (10,760 in 2016) focused on the protection of citizens' rights and freedoms.

### **Articles 3 and 6–9**

111. Uzbekistan is engaged in ever more extensive international cooperation in the criminal justice system, developing contacts with foreign States in such areas as prohibition of the expulsion, extradition or handover of persons to other States, following the conclusion and application of bilateral treaties on these issues.

112. Thus, 2015 saw the ratification of the following treaties signed on 11 November 2014 in Abu Dhabi: Treaty between the Republic of Uzbekistan and the United Arab Emirates on Mutual Legal Assistance in Criminal Matters (ratified under No. ZRU-383 on 21 May 2015), which entered into force on 21 December 2016; Treaty between the Republic of Uzbekistan and the United Arab Emirates on Extradition (ratified under No. MZRU 382 on 21 May 2015), which entered into force on 21 December 2016; and Treaty between the Republic of Uzbekistan and the United Arab Emirates on the Transfer of Convicted Persons (ratified under No. ZRU-384 on 21 May 2015), which entered into force on 21 December 2016. On 17 October 2016, an agreement was signed between Uzbekistan and Afghanistan on extradition (ratified under No. ZRU-423 on 30 March 2017).

113. Coordination on matters of the extradition, expulsion and return (refoulement) of persons who have committed offences is the responsibility of the International Legal Department in the Office of the Procurator General, which has the authority to submit requests for the extradition of Uzbek citizens accused of specific offences committed in Uzbekistan who have fled abroad to evade criminal prosecution. Extradition requests are made on the basis of objective evidence that attests to the commission of criminal acts by the accused person.

114. In accordance with article 601 of the Code of Criminal Procedure, the extradition of a person present in the territory of Uzbekistan may be effected in the following cases:

- If the criminal law of Uzbekistan envisages a punishment for the perpetration of these acts in the form of deprivation of freedom for a term of over one year, or a more severe punishment, when the person is being extradited to face criminal prosecution;
- If the person in respect of whom an extradition request has been submitted has been sentenced to deprivation of freedom for a term of not less than six months or to a tougher punishment;
- When the foreign State that submitted the request guarantees that the person sought will be prosecuted only for the offence specified in the request and, upon conclusion

of the trial and serving of the sentence, will be able freely to leave the territory of that State, will not be expelled, transferred or extradited to a third State without the consent of Uzbekistan, will not be subjected to torture, violence or other cruel, humiliating or degrading treatment and will not be subjected to the death penalty.

115. A decision to extradite a person present in the territory of Uzbekistan shall enter into force upon the expiry of 10 days from receipt of the written notification of the person in respect of whom it has been adopted. In the event that an appeal is lodged against such a decision, extradition may not take place until the court's ruling has entered into force.

116. Upon expiry of the deadline for appeals against a decision to extradite a person present in the territory of Uzbekistan, or after the entry into force of a court ruling, the Office of the Procurator General shall transmit the decision or the court ruling to the Ministry of Internal Affairs for execution.

117. An appeal against a decision of the Procurator General or his or her deputy to extradite a person present in the territory of Uzbekistan may be lodged by that person or his or her defence counsel with the Supreme Court of the Republic of Qoraqalpog'iston, a provincial criminal court or the Tashkent city criminal court, depending on where the person sought is being held in remand, within 10 days of receiving written notification. On receiving an appeal, the administration of the remand centre where the person in question is being held shall promptly file the appeal with the court and inform the Office of the Procurator General in writing accordingly. Within three days of receiving written notification, the Office of the Procurator General shall furnish the court with evidence of the lawfulness and validity of the decision to extradite the person present in the territory of Uzbekistan.

118. Pursuant to article 603 of the Code of Criminal Procedure, the extradition to a foreign State of a person present in the territory of Uzbekistan shall not be permitted: where the person whose extradition is sought is a national of Uzbekistan; where the offence in connection with which extradition is sought was committed on Uzbek territory or against Uzbek interests outside Uzbek territory; where a final sentence or court ruling or unrevoked decision of an authorized official not to institute criminal proceedings or to terminate them is in place in Uzbekistan in respect of the person sought and for the same act; and where the request is made on the grounds of an act that is not an offence under Uzbek law.

119. The extradition of a person present in the territory of Uzbekistan for the enforcement of a sentence imposed on that person in his or her absence may be denied if there is reason to believe that the convicted person has not had sufficient opportunity to ensure his or her right to defence. The extradition shall proceed if the requesting State can guarantee the right of the convicted person to be retried in his or her presence.

120. Upon receipt by the competent authority of the foreign State of a properly completed request for the extradition of a person present in the territory of Uzbekistan and, if the extradition of this person is warranted by law, he or she may be detained and may be remanded in custody. Persons whose extradition is under consideration may be held in custody for no more than three months. This period may be extended for the purposes of the transfer of the extradited person, and also in cases where further information has been requested from the competent authority of the foreign State relating to the request for the extradition of a person present in the territory of Uzbekistan, in accordance with the procedure set out in the second part of article 245 and article 247 of the Code of Criminal Procedure.

121. Thus, in 2015 and the first half of 2016, Uzbekistan extradited seven persons who were wanted for criminal prosecution to other States; over the same period, the competent authorities of foreign States extradited 542 persons to Uzbekistan.

122. Additional arrangements shall be set in place to ensure that the available safeguards are applied, including access by representatives of the diplomatic missions of States to the persons extradited by those States in the relevant remand centres or correctional facilities. For example, at the request of the Russian Embassy in Tashkent, a meeting was organized between its representatives and one S. Nematov, who had been extradited by the Russian

Federation and sentenced to 13 years' deprivation of liberty for offences under articles 155, part one, 159, part three, and 244-2, part one, of the Criminal Code.

123. Over the period 2015–2017, one request was transmitted by the Office of the Procurator General for legal assistance in the extradition of an individual who had committed an offence under article 235 of the Criminal Code. The Office of the Procurator General has received no comparable requests from any foreign States.

124. Thus, pursuant to a request by the Procurator General, the Russian Federation handed over one M. Rahimov, an Uzbek citizen, who was deported under guard to Uzbekistan in April 2017 and then convicted on 27 June 2017 by Chiroqchi district court on criminal charges brought under article 235, part three, and other articles of the Criminal Code.

125. Where implementation of the Committee's recommendations relating to protection of the rights of refugees (para. 23) is concerned, it should be noted that, as things stand, all issues regarding refugees from Afghanistan have been resolved and there is no need to relaunch the work of the Office of the United Nations High Commissioner for Refugees (UNHCR) in Uzbekistan, as its functions are being successfully performed by the United Nations office in Uzbekistan. Cooperation is being expanded with the International Organization on Migration (IOM) on issues related to comprehensive assistance for victims of trafficking and persons returning to Uzbekistan after working abroad, and a bill on external labour migration is currently under preparation. In fulfilment of the Constitution of the Republic of Uzbekistan, on 29 May 2017 a Presidential Decree was adopted approving regulations governing the procedure for granting political asylum in Uzbekistan, which defines the rights to political asylum of foreign nationals and stateless persons and strengthens the powers of the Ministry of Internal Affairs and other State bodies in this area.

126. The question of Uzbekistan's accession to the 1951 Convention relating to the Status of Refugees was considered by the Security Council Administration in the Office of the President, the Ministry of Foreign Affairs, the Office of the Procurator General, the Ministry of Internal Affairs and the National Centre for Human Rights and, in the light of that discussion, it was decided that it is premature for Uzbekistan to accede to the Convention and its 1967 Protocol.

## **Article 5**

127. A person who has committed an offence within the territory of Uzbekistan, including under article 235 of the Criminal Code, shall be liable under the Criminal Code.

128. Any act which, first, is begun, completed or broken off in the territory of Uzbekistan; second, is committed outside Uzbekistan, but whose criminal effect arises within its territory; third, is committed within the territory of Uzbekistan, but whose criminal effect arises outside the country; fourth, constitutes in conjunction with or alongside other acts an offence which is partially committed within the territory of Uzbekistan, shall be considered an offence.

129. If an offence is committed on an aircraft, sea or inland waterway vessel that is outside the borders of Uzbekistan but not within the territory of another State, liability shall be incurred under the Criminal Code if the vessel is flying the flag of Uzbekistan, or is registered in a port of Uzbekistan.

130. The liability of foreign citizens who, under current laws or international treaties or agreements, are not subject to the jurisdiction of the Uzbek courts, if their offence was committed in the territory of Uzbekistan, is determined by international law.

131. Citizens of Uzbekistan and stateless persons permanently resident in Uzbekistan are liable to prosecution under the Criminal Code for offences committed in the territory of another State if they have not already been sentenced by a court in the State in whose territory the offence was committed. No citizen of Uzbekistan may be extradited for an offence committed in the territory of a foreign State, unless otherwise provided by international treaties or agreements.

## Article 10

132. The training, retraining and further training of the judiciary and law enforcement officers, taking into account the Committee's recommendations (para. 27), are carried out in Uzbekistan by educational institutions that come under the authority of the Ministry of Justice, the Office of the Procurator General, the Ministry of Internal Affairs, the Ministry of Foreign Affairs and other bodies.

133. The Tashkent State University of Law of the Ministry of Justice conducts training modules on international law and international human rights law, and such topics as criminal liability for the use of torture are covered in the modules on criminal law, the categorization of offences and criminology. The university carries out regular assessments of its educational programmes on measures to eradicate torture by assessing four aspects of the educational process: what the students learn, the lecturers' qualifications, the quality of the programmes and the impact of the courses.

134. At the University of World Economics and Diplomacy of the Ministry of Foreign Affairs, fourth-year students in the Faculty of Law and fifth-year students in the Faculty of International Relations follow a course on human rights, which considers the major international human rights instruments and includes a number of topics associated with protection against torture. Issues relating to exercise of the right to protection from torture are also covered in the crosscutting courses on such subjects as criminal law, criminal procedural law, constitutional law and family law.

135. A testing process has been introduced at the Centre for the Further Training of Legal Specialists of the Ministry of Justice, with the aim of determining the theoretical and practical proficiency of judges and lawyers in practice. The tests are carried out at the beginning and end of the training programme. The purpose of the tests is to make an objective assessment of the extent to which the educational materials have been absorbed by the trainees and to monitor their assimilation of the training programmes. The test questions, which number more than 600, include questions on the implementation of the provisions of the Convention against Torture and other international instruments to which Uzbekistan has acceded. In compliance with present-day requirements, the training programmes for judges in criminal and civil cases, lawyers and members of the judiciary include modules on the role of law enforcement officers and judicial officials in preventing torture.

136. Over the period from the beginning of 2014 to the first quarter of 2017, a total of 7,709 trainees attended courses at the Centre. These included 1,067 judges (348 in 2014; 457 in 2015; 233 in 2016; and 29 in the first quarter of 2017); 878 candidate judges (222 in 2014; 421 in 2015; 177 in 2016; and 58 in the first quarter of 2017); 1,662 lawyers (491 in 2014; 504 in 2015; 514 in 2016; and 153 in the first quarter of 2017); 380 members of the judiciary (52 in 2014; 212 in 2015; 101 in 2016; and 15 in the first quarter of 2017). Consideration is now being given to the creation of an Academy of Justice of the Republic of Uzbekistan, for the preparation of highly qualified judges.

137. Over the period 2014–2016 and the first quarter of 2017, 1,075 trainees attended advanced courses organized by the Office of the Procurator General. During these courses classes were taught on questions of torture and a monograph was published on the topic of the liability established in the Uzbek Criminal Code for torture and other cruel, inhuman or degrading treatment or punishment.

138. The Academy of the Ministry of Internal Affairs includes a department dealing with the theory and practice of human rights, which provides courses in the general theory of human rights for second and third-year students; in international law (36 hours) for full-time second and third-year students; and in the organization of human rights protection and legal support in internal affairs work, for senior officials of Ministry of Internal Affairs agencies attending advanced academic courses. The Academy also offers advanced courses for non-commissioned officers at internal affairs agencies following the legal training course (held twice a year, with intakes of 600 in 2014 and 2015, and of 300 in 2016 and 2017); training of between 8 and 16 hours is provided for each new intake on the further training programme (with intakes of between 100 and 200, every 15 days throughout the

year), along with initial officer-training courses (two or three times per year for three months).

139. Over the period 2014–2016 and the first quarter of 2017, the Academy provided training and further training to more than 9,150 internal affairs officers.

140. The Central Department of Corrections is carrying out systematic efforts to ensure the continuous training of medical staff in new methods of detecting the signs of torture. The training courses include study of the *Istanbul Protocol: Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*. In cooperation with the World Health Organization (WHO) and the International Rehabilitation Council for Torture Victims, a training project has been carried out to instruct medical staff of correctional facilities in the identification, assessment and documentation of alleged cases of torture. Under the project, 97 health workers (69 doctors and 28 paramedics) have been trained. A training workshop has also been held, in conjunction with the Ministry of Health and the Central Asian regional office of the United Nations Office on Drugs and Crime, on the identification, assessment and documentation of cases of torture and other forms of unlawful treatment; the workshop was attended by 35 medical specialists, 15 non-medical prison officers and 15 forensic experts. In addition, more than 411 health workers from the correctional system have been trained in identifying, assessing and documenting cases of torture and in the treatment and rehabilitation of affected persons.

## Article 11

141. Sustained efforts are being made in Uzbekistan to ensure that persons held in pretrial remand centres and correctional facilities are fully able to exercise their rights and interests.

142. Over the past 15 years, Uzbekistan has more than halved the number of prisoners held in custodial facilities and, as at 1 January 2017, the number of prisoners in the country was 133 per 100,000 inhabitants, giving Uzbekistan one of the lowest rates among the countries of the Commonwealth of Independent States and in the world as a whole. The occupancy rate in Uzbek correctional facilities averages 80 per cent and, in some facilities, is as low as 30 per cent. In the country's only young offenders' institution the rate is below 10 per cent, which, over the last five years, has made it possible to close two other such institutions (in the cities of Tashkent and Navoiy). In fulfilment of the Committee's recommendations (para. 8 (d)), under the Amnesty Act, the courts have handed down rulings for the early release on parole of 15 persons from places of detention and deprivation of liberty.

143. An Act of 29 March 2017 introduced a series of amendments to the Penal Enforcement Code to strengthen safeguards for the effective protection of the rights of convicted persons. In particular, convicted persons have the following rights: to receive information on the procedures and conditions for the serving of their sentences and information on their rights and obligations; to file proposals, applications and complaints in their native language or in another language with the prison administration, the body enforcing the sentence and other State authorities and civil society associations; to receive responses to their proposals, applications and complaints, in the language in which they were submitted; and to receive health care, including medical attention, outpatient and inpatient, in accordance with a medical report.

144. Foreign nationals convicted of offences shall also have the right to communicate with the diplomatic missions and consular posts of their State, and nationals of countries that have no diplomatic or consular offices in Uzbekistan, with diplomatic missions and consular offices of a State that has undertaken to protect their interests.

145. In the event of threats to the personal safety of convicted persons, they may appeal to any official of the institution or body carrying out their sentence, for help in ensuring their personal safety. Officials receiving such appeals from convicted persons must take immediate steps to ensure the personal safety of those person. The head of the institution or body carrying out the sentence shall take the necessary measures to eliminate the threats to

the personal safety of the convicted person. Each death in a correctional facility gives rise to an official inquiry and the inquiry files must be handed over to the procuratorial authorities. During the reporting period, no deaths resulting from torture, ill-treatment or wilful negligence were identified in facilities of the correctional system.

146. A nationwide system for monitoring observance of the rights of convicted prisoners is in operation in Uzbekistan. Thus, in 2014, the Human Rights Division of the Central Department of Corrections of the Ministry of Internal Affairs performed an in-house monitoring exercise covering more than 40 custodial facilities; more than 20 such facilities in 2015; 40 facilities in 2016; and 17 in the first three months of 2017. Over this period, independent external monitoring of the country's correctional facilities has been carried out as follows: by the Oliy Majlis Human Rights Commissioner (Ombudsman) in 10 facilities; by civil society organizations and the media in 6 facilities; by representatives of foreign diplomatic missions, foundations and other bodies in 41 facilities, two of which were monitored by the United States embassy; one by the embassy of the United Kingdom of Great Britain and Northern Ireland; two by the Russian Federation; two by Turkey; two by China; three by Kazakhstan; two by Ukraine; two by Jordan; one by India; one by Tajikistan; one by the Konrad Adenauer Foundation.

147. In fulfilment of the Committee's recommendations (para. 19) on the need to upgrade the conditions in a facility situated in the settlement of Jasliq, it has been established that, since 1999, the facility has been inspected several times by representatives of the Office of the Procurator General, the Office of the Ombudsman, the Ministry of Justice, the National Centre for Human Rights and the Ministry of Internal Affairs, with a view to reviewing the detention conditions in the facility. The review found that the detention conditions were in compliance with Uzbek law. Convicted prisoners are accommodated in three-storey buildings in separate rooms, each holding 10–12 persons, and are provided with individual sleeping areas measuring at least 3 x 2 metres per person. The facilities are fully equipped with regulation-compliant furniture and fittings. In the lobby of each floor of the cell-block there is an area with televisions for inmates to watch programmes and facilities for communal training, talks and other educational activities.

148. In October 2017, the delegation from the Human Rights Council headed by the Special Rapporteur on freedom of religion or belief, Ahmed Shaheed, also visited the correctional facility in the settlement of Jasliq. In line with the findings of that visit, there are plans put forward by the President to run a programme to improve the country's correctional system over the period 2018–2022. The programme includes the establishment of additional safeguards of the rights of convicted prisoners.

## Article 12

149. A comprehensive system has been set in place in Uzbekistan for the receipt and consideration of communications, reports and other submissions from individuals and representatives of legal entities relating to the commission of offences, including reports of torture. The operation of this system is governed by the Constitution of the Republic of Uzbekistan (art. 35), the Acts on communications by individuals and legal entities, on the Human Rights Commissioner of the Oliy Majlis (Ombudsman), on the Presidential Commissioner for the protection of the rights and legitimate interests of business entities, on the procuratorial service, on the internal affairs agencies, on the procedure for the application of administrative detention, on remand in custody in criminal proceedings, and on police detective work, and the rules of the Code of Criminal Procedure, the Penal Enforcement Code and the Code of Civil Procedure.

150. By an Act of 11 September 2017, a clause has been added to the Act on reports by individuals and legal entities, which has been in force since 2014, prohibiting officials from refusing to receive reports on any matters (art. 8), and a system is now in operation for the conduct of field visits, one-on-one meetings and town halls to deal with sensitive issues and needs of citizens, with the wide-scale use of information and communications technology in real time, including through the use of telephone counselling services, hotlines run by the public authorities and videoconferencing.

151. The Act sets out the tasks performed by public help desks and the President's online consultation service in ensuring that reports receive an effective response from government agencies and officials through a process of direct dialogue with the public, that they are systematically monitored and reviewed by the President, that officials violating the procedure and deadlines for resolving complaints are held liable and that government authorities are assigned the duty of keeping a statistical record of incoming reports and publishing these statistics on their websites. A fast-track public services agency has been set up with the responsibility of speeding up the processing of reports from members of the public.

152. Since September 2016, more than 1.5 million reports have been submitted via the President's online consultation service. The figures show that the largest number of reports were concerned with housing and utilities (108,000), employment (67,000), and the fairness of court judgments in civil cases (39,000). This contradicts the contentions of widespread torture and ill-treatment by law enforcement officials (see para. 7 of the Committee's recommendations).

153. The websites of the public authorities provide new possibilities for the processing of reports. In particular, the website of the Ministry of Justice ([www.minjust.uz](http://www.minjust.uz)) now includes a link to the online help desk of the Minister of Justice. Citizens who do not use the Internet can submit their reports via the hotlines. The judicial authorities can be reached by calling the number 1008. Over the first nine months of 2017, 1,782 reports were lodged over the telephone counselling service and, all in all, more than 57,000 reports were submitted to the Ministry of Justice.

154. Of the more than 64,000 reports submitted to the procuratorial authorities to date in 2017, through the President's online consultation service and public help desks, 56,000 have been favourably resolved with the provision of clarifications and only in the case of 3,200 reports (4.9 per cent) has the application for redress been refused. Overall, some 333,000 reports have been satisfactorily resolved by the procuratorial authorities, and the cases heard of more than 170,000 citizens. Pursuant to a Presidential Decree of 30 November 2017, the procuratorial bodies now have greater responsibility for compliance with the requirements of the Code of Criminal Procedure relating to the prompt registration and processing of complaints filed by persons serving custodial sentences, placed in remand, taken into police custody or held in administrative detention.

155. A service has been set up in the Ministry of Internal Affairs to process reports submitted online. The service has units in the various regional internal affairs bodies and an electronic system has been set in place for the receipt of such reports. In particular, members of the public are able to hold consultations with the Ministry of Internal Affairs via the social network Facebook. The official website of the Ministry of Internal Affairs ([www.iiv.uz](http://www.iiv.uz)) keeps social media users regularly updated about the crime-prevention work of the internal affairs bodies. During the first six months of 2017, the internal affairs authorities received 11,095 reports from citizens, of which 9,869 have been reviewed, 1,053 are still under consideration and 1,454 have been satisfactorily resolved.

156. A clear procedure for the consideration of reports, complaints and other information about offences is set out in article 329 of the Code of Criminal Procedure, as set out below.

157. First, reports and complaints about offences must be registered and resolved without delay and, where necessary, steps must be taken, directly or with the assistance of the agencies responsible for initial inquiries, within 10 days, to verify whether there are sufficient and lawful grounds for instituting criminal proceedings.

158. Second, under article 587, part 1, of the Code of Criminal Procedure, an initial inquiry must be carried out prior to the investigation, in the course of which additional documents and explanations may be requisitioned, individuals may be taken into custody, crime scenes inspected, audits commissioned and instructions issued for the conduct of investigations. The processing of any other investigative actions during the initial inquiry is prohibited.

159. Third, in exceptional cases, the duration of the investigation may be extended for up to one month by the procurator, on the basis of a reasoned decision by the official carrying out the initial inquiry or the investigator.

160. The powers of the procurator responsible for supervising application of the law in the initial inquiry and investigation are set out in article 382 of the Code of Criminal Procedure. Procurators shall be entitled, at least once a month, to verify compliance with the requirements of the law relating to the reception, registration and settlement of complaints and reports of the commission or preparation of offences; to overrule unlawful and unjustified orders by officials conducting initial inquiries and investigations; and to provide written instructions on the investigation of offences, the choice, modification or cancellation of a preventive measure, and other actions.

161. Procurators petition the courts or consent to petitions for the imposition of remand in custody or house arrest as a preventive measure or petition the courts to extend periods of remand in custody or house arrest. They perform the same actions for the purpose of removing an accused person from his or her official position; committing a person to a medical institution; or securing the exhumation of a body or seizure of a postal or telegraphic communication. Procurators also petition the courts to refuse to initiate criminal proceedings or to terminate criminal proceedings on the basis of the Amnesty Act; and they instruct the authorities carrying out initial inquiries to apply detention orders, to make arrests, to conduct body searches, to seize possessions, to enforce decisions by the courts on the use of remand in custody as a preventive measure, and carry out other investigative measures.

162. Instructions issued by procurators to the authorities conducting the initial inquiry or pretrial investigation in connection with the initial inquiry, initiation of proceedings and investigation of their cases, in the manner prescribed by the Code of Criminal Procedure, are mandatory.

163. In 2016, procurators filed 10,439 petitions (and 9,941 over the first nine months of 2017) with the courts for the imposition on suspects and accused persons of remand in custody as a preventive measure. Of these, 10,426 (9,905) were granted, and 3 (35) refused. Where criminal cases involving torture are concerned (art. 235 of the Criminal Code), 10 petitions (one in the first nine months of 2017) were filed for the imposition on suspects or accused person of remand in custody as a preventive measure and all these petitions were granted.

164. Petitions for the extension of custody were filed in respect of 197 persons (44 in 2017). Of these, 191 (37) were granted by the courts. No such extensions were granted in criminal cases involving torture.

165. Over the same period, 1,438 petitions (2,425 in 2017) were filed for the imposition on wanted persons of remand in custody as a preventive measure. These included one case involving torture (none in 2017).

166. In 2016, procurators filed 269 petitions (190 in 2017) with the courts for the imposition on suspects of house arrest as a preventive measure. Of these, 268 petitions (190) were granted and one (none in 2017) was refused. In one case (one too in 2017), a petition for the extension of house arrest was granted by the court. No such petitions were filed in cases involving torture.

167. In 2016, procurators filed 115 petitions (58 in 2017) with the courts for the removal of accused persons from office, all of which were granted. Of these, no petitions related to cases involving torture. In the course of the investigation, however, 25 officials (3 in 2017) were removed from their posts.

168. Over the same period, procurators filed 672 petitions (422 in 2017) with the courts for the committal of persons to medical institutions; 670 (422 in 2017) were granted, and two (none in 2017) refused. No such petitions were filed in cases involving torture.

169. Over the course of 2016, 223 complaints and 5 challenges (189 complaints and challenges during the first nine months of 2017) were lodged against court rulings on the imposition of remand in custody as a preventive measure. Following consideration of the

complaints, 10 were approved (18 in 2017), 202 rejected (169 in 2017) and 11 withdrawn (2 in 2017), while 2 challenges were approved (2 in 2017), 2 rejected (1 in 2017) and 1 challenge withdrawn.

170. During its consideration of case files relating to the imposition of remand in custody as a preventive measure, the courts fully complied with the rules in article 51 of the Code of Criminal Procedure on the compulsory presence of defence counsel.

171. With regard to the Committee's observations (para. 17), an independent system is in operation for the review by the Office of the Ombudsman of complaints from citizens. During 2016, a total of 9,057 complaints were submitted to the Ombudsman by citizens, written recommendations were provided to 1,138 complainants and 4,977 complaints were referred to government executive and administrative authorities for consideration on the merits. The Ombudsman examined 50 complaints from citizens concerning refusal to initiate criminal proceedings and in 22 cases it was established that the authorities conducting the initial inquiry had not taken the necessary measures stipulated by the Code of Criminal Procedure. According to a submission from the Ombudsman to the Office of the Procurator General and the Ministry of Internal Affairs, decisions have been taken to overturn rulings not to initiate criminal proceedings and these decisions have been referred for further investigation. During 2016, 17 complaints were received on the issue of torture and, following checks, the complaints were deemed to be substantiated in six cases involving officials of the internal affairs agencies. The Office of the Procurator General launched criminal proceedings against officials of the Yunusabad and Shahrisabz district internal affairs offices. Internal affairs officials from the town of Angren and from the Jondor, Chust and Baliqchi districts were also brought to justice. In 384 complaints, allegations were made of violations by judges of procedural rights. During 2016, on the recommendation of the Ombudsman, the Office of the Procurator General lodged eight challenges against judgments in criminal matters on the aforementioned grounds.

172. As part of its independent monitoring work to ensure the rights of convicted prisoners and persons remanded in custody, the Ombudsman carried out an analysis in 2016 of the work of six of the institutions concerned. In 2016, the Ombudsman received 211 communications from persons held in custodial facilities. In 143 of these communications requests were made for a more lenient sentence or pardon and in 18 for medical tests or treatment; 31 communications concerned such matters as challenges against court verdicts. The Office of the Ombudsman received two complaints from relatives of convicted prisoners in two different facilities about the deaths of those prisoners and, following the Ombudsman's recommendations, criminal proceedings were instituted by the Office of the Procurator General against medical personnel under the relevant article of the Criminal Code.

173. Currently, in accordance with the Presidential Decree of 30 November 2017, a draft regulation is under preparation assigning responsibility to the Human Rights Commissioner (Ombudsman) of the Oliy Majlis for parliamentary monitoring of observance of the rights and freedoms of persons serving sentences in correctional facilities, held in police cells, remanded in custody or placed in administrative detention.

### **Article 13**

174. In fulfilment of the Committee's recommendation (para. 13), additional legislative and other measures have been adopted in Uzbekistan to ensure that the procedural rights of persons involved in criminal proceedings are fully upheld, including the rights of detainees and persons remanded in custody and of their relatives to submit complaints regarding the actions or inaction of the authorities responsible for the initial inquiry and pretrial investigation, exercise of the right to have access to independent counsel, to an independent medical examination, to contact with family members, and to receive full information about their rights and charges.

175. First, article 587 of the Code of Criminal Procedure sets out clear rules that statements, reports and other information on offences must be registered and dealt with

immediately and, if necessary, steps are taken within 10 days to verify if there are sufficient and lawful grounds for the institution of criminal proceedings.

176. Second, in overseeing enforcement of the law by the bodies conducting initial inquiries and pretrial investigations, procurators shall, within their competence, monitor all stages of the initial inquiry and pretrial investigation and, at least once a month, verify compliance with the Act on the reception, registration and settlement of complaints and reports of the commission or preparation of crimes.

177. Third, all communications submitted by individuals and legal entities to the Ministry of Internal Affairs are subject to monitoring by senior Ministry officials. With the development of information and communications technologies, in 2017, online help desks have been opened up in the Ministry of Internal Affairs and the Central Department of Corrections, through which citizens can submit reports and complaints directly to the Minister of Internal Affairs and the Director of the Central Department of Corrections.

178. Fourth, under article 144 of the Criminal Code, failure to observe the law on communications from individuals and legal entities is a criminal offence. Article 244-1 of the Criminal Code establishes criminal liability for the deliberate omission of an offence from the register by an official whose duties include the receipt, registration or review of complaints, communications and other information on the commission of offences. In 2016, under this clause, 65 criminal cases (49 in the first nine months of 2017) against 93 persons (58) were reviewed. There were no recorded instances of the concealment of offences involving torture.

179. Fifth, under article 19 of the Act on remand in custody during criminal proceedings, applications, suggestions and complaints addressed to a court, a procurator, a defence counsel, the Ombudsman or other State bodies that have the authority to inspect remand centres, or to the official or agency responsible for the criminal proceedings, shall not be subject to censorship and are forwarded or passed on to the addressee under seal no later than one working day after the date of submission.

180. Sixth, pursuant to an order of the Minister of Internal Affairs on measures to upgrade the work of duty units of the internal affairs authorities, these units have to keep a record of all persons handed over to the internal affairs authorities, and this record is subject to a strict accountability regime. The chiefs of municipal and district police stations or persons acting in their stead, and also their duty officers, shall be responsible at least twice a day, typically in the morning and evening, for monitoring the proper completion and filing of relevant documents, and also compliance with the law when taking into custody persons that have been handed over to the internal affairs authorities. This duty is also performed on special assignment by an official of the higher-ranking internal affairs office who has the authority to carry out inspections or to oversee the performance of duties by the daily desk staff of the municipal and district front offices and by staff members of the procuratorial authorities. Municipal and district officials responsible for the unjustified confinement of citizens in cells for detainees and for infringements of custodial terms and conditions shall be held liable as prescribed by law.

181. Seventh, the technical equipment of the investigative authorities is currently being upgraded and 308 offices used by the investigation staff of the internal affairs authorities have been fitted with audiovisual equipment for the recording of investigations. Video surveillance cameras have been installed in police cells and at prison remand units. Work has been carried out to equip 123 remand centres with 413 cameras for the archiving of video recordings. Pursuant to the Presidential Decree of 30 November 2017, it is obligatory to make video recordings of proceedings, including the inspection of the crime scene, the search, the crime scene reconstruction and other activities.

182. Eighth, procedural safeguards to protect the rights of detainees and accused persons have been strengthened. For example, under article 46 of the Code of Criminal Procedure, accused persons have the right to know the offences with which they have been charged, to give testimony and explanations on the charges laid against them, to use their own language, with interpretation services, and to conduct their own defence. Articles 24 and 64 of the Code stipulate that the official conducting the initial inquiry, the investigator, the procurator and the court shall be obliged to read suspects and accused persons their rights and to give

them genuine opportunities to exercise their right to a defence. In accordance with articles 49–52 of the Code, legal aid is provided free of charge. Accused persons are entitled to have private meetings with their counsel without limit as to their number and duration. Detainees and accused persons are entitled to be represented by a lawyer from the moment of their arrest, and to conduct their own defence. If accused persons or defendants are being held in custody, their defence counsel may conduct interviews with them in private without restriction as to number or duration (Code of Criminal Procedure, art. 53).

183. Right of access to a lawyer of their choosing is also guaranteed to persons sentenced to penalties involving deprivation of liberty. Under article 10 of the Penal Enforcement Code, convicted prisoners are entitled to professional legal assistance. To obtain such assistance, convicted persons are granted meetings with their lawyers in private at their own request or upon application by the lawyer. If a lawyer's application for a meeting with a convicted person for the purpose of providing that person with legal assistance is rejected on the grounds that the convicted person himself or herself refuses to meet with the lawyer, such rejection must be confirmed after a private conversation between the lawyer and the convicted person. A record must be drawn up of the meeting and signed by the convicted person, the lawyer and a representative of the correctional facility.

184. Currently, in accordance with articles 243 and 257 of the Code of Criminal Procedure, applications to remand accused persons in custody or to place them under house arrest as a preventive measure, or to remove such persons from office are considered by the court in the presence of the lawyer, provided that the lawyer is engaged in the proceedings. When, in accordance with article 267 of the Code of Criminal Procedure, petitions to commit persons to a medical facility or to extend the confinement of accused persons in such a facility are under consideration by the court, the participation of defence counsel is mandatory. The Chamber of Lawyers has submitted proposed amendments to articles 243 and 257 of the Code of Criminal Procedure, making the participation of defence counsel mandatory when petitions on the use of preventive measures and the removal of accused persons from office are under consideration by the court.

185. An examination of the Committee's recommendations (para. 14) has demonstrated the unfounded nature of allegations that the Bar Chamber is dependent on the Ministry of Justice, since the Bar Chamber is a non-profit organization based on the compulsory membership of all lawyers of Uzbekistan. The Bar Chamber's work is underpinned by the principle of non-interference in the activities of lawyers; licences are suspended and cancelled by decision of the judicial body which granted the lawyer his or her certification, but a decision by such judicial body to suspend a licence may be challenged before the courts.

186. In accordance with article 7 of the Act on the legal profession, legal practitioners must undergo full-time professional refresher courses at least once every three years. Instances where defence lawyers have declined to undergo such refresher courses or have failed the final examinations in the courses are to be reviewed by the qualifications board of the relevant local office of the Bar Chamber. Violations by lawyers of these requirements shall be grounds for the suspension of their licence to practise the law. These amendments to the Act were introduced in response to the need to enhance the professional training of lawyers and to ensure that they provided effective legal support to the population. Further efforts are planned to upgrade the performance of lawyers in providing counselling and legal assistance to the public, including through the drafting of a bill on free legal assistance.

## **Articles 14 and 15**

187. Clear mechanisms and rules are set out in the law to prevent torture and prohibit courts from using confessions obtained through the use of force.

188. The use of evidence obtained under duress is prohibited in Uzbekistan. Under article 17 of the Code of Criminal Procedure, no one may be subjected to torture, violence or other cruel, humiliating or degrading treatment. Only such information as is found, verified and evaluated in accordance with the procedure set out in the Code of Criminal Procedure may be used to establish the truth in a case. It is prohibited to coerce a suspect, accused person,

defendant, victim, witness or other person involved in a case into giving testimony by means of violence, threats, infringement of their rights or other illegal measures (Code of Criminal Procedure, art. 22).

189. Taking into account the Committee's recommendation (para.16), provisions have been included in article 88 of the Code of Criminal Procedure to ensure that the rights and legitimate interests of citizens are protected during the gathering, verification and evaluation of evidence. In the proving of guilt, it is prohibited to perform any acts which might endanger life or health or are intended to humiliate or demean; to solicit testimony, explanations or conclusions, to perform experiments, or to prepare and produce documents or objects through the use of violence, threats, deception or other unlawful means; or to conduct investigative operations at night, that is, from 10 p.m. to 6 a.m., except when this is necessary to prevent the imminent commission of an offence or to stop one that is being committed.

190. Under article 95 of the Code of Criminal Procedure, each piece of evidence shall be evaluated in terms of its relevance, admissibility and reliability. Evidence is admissible if it is gathered in accordance with the established procedure and meets the conditions set out in articles 88, 90 and 92–94 of the Code of Criminal Procedure.

191. Pursuant to a decision of the Plenum of the Supreme Court, dated 19 December 2003, on the application by the courts of laws guaranteeing suspects and defendants the right to a defence, evidence obtained in a manner that breaches human rights, including by torture, cannot be used as evidence in criminal proceedings. The decision prohibits the use of torture, violence and other cruel or degrading treatment in the collection, verification and evaluation of evidence and, in this context, defines "torture" in the terms set out in the Convention against Torture (para. 18).

192. Evidence obtained through torture, violence, threats or other cruel or degrading treatment, and also in violation of the right of a suspect or accused person to a defence, may not be used as the grounds for an indictment. Officials conducting the initial inquiry, investigators, procurators and judges must always ask individuals brought to them from remand centres how they have been treated during the inquiries or investigation, and about the conditions of their detention. In response to every report of the use of torture or other unlawful methods of inquiry or investigation, a thorough check must be carried out of the alleged acts, including by means of a forensic examination and, based on the findings of these measures of a procedural or other legal nature, action is taken, even to the initiation of criminal proceedings against the officials concerned (para. 19).

193. In its decision of 24 September 2004, on certain aspects of the application of the rules of criminal procedural law relating to the admissibility of evidence, the Plenum of the Supreme Court ruled that evidence obtained as a result of derogation by the official conducting the initial inquiry, the investigator, the procurator or the court from strict observance of and compliance with the rules of law, for whatever reasons, shall be deemed inadmissible and the courts shall be obliged to respond to any such violations of the procedural law on the gathering of evidence by handing down individual rulings (decisions) and, where necessary, deciding to institute criminal proceedings against the culprits.

194. By a Presidential Decree of 30 November 2017, the use in criminal cases of information as evidence that has been obtained through torture or psychological and physical pressure and that is not otherwise confirmed in the court proceedings is deemed inadmissible. In addition, all allegations of the use of torture are subject to mandatory verification by the procuratorial authorities and the courts, through the conduct of medical analyses. Speaking at a meeting on 7 December 2017 to mark the twenty-fifth anniversary of the Constitution of the Republic of Uzbekistan, the President roundly condemned the use in criminal cases of unlawfully obtained data and acknowledged the need to establish criminal liability for the falsification of evidence by officials of the law-enforcement system. As part of efforts to strengthen judicial supervision of pretrial investigations, the powers of judges to conduct their own judicial investigations have been significantly expanded and deficiencies in the pretrial investigation process and other substantial violations of the Code of Criminal Procedure have been remedied. By an Act of 29 March 2017, article 415-1 was added to the Code of Criminal Procedure, stipulating that, in the

course of criminal proceedings, courts shall take action to remedy failure to complete an initial inquiry or pretrial investigation or significant breaches of criminal procedure law. In his message to Parliament of 22 December 2017, the President stressed that no individual should ever be prosecuted on the basis of false evidence, defamation and slander.

195. Over the period 2016–2017, far-reaching measures were taken in Uzbekistan to ensure the genuine independence and autonomy of the judiciary and, in line with the Committee’s recommendations (para. 21), to bring it into compliance with the requirements of the Basic Principles on the Independence of the Judiciary, welcomed by the United Nations General Assembly in its resolutions 40/32 and 40/146. The Supreme Judicial Council of the Republic of Uzbekistan has now been established, as an organ of the country’s assembled judges which provides assistance in ensuring respect for the constitutional principle of the independence of the judiciary, the main objectives of which are: recruitment to the judiciary through the competitive selection of candidates for the positions of judges and the appointment of judges from among the most qualified and responsible experts in their field and the submission of recommendations for promotion to senior judicial positions; and consideration of the possible launching of disciplinary action against judges and issuing rulings on whether or not to bring criminal or administrative charges against them.

196. By Acts of 6 and 12 April 2017, amendments and additions were made to the Constitution of the Republic of Uzbekistan and to the Courts Act, stipulating that judges shall be appointed (elected) for an initial term of five years, followed by a subsequent term of 10 years and then indefinite tenure; that the maximum age for exercise of the office of judge of the Supreme Court of the Republic of Uzbekistan shall be 70 and for judges of other courts 65, and that the age limit for Supreme Court judges may be extended for up to five years by the President and that for judges of other courts by the Supreme Judicial Council; that a courts operations department shall be created within the Supreme Court, responsible for organizing logistical and financial support for the courts, for ensuring appropriate conditions for their operation, and for improving the working conditions and economic and social welfare of judges and court officials.

197. The Supreme Court and the Supreme Economic Court of the Republic of Uzbekistan have been consolidated into a single body, the highest judicial authority in the field of civil, criminal, administrative and economic justice. Administrative courts have been set up in the Republic of Qoraqalpog’iston, the provinces and the city of Tashkent, and in districts and cities, with the responsibility to resolve administrative disputes relating to reports and complaints about the actions (or decisions) of government authorities and citizens’ self-governing bodies and their officials, arising from matters of public law, and to hear cases involving administrative offences.

## **Article 16**

198. Sustained attention is being paid in Uzbekistan to the need to prevent various kinds of attacks on the personal safety, health and lives of citizens. In order to protect children and women, a bill on the prevention of domestic violence has been drafted and is currently undergoing broad discussion. The punishment provided in article 121, part two, of the Criminal Code, for coercing a woman into sexual relations, has been stiffened by an Act of 10 August 2015 with punishment in the form of restriction of liberty for a period of between three and five years. The Criminal Code has been supplemented with an article 130-1, on the preparation, import, dissemination, advertising or demonstration of products that promote a cult of violence or cruelty; article 133, on the removal of human organs or tissues; article 138, on the forced and unlawful deprivation of liberty; and article 234, on unlawful detention or remand in custody.

199. In line with the recommendations of treaty bodies, including the Committee against Torture (para. 25), targeted activities are being conducted in Uzbekistan to prevent domestic violence, in particular against women. A bill on the prevention of domestic violence has been drawn up by the Academy of the Ministry of Internal Affairs. The bill defines the concepts of domestic violence (economic, physical, psychological and sexual

violence) and victims of violence and establishes general and individual prevention measures to avoid the most serious consequences of domestic violence. Measures for the individual prevention of violence include an official warning regarding the inadmissibility of unlawful behaviour, issued to the perpetrator of an administrative offence in family or domestic relations; the placement of the perpetrator on a list of domestic troublemakers; and the possible issuance of a restraining order on the perpetrator of domestic violence, imposing restrictions on specific activities by that person.

200. With regard to the recognition of the rape by a man of his own wife as a criminal act and the possibility of a party guilty of such domestic violence being criminally prosecuted, it should be noted that provisions to that effect are provided in general under prevailing criminal law and do not need to be specifically reflected in the new bill.

201. On 6 July 2017, the Interdepartmental Commission to Combat Crime and Prevent Offences adopted a package of measures to prevent domestic violence, for the period 2017–2018. The package provides for arrangements to study the causes and conditions that lead to domestic violence, and measures to prevent and eradicate that practice. All complaints lodged in connection with any form of domestic violence are registered and investigated by the internal affairs agencies in the prescribed manner. In cases in which, as a result of domestic violence, a person is caused minor bodily harm without prejudice to health, a case file is opened for the purpose of instituting administrative proceedings against the offenders under article 52 of the Code of Administrative Liability and is referred to the court in accordance with the procedure prescribed by law.

202. In the regions, there are nine social and legal support centres for women and 170 advisory centres for women, which have the status of non-profit, non-governmental organizations and offer public services. They provide social, psychological and legal support and assistance in the job placement of women living in difficult circumstances. In the course of 2016, the centres were contacted in person and over their hotlines by 6,685 women and, free of charge, they provided these women with 1,439 legal consultations; 467 women received psychological support; 197 were given material assistance; 128 were placed in jobs; 258 had the chance to acquire vocational skills; 143 received documents for submission to the court; 72 were given legal support in judicial proceedings; and 168 were granted temporary housing.

203. Special attention is given to legal protection of the victims of trafficking and to their psychological, medical and vocational rehabilitation, including placement in employment and other types of social protection. Since 2008, three plans of action have been carried out to ramp up the campaign against trafficking in persons. On 5 February 2015, a plan was adopted for the period 2015–2016; and on 14 March 2017, a plan of action was approved for 2017–2018. Over the first nine months of 2017, 302 persons (compared to 543 in 2015; 531 in 2016) were prosecuted for trafficking in human beings under article 135 of the Criminal Code, 64 of whom were men (192 in 2015; 218 in 2016) and 228 were women (325 in 2015; 339 in 2016). Over the period 2015–2017, the National Rehabilitation Centre of the Ministry of Employment and Labour provided essential assistance to a total of 1,184 victims of human trafficking (respectively to 503, 460 and 221 victims). In 2017, 127 victims of human trafficking and more than 117,000 persons returning from other countries were placed in employment; some 500,000 persons returned from abroad, including 346 victims of human trafficking, who underwent medical check-ups, and over 100,000 awareness-raising events were held with the participation of some 1.5 million citizens.

204. An examination of the implementation of the Committee's recommendation (para. 22) on the prevention of forced labour and child labour demonstrates significant progress in Uzbekistan over the period 2014–2017 in upholding the rights of adults and children to protection from forced labour. On 25 April 2014, a memorandum of understanding was concluded between Uzbekistan and ILO, on the decent work programme in Uzbekistan over the period 2014–2016, which includes measures to prohibit child labour and forced labour. On 28 February 2017, the programme was extended until 2020. On 27 May 2014, the Cabinet of Ministers adopted a decision on additional measures to implement the ILO conventions ratified by Uzbekistan for the period 2014–2016, which sets in action a system of annual national surveys making use of the methodology and tools developed under the ILO International Programme on the Elimination of Child Labour (IPEC), with a view to

ensuring that individuals and legal entities comply with the prohibition against child labour and the provisions of the conventions on child labour ratified by Uzbekistan.

205. On 22 December 2016, the Committee on Labour and Social Affairs of the Legislative Chamber held a round table on the prospects for the ratification of ILO conventions. Guidance on the implementation of ILO conventions has been prepared and circulated to ministries, departments, employees of institutions of higher and secondary special education, health-care facilities, citizens' self-governing bodies, the Kamolot youth movement and the Women's Committee. In May 2017, the Ministry of Employment and Labour launched a pilot system over the Internet through which employers and employees are able to use an online inspection service ([inspektor@mehnat.uz](mailto:inspektor@mehnat.uz)), which enables them independently to verify compliance with labour legislation, and to obtain an audit certificate attesting to the absence or presence of violations of the labour arrangements that have been verified.

206. In February 2017, the ILO Committee of Experts published its report, which welcomed the fulfilment by the Government of Uzbekistan and its social partners of their commitments and the results of the monitoring exercises carried out between 2014 and 2016, which positively boosted the campaign against the use of child labour and forced labour in the cotton harvest. Based on this attainment, a plan of comprehensive measures has been adopted by the Coordination Council on Child Labour for 2017. It calls for implementation of the programme on decent work in Uzbekistan and of the plan of technical measures to implement the recommendations of the ILO Committee of Experts regarding compliance with ILO Conventions Nos. 105 and 182.

207. A decision was adopted by the Senate on 4 October 2017, ratifying a set of measures to uphold the guaranteed labour rights of citizens in accordance with the law of Uzbekistan and international labour standards. The measures are designed to upgrade legislation, monitor the implementation of ratified ILO conventions and ensure cooperation with ILO and other international organizations in this area.

208. With regard to the Committee's recommendations regarding the forced sterilization of women (para. 24), an analysis of this issue shows that the allegations that women have been sterilized without their free and informed consent are unfounded. Detailed information to this effect has been transmitted to the United Nations Committee on the Elimination of Discrimination against Women. Work is currently under way on implementation of the Presidential Decision of 1 August 2014 on the State programme for further improvement of the reproductive health of the population and protection of the health of mothers, children and adolescents (2014–2018), one of the main thrusts of which is to ensure broad and equal access to good quality medical services in order to boost the reproductive health of the population and protect the health of mothers, children and teenagers at all levels of the health-care system. Largely thanks to the accessibility of a wide range of contraceptives and the increased awareness surrounding methods for preventing unwanted pregnancies, abortion is no longer used as a method of birth control in Uzbekistan. Induced abortions have been legalized in the country and are performed in medical facilities in the first 12 weeks of pregnancy. Over recent years, the abortion rate has dropped from 39.9 to 5.0 per 1,000.

209. A broad range of outreach and educational activities are conducted in Uzbekistan to promote awareness of the reproductive rights of the population, in particular young people. For example, on 21 September 2017, an international round table was organized by the Ministry of Health in conjunction with the companies Merck and Sona-Pharm, on the prospects and pathway for introduction of the innovative assisted reproduction technology (ART) in Uzbekistan. With the assistance of specialists in sex education and the reproductive health of teenagers, 16,022 meetings, 77,908 lectures and 620 workshops were organized and a range of media events conducted, including 123 television programmes, 248 radio broadcasts and the preparation of 70 brochures and articles.