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**Human Rights Council**

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Agenda item 3

**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

 Visit to Uzbekistan

 Report of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context, Balakrishnan Rajagopal[[1]](#footnote-2)\*, [[2]](#footnote-3)\*\*

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| *Summary* |
| The Special Rapporteur on the Right to adequate housing as a component of the right to an adequate standard of living and the right to non-discrimination in this context, submits in accordance with Human Rights Council Resolution 52/10, his report on his visit to Uzbekistan, from 19 to 30 August 2024. The present report analyses the protection and enjoyment of the right to adequate housing in the country in law and practise, in particular the protection of tenants and homeowners against forced evictions in the context of urban renewal policies, participation in urban development, resettlement and access to remedies and justice in the context of violations of the right to adequate housing. The report also highlights particular challenges experienced by certain social groups, including by women, young and older people, students, LGBT persons, members of the Roma community, persons with disabilities. It concludes with recommendations aimed at further promoting and protecting the right to adequate housing. |
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Annex

 Report of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context on his visit to Uzbekistan

 I. Introduction

1. The Special Rapporteur on adequate housing as a component of the right to an adequate standard of living and on the right to non-discrimination in this context, Balakrishnan Rajagopal, visited Uzbekistan from 19 to 30 August 2024 at the invitation of the Government. The Special Rapporteur thanks Uzbekistan for the invitation, cooperation and the warm welcome at the central, regional and local levels. The Special Rapporteur visited Tashkent, Jizzakh, Zaamin, Sirdarya, Samarkand and Bukhara, and met with the Secretary of the National Security Council under the President of the Republic of Uzbekistan, senior Government officials at local and regional level, members of the Senate and Legislative Chamber of the Oliy Majlis of the Republic of Uzbekistan, Ombudspersons, judges, representatives of other non-judicial complaints procedures and civil society representatives.
2. The Special Rapporteur is grateful for the dialogue with civil society representatives, lawyers, victims of forced evictions, natural disasters, and domestic violence. He observed the housing construction, physical transformations and housing demolitions taking place across the country. He is looking forward to continuing his dialogue with the Government of Uzbekistan, UN entities and civil society with the view to enhance the protection and realization of the right to adequate housing in Uzbekistan in law and practice.

 II. Legal framework

 A. International human rights law

1. Uzbekistan has ratified most international human rights treaties, including the International Covenant on Economic, Social and Cultural Rights, which sets out the right to adequate housing in article 11. The country has undertaken in recent years enhanced efforts to cooperate with international human rights mechanisms, including with Special Procedures, with the aim to improve the protection of human rights in the country.
2. As State party to the Covenant, Uzbekistan has undertaken to protect, respect and fulfil the right to adequate housing and ensure its progressive realization. The right to adequate housing entails more than four walls and a roof over one’s head. It entails eight core dimensions - legal security of tenure, availability of services, affordability, habitability, accessibility, location, cultural adequacy[[3]](#footnote-4) and sustainability.[[4]](#footnote-5)

 B. Legal protection of the right to adequate housing

1. Uzbekistan has made significant efforts to enshrine the right to adequate housing in in constitutional and national law. The new Constitution of the Republic of Uzbekistan adopted in 2023 specifies in article 47 that:

“Everyone shall have the right to housing. No one may be deprived of his or her home except by a court decision and in accordance with the law. In the cases and in the manner prescribed by law, the owner, deprived of his or her home, shall be provided with preliminary and equivalent compensation for the cost of housing and the losses incurred by him or her. The State shall encourage the construction of housing and create conditions for the exercise of the right to housing. The procedure for providing housing to socially vulnerable categories of the population shall be determined by law.”

1. Article 49 of the Constitution also specifies that “draft urban planning documents shall be subject to public discussion in a manner described by law” and that urban planning activities shall ensure the environmental rights of the citizens and prevention of harmful environmental impact.
2. Article 55 guarantees that everyone is entitled to defend his/her rights and freedoms and shall have the right to appeal any unlawful decisions, acts and omissions of State bodies and other organizations including the right to have his/her case examined by a competent, independent and impartial court. It furthermore provides everyone with the right to apply to international bodies for the protection of human rights and freedoms if all available domestic remedies have been exhausted. As Uzbekistan has not yet ratified the Optional Protocol to the ICESCR, individuals cannot yet submit complaints to the CESCR for violations of the right to adequate housing.
3. The main challenge in Uzbekistan is not the formal protection of the right to adequate housing in the text of its Constitution or its law, but in practice. There are different views why this is the case. One view maintains that many constitutional and legal reforms were only very recently adopted, thus there is obviously a challenge to modify implementing regulations and to ensure that these new rules and regulations are also followed in policy and practice. Another more pessimistic view argues that in reality many legal protections related to the right to adequate housing have already been enshrined in national law for many years, but the record has shown that they cannot necessarily be relied upon, as in practice State policies and practices at national, regional or local level often ignore the law, as in the case of forced evictions and expropriations for example, which are given a false sense of legality.[[5]](#footnote-6) Others argue that the judiciary and various national human rights bodies either lack either independence or the power to ensure that the constitutional human rights protections are enforced and upheld when such rights clash with vested interests within the State or the business community.
4. Irrespectively of these divergent views, the role of the Special Rapporteur is to support all stakeholders in Government, parliament, the judiciary and civil society who share the vision that it is possible to enhance the realization and protection of the right to adequate housing, and improve its protection and enforcement through fair and impartial policies, and independent, effective and accessible judicial and non-judicial institutions. The window of opportunity for making great progress towards real improvement for rights-holders in Uzbekistan should not be missed.

 III. Housing policies

1. **Privatization.** After declaring independence from the Soviet Union in 1991, the vast majority of Uzbekistan’s public housing stock was privatized according to the Law on Privatization of Public Housing (1993). By 2015, 98 percent of the public housing stock was privatized. [[6]](#footnote-7) Since 1993, the proportion of privately owned housing has increased from 41 per cent to 99.5 percent.[[7]](#footnote-8) Only a very small proportion of Uzbek citizens rent housing, but the rental market is expanding, in particular, in cities.
2. In 2024 around 0.5 percent of the entire housing stock was managed as public housing by local Governments, which leaves the State with a marginal stock that can be directly offered to disadvantaged population groups.
3. **Irregularly built housing.** After independence, population growth outstripped official housing construction contributing to irregular construction of housing and irregular land seizures.[[8]](#footnote-9) To deal with irregular housing, a law ´On the recognition of Rights to Unauthorized Land Plots and Buildings and Structures Constructed on Them’ came into force, which was a second amnesty law. While such laws may give legal security to homeowners who irregularly built housing, it may also result in legalizing problematic commercially driven housing construction and arbitrary expropriations. Repeated amnesties may also have the effect of eroding compliance with housing regulations.
4. **Construction rush**. The current Government significantly ramped up the construction of housing, to respond to the housing needs of the growing population, requiring it to house every year around 700.000 additional people. Investments in construction went up 5.3 times during the period 2017-2023, compared to the seven years before this period.[[9]](#footnote-10) In total, 8.405 new houses and 351,786 new apartments have been built between 2017 and 2023.[[10]](#footnote-11) The construction effort has to some extent addressed lack of housing supply, but was also accompanied by several problematic aspects, such as insufficient regulation of the construction sector and quality control; forced evictions and widespread expropriation without adequate compensation and increased risks that buyers of new apartments were left with incomplete housing in case of insolvency of a construction company or construction delays.
5. **Town planning**. Uzbekistan is still largely characterized by a top-down approach to town planning, where urban planners, local government officials and construction companies implement well-meaning projects developed behind closed doors, but with very little input from the affected population on the design and implementation of urban renewal projects. The lack of masterplans has contributed to haphazard urban development in a number of cities. However, authorities are planning to develop 68 masterplans for most urban settlements which would offer an opportunity for a more participatory approach to town planning. After the visit, in December 2024 a masterplan for Tashkent was published.
6. The Special Rapporteur urges authorities in Uzbekistan to follow a more cautious and inclusive approach to urban renewal, that seeks to minimise expropriation, forced evictions, the demolition of its historic housing stock, and displacement. Urban renewal policies should seek to keep the historic layout and socio-economic fabrics intact and provide additional income opportunities to local residents. Measures may include expanding existing buildings including by adding floors and involving the local community in the renovation efforts. He personally witnessed such an approach in the Gulbazaar Mahalla in Tashkent.

 A. Housing quality

1. On average, housing overcrowding has been reduced and utility service provision improved. According to the Statistics Agency under the President of the Republic of Uzbekistan, the average floor space per inhabitant increased from 16.0 to 19.0 square meters per person from 2020 to 2024, while drinking water supply to homes increased from 67 to 75 percent during the same period. Advances have also been made in connecting housing to sewerage, which increased from 36,3 percent to 49,2 percent, which remains inadequate
2. Housing quality remains, however, an issue for disadvantaged households. UNICEF for example estimated in 2024 that 54 percent of all children facing multi-dimensional poverty rely on unclean energy sources for heating and 32 percent live in households with inadequate housing materials for the floors and walls affecting their living conditions and health. [[11]](#footnote-12)
3. Maintenance of multi-unit buildings is usually undertaken by housing management companies to which all owners pay fees. Ensuring maintenance of the largely privatized housing stock is a challenge. The Ministry of Construction and Housing and Communal Services assessed in June 2024 in total 42,072 buildings and estimated that 18 percent are in good quality, 69 percent in average quality, while 13 percent required renovation. There are as well some quality issues in newly built housing, as the Special Rapporteur noted when he visited newly built housing estates.
4. The Special Rapporteur welcomes that the Ministry of Construction and Housing and Communal Services has undertaken an effort to address such issues among other by establishing a rating of all construction companies. Of much concern is that out of the 36,198 companies rated, none were able to receive an A-level rating, only 0.06 percent received a B-rating, 36.2 percent got C (fair), while 63.4 percent were rated with D (poor).

 B. Housing affordability

1. In the immediate aftermath of independence, housing affordability was not a major concern for most households who saw appreciation of their home values due to privatization. The situation has however changed, as the number of households with mortgages on their homes has increased significantly. For example, in September 2023, 72 percent of all new real estate was either financed by a commercial or state subsidized mortgage, thus gradually financializing the housing sector.
2. Housing affordability has become an obvious issue in economically prospering cities and their surrounding regions. Students, young people who want to establish a new household, older persons with little income, women headed households with or without children, persons with disabilities, and persons renting housing are particularly affected.
3. Despite the significant increase of housing supply, housing prices have grown by 70-80 percent during the last four years (2020-2023), outpacing significantly the growth of average incomes and consumer prices. Housing prices for newly built housing increased in the regions of Samarkand (by 94.8 percent), Andijan (by 77.5 percent) and in Tashkent city (by 71.5 percent). In Samarkand 18 years of average annual household income is currently needed to buy a 3-room apartment, while in Tashkent city 14 years of income would be required.
4. Prices for housing on the rental market are even higher. For example, if a 60 square meter 2 room apartment is purchased and rented out in Samarkand, the rental income received would cover the cost of the apartment in just 11.2 years (not in 18 years), making buying rental housing in lucrative locations a profitable investment for those who have the means to do so.
5. Regrettably there is no data on housing affordability available indicating how much of their income different households spend on housing and how much of their income is left for food, clothing, education, transport and health care after housing costs.
6. **Subsidized housing loans.** The main policy to provide access to affordable housing are subsidized mortgage loans for the purchase of housing, which require a 30 percent down payment, that can also be subsidized. These loans offer preferential rates at 17-18 percent for a 20 year-long loan (compared to 21-28 percent for commercial loans). However, interest rates are not fixed and may thus expose mortgage holders to risks in adverse market conditions.
7. Since 2020, out of 753,000 applications lodged for subsidized loans, 113,000 have been granted, mainly to young people (38 percent), women (38 percent) and persons with disabilities or suffering from chronic diseases (9 percent). Regulations for allocating subsidized loans for migrant workers were also issued.[[12]](#footnote-13)
8. The subsidized loans facilitate access to housing for lower- and middle-income households, but households with unstable or very little income, such as self-employed persons working in the informal sector, face difficulties accessing them. The most disadvantaged households are thus at risk of not being covered by this scheme and alternatives, such as public housing, are extremely limited. There is, for example, no legal framework for housing cooperatives or non-commercial housing providers to offer housing to disadvantaged or vulnerable population groups at non-market rates, either for rent or on a rent-to-own basis.

 IV. Forced evictions and expropriation of housing

1. Evictions are only human rights compliant when they respect several clear principles, set out by the CESCR in its General Comment No.7. They include among others, the obligation to prove that there is no reasonable alternative to avoid the eviction, advance information and genuine consultation, adequate prior notice, impact assessment, and access to justice. Affected persons need to receive fair and just compensation for their losses, and/or be provided with alternative adequate housing and land as appropriate. Mass evictions of an entire community or evictions that cause individuals to become homeless, are per se violations of the right to adequate housing.
2. The main victims of forced evictions have been homeowners and tenants with official title or tenancy rights who have been expropriated or evicted for the purpose of public or private development projects, including ambitious urban renewal projects.
3. Past practice has been to designate large-scale areas for urban renewal involving the expropriation and demolition of the entire housing stock and displacing its entire population. For example, the urban development project of “Tashkent City” resulted in the rapid demolition the O’qui and Olmazor neighbourhoods of the old town. 2,165 households with multiple residents were evicted to make room for upscale commercial developments, including a business centre, shopping malls, high-rise hotels, restaurants, upmarket residential apartments and a park.

 A. Legal protection against evictions in law and practice

1. Even before the law regulating the seizure of land and housing for public needs came into force in 2023, privately owned housing was protected by constitutional law, the Civil Code, the Law of Private Property and the Housing Code of Uzbekistan.[[13]](#footnote-14) Article 34 of the Law on Private Property stipulated for example that the termination of ownership rights to land on which housing, buildings or plantations are located, shall only be permitted based on legislative acts and with full compensation to the owner for his/her losses. If the owner disagrees, the decision that entails the termination of ownership cannot be implemented until the dispute is resolved by a court, that should rule on the compensation to be provided.[[14]](#footnote-15)
2. This legal protection on paper, offered however, limited protection in reality. Local Government officials (Khokims) often allocated lands to private developers without having the legally required master plans in place. Private developers often demolished homes of individuals without their consent, frequently without or with inadequate compensation.
3. Decisions of Khokims to allocate land plots to private developers, were often not published, although article 38 of the Law on Normative legal Acts requires such publication, making it difficult for residents to raise their concerns with authorities, developers or to challenge such decisions in court.
4. Regulations governing the withdrawal of land plots for public needs[[15]](#footnote-16) allowed for the seizure of land for defence and state security needs, the creation of economic zones, exploitation of mineral deposits or the construction of public infrastructure such as roads and railways, the execution of master plans, or for the construction of facilities financed by the State. The legal framework did not, however, justify expropriations for commercially motivated housing development. Many civil society representatives and lawyers therefore question the legality of the dispossession of many homeowners.
5. In the view of the Special Rapporteur, replacing substandard housing with improved housing may under certain circumstances be considered as a legitimate public need. However, any such policies must be regulated by law, ensure that the affected residents agree with the proposed plans, receive adequate compensation and benefit from the improvements made. The residents should also have a right to return to their former habitual place of living. When entire neighbourhoods are demolished and replaced by commercial infrastructure or housing is sold at high profit with disregard to the rights of the affected residents, such housing demolitions cannot be considered justifiable under human rights law.
6. During his visit the Special Rapporteur heard testimony indicating that commercial housing developers frequently forced homeowners into signing unfavourable compensation agreements, threatening them with eviction and housing demolition on less favourable terms, knowing that courts would very unlikely block eviction orders. “Uncooperative” home-owners who refused to relinquish their property rights against compensation were subjected to various illegal actions to make them leave their homes, including harassment and intimidation, by cutting of electricity or gas, smashing fences or stone walls around properties, spreading anxiety and fear to residents to force them out of their homes.[[16]](#footnote-17) Often housing demolitions started without any legal review or court decisions. When courts were approached, they overwhelmingly ruled in favour of local governments or commercial developers.
7. As arbitrary housing demolitions became of widespread public concern, some legal improvements were made by law No. 781 on procedures for the seizure of land plots for public needs, which came into force in June 2022.[[17]](#footnote-18) The law lays out a structured procedure for the seizure of private property and provides for the full compensation of the property owner at market value by a centralized fund. Authorities are now required to identify alternative land plots not used for habitation for the implementation of any projects. The law requires open public discussions of projects, to be published online with at least two thirds of the affected rights-holders.[[18]](#footnote-19) However, since such public discussions will be held after the initial approval of the project, it remains questionable if they will result in any meaningful consideration of alternatives to the seizure of land and home demolitions.

 B. Compensation

1. Many persons expropriated in the past continue to struggle to assert their right to compensation. While in most instances residents were offered new homes in apartment blocks, these were often located far from work, schools, and small vegetable gardens that they previously relied on.
2. According to law no. 781, compensation may be financial or by granting ownership rights for another home. A compensation agreement with the affected rights-holder must be concluded, before housing can be demolished. Evictions are prohibited before the affected rights-holder has received the agreed full financial compensation. The law prohibits actions against homeowners who refuse to conclude compensation agreements, such as disconnecting them from communication networks, water supply, sanitation, electricity, heat or gas. Homeowners must vacate their land at latest six months after the compensation is received.[[19]](#footnote-20)
3. The Special Rapporteur is concerned that the law No. 781 permits the eviction of residents and demolition of their homes before alternative housing has been completed and provided. Affected persons may often therefore first have to move to a temporary accommodation before moving into their new home, resulting in additional disruptions to their lives, which is particularly harmful to families with children or older persons. Resorting to temporary accommodation should be an exception rather than the rule. It is also concerning that the financial penalty for delays in housing provision will not be sufficient to cover the cost for renting an equally sized home in proximity to their place of residency.
4. Persons who are unable to prove their title rights, but have been living continuously for more than 15 years on the affected land and paid taxes, may also be compensated for their loss of housing, but not for their loss of land rights.[[20]](#footnote-21) The Special Rapporteur is concerned that persons who are unable to present the required proofs or who stayed less than 15 years continuously on land without title will be completely excluded from compensation.
5. Law No. 781 specifies that tenants shall only be compensated at market value and for moving costs. The regulation largely ignores any non-material losses that are accompanied by the loss of a home. Rights-holders will only be compensated in the form of a 5 percent surplus payment to the market value of their property for the inconvenience caused by a move. However, such non-material losses are usually much higher, as persons develop strong emotional and affective relationship with their homes, gardens or land and to the community in which they lived.
6. While public authorities shall, on request, provide homeowners living together in a mahalla or street, alternative housing in apartments in the same building or street, there is no legal requirement that such housing must be located in proximity to their previous homes, as required by human rights law. The urban renewal policies in Uzbekistan that displace residents to the periphery of urban settlements are at risk of continuing and must change.

 C. Displacement in cultural heritage sites

1. Many cities in Uzbekistan, such as Samarkand and Bukhara, contain a vast treasure of common cultural heritage of mankind. There is a worrying trend that homes of local residents in city centres are turned into tourist accommodation or demolished for new museums. Economic and development-induced displacement of the local population including destruction of retail shops or small-scale industry producing traditional heritage products is a concern undermining livelihood opportunities of local communities that directly affects the right to adequate housing.
2. The Special Rapporteur is of the view, based on his field observations in Samarkand, that UNESCO and local authorities have given insufficient attention to the right to adequate housing of the people living close to or within heritage sites, and failed to prevent the demolition of housing stock, forced evictions and irregular construction within protected areas. This is of deep concern, as it appears that UNESCO and its World Heritage Committee have failed to ensure that international human rights law is respected in protected areas in Uzbekistan, while they have decided to host the next UNESCO General Conference in Samarkand in 2025.
3. Short term rentals such as Air BnB or Booking.com can have an adverse impact on availability of affordable housing in attractive city locations by turning residential housing into tourist accommodation, displacing the local populations. As Bukhara and Samarkand plan to rapidly increase the number of tourists, it is important that they urgently take steps to mitigate such consequences through appropriate regulation and enforcement.

 D. Displacement after disasters

1. The Special Rapporteur also visited Sirdarya province where the Sardoba dam collapsed in May 2000, resulting in a massive flooding and evacuation of 111.000 residents in Uzbekistan and neighbouring Kazakhstan. The flooding destroyed and damaged many individual homes, several beyond the ability of repair. In the aftermath of the disaster the Government made significant efforts to construct multi-storey houses with apartments to house those that were left homeless in the flood affected rural areas and undertook various measures to compensate the victims of the disaster. While many victims of the disaster could access newly built housing units close to educational and health care facilities, several victims were regretfully not able to live on their earlier land and close to their gardens. He also met some victims of the flooding who continue to live in housing damaged by the floods and were left without sufficient compensation to repair their homes.

 V Homelessness

1. Uzbekistan has so far not collected any official data on various forms of homelessness, including the number of persons in street situation or experiencing hidden forms of homelessness, such as persons relying on the goodwill of family or friends to host them. Homelessness is reportedly not very widespread but it exists. During winters, police in Tashkent have asked citizens to report persons in street situation to them in order to provide assistance and prevent health risk caused by hypothermia.
2. At particular risk of homelessness are persons evicted from their homes, persons unable to pay mortgages or rents, persons released from prisons, childcare institutions, women and their children fleeing gender-based violence, LGBTQ persons and persons with psychosocial disabilities or addictions. The group of persons at high risk of homelessness is thus very diverse: many persons would just need access to an affordable safe home, while others may need additional legal, social, psychological or health care support. The Special Rapporteur welcomes efforts to prevent homelessness of children exiting public care. In 2021, a new decree was adopted to allow young persons without parental care after they turn 18 years of age access to one-bedroom apartments in multi-storey buildings.[[21]](#footnote-22)
3. The Special Rapporteur saw that forced evictions related to urban development projects have also resulted in homelessness. He visited for example, in Samarkand, an elderly couple whose house was expropriated and partly demolished by a construction company, while the new building was left uncompleted and without access to utility services. In this particular case, the construction was stopped, as the new building did not conform to official building regulations and the couple never received the alternative housing promised. As they could not afford another option, the elderly couple was forced to return to their demolished home and is now living on the abandoned construction site, using an unfinished room in an uncompleted new building to survive in substandard conditions.

A. Criminalization

1. While there is no legal prohibition of staying or sleeping in public spaces, persons in street situation may be fined for failure to comply with the rules of cleanliness and sanitary order.[[22]](#footnote-23) Persons who beg in public places can also be subjected to prosecution. Amendments to the Code of Administrative Responsibility made “actively asking for money, food, and other material assets” in public places an offence imposing a fine of about 25 to 75 USD.[[23]](#footnote-24) Article 188 of the Code specifies that the begging ban applies to all public places, including streets, public transport, airports, train stations, parks, markets and shopping centres, stadiums, and cultural heritage sites.[[24]](#footnote-25) Those who cannot pay the fine face up to 15 days of detention. Repeat offenders may face punishments of up to 240 hours of community service, up to two years of corrective labour, or up to one year in prison.[[25]](#footnote-26) In 2018, over 5.000 persons identified as beggars were sent to rehabilitation centres in Tashkent, among them 4.000 women and 3.000 women with children.[[26]](#footnote-27) Heavier sanctions are applied against parents engaging children in begging. While it is important to take measures against exploiting and employing children in begging, such sanctioning does not solve the problem and often makes the situation of affected children worse, adding pressure on families in financial difficulties to raise additional money to pay the fine, or when parents are detained, leaving children without parental care.[[27]](#footnote-28)

 B. Detention in rehabilitation centres

1. Persons experiencing homelessness can also be detained in rehabilitation centres run by the Ministry of Interior. On 26 April 2018, the Cabinet of Ministers approved new regulations for rehabilitation centres for persons without a fixed abode which allow administrative courts to detain persons experiencing homelessness for a period of up to 30 days.[[28]](#footnote-29) The regulations apply to persons over the age of 18 who are not registered at a place of permanent or temporary residence and show “antisocial behaviour” or are “prone to committing an offence.”
2. According to the law, the main purpose of the rehabilitation centres is to ensure their safety, to convince them to follow norms and rules of behaviour accepted in society and to provide a set of rehabilitative measures, including legal, social, psychological, medical and other assistance and to direct them to their place of residency after their identity has been established. The rehabilitation centres may arrange the transfer of persons with health issues to hospitals and persons with disabilities or older persons to residential facilities.
3. The rehabilitation centres cannot be compared to shelters or similar institutions in other countries that provide emergency accommodation to persons experiencing homelessness, where they are free to enter and leave. These are closed institutions run by the Ministry of Interior. The regulations specify that “homeless persons [placed in them] must be kept in safe conditions that exclude the possibility of their unauthorized departure ... and be under round the clock supervision by rehabilitation staff.”[[29]](#footnote-30) Persons detained in them are subjected to fingerprinting, photography, medical examination, disinfection and a bodily search.[[30]](#footnote-31) Personal items are confiscated for the duration of their detention.[[31]](#footnote-32)
4. The Special Rapporteur was able to visit a former detention facility in Tashkent under renovation to serve in the future as a rehabilitation centre for persons experiencing homelessness. As the renovation work was still ongoing, persons placed in the centre were temporarily housed on the ground floor of a recently erected adjacent remand detention centre, using four-bedroom cells. The inmates live in open cells but are under centralized video supervision and are offered regularly meals and health care services and as well legal support. The fact that persons experiencing homelessness are placed in a former prison or prison-like institutions is regrettably reinforcing their public stigmatization as outcasts of society and is not an appropriate solution to assist their social reintegration.
5. The Special Rapporteur would like to draw the attention to Human Rights Council resolutions 43/14 and 55/11, the Guiding Principles on Extreme Poverty and Human Rights (A/HRC/21/39) and his joint study with the Special Rapporteur on extreme poverty and human rights (A/HRC/56/61/Add.3), which call on all States to decriminalize homelessness and related life-sustaining conduct, such as sleeping or begging in public places. In his view there are more sustainable and human rights compliant approaches to respond to homelessness or begging, than imposing sanctions on persons that cannot pay them or to detain them.

 VI. Specific groups

 A. Women

1. Women face more pronounced challenges in acquiring housing in Uzbekistan, as most have lower income than men and fewer opportunities for saving.[[32]](#footnote-33) Although legislation guarantees equal rights to property ownership for both women and men, there are still significant gender disparities. In 2022, the Committee on the Elimination of all forms of Discrimination against Women noted with concern the low percentage of women’s ownership to land (23 percent) and real estate (36.6 percent).[[33]](#footnote-34) Most people acquire land and residential houses through inheritance, which traditionally favours men.
2. Gender stereotypes in lending and house ownership are significant as traditionally, men are considered heads of households and homes are registered often only in their name. Other barriers to women’s home ownership include fear of nonperforming credit related to the prospect of maternity leave; unemployment, or employment with low salaries insufficient for creditworthiness; and lack of knowledge of banking systems.[[34]](#footnote-35)
3. According to Cabinet of Ministers resolution No. 182 adopted in April 2018, women in difficult social situations, women with disabilities, women with low income and single mothers have the possibility to submit an application for a subsidized mortgage loan of a 2-3 room home that may be fully covered by public institutions in case of lack of creditworthiness or regular income. Since 2017, more than 30,100 women have secured a home under this scheme. In addition, more than 28.700 women received subsidies for rental payments and over 19,300 women received grants to undertake repair work to their housing.
4. The Special Rapporteur is also concerned that women and children exposed to domestic violence are often forced to flee their homes, instead of restricting the access of perpetrators to the homes where the victims live.
5. In 2023, the Law on the Protection of Women from Oppression and Violence strengthened the protection of women and children through criminalization of domestic violence and making it easier to issue longer and more comprehensive protection orders. During the first seven months of 2024 alone, courts issued protection orders for over 25,600 women with around 85 percent of perpetrators being family members.
6. There is also significant social and institutional pressure, starting at local community/mahalla level going all the way to public institutions and the judiciary to prevent divorces and keep families together. Out of 74,192 family problems reported to women’s officers at mahalla level, 45,402 families were reconciled during the first seven months of 2024. [[35]](#footnote-36) In 2024, 51.8 percent of cases heard by criminal courts under article 126-1 “Family were terminated due to the offender’s confession of guilt and reconciliation with the victim.
7. For many women the only effective protection is to access alternative accommodation on a temporary or long-time basis. Shelters for women play a critical function to provide legal, social, psychological and other assistance and a safe place to stay. Until recently only very few shelters existed, including a CSO run shelter initiated 25 years ago in Bukhara which the Special Rapporteur visited. The Special Rapporteur welcomes that Uzbekistan has now established 14 regional centres for the Rehabilitation and Adaptation of Women and a Republican Centre in Tashkent that he also visited. Regrettably the naming of these centres, still suggests that their purpose is to “adapt” women rather than protecting them.
8. The Special Rapporteur is concerned that there are insufficient affordable long-term housing options available to women and children fleeing domestic violence who cannot return to their homes. As a result, they may either face longer stays in shelters or are often forced due to economic reasons to return into abusive family settings.

 B. Students

1. In Jizzak, the Special Rapporteur visited a newly built student residency, equipped with bunk beds and communal facilities. The number of students enrolled in tertiary institutions has risen significantly in Uzbekistan from 2017 to 2023. The rapidly expanding access to higher education resulted in serious challenges to provide affordable housing to the rising number of students, in particular in Tashkent where many public and private tertiary education institutions are located.[[36]](#footnote-37) Currently there are around 1,539,000 students in higher education institutions. 47.6 percent live in homes of their families or close relatives, while 247,000 have need for a place in a dormitory, of which only 54 percent can currently be housed in student residencies. [[37]](#footnote-38) The remaining students live in rented homes and can receive a subsidy covering 50 percent of rental costs, that was introduced in May 2021. In addition, with the view to promote renting out to students, such lease arrangements were exempted from tax. The State significantly increased allocation of funds for rental subsidies from 4.8 billion suoms in 2021 to 132 billion suoms in 2023.[[38]](#footnote-39) In addition, efforts are under way to build 241 additional student residencies by 2025, with the aim to offer more students places in dormitories. The Special Rapporteur welcomes the efforts to improve the housing situation of students. He calls upon authorities to monitor the situation closely and expand inspection of housing, to ensure that students are protected from rent usury and that housing offered to them meets adequacy standards.

 C. Persons with disabilities

1. The Special Rapporteur welcomes that Uzbekistan ratified on 7 June 2021, the Convention on the Rights of Persons with Disabilities. As of 1 January 2025 2.7 percent of the population were registered as persons with disabilities, however this number is widely considered as underreported. Persons with disabilities face significant challenges to purchase or rent housing, as disability benefits usually do not equalize the additional disability related costs; and as households with persons with disabilities are significantly poorer than those without persons with disabilities[[39]](#footnote-40) owing to their higher exclusion from the labour market.
2. In 2019 only 64.9 percent of persons with disabilities rated their home and neighbourhood reasonably accessible.[[40]](#footnote-41) Living independently within the community is challenging for many due to limited personal assistance available, when family members are unable to provide such assistance. In 2019 only 1,2 percent of all persons with disabilities received personal assistance by the State at their homes.
3. Uzbekistan has a high rate of institutionalization of children with disabilities, who are subsequently deprived of the right to grow up in a safe and nurturing family environment. 79 percent of all children in institutional care have a disability,[[41]](#footnote-42) and most of them attend specialized schools. Consequently, there is disproportionate housing segregation of persons with disabilities.
4. The Special Rapporteur welcomes that the law on the right of persons with disabilities obliges the State to take measures to protect the right of children with disabilities to a family environment and reduce the number of children with disabilities placed in specialized institutions[[42]](#footnote-43), and thus foresees the reduction of the segregation of children with disabilities in relation to housing.
5. The Law on the Rights of Persons with Disabilities prohibits discrimination on the grounds of disability, and specifies that living quarters provided to persons with disabilities or to families with a disabled member shall comply with the principle of accessibility of facilities and services.[[43]](#footnote-44) According to the law, the homes of persons with disabilities shall be adapted by local authorities with special aids and appliances for free movement and use by persons with disabilities. State authorities are furthermore obliged to take measures to provide persons with disabilities with unhindered access to their homes and social infrastructure[[44]](#footnote-45) and in construction projects, accessibility of private living quarters and unhindered access to facilities and services shall be guaranteed.[[45]](#footnote-46)
6. A recent World Bank study found that construction projects of residential buildings, managed by private real estate developers, often violate the Law on the Rights of Persons with Disabilities.[[46]](#footnote-47) The Special Rapporteur visited several newly built housing estates that were equipped with elevators which could often only be reached after passing several stairs, although the law requires that when elevators are installed in residential buildings their accessibility should be guaranteed. In public spaces, the Special Rapporteur observed efforts to enhance accessibility, but often ramps are too steep to be safely used by persons with disabilities without additional personal assistance.
7. Article 51 of the Code of Administrative Liability allows for the imposition of a fine on officials who fail to create conditions for persons with disabilities for unhindered access to buildings, transport and means of communication.[[47]](#footnote-48) Such fines amount to about 280-450 USD and may be increased one year later if compliance has not been achieved. Between January and June 2012, 8,828 public and private entities were fined for failing to comply with accessibility rules, however six years later, from January to June 2018, reportedly only 7 private entities were fined, and no fines collected.[[48]](#footnote-49) Even when fines are imposed and collected, they appear not to be high enough to encourage compliance.
8. Persons with disabilities face particular difficulties to challenge violations of their rights before courts, and therefore only few have resorted to the justice system. Additional barriers to access justice include unaffordable court fees, financial inability to hire a lawyer, inaccessible court buildings, lack of accommodation in judicial procedures, limited awareness and representation of persons with disabilities within the judicial system, and limited knowledge of persons with disabilities of their own rights.[[49]](#footnote-50)

 D. LGBT persons

1. Lesbian, gay, bisexual, trans, queer, intersex (LGBT) persons face particular challenges in Uzbekistan, as voluntary same-sex contact between adult males is criminalized by Article 120 of the Criminal Code.[[50]](#footnote-51) As a consequence, most LGBT persons hide their sexual orientation or gender identity.
2. LGBT persons face increased risk of homelessness, as they may often be expelled by their families or become at risk of harassment and violence, should their sexual orientation or gender identity become known publicly. Landlords, knowing or suspecting the sexual orientation or gender identity of tenants, may refuse to conclude a rental contract citing moral, religious or personal beliefs, as homosexuality is widely perceived in the society as unacceptable and immoral.
3. LGBT persons living in rented or self-owned homes are at risk of harassment or violence from neighbours. In an informal self-survey, most LGBT persons reported being subjected to psychological abuse, physical violence or expelled from their homes. Respondents highlighted an urgent need for psychological (100%), legal (75%), and medical (40%) support, and help in finding safe places to stay (60%).[[51]](#footnote-52)
4. To date, there is no law that protects against discrimination based on sexual orientation or gender identity. LGBT persons have no possibility to defend their rights in court in the event of discriminatory refusal to rent or eviction. The fear of possible criminal prosecution under Article 120 further exacerbates the situation, as people are afraid to turn to law enforcement agencies for protection. Institutions that offer shelter for female victims of gender-based violence are not equipped to take on the support that LGBT persons would require to protect them.

 E. Roma Minority (Lyuli/Mughat)

1. The Roma community in Uzbekistan has the lowest rate of integration into the public education system and formal labour market, faces social stigmatization and is more likely to be displaced. Roma communities live overwhelmingly in segregated communities perpetuating their social exclusion. Often their land or homes are not registered in cadastral registries, exposing them to the increased risk of housing demolition without compensation. The Special Rapporteur was able to visit the Chashma mahalla (neighbourhood) located in the Bektemir district of Tashkent, that was offered as one possibility for 250 Roma families to resettle when they were forced to leave their homes from the old city, that was subjected to urban redevelopment. Similarly in Tashkent’s Vodnik district, an entire Roma village was forced to move away from their neighbourhood to allow for the construction of a children’s education centre.[[52]](#footnote-53) Most Roma are self-employed or undertake informal jobs, including waste collection and waste management, excluding them from regular incomes. While most have their own houses or apartments, their social-economic situation and unstable income exclude many of them from accessing subsidized mortgages.

 VII. Access to justice

1. Housing rights defenders
2. Civils society organizations defending housing rights continue to face obstacles in registering as NGOs, which is required under national law.[[53]](#footnote-54) A government resolution adopted in June 2022 further increased state interference into NGO activities by introducing a new requirement of state approval of foreign grants received by NGOs and compulsory partnership with state agencies on the implementation of foreign funded projects.
3. There are no nationwide tenant unions, home-owner associations or organizations working with persons at risk of homelessness, specialized in defending housing rights or engaging regularly in a dialogue with relevant Government departments on housing policies. Some human rights organizations, citizen groups and lawyers try to fill this gap.
4. Only one general legal advice organization called “Madad” receives public support. Madad maintains 137 advice offices and comprehensive online legal advice pages, including on housing rights matters.[[54]](#footnote-55) Madad is formally a non-governmental organization, but was established by a Presidential Decree in 2019.
5. Public media traditionally reports about achievements and positive developments in relation to housing, therefore more independent commentary on housing policies is confined to some independent online news portals, bloggers, social media channels or documentary film makers. In this context, the Special Rapporteur is gravely concerned that victims of forced evictions, housing rights defenders, lawyers, bloggers and journalists reporting about arbitrary housing demolitions are subject to intimidation, prosecuted or detained on dubious grounds, including in closed mental health institutions.[[55]](#footnote-56) He was able to observe instances of surveillance and interference with housing rights defenders. These practices must stop as they do not comport with the vision of New Uzbekistan.

 B. Legal Aid

1. Until very recently, public legal aid was restricted to criminal law cases, leaving home-owners or renters who have limited financial means without any professional legal support to defend their interests in civil law cases or in administrative law matters. The Law on Provision of Legal Aid at the Expense of the State, which came into force in September2023, provides now low-income persons access to State funded legal aid, including in matters related to the “loss of the right to use residential premises and eviction”. However, “low-income” persons are narrowly defined in the law only as those that were registered in the database on social protection, confining such support to a narrow group.[[56]](#footnote-57) An additional challenge is to find a lawyer as there is a shortage of lawyers in Uzbekistan.[[57]](#footnote-58) It therefore remains largely still to be seen to what extent the new law will result in sufficient improvements to the provision of legal aid in housing rights matters.

 C. Non-judicial complaints mechanisms

1. Uzbekistan has established various non-judicial procedures to submit complaints to authorities. They include the Peoples’ Reception of the President with offices in regions and cities and an electronic platform to submit complaints, [MUROJAAT.GOV.UZ](https://murojaat.gov.uz/); the Ombudsperson Institution[[58]](#footnote-59), the Child Rights’ Commissioner and the General Prosecutor’s Office. The latter can receive individual complaints, issue warnings, file protests against decisions to public and private bodies and petitions to courts, and if required initiate prosecutions before courts in relation to administrative, criminal or disciplinary offences.[[59]](#footnote-60)
2. The Ombudsperson Institution, received between 2017 and 2023 more than 7.000 housing rights related complaints, among them mostly complaints related to the provision of public housing (2,230 cases), but also many complaints related to the encroachment on property by local governments, legal entities and individuals (1,924 cases), expropriation without provision of alternative housing (237 cases) or without equivalent housing (300 cases), incomplete compensation (245 cases) or housing demolitions (36 cases). Since 2020, the Ombudsperson Institution has also submitted 21 conclusion and submissions to state authorities relating to these issues and was able to assist affected persons in two lawsuits. The Ombudsperson successfully appealed to the Constitutional Court to review two provisions regulating the withdrawal of land plots.
3. The Special Rapporteur also met the Commissioner for Children’s Rights who received 35 complaints related to housing issues in 2023 and during the first six months of 2024, including related to forced evictions and housing rights of children in institutions. The Commissioner intervened in cases to secure housing and property rights of children without parental care and ensure access to housing for young adults leaving childcare institutions.[[60]](#footnote-61)
4. The Special Rapporteur learned from lawyers, housing rights defenders and residents that occasionally complaints filed with these non-judicial bodies resulted in some gradual improvements, for example, assisting affected persons to receive a better compensation for expropriation or demolition of housing. They also facilitated in several instances access to public housing, to subsidies or loans for housing repairs or subsidized mortgages.
5. Overall, there was however, the perception that complaints filed with these mechanisms could not provide adequate relief as they are ill-equipped to challenge expropriations and housing demolitions. It was also noted that when the institutions provided legal views supporting the complainants, their views were often overruled in court proceedings. While there are many non-judicial complaints mechanisms available to residents, the Special Rapporteur met too many persons who submitted multiple complaints to these bodies and received acknowledgements but without having their housing rights disputes resolved in a satisfactory way.
6. The Special Rapporteur is also concerned that individuals appear often powerless against rights violations committed by private housing developers and construction companies, such as arbitrary cuts to utility services to force tenants out, unlawful housing demolitions, non-payment or inadequate compensation for expropriations, or failure of housing developers to provide an agreed alternative housing in a timely manner without major defaults. While the laws establishing the Ombudsperson Institution and the Public Prosecutor do not rule out that these institutions engage on human rights abuses of business actors, it appears that so far they have not considered such complaints, thus contributing to a general lack of adequate oversight over the private construction sector. The Business Ombudsperson is only tasked to handle complaints of business actors against State institutions. In essence, there is to date no well-functioning, accessible grievance mechanism dealing with human rights abuses by business entities in line with the UN Guiding Principles on Business and Human Rights.

 D. Judiciary

1. The courts in Uzbekistan do not have a strong record of enforcing the new Constitution, international human rights treaties and national laws aimed at protecting the right to adequate housing. The culture of seeking remedies through courts is itself very slowly developing, while access to justice is also limited by the small size of the legal profession, limited legal aid and that many court cases are decided without legal representation.
2. While the Constitution gives priority to international law over domestic law in case of conflict, in reality, the courts have hardly ever referred to international human rights treaties when interpreting national law and its application.[[61]](#footnote-62)
3. An overwhelming majority of cases involving developers and residents seem to be decided in favour of developers, especially by appellate courts. The perception among many in the public is that the judiciary is not independent. Despite the recent reforms to improve the independence of the judiciary including the shifting of appointments to the Supreme Judicial Council, there is a culture of compliance with perceived State interests in the judiciary. [[62]](#footnote-63)
4. The Special Rapporteur is also concerned about certain legal provisions such as article 231(1) of the Criminal Code, which permit the imprisonment of judges for rendering “unjust decisions”. For example, one judge has been sentenced to four years of imprisonment who appears to have ruled several times against State authorities. These provisions are contrary to the independent functioning of courts; if judges make mistakes, whether their rulings are seen as fair or not, appellate courts are supposed to correct them instead of imprisoning them for rendering their decisions.

 VIII. Recommendations

1. **The Special Rapporteur applauds Uzbekistan for the vast progress it has made in transforming the country to be more open, rule of law-based society which is willing to take measures to improve its protection of the right to adequate housing. The ‘New Uzbekistan’ vision should lead to greater compliance with the realization of all human rights based on rule of law, as it rapidly urbanizes. With regard to the protection of the right to adequate housing he recommends Uzbekistan to:**
2. **Establish a road map for the full implementation of the recommendations contained in this report, through the National Centre of the Republic of Uzbekistan for Human Rights as the coordinating body.**
3. **The implementation of the right to adequate housing in its legal order:**
4. **Ensure the constitutional and legal protection of the right to adequate housing for all by strengthening implementation of legal protections and the ability of judicial and non-judicial bodies to provide effective remedies including through administrative law remedies such as injunctions against orders and rules, that individuals can easily access;**
5. **Ratify the Optional Protocol to the ICESCR allowing the submission of individual complaints for violations of the right to adequate housing after exhaustion of domestic remedies.**
6. **Housing policies and urban planning:**
7. **Systematically collect data on housing conditions, quality, affordability - including data on the percentage of disposable income used to cover housing costs – as well as on homelessness. Such data should be disaggregated by income group, gender, age, location, tenure type, disability, household composition, ethnicity, and nationality;**
8. **Continue monitoring and improving housing quality, safety and access to essential services, such as safe drinking water and sanitation, by all housing providers, public or private, including through surveys and company ratings;**
9. **Ensure comprehensive and meaningful participation of residents in urban planning, including in master planning, for the social and Mahalla level production of housing;**
10. **Elaborate and strengthen further existing measures to ensure housing affordability, including by:**
11. **Expanding public housing stock and adopting regulations for the establishment of community housing providers, housing cooperatives community land trusts and land banks;**
12. **Improving the availability of fixed-rate mortgages and protection of mortgage holders against possible interest hikes in economic downturns and eliminate barriers for recently divorced women and self-employed persons with irregular income to access subsidized mortgages;**
13. **Strengthen security of tenure including against arbitrary evictions without cause and introduce rent ceilings for tenants renting housing.**
14. **Institutional changes:**
15. **Establish an additional member of Mahallas, to be responsible for ensuring the protection of the right to adequate housing, with legal or paralegal knowledge and training;**
16. **Enable non-judicial remedial mechanisms, such as the Peoples Reception of the President, to extend formal negotiation and conciliation services to all cases involving land acquisition and evictions.**
17. **Forced evictions and expropriation:**
18. **Restrict expropriations, displacement and forced evictions for public needs. Ensure, in urban renewal projects, that affected persons have a right to return to their neighbourhood or are alternatively provided with affordable housing and land of equal value and size in close proximity to their habitual place of living. Restrict the ability to expropriate homeowners when alternative housing has not yet been completed.**
19. **Ensure that actions to promote urban renewal, tourism and cultural heritage protection do not result in arbitrary displacement of affected residents. Adopt adequate regulation of short-term rentals.**
20. **For any project requiring expropriation, relocation or resettlement, provide residents with an effective right to access information concerning all town planning and project documents, including by elaborating and approving masterplans for urban centres.**
21. **Provide retroactively reparation and compensation to homeowners who have been arbitrarily expropriated in the past, and amend legislation regulating expropriation to include compensation for intangible and non-material losses.** **Regulate the compensation and assistance provided to tenants with rental contracts who have to relocate due to urban renewal projects.**
22. **Address shortcomings in the disaster response to the Sardoba dam disaster by reopening the possibility to submit claims for compensation or providing improved access to grants or subsidized mortgages for housing repairs for all persons who continue living in substandard or damaged housing in the affected region.**
23. **Homelessness prevention, protection and decriminalization:**
24. **Transfer the responsibility for emergency housing for persons experiencing homelessness to the National Agency for Social Protection. Ensure that shelters can be freely accessed and exited by persons experiencing homelessness. Invest in the establishment of housing-led approaches to combat homelessness to ensure that persons without housing can access individual long-term private housing as quickly as possible.**
25. **Abolish legal provisions criminalizing begging and other life-sustaining activities of persons experiencing homelessness. Abolish regulations that allow for the arbitrary detention of persons experiencing homelessness in rehabilitation centres or for alleged “unsocial behaviour” or persons suspected to be “prone to commit offences.”**
26. **Specific groups at risk of marginalization:**
27. **Ensure that women and children fleeing domestic violence have access to shelters in all regions and increase the offer and support to shelters managed by independent civil society organizations. Ensure safe long-term housing options for persons who cannot return to their homes. Ensure that protection orders require the perpetrator, instead of the victim, to leave the home. Require that public institutions, the police and the judiciary formally assess safety risks for women or children before electing to promote reconciliation or reunification in domestic violence cases.**
28. **Recognize the right of persons with disabilities to live independently within the community and enhance the provisions of personal assistance financed by the State to facilitate deinstitutionalization. Provide support to parents, to ensure that children with disabilities remain with their families, instead of being institutionalized.**
29. **Ensure the participation of persons with disabilities and organizations representing them in urban planning and housing policies. Regulate that new housing is built on the principle of universal design and fully accessible to persons with disabilities. Provide sufficiently dissuasive penalties when regulations aimed at ensuring accessibility of persons with disabilities are not respected and ensure that penalties are systematically enforced.**
30. **Continue to address the shortage of student housing, through construction of student residences, rent subsidies and tax incentives for homeowners renting out to students.**
31. **Abolish article 120 of the Criminal Code and end the stigmatization of LGBT persons as immoral or insane. Prohibit housing discrimination based on sexual orientation or gender identity and establish in collaboration with LGBT persons structures which are able to provide safe emergency and long-term housing options for persons who have been forced to leave their families or communities.**
32. **Adopt measures to reduce the spatial segregation of Roma/Lyuli communities, improve their security of tenure through registration of land and housing used by them and improve their access to subsidized mortgages.**
33. **Civil Society and access to justice:**
34. **Remove barriers for the registration of civil society organizations. Establish an ongoing formal dialogue with civil sociality and human rights organizations on housing policies, urban renewal and on the issue of forced evictions.**
35. **End intimidation and reprisals against persons seeking justice in housing matters, and against housing rights defenders, media representatives and bloggers reporting on housing matters. Immediately halt any punitive psychiatric detention of persons defending housing rights.**
36. **Enable effective grievance and complaints mechanisms against housing rights abuses by non-state actors, such as commercial housing developers and business enterprises in conformity with the UN Guiding Principles on Business and Human Rights.**
37. **Further strengthen the independence of the judiciary to adjudicate right to housing cases, including by abolishing article 231(1) of the Criminal Code that allows for the imprisonment of judges who render “unjust decisions” and by training judges in international legal dimensions of the right to adequate housing.**

1. \* The summary of the report is being circulated in all official languages. The report itself, which is annexed to the summary, is being circulated in the language of submission and Russian only. [↑](#footnote-ref-2)
2. \*\* The present report was submitted to the conference services for processing after the deadline so as to include the most recent information. [↑](#footnote-ref-3)
3. CESCR, General Comment No.4. [↑](#footnote-ref-4)
4. [A/HRC/52/28](http://www.undocs.org/A/HRC/52/28). [↑](#footnote-ref-5)
5. For such a perspective see: University of Ulster, Land Home Justice Network and Uzbek Forum on Human Rights, A false Sense of Legality: Compulsory Property Seizure, Land Grabbing and Forced Evictions in Uzbekistan, 2024. [↑](#footnote-ref-6)
6. UNECE, Country Profiled on Housing and Land Management, Uzbekistan, United Nations, New York and Geneva 2015, p. 15. [↑](#footnote-ref-7)
7. Information provided by UZStats to the Special rapporteur. Data as of 1 January 2024. [↑](#footnote-ref-8)
8. See https://uza.uz/ru/posts/nezakonnye-postroyki-prichiny-analiz-i-posledstviya-26-02-2020. [↑](#footnote-ref-9)
9. Information provided to the Special Rapporteur by the Ministry of Construction and Housing and Communal Services of the Republic of Uzbekistan. [↑](#footnote-ref-10)
10. Ibid. [↑](#footnote-ref-11)
11. UNICEF, Situation Analysis of Children and Adolescents in Uzbekistan, 2024, p. 100. [↑](#footnote-ref-12)
12. https://lex.uz/ru/docs/4717180. [↑](#footnote-ref-13)
13. Article 53 of the Constitution in force until 2022, Articles 164 and 166 of the Civil Code, Article 11 or the Housing Code, Article 32 of the Law on Property. [↑](#footnote-ref-14)
14. https:/lex.uz/docs/111455. [↑](#footnote-ref-15)
15. See paragraph 3 or such a regulation, annexed to the Resolution of the Cabinet of Ministers No. 97 of 29 May 2006. [↑](#footnote-ref-16)
16. See also JUA UZB 3/2019, AL UZB 2/2020 from 20 November 2020, AL UZB 3/2020 from 15 December 2020 and AL UZB 1/2024 from 7 February 2024 and respective replies received. [↑](#footnote-ref-17)
17. <https://lex.uz/en/docs/6355530>. [↑](#footnote-ref-18)
18. Ibid, Article 20. [↑](#footnote-ref-19)
19. Ibid. Article 22. [↑](#footnote-ref-20)
20. Ibid. Article 23. [↑](#footnote-ref-21)
21. Decree of the President of the Republic of Uzbekistan No. 5216“On Measures for Implementing a new System of State Support for Orphans and Children Without Parental Care.”. [↑](#footnote-ref-22)
22. Code of Administrative Responsibility, Article 161, <https://lex.uz/acts/97661>. [↑](#footnote-ref-23)
23. Tashkent Times, [Beggars could face imprisonment in proposed amendment, 6 September 2018.](https://www.tashkenttimes.uz/national/2826-beggars-could-face-imprisonment-in-proposed-amendment)  [↑](#footnote-ref-24)
24. [Uzbek Lawmakers Criminalize Begging, With Fines Or Jail Time](https://www.rferl.org/a/uzbek-lawmakers-criminalize-begging-with-fines-or-jail-time/29656585.html), https://www.rferl.org/a/uzbek-lawmakers-criminalize-begging-with-fines-or-jail-time/29656585.html. [↑](#footnote-ref-25)
25. See Article 127 of the Criminal Code, <https://lex.uz/acts/111457>. [↑](#footnote-ref-26)
26. Submission by ECOM to the Special Rapporteur, p.4., https://www.ohchr.org/sites/default/files/documents/issues/joint-activity/decriminalization-homelessness/subm-decriminalization-homelessness-extreme-cso-ecom.docx. [↑](#footnote-ref-27)
27. See Dianara Babajanova, Family-Legal Methods Of Protecting The Rights Of Children When Their Parents Involve Them In Begging In The Republic Of Uzbekistan, American Journal of Political Science Law and Criminology, 2021, p. 14-18. [↑](#footnote-ref-28)
28. Regulation on the centres of the Ministry for Internal Affairs for the rehabilitation of persons without a fixed abode, para. 10, https://lex.uz/docs/3711915. [↑](#footnote-ref-29)
29. Ibid, para. 29. [↑](#footnote-ref-30)
30. Ibid. para. 18 and 19. [↑](#footnote-ref-31)
31. Ibid. para. 21 and 34. [↑](#footnote-ref-32)
32. See World Bank, Country Gender Assessment for Uzbekistan, 2024. [↑](#footnote-ref-33)
33. CEDAW/C/UZB/CO/6, para. 35. [↑](#footnote-ref-34)
34. Asian development Bank, Uzbekistan: Country Gender Assessment Update, December 2018,p. XViii. [↑](#footnote-ref-35)
35. See Utkirbek Kholmirzaev & [Zayniddin Shamsidinov](https://link.springer.com/article/10.1007/s11196-024-10150-2#auth-Zayniddin-Shamsidinov-Aff3), Semiotics of legal transplants: Exploring domestic violence justice in Uzbekistan, in: International Journal for the Semiotics of Law, Vol. 37, (2024), pp. 1829-1848. [↑](#footnote-ref-36)
36. See for example “Students – the real homeless of the capital” Kunz News, 16.11.2020, <https://kun.uz/news/2020/11/16/talabalar-poytaxtning-asl-uysizlari>. [↑](#footnote-ref-37)
37. Data provided by the Government to the Special Rapporteur. [↑](#footnote-ref-38)
38. Ibid. [↑](#footnote-ref-39)
39. United Nations Uzbekistan, Situational Analysis on children and Adults with disabilities, 2019, p. 40. [↑](#footnote-ref-40)
40. Ibid. p.29. [↑](#footnote-ref-41)
41. UNICEF, Situational Analysis of Children and Adolescents in Uzbekistan 2034, p. 62. [↑](#footnote-ref-42)
42. Ibid. article 20. [↑](#footnote-ref-43)
43. Law 641-2020, Article 18 and 22, available at: <https://lex.uz/en/docs/5694817> [↑](#footnote-ref-44)
44. Ibid, article 23 [↑](#footnote-ref-45)
45. Ibid. article 23. [↑](#footnote-ref-46)
46. See as well World Bank, Technical Note on the Implementation of the Convention on the Rights of Persons with Disabilities in Uzbekistan, January 2023, p. 25. [↑](#footnote-ref-47)
47. [lex.uz/acts/97661](https://lex.uz/acts/97661). [↑](#footnote-ref-48)
48. Ibid. p. 25-26. [↑](#footnote-ref-49)
49. Ibid. pp. 45-49. [↑](#footnote-ref-50)
50. Criminal Code of the Republic of Uzbekistan, article 120. https://lex.uz/docs/111457#158188. [↑](#footnote-ref-51)
51. ILGA Europe, Research report on violence against gay, lesbian, bisexual, transgender persons by their relatives because of their sexual orientation and/or gender identity, 2023. [↑](#footnote-ref-52)
52. Kamila Zakirova, How Integrating Minorities and Vulnerable Groups will improve Human Capital in Uzbekistan. The Case of the Central Asian Gypsy Community, in: Marlene Laruelle (ed.) New Voices from Uzbekistan, George Washington University, p. 99. [↑](#footnote-ref-53)
53. See for example CCPR/C/UZB/CO/5, para 48, Submission by Human Rights Watch to the UPR, April 2023, para 23-24. [↑](#footnote-ref-54)
54. See https://advice.uz/ru [↑](#footnote-ref-55)
55. See for example, Uzbek Forum for Human Rights, Punitive Psychiatric Detention in Uzbekistan: Silencing Human Rights Activists, 2021, p.9-14; Land Home Justice, Development Based Forced-Evictions in Uzbekistan, 2024, p. 17. [↑](#footnote-ref-56)
56. Ibid. article 3. [↑](#footnote-ref-57)
57. In total there were only slightly over 6.000 attorneys in Uzbekistan in 2024, see https://uzbekistanlawblog.com/attorney-boom-how-the-lifting-of-the-ban-on-part-time-work-will-change-the-legal-landscape-in-uzbekistan/. [↑](#footnote-ref-58)
58. See articles 10, 13 and 20 of the law establishing the ombudspersons office, available at: https://lex.uz/docs/276159. [↑](#footnote-ref-59)
59. Articles 1, 7 and 38 of the law of the Republic of Uzbekistan ‘On the Prosecutor’s Office’, available at <https://lex.uz/docs/106197#106232>. [↑](#footnote-ref-60)
60. Information provided by the Commissioner for Children’s Rights to the Special Rapporteur. [↑](#footnote-ref-61)
61. For more details, International Commission of Jurists, Assessing, Social and Economic Rights in Uzbekistan, An Analysis of Selected Laws and Practices, 2021, pp. 10-16. [↑](#footnote-ref-62)
62. See ibid, pp. 17, CCPR/C/UZB/CO/5, para. 39, and A/HRC/44/47/Add.1. [↑](#footnote-ref-63)