



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**

Pre-session working group

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18 January-5 February 2010

**Responses to the list of issues and questions with regard to
the consideration of the fourth periodic report**

Uzbekistan*

* The present report is being issued without formal editing.



Responses
to the additional questions related to consideration of the fourth
periodic report of Uzbekistan on the implementation of the United
Nations Convention on the Elimination of All Forms of
Discrimination against Women

Introduction

According to information from the Committee on the Elimination of Discrimination against Women, consideration of the fourth periodic report of the Republic of Uzbekistan on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women is scheduled for the forty-fifth session, in January and February 2010. In this connection, the Committee asked the Republic of Uzbekistan to submit by 16 September 2009 the additional information requested in the questions prepared by the Committee's pre-session working group.

On 15 April 2009, the Committee's additional questions were sent for processing to the National Centre for Human Rights of the Republic of Uzbekistan. On 24 April 2009, the Committee's questions were transmitted to the relevant government authorities and non-governmental non-commercial organizations, namely:

1. The Human Rights Commissioner (Ombudsman) of the Oliy Majlis;
2. The Office of the Procurator-General of the Republic of Uzbekistan;
3. The Ministry of Justice of the Republic of Uzbekistan;
4. The Ministry of Internal Affairs of the Republic of Uzbekistan;
5. The Ministry of Health of the Republic of Uzbekistan;
6. The Ministry of Foreign Affairs of the Republic of Uzbekistan;
7. The Ministry of Public Education of the Republic of Uzbekistan;
8. The Ministry of Labour and Social Protection of the Republic of Uzbekistan;
9. The Supreme Court of the Republic of Uzbekistan;
10. The Main Penal Corrections Department, Ministry of Internal Affairs of the Republic of Uzbekistan;
11. The Women's Committee of the Republic of Uzbekistan;
12. The *Makhallya* Foundation;
13. The Centre for the Study of Public Opinion;
14. The *Oila* (Family) Practical Science Centre;
15. The Uzbekistan Bar Association;
16. The Centre for Further Training of Jurists of the Ministry of Justice of the Republic of Uzbekistan;
17. The Higher training courses in the Office of the Procurator-General of the Republic of Uzbekistan;

18. The Academy for the Development of the State and Society, attached to the Office of the President of the Republic of Uzbekistan;
19. The Academy of the Ministry of Internal Affairs of the Republic of Uzbekistan;
20. The University of World Economics and Diplomacy of the Ministry of Foreign Affairs of the Republic of Uzbekistan;
21. The Tashkent State Legal Institute of the Ministry of Justice of the Republic of Uzbekistan.

The information provided by these government authorities, educational institutions and non-governmental non-commercial organizations was the basis for the responses prepared by the National Centre for Human Rights of the Republic of Uzbekistan. Important inputs for the preparation of the responses to the additional questions of the Committee on the Elimination of Discrimination against Women were also provided by: information from the Ministry of Justice of the Republic of Uzbekistan and the Women's Committee of Uzbekistan; the National Action Plan for Implementation of the Recommendations of the United Nations Committee on the Elimination of Discrimination against Women based on consideration of the second and third periodic reports of the Republic of Uzbekistan; a comparative analysis of the legislation of the Republic of Uzbekistan and international legal norms concerning gender equality made by the Centre for Monitoring the Implementation of Legal and Regulatory Acts under the Ministry of Justice of the Republic of Uzbekistan; analytical data on the results of the sociological survey "Public opinion on the marriage age" conducted by the Centre for the Study of Public Opinion; and other analytical information.

General

1. Please provide further information on the process of preparation of the fourth periodic report of Uzbekistan, including the involvement of the civil society in the process, and whether the report was adopted by the Government and submitted to Parliament.

Response: Uzbekistan has made arrangements for the broad involvement of civil society institutions in the preparation of national reports and of national action plans for implementing the concluding observations and recommendations of the United Nations human rights treaty bodies, including the Committee on the Elimination of Discrimination against Women.

Accordingly, in 2008 civil society institutions played an active role in the preparation of the third national report on the implementation of the provisions of the Covenant on Civil and Political Rights, the fourth national report on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women, the sixth and seventh national reports on the implementation of the provisions of the Convention on the Elimination of All Forms of Racial Discrimination and the universal periodic review prepared for the United Nations Human Rights Council.

The non-governmental non-commercial organizations involved in the preparation of Uzbekistan's fourth national report under the United Nations

Convention on the Elimination of All Forms of Discrimination against Women include:

- The Women’s Committee of Uzbekistan
- The Council of the Federation of Trade Unions of Uzbekistan
- The National Association of Non-Governmental Non-Commercial Organizations of Uzbekistan
- The Forum for the Culture and Arts of Uzbekistan Fund
- The Bar Association of Uzbekistan
- The Centre for the Study of Public Opinion *Ijtimoi fikt*
- The Centre for the Study of Humanitarian Law and Human Rights
- The Society for the Disabled of Uzbekistan
- The Foundation *Sen egliz emassan* (You are not alone)
- The Foundation *Soglom avlod uchun* (For a healthy generation)
- The *Oila* (Family) Practical Science Centre
- The Centre for Civil Initiatives, Centre for the Study of Legal Problems
- The *Makhallya* Foundation
- The *Nuronii* (Honourable) Foundation
- The *Kamolot* (Improvement) Public Youth Movement
- The Republic Centre for the Social Adaptation of Children
- The Public Foundation to support and develop independent print media and information agencies in Uzbekistan
- The Republic International Cultural Centre.

These organizations’ participation in the preparation of the fourth national report took the form of:

Firstly, provision of information on the situation of women’s rights;

Secondly, transmission of information on the participation of non-governmental non-commercial organizations in activities involving awareness-raising, research, monitoring and draft legislation on the subject of women’s rights;

Thirdly, participation in the work of interdepartmental bodies and a working group for information sharing, consultations and coordination of work on the preparation of the report;

Fourthly, preparation of an alternative report on women’s rights;

Fifthly, participation in conferences, seminars and training sessions on the preparation of national reports and the development of cooperation between government agencies and non-governmental organizations in this sphere.

In the context of the preparation of the fourth periodic report on women’s rights, the following awareness-raising and educational activities were conducted at

the initiative and with the participation of non-governmental non-commercial organizations:

1. On 14 May 2008, the National Centre for Human Rights of the Republic of Uzbekistan and the Women's Committee of Uzbekistan conducted, with UNDP support, a training seminar on the topic "The United Nations Convention on the Elimination of All Forms of Discrimination against Women: obligations of States parties and basic stages in the preparation of national periodic reports on implementation of the Convention in the Republic of Uzbekistan";

2. On 8 July 2008, a round table was held at the Non-Governmental Institute for the Study of Civil Society on the topic "The role, place and significance of non-governmental non-commercial organizations in the protection of human rights and freedoms and the establishment of civil society";

3. On 5 August 2008, a conference on the topic "Safeguarding of human rights as the main factor in the democratization of society", was convened pursuant to the Presidential decree of 1 May 2008 on the programme of events to mark the sixtieth anniversary of the adoption of the Universal Declaration of Human Rights;

4. On 17 September 2008, in connection with the second phase of the project for improving the potential of the National Association of Non-Governmental Non-Commercial Organizations of Uzbekistan, the Association organized jointly with OSCE a round table on the topic "Strengthening of the social partnership between non-governmental non-commercial organizations and government agencies: new mechanisms for financing the activities of non-governmental non-commercial organizations", attended by representatives of the Oliy Majlis Parliamentary Commission responsible for managing the finances of the Fund for the support of non-governmental non-commercial organizations and other civil society institutions, the Ministry of Justice, the Ministry of Finance, the State Tax Committee of the Republic of Uzbekistan, the Ministry of Labour and Social Protection, the Tashkent khokimiyat and non-governmental non-commercial organizations;

5. On 25 September 2008, the Uzbekistan National Association for Public Information Electronic Press held a national conference on the topic "Current status of the rule-of-law State and basic requirements for the development of a strong civil society";

6. On 21 October 2008, the Women's Committee of Uzbekistan organized a round table with deputies of the Oliy Majlis Legislative Chamber on the topic "Implementation of the provisions of the Convention on the Elimination of All Forms of Racial Discrimination in the legislation of the Republic of Uzbekistan", in the context of the UNDP project concerning legal and institutional capacity-building to increase opportunities for women in Uzbekistan;

7. On 21 November 2008, the Women's Committee of Uzbekistan organized jointly with the Oila (Family) Practical Science Centre a nation-wide practical science event entitled "Family problems today: basic challenges and future prospects";

8. On 27 and 28 November 2008, the Council of the Federation of Trade Unions of Uzbekistan organized a seminar with the participation of women's

non-governmental non-commercial organizations on the topic “Women: labour market and employment”;

9. From 26 to 30 May 2009, in the context of a project of the Uzbekistan National Association of Non-Governmental Non-Commercial Organizations and of the Coordinator of OSCE projects in Uzbekistan, a five-day course attended by deputies from India and Mongolia was held to provide training in reporting on implementation of the Convention on the Elimination of All Forms of Discrimination against Women.

2. Please provide information about the concrete outcome following the adoption of the National Plan of Action for the Implementation of the Recommendations by the Committee on the Elimination of Discrimination against Women, which was approved in 2007.

Response: After the Committee had considered Uzbekistan’s second and third periodic reports in July 2007, the Republic of Uzbekistan adopted the National Plan of Action for the Implementation of the Recommendations of the Committee in order further to improve the situation with regard to women’s rights and freedoms.

Analysis of the implementation of this National Plan of Action reveals that over 40 government agencies and non-governmental non-commercial organizations engaged in important systemic activities to this end. For instance:

1. A new revised version was prepared of the draft legislation of the Republic of Uzbekistan on guarantees of equal rights and equal opportunities for women and men (see also the response to question 4);

2. Parliament ratified the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children;

3. A draft was prepared for discussion of a Concept for a national strategy to ensure gender equality in legislation, the economy, social protection and employment and civil society;

4. The Ministry of Justice conducted a comparative analysis of the national legislation and the norms of international law concerning gender equality;

5. A law was adopted on the prevention of human trafficking, with measures for its enforcement (see response to question 12);

6. A national interdepartmental commission was established on the prevention of human trafficking, with territorial interdepartmental commissions in all raions of Uzbekistan;

7. Parliament established a public fund to support non-governmental non-commercial organizations and other civil society institutions, as well as a Parliamentary Commission to manage it;

8. A centre was established for the rehabilitation and social integration of victims of exploitation and human trafficking;

9. The concluding observations of the Committee were translated into the Uzbek language and widely disseminated;

10. A National Plan of Action was adopted for 2008-2010 to improve the effectiveness of efforts to combat human trafficking;

11. Complete medical care and check-ups were provided for 90 per cent of the girls in the Mekhribonlik Children's Homes;

12. In the context of activities to combat human trafficking, including trafficking of women, over 60,000 people received counselling over a hotline, about 1,000 seminars were held and 325 girls who had been victims of human trafficking underwent rehabilitation;

13. There was an increase in the number of centres providing legal advice to women in difficult family situations;

14. There was an increase in the number of women chairing assemblies of citizens;

15. Information was prepared on the representation of Uzbek women in foreign policy departments;

16. A statistical compilation entitled "Women and men of Uzbekistan, 2002-2005" was issued and a similar compilation is being prepared for 2005-2007;

17. A social survey was conducted on the question of the marriage age;

18. An extensive awareness-raising campaign was conducted on the issues raised in the Committee's concluding observations, and other issues.

Implementation of the provisions of the National Plan of Action for the Implementation of the Recommendations by the Committee on the Elimination of Discrimination against Women will be completed by 2010.

The measures mentioned above resulted in:

- Creation of the legal prerequisites for the enjoyment of women's rights and freedoms;
- Design of an effective system for combating human trafficking, including trafficking in women and children;
- Provision of protection and comprehensive assistance to female victims of human trafficking;
- Adoption of additional measures to increase the number of women participating in political, social and economic processes;
- Systematic compilation and dissemination of statistical information on gender equality;
- Continuation of work on the further implementation of international standards for women's rights in national legislation and law enforcement practice;
- Expansion of the contribution and role of non-governmental non-commercial organizations in solving problems connected with women's rights in all areas of the life of society.

Constitutional, legislative and institutional framework and status of the Convention, definition of equality

3. **In its previous concluding observations, the Committee expressed concern about the lack of progress in the law reform process (see CEDAW/C/UZB/CO/3, para. 9). Please describe further steps taken by the State party since the**

consideration of the previous report in 2006 to adopt the four specific laws referred to in the concluding observations.

Response: The fourth national report on the implementation of the Committee's recommendations described in detail the main stages and directions for the development and improvement of the legislation of the Republic of Uzbekistan, which contains no provisions discriminating against women.

As regards the four specific laws referred to in the Committee's concluding observations:

1. The new revised draft of the law of the Republic of Uzbekistan on guarantees of equal rights and equal opportunities for women and men is before Parliament, where it has reached the stage of discussion and submission of legal expert opinions by government agencies and civil society institutions.

2. In April 2008, Parliament adopted a law on prevention of human trafficking. Article 135 of the Criminal Code of the Republic of Uzbekistan has been brought into line with this law, as follows:

“Article 135. Human trafficking

Human trafficking — buying or selling a human being or recruiting, transporting, transferring, concealing or receiving a person for purposes of exploitation — shall be punished by imprisonment for three to five years.

The same actions if committed:

(a) by means of kidnapping, use or threat of force or other forms of coercion;

(b) in relation to two or more persons;

(c) in relation to a person known by the perpetrator to be in a helpless condition;

(d) in relation to a person who is materially or otherwise dependent on the perpetrator;

(e) repeatedly or by a dangerous recidivist;

(f) by prior conspiracy with a group of persons;

(g) with exploitation of an employment situation;

(h) with transfer of the victim across the national border of the Republic of Uzbekistan or with the victim's illegal detention abroad;

(i) with the use of forged documents or with confiscation, concealment or destruction of documents certifying the identity of the victim;

(j) for the purpose of receiving organs for transplant;

shall be punished by imprisonment for five to eight years.

The same actions if:

(a) committed in relation to a person known by the perpetrator to be under eighteen years of age;

(b) resulting in the death of the victim or other serious consequences;

- (c) committed by a particularly dangerous recidivist;
- (d) committed by an organized group or in its interests;

shall be punished by imprisonment for 8 to 12 years.”

(Article as worded in the version of the law dated 16 September 2008, Law No. 179 of the Republic of Uzbekistan)

3. The Presidential decision of 8 July 2008 confirmed the National Plan of Action to increase the effectiveness of efforts to combat human trafficking in the period 2008-2010. This decision created the Republic Interdepartmental Commission to prevent human trafficking, territorial commissions to prevent human trafficking and specialized institutions to provide assistance and protection to victims of human trafficking.

4. The National Plan of Action of 25 August 2006 for the Implementation of the Recommendations of the Committee on the Elimination of Discrimination against Women provides for the formulation of proposals on the advisability of adopting a framework law on violence against women (para. 6.1).

4. The State party report (paras. 5, 299, 302) notes that between 2006-2008 efforts were made to draft and adopt a law on guarantees of equal rights and equal opportunities for women and men. Please clarify whether this is a new draft or the draft already submitted to Parliament in 2004. If it is a new draft, please elaborate on what the differences are and when it is expected to be adopted. If it is the same draft as in 2004, please expand on the obstacles faced in getting the draft law adopted. With respect to the draft law on equal rights and equal opportunities, please confirm whether it contains a definition of discrimination in line with article 1 of the Convention, encompassing both direct and indirect discrimination.

Response: Government agencies and non-governmental non-commercial organizations are currently drafting and submitting to Parliament a new revised version of the draft law of the Republic of Uzbekistan on guarantees of equal rights and equal opportunities for women and men. The following changes are made in the earlier version:

- The name of the law has been changed (it was previously called the law on equal rights and opportunities);
- The new version includes a special article 4 on the inadmissibility of discrimination against women;
- Article 5 of the new version describes the main thrust of government policy for ensuring equal rights and equal opportunities for women and men;
- The main functions of government agencies in this area are established (article 6);
- There is a description of the forms and nature of participation by non-governmental non-commercial organizations and citizens' self-governing bodies in the area of gender equality (articles 7 and 8);
- The new version strengthens the guarantees of equal rights and opportunities for women and men in the area of government service and voting rights (articles 9-12) and in social, economic and cultural matters (articles 13-17);

- It establishes liability for infringement of the legislation on equal rights and opportunities for women and men (article 17) and ways of protecting the rights of persons subjected to gender-based discrimination (article 18).

Further details on the new draft law on guarantees of equal rights and opportunities for women and men may be found in an annex to the fourth periodic report on the implementation of the Committee's recommendations.

5. Please elaborate on the measures taken to make the Convention and the Committee's general recommendations an integral part of the legal education and training of judges, lawyers, prosecutors and law enforcement officers; also indicate what measures are taken to translate the Committee's general recommendations into the Uzbek language and widely disseminated, as recommended by the Committee in its previous concluding observations (para. 14).

Response: The Republic of Uzbekistan takes particular care to inform the different categories of citizens, government workers, officials and representatives of civil society institutions about the provisions of international human rights instruments, including the Convention. Details were given in the fourth national report of Uzbekistan on the implementation of the Committee's recommendations (paras. 315-330).

In addition to the information contained in the report, it may be added that:

1. **The Centre for the Further Training of Legal Specialists reporting to the Ministry of Justice of the Republic of Uzbekistan** conducted special practical academic courses in 2009 on the topic "International standards and national legislation on women's rights", as part of the curriculum of the department of international law and human rights. These courses cover the provisions of the Convention and the Committee's concluding observations and analyse the provisions of national legislation concerning women's rights. The Centre is currently planning to publish study guides on women's rights. The staff of the Centre have published over ten articles on current topics involving women's rights and implementation of international and national human rights standards.

2. **The Higher Courses of the Office of the Procurator-General of the Republic of Uzbekistan** held regional seminars in 2008 and 2009 on the prevention of human trafficking, including trafficking in women and children, the implementation of the provisions of the Convention and the protection of motherhood. A compendium has been published of legal and regulatory acts on the prevention of human trafficking, as well as a series of articles in newspapers and magazines on issues concerning various aspects of women's rights. In April 2009, a conference was held on efforts to combat human trafficking and legal problems concerning its prevention.

3. **The Academy of the Ministry of Internal Affairs of the Republic of Uzbekistan** includes courses on the Convention in the curriculum for full-time students in the higher academic courses and higher training courses for non-commissioned officers. On 6 December 2008, a meeting was held at the Academy with journalists from the newspaper *Ael kalbi* (Woman's Soul) on the topic "The Constitution as a guarantor of women's rights", at which urgent problems connected with the protection of women's rights were discussed.

4. **The Academy for the Development of the State and Society, which is attached to the Office of the President of the Republic of Uzbekistan**, offers a “Human rights” course, which covers the question of equal rights for women and men. The Academy has organized and held a number of events on the implementation of the Convention: on 11 and 12 December 2007, a training seminar was held for Academy students on “Human rights, governance and the Millennium Development Goals”; in November 2008, there was a seminar on coordination of maternal and child welfare activities for representatives of ministries, departments and oblast *khokimiyats*.

5. **The University of World Economics and Diplomacy**, as part of the basic course on human rights, provided baccalaureate students in the faculties of international law and international relations with instruction on the concept and significance of women’s rights, gender equality, international treaties on the protection of women’s rights, national legislation of the Republic of Uzbekistan on the protection of women’s rights, international and national institutional arrangements for the protection of women’s rights, and international cooperation by the Republic of Uzbekistan in the area of the protection of women’s rights. The faculty of international law offered a course on “Principles of international humanitarian law”, which included questions relating to the protection of women’s rights in time of armed conflict.

Students preparing for a master’s degree can attend special courses on international law (“International human rights law” and “International humanitarian law”) covering questions concerning the protection of women’s rights under international law i.e. the essence and significance of the Convention, international oversight mechanisms and procedures for the protection of women’s rights and implementation of the provisions of the Convention in national legislation. University professors and students publish books, study guides and academic articles on the protection of women’s rights. In cooperation with UNDP under the “Human development” project, seminars, training courses and round tables on the protection of women’s rights and gender equality are held for faculty of higher educational institutions in Tashkent.

6. **The Uzbekistan Bar Association**, bearing in mind the provisions of the Convention, has made methodological recommendations to territorial branches of the Association which provide for a practical correlation between, on the one hand, the provisions of the Convention defining the concepts of equal rights and opportunities for women and men and, on the other hand, the existing criminal, civil, labour and administrative legislation of Uzbekistan. In their daily work, lawyers are thus able to organize the legal defence of women’s rights on a basis of equality. The Uzbekistan Bar Association has designed and approved an academic programme which includes topics concerning gender equality: study of the Convention on the Elimination of All Forms of Discrimination against Women and the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others.

7. **The Tashkent State Law Institute** includes the topic of women’s rights in its “Human rights” academic programme. Under this topic, students first become familiar with concepts such as the Convention, international and national mechanisms for the protection of women’s rights, sexual traits, gender, gender relations, gender stereotypes, gender-based statistics and gender expertise. Students

preparing a master's degree in international law write dissertations devoted to issues concerning improvement of the status of women.

One of the main purposes of the Institute is to disseminate information on legal protection standards relating to the rights of women in the professional sphere. For this purpose, it regularly organizes seminars and training courses for professors at higher educational institutions in the Republic of Uzbekistan. On 28 February 2007, a practical science conference was held at the Tashkent State Law Institute on the topic "Gender reform and gender education in the Republic of Uzbekistan". The proceedings of the conference were published in the collection "Gender reform and gender education in the Republic of Uzbekistan".

It should also be mentioned that, pursuant to paragraph 2.2 of the National Plan of Action, the Committee's concluding observations have been translated into the Uzbek language and widely disseminated among government agencies and non-governmental non-commercial organizations.

In addition, considerable attention is paid in Uzbekistan to the publication in the Uzbek language of the international instruments on women's rights. For example, in 2002, the National Centre for Human Rights of the Republic of Uzbekistan, with UNDP support, published a collection of universal human rights instruments in the Uzbek language which includes the 1967 Declaration on the Elimination of All Forms of Discrimination against Women and a number of ILO conventions governing the labour rights of women. The collection of international human rights treaties published by the Centre in 2004, with UNDP support, also includes international instruments on women's rights in the Uzbek language. In 2005, the Non-Governmental Centre for the Support of Civil Initiatives, with OSCE support, published the Convention on the Elimination of All Forms of Discrimination against Women in the Uzbek and Russian languages.

6. In its previous concluding observations, the Committee encouraged the State party to involve Parliament in a discussion of the report before its submission to the Committee (para. 34). Kindly elaborate on such steps taken in this regard, and if none has been taken, please indicate the reasons why.

Response: Discussion of Uzbekistan's national reports on the implementation of international human rights conventions is not within the competence of the members of Parliament. However, like other government agencies, the chambers of Parliament provide information and material on implementation of the Convention. Representatives of the Chambers take part in the work of the Working Group, conferences, round tables, seminars and training courses on the preparation and consideration of national reports and also serve on working groups on the preparation of national action plans for implementation of the recommendations of treaty bodies. The practice has recently been introduced of holding meetings of committees of the Legislative Chamber on the subject of Parliament's participation in the implementation of the provisions of international conventions. This was done on 21 May 2009 in the committee of the Legislative Chamber dealing with democratic institutions, non-commercial organizations and citizens' self-governing bodies.

National machinery for the advancement of women

7. Please clarify whether the Women's Committee has the status of a Government entity or non-governmental organization. Please also elaborate on the steps taken to strengthen the Women's Committee with necessary human and financial resources for coordination of the implementation of the Convention and the gender-mainstreaming strategy in all governmental policy areas, as recommended by the Committee in its previous concluding observations (para. 16).

Response: The Women's Committee of Uzbekistan is a public association established on 23 February 1991 at the Second Plenary Meeting of the Republic Women's Council. The Committee's main activities consist of promoting women's participation in the development of the State and of society, elevating their literacy and awareness in terms of the law, strengthening the family, protecting motherhood and childhood, providing social protection for poor families, large families, disabled women and children, and single elderly people, and supporting women entrepreneurs.

The Women's Committee of Uzbekistan is active throughout the country and works with government agencies, ministries, departments, *khokimiyats* of all levels, labour collectives, higher and secondary educational institutions, non-governmental non-commercial organizations, citizens' self-governing bodies and international organizations.

The Presidential decree of 2 March 1995 on measures to enhance the role of women in the development of the State and society in the Republic of Uzbekistan created the post of Deputy Prime Minister, responsible for dealing with questions connected with the further enhancement of the role of women in the life of society. Pursuant to this decree, the Deputy Prime Minister chairs the Women's Committee of Uzbekistan.

In accordance with the decree, the Council of Ministers of the Republic of Karakalpakstan and the oblast, town and raion *khokimiyats* created, respectively, the posts of Deputy Chairperson of the Council of Ministers of the Republic of Karakalpakstan and deputy *khokims* for women's affairs, filled by the chairpersons of the corresponding women's committees.

Working bodies to perform these tasks have been set up in the Cabinet of Ministers of the Republic of Uzbekistan, consisting of four persons from the Council of Ministers of the Republic of Karakalpakstan, three from the oblast and Tashkent *khokimiyats*, two from the town *khokimiyats* and one from the raion *khokimiyats*. The Ministry of Finance of the Republic of Uzbekistan has allocated the necessary funds for the new posts and working bodies.

The Presidential decree of 25 April 2004 on additional measures to support the activities of the Women's Committee of Uzbekistan was designed to enhance the effectiveness of the work of the Women's Committee of Uzbekistan and of the public women's organizations in the Republic defending women's rights, ensuring women's full participation in the public, political, social, economic and cultural life of the country and the spiritual and intellectual growth of women and young people.

The decree established the tasks and areas of activity of the Women's Committee of Uzbekistan and of its local branches:

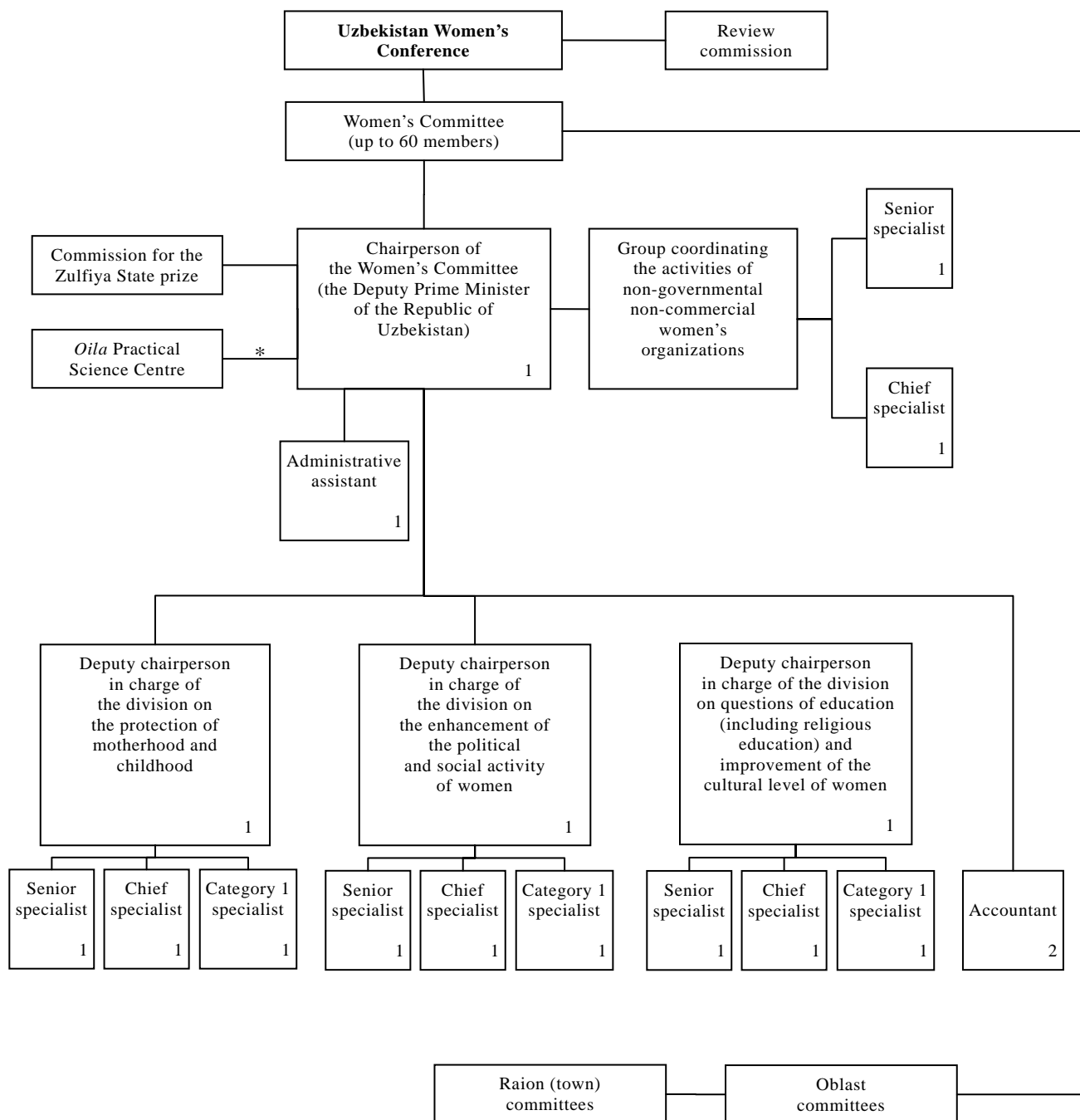
- Design and implementation of practical measures for the implementation of national policy regarding social and legal support for women;
- Protection of motherhood and childhood and of the professional, physical, spiritual and intellectual growth of women, enhancement of their social and political activity and their active participation in the development of the State;
- Effective coordination of activities and interaction with women's non-governmental non-commercial organizations, mobilization of their efforts to implement measures to enhance the role of women in the processes of modernization and democratic renewal of society and development of the State and society in Uzbekistan.

The Women's Committee of Uzbekistan drafted and duly approved the new wording of its Charter as a social women's organization of the Republic, approved its structure limiting the total number of administrative staff on its manning table to 18 and the structure of the women's committees of the Republic of Karakalpakstan, the oblasts and Tashkent, the towns and raions, as well as the staff of the Deputy Chairperson of the Council of Ministers of the Republic of Karakalpakstan and of the oblast, Tashkent, town and raion *khokims*, chairing the corresponding women's committees.

Since 1 July 2004, the post of educator on the staff of the *kengash* territorial meetings of citizens has been replaced by the post of consultant on questions of religious education and spiritual and moral upbringing.

Since that date, the Ministry of Finance of the Republic of Uzbekistan has been providing the necessary funds from the State budget to pay for the posts added by the decree to the staff of the Women's Committee of Uzbekistan and of the Deputy Chairperson of the Council of Ministers of the Republic of Karakalpakstan, and of the oblast, Tashkent, town and raion *khokims* chairing the corresponding women's committees and for the consultants on questions of religious education and spiritual and moral upbringing on the staff of the *kengashes* of assemblies of citizens.

STRUCTURE AND STAFFING
of the Women's Committee of Uzbekistan



* Coordinating.

Total administrative staff of the Women's Committee — 18.

Staffing of the Women's Committee of Uzbekistan is financed from the State budget.

Stereotypes and discriminatory cultural practices

8. **In its previous concluding observations, the Committee expressed deep concern at the persistence of patriarchal attitudes and deep-rooted cultural stereotypes regarding the roles and responsibilities of women and men in the family and society in Uzbekistan. The Committee also expressed concern that educational programmes developed under the National Plan of Action for the elimination of patriarchal attitudes within the family are targeted only at women and girls, and not at men and boys (para. 19). Please elaborate on the measures taken, including awareness-raising and educational campaigns, not only addressing women and girls but also targeting men and boys, and the community, spiritual and religious leaders, with a view to eliminating stereotypes associated with traditional gender roles in the family and in society (para. 20).**

Response: The fourth periodic report on implementation of the Committee's recommendations gave detailed information on measures taken by the State and society to eliminate outdated stereotypes concerning the roles of women and men in the family.

In addition, these measures cover the following areas of activity of the State and society:

Firstly, large-scale awareness-raising and educational activities among the population as a whole, including women and men, girls and boys;

Secondly, publication of educational, methodological and information materials on the roles of women and men in the family;

Thirdly, formulation and implementation of practical recommendations;

Fourthly, special academic research on this topic.

For example, over the last four years, the *Oila* (Family) Practical Science Centre alone published and distributed to the public 71 educational study guides and a pamphlet in the series "Family brochures", published 57 academic and methodological articles, designed and implemented 20 programmes and 192 recommendations and conducted 22 academic seminars and meetings with the population of Uzbekistan. The Centre organized and conducted eight Republic practical science conferences and over 450 meetings with students of higher educational institutions and pupils at colleges, academic high schools and schools. So-called Universities of Parents have recently been created in *makhallya* committees to raise the legal, social, spiritual, medical and psychological awareness of parents.

Violence against women

9. **In its previous concluding observations, the Committee expressed concern at the prevalence of violence against women, the absence of a specific law to protect women from domestic violence, and the lack of prosecution and punishment of perpetrators of domestic violence. The Committee also expressed concern that the State party did not provide information and statistics on the incidence and prevalence of various forms of violence against women (para. 21). Please provide information as to whether there is draft legislation on violence against women, the number of cases in the judicial system regarding**

domestic violence, and the concrete steps taken to prevent and protect women from violence, and to prosecute persons responsible for committing acts of domestic violence.

(See response to question 10)

10. Please also clarify what steps have been taken to implement the Committee's previous recommendations listed in paragraph 22.

Response: The Republic of Uzbekistan is continuing its efforts to prevent and eradicate negative phenomena such as violence against women. In particular:

1. Government agencies, academic and educational institutions and non-governmental organizations are discussing the need to adopt a framework law to prevent and combat domestic violence and making proposals for the improvement of family, administrative, criminal and other types of legislation of the Republic of Uzbekistan in order to single out responsibility for violence against women;

2. Efforts are being made to introduce statistical reporting by law enforcement agencies to provide data concerning victims of violence against women and girls;

3. Government agencies and non-governmental non-commercial organizations are encouraged to engage in monitoring and academic research to determine the extent of violence and the reasons and conditions causing it to increase;

4. Large-scale awareness-raising and educational activities are conducted on efforts to combat violence against women in a difficult family situation.

An important role is being played by the centres for the social adaptation of women, which were set up on the initiative of the Women's Committee of Uzbekistan and operate throughout the country. The experience of the centres working in each raion of the Bukhara oblast will be applied to the rest of the country. There are currently 64 centres in Uzbekistan.

The Centres for Social and Legal Support for Women located in the Namangan, Fergana, Andijan, Kashka-Darya and Surkhan-Darya oblasts are now fully operational. In particular, they have office machines, heavy and light equipment and facilities for teaching women bread baking, computer literacy and dress-making. Counselling is provided by psychologists, jurists and physicians. The United Nations Population Fund has provided technical support such as office machines and heavy equipment. There are plans to provide technical assistance to Centres for Social and Legal Support for Women in the Samarkand and Djizak oblasts and in the Republic of Karakalpakstan. In 2007, these Centres helped 1,285 women with legal questions, 149 with social questions and 185 with medical questions. They organized 356 educational courses and 20 seminars.

The *Oila* (Family) Practical Science Centres, working with psychologists from the Ministry of Higher and Secondary Specialized Education, are conducting training seminars in the oblasts to prevent violence against women and girls. In January and February 2009 alone, over 15 training seminars and other educational activities were organized.

In Uzbekistan, all secondary schools now have a school psychologist on the staff, trained in working with children. The psychological care provided consists of

practical assistance to children who show signs of anxiety, fatigue or psychosomatic disorders. The school psychologist helps girls who are in a crisis situation. The psychologists coordinate their work with the consultants on questions of religious education and spiritual and moral upbringing in the *makhallya* committees. The cooperation between these two groups of specialists under the Concept “School-*makhallya*-family” is yielding good results in preventing violence against women and girls in the family.

The consultants on questions of religious education and spiritual and moral upbringing in the *makhallya* committees advise parents on the correct upbringing of children of various ages and target their assistance to problem families in which girls are growing up. If a girl or her mother is subjected to violence, they contact the law enforcement agencies and enlist the help of the community and the child’s close relatives in providing assistance and preventing acts of violence.

Teenage girls in Uzbekistan have an annual medical check-up performed by specialists from the territorial polyclinics of the raion (town). Girls found to have diseases receive appropriate treatment on an in-patient or out-patient basis.

11. Please indicate steps to ensure that all girls are protected from physical violence in all settings, including corporal punishment in alternative care settings/institutions, the family and in schools.

Response: The principle of respect for the dignity of the child, including the girl child, is the basis of the constitutional and legal status of children, which is established in the Constitution, the constitutional laws, the laws and other legal and regulatory acts.

On 7 January 2008, a law was adopted in Uzbekistan on guarantees of the rights of the child, which is in essence a Children’s Constitution embodying the main provisions of the United Nations Convention on the Rights of the Child. Under this law, one focus of government policy is protection of the honour and dignity of the child. The State protects the child from all forms of exploitation, including physical, psychological and sexual violence, torture or other forms of cruel or rough treatment, treatment undermining human dignity, sexual solicitation, involvement in criminal activity or prostitution.

Parents must care for their children and are not allowed to harm a child, undermine a child’s human dignity or allow exploitation or cruel and inhuman treatment of a child. Article 67 of the Family Code specifies that anyone who is aware of a threat to the life or health of a child or of a violation of a child’s rights and legal interests must report the matter to the guardianship or wardship authorities of the place where the child is physically located. Upon receipt of such a report, the guardianship or wardship authorities must take the necessary measures to protect the rights and legal interests of the child.

Violations of the rights of children by parents or persons replacing them may be reported to guardianship or wardship authorities by the child’s relatives, representatives of citizens’ self-governing bodies and of non-governmental non-commercial organizations, neighbours, representatives of pre-school and school educational institutions and of health authorities, and by other persons. The internal affairs authorities help the guardianship or wardship authorities to take measures to protect the rights of children and to bring to justice parents and other persons who have abused their rights towards children, in the manner established by law.

In Uzbekistan, special attention is given to children deprived of parental affection. The main ministries and departments, governmental and non-governmental organizations and international foundations work together in activities related to the upbringing and education of these children and the provision to them of high-quality medical care. The Ministries of Health and Education have drawn up a joint plan of measures for the provision of compulsory medical care and regular preventive check-ups for inmates of *Mekhrisonlik* children's homes. Comprehensive annual check-ups are given to over 99 per cent of the children.

Medical services for inmates of *Mekhrisonlik* children's homes are provided by paediatricians and nurses working at the homes. Comprehensive examinations are conducted at polyclinics at the location of the children's homes, with the help of specialists (general physicians, neurologists, paediatricians, surgeons, otorhinolaryngologists, stomatologists, gynaecologists and other specialists as required) and the necessary laboratory and instrument tests, and chest X-rays are performed.

There are 28 *Mekhrisonlik* children's homes in Uzbekistan, accommodating 3,015 children, including 1,303 girls (42.2 per cent). During 2007, medical examinations were given to 2,978 children, of whom 1,946 were sick. Sick children are taken to a clinic, where they are looked after on the basis of a treatment plan. Teenage girls living in the homes are provided with modern personal hygiene items at a total cost of 24.8 million sum.

Experience has shown that the fact that the justice system establishes criminal liability for torture and cruelty is not sufficient to ensure protection of the dignity and rights of children in the family, in educational institutions and on the street. There must also be administrative liability for corporal punishment of children by parents, persons replacing them and teachers and staff of educational institutions. For this reason, work has begun on the incorporation in the Family Code of provisions prohibiting violence against family members and particularly against women and children. There is also consideration and discussion of the incorporation of additions concerning the inadmissibility of cruelty towards children and use of corporal punishment in the law on education and in other legal and regulatory acts governing the activities of educational institutions.

Trafficking

12. Further to the Committee's previous concluding observations, in which it expressed concern about the persistence of trafficking and exploitation of women and girls (para. 25), and the present State party report's referral to the passing of a new law on combating human trafficking (paras. 7 and 395), please indicate the current status of the initiative referred to in para. 400, to bring the laws of the Republic of Uzbekistan into conformance with the provisions of the law on combating human trafficking. Please also elaborate on the concrete steps taken to implement the recommendations listed in paragraph 26 of the previous concluding observations.

Response: Since the adoption in April 2008 of the law on combating human trafficking, wide-ranging measures have been taken in Uzbekistan to implement the law:

1. On 8 July 2008, the President adopted a resolution on measures to enhance the effectiveness of efforts to combat human trafficking, 2008-2010.

2. A Republic Interdepartmental Commission on Combating Human Trafficking and territorial interdepartmental commissions have been established.

3. Specialized institutions (rehabilitation centres) have been set up in each region to assist in the protection of trafficking victims.

4. At its first meeting, held on 23 July 2008 in the Office of the Procurator-General, the Republic Interdepartmental Commission on Combating Human Trafficking approved regulations on a standing analytical working group and model regulations for the territorial interdepartmental commissions to combat human trafficking, which were transmitted to the regions for implementation. Meetings were held of all the territorial interdepartmental commissions to combat human trafficking.

5. In order to enact special criminal legislation regulations as required under the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (New York, 15 November 2000), the Republic of Uzbekistan adopted a law on 16 September 2008 on changes and additions to its Criminal Code in connection with the adoption of the law to combat human trafficking, involving the rewording of article 135 of the Criminal Code.

6. On 5 November 2008, the Cabinet of Ministers adopted a resolution on the establishment of the Republic Rehabilitation Centre to assist and protect victims of human trafficking, with 30 residential places.

7. On 11 November 2008, the Ministry of Labour and Social Protection issued order No. 211 on measures to organize the activities of the Republic Rehabilitation Centre to assist and protect victims of human trafficking.

8. On 30 July 2008, the Ministry of Internal Affairs issued an order requiring separate statistics on crimes connected with human trafficking, so that the figures for such crimes can be analyzed on a monthly basis.

In 2008, the staff of the internal affairs authorities and of the national security service banned activity by 16 private firms and 647 individuals engaged in the recruitment of persons for purposes of labour and sexual exploitation.

In 2008, the investigative units of internal affairs authorities presented petitions in 28 criminal cases for the extradition of accused persons detained abroad for questioning, including: 17 persons in the Republic of Kazakhstan, seven in the Russian Federation, two in Ukraine, one in the United Arab Emirates and one in Kyrgyzstan.

In 2007, 382 crimes under article 135 of the Criminal Code were recorded and 891 were recorded in 2008. In 2007, 279 persons (157 women and 121 men) [sic] were detected as having committed crimes under article 135 of the Criminal Code. In 2008, the total number of persons detected as having committed crimes under article 135 of the Criminal Code was 561 (210 women and 351 men).

Proceedings were brought under article 135 of the Criminal Code for trafficking in women and children against 216 persons (111 men and 105 women) in 2007 and against 642 persons (452 men and 195 women) [sic] in 2008. Female

victims of human trafficking numbered 221 (including 13 girls under 18 years of age) in 2007 and 356 (including 15 girls under 18 years of age) in 2008.

Complainants of crimes under article 135 of the Criminal Code of the Republic of Uzbekistan numbered 188 (150 women and 38 minors) in 2007 and 374 (309 women and 65 minors) in 2008.

These figures show that the law enforcement agencies are actively detecting and prosecuting persons engaged in human trafficking and identifying the victims of that crime.

As at 1 January 2009, over 6,000 measures had been taken to publicize the work of the law enforcement agencies in this area, including over 2,000 in the mass media. The staff of the internal affairs authorities published 444 articles in newspapers and magazines and organized 197 television and 870 radio broadcasts. The organs of justice adopted 1,346 measures of legal awareness-raising, including 533 round tables, 617 seminars and meetings, 40 television broadcasts, 83 radio broadcasts and 70 articles in newspapers and magazines.

Six types of banners, posters and pamphlets have been produced on this question and displayed on billboards and distributed to the public throughout the country. The goal is to prevent human trafficking crimes and offences and to keep the public better informed about means and methods used by criminal elements engaged in human trafficking. To date, 1,438 banners and 327,000 posters have been displayed and 4,898,000 pamphlets have been distributed throughout the country.

For each citizen applying for permission to travel abroad, the unit of the Ministry of Internal Affairs dealing with travel to and from the country and with citizenship applications conducts an individual interview as a precaution; persons suspected of intending to travel abroad for the purpose of illegal sexual or other activity are denied a travel permit.

With the support of jurists, staff of internal affairs authorities, territorial subdivisions of the Women's Committee, commissions on minors' affairs and local *khokimiyats* on student campuses, over 100 meetings and discussions with students and professors and over 350 lectures and discussions with the public have been held. Within the framework of the OSCE project to increase the effectiveness of efforts to combat human trafficking, illegal migration and labour exploitation, a book entitled "Regulations: international and national aspects" is being prepared for publication.

The *Istikbolly Avlod* (Future Generation) Youth Education Centre is actively cooperating with international organizations. With its help, in 2008 over 300 citizens of the Republic of Uzbekistan were returned from the United Arab Emirates (155), the Russian Federation (52), the Republic of Kazakhstan (49), Turkey (26), Thailand (11), the People's Republic of China (3), Ukraine (2), India (5), Georgia (1) and Korea (1).

With the assistance of government agencies and non-governmental non-commercial organizations, the Women's Committee is doing on-site work to assist victims of human trafficking. As at 1 January 2009, psychological assistance had been given to 123 victims of human trafficking, medical assistance to 164 victims, and legal assistance to 149 victims; 32 people had been given an opportunity to receive further professional training; 47 women had been helped to find work and 92 had received social assistance.

On 19 August 2008, the Women's Committee of Uzbekistan conducted a round table on the topic "Measures to combat human trafficking and improvement of mechanisms for assisting victims of such crimes". At the initiative of the Women's Committee of Uzbekistan, a round table was held on 27 September 2008 on the topic "Enhancement of the activity of non-governmental non-commercial organizations to combat human trafficking and media campaigns on the subject". In 2008, at the initiative of the Ministry of Internal Affairs and with the participation of the *Istikbolli Avlod* Youth Education Centre, nine seminars were held in Tashkent, Djizak, Samarkand, Urgench, Nukus and Fergana, attended by staff of the services dealing with human trafficking. The seminars covered organization of work, cooperation of law enforcement agencies with public and non-governmental international organizations, and application of the rules of the existing legislation during the initial inquiry and pretrial investigation.

13. Please clarify what is meant by paragraph 422 of the State party report which states that "measures are being taken to enhance the intellectual potential of women".

Response: Enhancement of the intellectual potential of women means their attainment of a level of intellectual, spiritual and moral development allowing them to participate on a par with men in the adoption of important family decisions and in the management of the affairs of State and society at both the central and local levels. The intellectual potential of women is achieved by raising their educational level and the level of their political and legal awareness.

14. Further to the Committee's previous concluding observations in which the Committee expressed concern at the continuing underrepresentation of women in political and public life and in decision-making positions at all levels and encouraged sustained measures to be taken (paras. 23 and 24), please elaborate on the steps taken, including temporary special measures to accelerate the increase in the representation of women in decision-making positions in public and private sectors in Uzbekistan.

Response: Uzbekistan is taking systematic measures at the organizational and legal levels to ensure equal rights and equal opportunities for the participation of women and men in decision-making in State, public and private structures, specifically:

1. An updated draft law on guarantees of equal rights and equal opportunities for women and men has been elaborated, taking into account the provisions of the Convention and the Committee's recommendations;

2. A system has been created for improving the qualifications and professional skills of women which is making it possible to establish a pool of trained women managers;

3. Wide-ranging awareness-raising activities are being carried out on issues of strengthening the political activism of women; these activities encompass all categories of the population (women, men, State workers, non-governmental organizations and citizens' self-governing bodies).

The information provided in paragraphs 408-446 of the fourth report illustrates the growing momentum of the active involvement of women in the decision-making sphere.

The Women's Committee is working to strengthen executive potential, taking into account the work of municipal and raion women's committees, and is improving the system of work with young executives. A database of executive personnel and of women's committees at all levels has been established.

A programme was developed in 2005 for the annual training of the chairpersons of raion, municipal and oblast women's committees in the Presidential Academy for the Development of the State and Society. Staff from the Cabinet of Ministers and directors and specialists from ministries and departments and relevant State and public organizations are brought in to conduct these courses.

During the period from 2005-2008 all the chairpersons of the women's committees of the towns and raions of the Republic of Karakalpakstan, of the *viloyats* and of the city of Tashkent received training and refresher training (200 chairpersons of women's committees of towns and raions every year).

In 2007, as part of its focus on working with young executives and building a pool of executives to serve on the committees, the Women's Committee formulated a set of measures to increase the admission of women managers to the Presidential Academy for the Development of the State and Society. During the period from 1996 to 2007, 69 women managers were trained, and during the 2007-2008 academic year, 12 women participants are being trained.

From 19 May to 19 June 2008, leading specialists from the women's committees of towns and raions and heads of secretariats of the women's committees of the oblasts trained at month-long courses to upgrade their qualifications in the Academy for the Development of the State and Society.

Today there are 26 women working in the foreign policy department and holding various diplomatic posts in the Ministry of Foreign Affairs. There are 66 women working in administrative and technical posts.

15. The State party report refers to self-governing bodies, the Makhallya, as the commissions providing support and protection for women and youth of different communities in Uzbekistan. Please indicate whether there are equal opportunities for women and men to be elected for the position of the Makhallya chair and the number of women who are members.

Response: In Uzbekistan a great deal of attention is paid to increasing the participation of women in all spheres of public life, including at the local level. Women and men alike participate actively in the work of citizens' self-governing bodies as both chairpersons and members of local self-governing bodies on the basis of the law on citizens' self-governing bodies, of 14 April 1999, and the law on the election of chairpersons (*aksakals*) of citizens' assemblies and their advisers, of 29 April 2004.

Elections of the chairpersons (*aksakals*) of citizens' assemblies and their advisers are conducted on a basis of democracy, transparency and equal voting rights. When electing the chairperson (*aksakal*) and advisers of a citizens' assembly, citizens of Uzbekistan who reside permanently in the territory, irrespective of their gender, racial or ethnic affiliation, language, attitude to religion, social origin, personal and public status, education, and type and nature of occupation, have equal voting rights. The legislation of Uzbekistan does not provide for a fixed numerical quota of female and male candidates for the post of chairperson (*aksakal*) of a

citizens' assembly. The number of women and men elected to a particular post is determined on the basis of the results of the elections.

For example, the elections of chairpersons (*aksakals*) of citizens' assemblies held in Uzbekistan in November and December 2008 resulted in an increase in the number of women chairpersons of citizens' assemblies: while in 2006, 981, or 9.9 per cent, were women, in 2008 1,160, or 11.5 per cent, were women.

Education

16. Please elaborate on whether pre-family and family education programmes run by the *Makhallya* committees include a component on women's rights, especially in the area of domestic violence.

Response: A system has been put in place in Uzbekistan for training State employees and the general public about the issues enshrined in the Convention; the system encompasses students at secondary schools, high schools and colleges; students at secondary specialized and higher educational institutions; and participants in the refresher training and continuing education courses which are held in various ministries and departments.

In pre-school educational facilities, issues of women's rights are covered during studies on "Lessons of the Constitution" and in the middle, upper and preparatory groups (six classes a year), in the form of games and morning activities; primary classes are taught "The ABCs of the Constitution", to which 40 hours a year are devoted; fifth to seventh grade students study the course "Journey into the world of the Constitution", to which about 51 hours a year are devoted; eighth and ninth grade students study "The constitutional foundations of human rights", to which about 34 hours a year are devoted; and in vocational colleges and high schools, 68 hours over the course of two years are devoted to lessons on "Jurisprudence".

In Uzbekistan's system of continuous education, subjects designed to prepare young people for family life are incorporated in the syllabuses of schools, academic high schools and vocational colleges, including, as appropriate, topics devoted to sex education for youths and girls and legal guarantees of the protection of women from discrimination in marriage and family relations.

Significant efforts are being made in Uzbekistan to acquaint the population with the provisions of the Family Code and clarify the rights and duties of women and men in marriage and in family relations and issues of the prevention of violence against women and children. Non-governmental non-commercial organizations make a major contribution to awareness-raising work among women and the provision of legal assistance to the population on issues of family conflicts. In almost every region of the country there is a non-governmental non-commercial organization specializing in issues of support for women and protection of the family.

The Women's Committee and all women's non-governmental non-commercial organizations, the *Kamolot* Public Youth Movement and the *Makhallya* Foundation carry out a great deal of awareness-raising work among women and girls, men and boys, and spiritual and religious leaders with a view to eradicating stereotypes regarding the traditional role of the sexes in the family and society and revisiting stereotypes in relation to the role of women and the equal division of domestic and family obligations between men and women.

In 2007 and during the first five months of 2008, the *khokimiyat* of the Tashkent oblast, the Women's Committee and the *Kamolot* Public Youth Movement carried out awareness-raising work among women and girls, men and boys, and spiritual and religious leaders. In addition, in two village and 10 rural citizens' assemblies, *makhallya* advisers on spiritual and moral issues held individual discussions with families during which questions arose regarding the equal division of domestic and family obligations between men and women.

The women's committee of the Fergana oblast, along with the local law enforcement agencies, is conducting explanatory work in 1,003 citizens' assemblies of the *makhallya* about stereotypes regarding the role and obligations of women and girls in all areas of their lives. The *Manaviyat va targibot* ("Spirituality and education"), *Salomatlik* ("Health"), the *Makhallya* Foundation and regional television and radio companies are carrying out outreach and awareness-raising work not only among women, but also among men and boys, in communities and among spiritual and religious leaders in mosques in order to eliminate established stereotypes and concepts of the traditional role of the sexes in the family and in society.

Employment

17. In its previous concluding observations, the Committee expressed concern at the persistence of a sex-segregated labour market with lower wages for women (para. 27). Please provide information on women in the informal labour market and the State party's efforts to modify the sex-segregation of the formal labour market, including efforts to eliminate wage differences, as requested in paragraph 28 of the previous concluding observations. Please also indicate whether prohibition of sexual harassment in the workplace has been incorporated into national legislation and describe any enforcement mechanisms that exist in this context.

Response: Since women account for a significant proportion of Uzbekistan's labour resources (47.8 per cent), their employment is important not only from the viewpoint of the individual or the family, but also from the macroeconomic angle. The degree of attainment of gender equality determines the level and quality of life of the population and also the well-being of society in general.

According to statistical data, the level of economic activity among women as a whole is somewhat lower than that of men — 68.6 per cent and 72.9 per cent respectively. The lower indicators for women's share in the active population are caused by cultural factors associated with the characteristics of the way of life and also the high fertility level.

In Uzbekistan there are sectors in which at the practical level there has traditionally been a high level of employment of men, for example construction and the mining industry. In 2005, 13.7 per cent of all men and 2.4 per cent of all women employed in the economy were engaged in construction. A significant proportion of men and women were engaged in agriculture and forestry (26.4 per cent and 32 per cent respectively).

It is important to note that in education, culture, science and scientific services more women are employed than men (19.7 per cent compared with 8 per cent in terms of the total number of employed persons of each gender). There is a trend

towards an increase in the employment of women in such low-paid sectors as health care (where women account for 78.4 per cent of all workers) and education (69.3 per cent). In 2006, the wages of women were 37 per cent lower than those of men.

In 2005, of the total number of persons registered with employment agencies as job-seekers, the proportion of women was 48.3 per cent and that of men, 51.7 per cent. Among those who have not found work after leaving school, the proportion of women is higher than that of men (52.4 per cent of women and 47.6 per cent of men). The average duration of the job search for women is higher than for men. Thus, over 76.7 per cent of persons who have been unemployed for more than one year are women, which is 3.3 times higher than the level of male unemployment. The proportion of women in the economically active population depends to a significant extent on their level of education.

Uzbekistan believes that the discrepancy in female employment can be attributed to institutional and cultural factors and therefore that the forced employment of men and women notwithstanding cultural factors is unacceptable. Each person is free to choose his or her own work. The State protects the principle of equal access to employment, regardless of gender.

In order to prevent the growth of unemployment among the economically active part of the female population the Government is adopting special measures to provide employment for women. Every year about 500,000 jobs are created, of which about 40 per cent are filled by women. To this end, the local authorities organize jobs for women and allocate special resources for training women in various occupations.

The State employment policy of Uzbekistan aims to create new jobs, provide social protection for the unemployed and ensure job placement for persons who have applied to employment agencies to find work. The social protection of unemployed women comprises the payment of unemployment benefits to persons who have been accorded unemployed status, the upgrading of skills, retraining and vocational training, and placement in temporary paid jobs.

In accordance with the Strategy for improving the well-being of the population of the Republic of Uzbekistan, the problems existing in the labour market are to be resolved by means of the following measures: the priority development of labour-intensive sectors and enterprises, the enhancement of the territorial and sectoral mobility of the labour force, particularly in rural localities, and also the establishment of a legal framework for boosting employment through the legally and socially protected export of labour resources (migration processes). In this strategy, the reduction of the informal sector and shifting of the labour force to the formal sector is regarded as a priority of medium-term employment policy. This issue can be partially resolved through the creation of jobs at small enterprises.

As a result of structural changes in the economy, the encouragement of small business and entrepreneurship, the rapid development of the service sector, the facilitation of employment in various types of work from home and the provision of cattle to needy families about 570,000 jobs have been created. Through cooperation with major industrial enterprises, work from home has been actively developed, and as a result over 60,000 jobs have been created.

A system of measures is being put in place in Uzbekistan to increase wages for workers in the health care, education, culture and science sectors with a view to

equalizing the rights of women working in these sectors. Since women constitute the majority in health care, education, culture, light industry and agriculture (the proportion of women ranges from 70 per cent to 76 per cent), the Government is taking measures to increase wages in these sectors. Accordingly, Presidential decrees on improvement of the system of remuneration for medical workers, of 15 December 2005, and on measures to improve the system of remuneration and enhance the material incentives for workers in public education, of 25 November 2005, were adopted, as well as the corresponding implementing decrees of the Cabinet of Ministers, and a Presidential decree on a programme of measures for 2007-2010 to further improve targeted social protection and social services for elderly persons who live alone, pensioners and disabled persons, of 7 September 2006, was adopted.

As to the question of liability for sexual harassment in the workplace, article 121 of the Criminal Code establishes liability for forcing a woman to have sexual relations or to gratify unnatural sexual demands by a person on whom the woman is dependent in the employment sphere or is financially or otherwise dependent.

Health

18. The State party's report states that the number of abortions per 1,000 women of childbearing age dropped from 8.4 per cent in 2002 to 6.8 per cent in 2007 (para. 519). Please provide information about the rate of abortion among teenage women and girls and the steps taken to promote sex education in schools, including education on reproductive health, family planning and information about contraceptive methods.

Response: A 16-hour educational programme and special course on the topic "Basics of a healthy lifestyle and family" has been introduced for pupils in schools, colleges and high schools and students at higher educational institutions. The National Centre for the reproductive health of children and adolescents has held meetings and seminars on the topic "Introduction of youth-friendly services" and "Prevention of the spread of HIV/AIDS among high-risk groups of youth" for gynaecologists and obstetrician-gynaecologists who work with adolescents.

In 2008 the Centre conducted a total of 24 training sessions for 572 gynaecologists and obstetrician-gynaecologists who work with adolescents on the topic "The adolescent period and reproductive health".

Eight conferences were held in the regions on the topic: "Introduction of youth-friendly services" and training was provided to 22 trainers who work with adolescents and 3,874 specialists. In order to increase the awareness of young people about reproductive health issues, 39 seminars were held in colleges and higher educational institutions and 15 seminars for pupils in secondary schools.

The introduction of comprehensive programmes to improve women's reproductive health and child health, improve material and technical support for children's and maternity institutions and ensure broad access to various modern contraceptive methods have brought about an improvement in the indicators of maternal and child health.

The number of abortions per 1,000 women of child-bearing age dropped from 8.4 in 2002 to 5.2 in 2008; the rate of abortion among girls under 15 years of age in

2008 was not recorded (in 2007 it was 2), among girls aged 15-19, it decreased from 78 to 24 compared with the previous year and totalled 54.

The proportion of children born to mothers under 20 years of age in Uzbekistan is only 4.7 per cent of all births. In the countries of the Commonwealth of Independent States this indicator varies from 8.8 (Kyrgyzstan) to 16.3 (Moldova).

The situation regarding maternal and child welfare in Uzbekistan was commended in the annual report "State of the World's Mothers" published in 2006 by the international charitable organization "Save the Children" based in the United Kingdom. According to the report, our country occupies the 19th place among 125 States of world in the situation of women [Women's Index] and 27th place in maternity protection [Mothers' Index]. This is the best indicator in Central Asia.

19. The State party's report lacks information and data on the incidence and prevalence of life-threatening diseases among women, including elderly women and women with disabilities. Please provide information on the prevalence of HIV/AIDS, breast and cervical cancers, and mental health disorders among women. Also, the State party report indicates that the Cabinet of Ministers approved the Strategic Programme against the Spread of the HIV/AIDS epidemic in the Republic of Uzbekistan for 2007-2011. Please elaborate on the specific measures in the Programme to prevent HIV/AIDS among women and girls.

Response: In 2008, 1,365 HIV-infected women were reported in Uzbekistan. The incidence of psychiatric disorders among women in 2008 was 14,588 (106.9 per 100,000 women), of whom 8,372 were rural women (95.9 per 100,000 rural inhabitants).

The indicator of breast cancer among women in 2008 was 2,054 (15 per 100,000 women), of whom 1,066 were rural women (12.2 per 100,000 rural women), and for cervical cancer, 1,149 (8.4 per 100,000 women), of whom 694 were rural women (7.9 per 100,000 rural women).

In 2007 the Government of Uzbekistan approved the Strategic Programme against the spread of the HIV/AIDS epidemic in the Republic of Uzbekistan for 2007-2011. The principles underlying the operation of the Strategic Programme are determined by Uzbekistan's international obligations undertaken by the Government. These are the Millennium Development Goals, adopted at the Millennium Summit in 2000, and the Declaration of Commitment adopted at the special session of the United Nations General Assembly on HIV/AIDS, held in 2001.

In the context of the implementation of the Programme, the President of Uzbekistan adopted regulation No. 2,658, of 22 January 2007, on the establishment of a working group to study the reform of the health care system and formulate measures for further review; the Cabinet of Ministers adopted decision No. 700, of 2 October 2007, on measures to improve the organization of the work of Uzbekistan's medical institutions; and the Committee on Labour and Social Issues of the Legislative Chamber of the Oliy Majlis adopted a decision on the implementation of the law on the prevention of HIV infection, of 21 May 2007.

On the basis of the Strategic Programme, consultations were held in July and August 2007 on the formulation of regional and departmental plans for the

implementation of the Programme in all regions. From August 2007 to March 2008, departmental and regional plans for the implementation of the Programme were formulated and approved. Monitoring of the implementation of the national, regional and departmental plans was carried out from March to September 2008.

The Ministry of Health approved decrees No. 480 of 30 October 2007 on the improvement of preventive measures and the organization of medical and social services in relation to HIV-infection and No. 4, of 4 January 2008, on the introduction of post-contact prevention of the transmission of HIV infection in medical institutions of the system of the Ministry of Health.

In August 2008 an interdepartmental working group on the review and approval of informational and educational materials on issues of HIV infection was established and approved.

With a view to preventing HIV/AIDS, the following measures have been carried out:

1. In 2007, a sample epidemiological survey was conducted out in all the oblasts of the Republic, including behavioural and laboratory research to determine the prevalence of HIV infection among at-risk groups. In 2008, the "Epi-Info" programme was introduced in all administrative and territorial entities of Uzbekistan, making it possible to conduct an analysis on the basis of the results of the sample epidemiological survey.

2. Over 230 confidential clinics have been opened throughout the country for the prevention of HIV infection among at-risk groups which provide the target group with informational and educational services and counselling and also, when necessary, refer clients towards various types of medical and psychological care. There are telephone help lines in all the AIDS centres of the oblasts which provide counselling about HIV/AIDS and sexually transmitted infections.

3. By regulation No. 67 of the Ministry of Health, of 26 February 2005, in view of the broad incidence of sexually transmitted infections (STIs), 30 confidential clinics were opened for anonymous and free treatment of STIs.

4. In 2008, a model on the prevention of HIV infection and reduction of stigma and discrimination against vulnerable groups of the population was developed for first-line doctors and seminars were held to prepare doctors in general practice and infectious disease specialists as trainers in all regions of Uzbekistan. Training is being conducted for the staff of women's clinics and for doctors in general practice in providing counselling about family planning and contraception, taking into account HIV status.

5. Antiretroviral prevention of the mother-to-child transmission of HIV has been introduced in accordance with the national clinical protocol. Rapid diagnosis of HIV infection is made among previously unexamined women entering maternity institutions to give birth. Elective Caesarean sections have been made available to women with HIV status. In order to prevent mother-to-child transmission of HIV, children born to HIV- infected mothers are provided with artificial milk mixes up to one year of age.

6. Measures are being carried out to strengthen material and technical support for institutions working in the sphere of HIV/AIDS. Accordingly, it is envisaged that in 2009-2010 the regional centres for AIDS control and inter-raion

AIDS diagnostic laboratories will be provided with modern high-tech laboratory equipment, photofluorometers, immunofermenting analysers and polymerase chain reaction equipment. A number of measures have also been taken in the areas of treatment of infection and provision of care and support for people with HIV.

7. On the basis of the recommendations of the World Health Organization (WHO), national clinical protocols on assessment and antiretroviral therapy for adults and adolescents and medical care for children with HIV/AIDS were drawn up and approved by decree No. 480 of the Ministry of Health of 30 October 2007.

8. The national Protocol on medical care for HIV-infected patients fully regulates the procedure for assessment, prescription and monitoring of antiretroviral therapy, the prevention and treatment of opportunistic infections, psychological support and support for follow-up of treatment.

9. Specialists are being trained in providing antiretroviral therapy on the basis of the WHO protocols. A programme of post-diploma training of medical personnel has been drawn up and introduced in the Tashkent Institute for the advanced training of doctors.

10. In order to expand the specialized medical care provided to HIV- infected patients, and also to ensure a higher quality of anti-retroviral therapy, a specialized clinic is being established at which a training and methodological centre is to be set up for the training of doctors and middle-level medical personnel in the basics of prevention, diagnosis and specialized medical care of HIV- infected patients. It is envisaged that departments for anti-retroviral therapy will be set up at oblast infectious hospitals in all 14 regions of the Republic.

In order to carry out high quality diagnosis of HIV infection and monitoring of the treatment provided, all laboratories are being equipped with high quality test systems, and regular certification of the test systems being used is conducted by the reference laboratory of the Ministry of Health.

Rural women

20. The Committee expressed concern that the previous State party report did not provide sufficient information about the situation of rural women in the areas covered by the Convention and noted particular concern at the low percentage of women's land ownership. Please provide comprehensive data on the situation of rural women in all areas covered by the Convention, including the causes for the low percentage of women, as compared to men, who own land, and on efforts by the State party to increase this percentage (para. 30).

Response: The State takes a balanced approach to improving the situation of women living both in towns and in rural areas, although it takes into account the special problems encountered by rural women. The significant role which they play in ensuring the economic well-being of their families is borne in mind, including their activities in non-commercial sectors of the economy. Appropriate measures are being taken to ensure the application of the provisions of the Convention to rural women.

The main areas of implementation of the rights of rural women in all spheres of public life were described in the fourth report (paras. 572-607).

In addition, it should be noted that in the context of the fulfilment of its obligations under the International Covenant on Economic, Social and Cultural Rights, Uzbekistan pays particular attention to the economic well-being of its citizens, especially rural inhabitants. At the current time active measures are being taken to protect the population from the effects of the global financial and economic crisis. The 2009-2012 anticrisis programme for the prevention and neutralization of the consequences of the global economic crisis which has been adopted by the Government includes the implementation of special measures to protect the rights of entrepreneurs and small business owners, increase employment and substantially reduce the prices of basic foodstuffs and consumer goods.

The year 2009 was proclaimed in Uzbekistan as the Year of rural development and improvement since the majority of Uzbekistan's population (over 50 per cent) lives in rural localities and the country's further growth depends on the future of the rural sector. The State programme for the Year which was approved by the Government provides for specific measures, inter alia to improve and strengthen the legislative framework for protecting the rights and interests of rural inhabitants, create the necessary conditions for the development of the financial and economic foundations of rural development, improve medical services and raise the quality of education for rural youth.

Within the framework of the Year of rural development and improvement a broad range of measures is planned in order to improve the living conditions of the population living in rural localities, specifically:

- Improvement of the legislative framework for the work of farm enterprises and also the legal regulation of economic reforms in agriculture and water management;
- Substantial improvement of the housing conditions of rural inhabitants on the basis of the enhancement of design work and the establishment of a special bank for rural construction and of a procedure for the granting of land parcels;
- Improvement of the supply of hot water and electricity to the population in an environmentally safe manner;
- Adoption of comprehensive measures to improve material and technical support for educational and medical institutions and telephone exchanges and to develop a system of tourism for rural inhabitants;
- Development of labour-intensive industries, organization of new and modernization of existing enterprises for fruit and vegetable processing, creation of new openings for work from home;
- Job placement for young people, women and disabled persons and training of workers for basic sectors, including unemployed women, as well as training in the basics of conducting their own businesses and subsequent provision of start-up capital;
- Protection of the health of the rural population by supplying medical institutions with modern equipment and vehicles;
- Technical improvement of sanatoriums for war and labour veterans;
- Provision of prosthetic, orthopedic and other items to about 5,000 disabled persons.

Despite the economic and financial crisis, Uzbekistan has allocated substantial resources to improve the lives of rural inhabitants, including women living in rural localities.

Beginning in 2005, in-depth research into the situation of rural women was carried out and a sociological study was conducted in raions of the Namangan oblast. The study showed that gender factors have a significant influence in determining the population's standard of living. A survey of household members demonstrated that the low level of material security in the raions of the Namangan oblast that were investigated is closely correlated with indicators of women's education, the structure of women's employment and the amount of family income provided by women.

In 2007 a sociological study of internal labour migration, including the situation of rural women, was carried out. The study was conducted in three regions of Uzbekistan — the city of Tashkent and the Kashka-Darya and Namangan oblasts.

In line with the goals and objectives of the study, a survey was conducted among 1,000 respondents from the basic target group — labour migrants — consisting of 617 women and 383 men.

The sociological study showed that, taking into account the vital role of the gender factor in enhancing the standard of living, it is necessary:

- To take active measures to ensure gender equality in the economic sphere, which is a necessary prerequisite for enhancing social activism, the role of women in the family and society and the effective use of human resources;
- To ensure equitable access of the gender groups to education, and in the first place to higher and secondary vocational education;
- To level out the vocational skills imbalances between the gender groups;
- To ensure equitable access of gender groups to education, in the first place to higher and secondary vocational education;
- To intensify targeted vocational guidance work in the population and in educational institutions and overcome existing stereotypes with regard to “masculine” and “feminine” spheres of activity;
- To organize special jobs for women within the framework of active employment programmes in sectors and industries which are traditionally considered as “masculine”;
- To organize training, retraining and continuing education courses for women who have been unemployed for a long time;
- To ensure priority access of women to credit and land resources through the establishment of special land funds, credit unions, microfinance organizations for providing start-up capital and so forth;
- To establish conditions conducive to improving the quality of women's lives and creating favourable conditions for employment, primarily by enhancing access to communal and household services and developing a network of alternative kindergartens and preschool development groups;

- To expand the service sphere, including through encouragement of the involvement of women and expansion of flexible types of work from home.

It should be noted that the development of the farm movement has been identified as a priority area in the implementation of Uzbekistan's agricultural reforms.

Farmers have begun to take their rightful place not only in the agricultural sphere but also in the country's social and political life. Twelve directors of farm enterprises are members of the Senate of the Oliy Majlis and three directors of farm enterprises have been elected as deputies to the Legislative Chamber of the Oliy Majlis.

Every year innovative farmers are honoured with distinguished State awards, orders and medals; more than 200 farmers have been awarded orders and medals, including over 40 women farmers. Hundreds of farmers have been awarded *Mustakillik* badges.

Taking into account all these aspects, and in order to support women farmers and provide them with comprehensive assistance, a *Tadbirkor Ayol* ("Woman entrepreneur") centre has been established within the Association of farm enterprises of Uzbekistan and regional branches have been set up.

In order to upgrade the skills of women farmers in the area of economic, legal and managerial activity, seminars have been organized in all the *viloyats* of the Republic on the topic "Development of successful entrepreneurial activity" to which women farmers have been invited; on 18-20 April 2009, in conjunction with the women's wing of the Liberal Democratic Party of Uzbekistan, training seminars were conducted with farm enterprises headed by women in the Republic of Karakalpakstan and in the Kashka-Darya, Surkhan-Darya and Khorezm oblasts.

The development of farm enterprises and also the increase in the number of communications to the Ombudsman by farmers led to the organization in 2007-2008 of monitoring of the implementation of the rights of farmers in accordance with the law on farm enterprises, in conjunction with organs of the public procurator's office and the justice system, the Association of farm enterprises and the Women's Committee, and also with the participation of *Ijtimoi fikr* ("Public Opinion").

As a pilot project during the first half of 2007 the Ombudsman conducted monitoring in the Tashkent oblast with the participation of 20 farm enterprises of the Pskent raion and 39 farm enterprises of the Buka raion specializing in the production of cotton, grain, livestock, vegetables and melons and in viticulture and horticulture. Particular attention was paid to farm enterprises headed by women.

The monitoring of the implementation of farmers' rights showed that the main impediments to the development and enhancement of farm enterprises are the low level of legal knowledge of their directors, inadequate awareness-raising activity by the Association of farm enterprises to upgrade the skills of the heads and members of economic entities and also violation of the provisions of the laws in force.

Many farmers in the Pskent and Buka raions of the Tashkent oblast lack knowledge in their areas of specialization and about book-keeping, preparing statistical reports and carrying out agrotechnical measures and not one of them could provide a full set of farm enterprise documents.

As the monitoring demonstrated, the heads of economic entities also lack the necessary knowledge in the area of labour law. A review of the documents showed that in most enterprises no contracts were drawn up with members of the enterprises and not a single announcement was issued about job openings, leave and other arrangements that are required in accordance with the laws in force.

An analysis of the findings of the monitoring of the implementation of farmers' rights enabled the Human Rights Commissioner to make recommendations:

- On amendments and additions to the law on farm enterprises;
- On coordinating the activities of the Cabinet of Ministers and the relevant ministries and departments;
- On the issuance of commentaries on the laws and regulations governing the activities of farm enterprises;
- On the conduct of awareness-raising work among farmers to enhance their legal knowledge, including through the organization of seminars, training sessions, courses and so forth.

Vulnerable groups of women

21. Please elaborate on the type of work women in prisons may engage in, the level of salary they may receive and provide statistics regarding the employment status of women after serving their prison term. Please also provide information on the manner in which hygiene and sanitary conditions of women in prisons are monitored and whether they have been found compatible with general international standards. Please indicate if international organizations, such as the International Committee of the Red Cross, have been involved in the process of monitoring prisons.

Response: The main objective of employing prisoners is to inculcate in them the need to do socially useful work. When prisoners are employed, their gender, age, state of health, ability to work and, if possible, specialized skills are taken into account. As a rule, prisoners work at factories located within the correctional institutions. The provisions of Uzbekistan's labour legislation regarding the length of the working day, physical loads, pay and so forth are fully applicable to workers who are in prison. Accordingly, the wages of prisoners who perform work cannot be lower than the minimum wage. Prisoners are able to use their wages as they see fit: they may use them for their own needs or send them to relatives. Women prisoners with children under the age of 3 are permitted to work if they so wish.

At the women's colony there is a secondary school and a vocational-technical school, and in the latter school, women prisoners are trained in the following specialized skills: hand and machine embroidery, beadwork, macramé, dress-making, operation of sewing machines, computer work and servicing of sewing machines. Upon completion of the courses the women receive diplomas which they can subsequently use to seek work with their newly acquired skills.

There is a sewing factory at the colony which produces over 50 types of ready-made articles, including special clothing and bed linen, and fills special orders from customers.

Uzbekistan has a Centre for the social rehabilitation of persons who have been released from prison. The administration of the penitentiary institution conducts interviews with prisoners at least three months before the end of their prison terms and identifies persons who need assistance with job and living arrangements. Information about women who are to be released, and also on their chosen place of residence, access to housing, ability to work and specialized skills is sent to the social rehabilitation centre, which takes all possible measures for the rapid settlement of released women.

There are medical departments with in-patient facilities which provide medical and health care to prisoners and there are colonies for the treatment and care of patients suffering from tuberculosis.

The procedure for providing medical care to prisoners, issuing medicinal supplies, organizing and conducting sanitary inspections, making referrals to medical and preventive institutions and bringing in medical personnel from the health care agencies is determined by the Ministry of Internal Affairs in coordination with the Ministry of Health.

Medical and health services for prisoners are 100 per cent funded with resources from the national budget.

In penitentiary institutions strict compliance is ensured with the prescribed sanitary and hygienic regulations and the regulations for the prevention of epidemics. Persons entering these institutions under a court verdict undergo a comprehensive health examination. At the time of entry and, after that, twice a year, prisoners have a full medical check-up. They are provided with a bath at least once a week, along with a compulsory change of clothing and bed linen.

On 17 January 2001 an agreement was signed between the Government of the Republic of Uzbekistan and the International Committee of the Red Cross (ICRC) on humanitarian activities for detainees and prisoners.

During the period of cooperation between the Main Penal Corrections Department and ICRC, representatives of ICRC visited practically all the institutions of the penitentiary system of the Ministry of Internal Affairs (4 in 2001, 5 in 2002, 30 in 2003, 46 in 2004 and 1 in 2007).

In 2008 representatives of ICRC made 19 visits to colonies and solitary confinement cells, including 2 visits to an institution in which women prisoners women are held.

Family relations

22. Please elaborate on the steps taken to review and amend the relevant laws on the age of marriage and on the current status of the amendment of the Family Code with respect to the entry into marriage of children.

Response: In accordance with paragraph 1.5 of the National Plan of Action for the Implementation of the Recommendations of the Committee on the Elimination of Discrimination against Women following its consideration of the combined second and third periodic reports of the Republic of Uzbekistan, a comparative analysis was made of national legislation and the norms of international law concerning gender equality.

The analysis of the legislation was conducted for the purpose of evaluating the extent to which the legal and regulatory framework in the area of gender equality is consistent with the provisions of the international treaties of the Republic of Uzbekistan. In the course of the analysis, international treaties for the protection of women's rights to which Uzbekistan is a party were studied.

The monitoring revealed that certain provisions of national legislation do not fully conform to the requirements of the Convention.

For the purposes of implementing article 1 of the Convention, as well as paragraph 10 of the Committee's concluding observations on the outcome of its consideration of the combined second and third periodic reports of Uzbekistan (7-25 August 2006), it was deemed necessary to accelerate the incorporation into Uzbekistan's legislation of a definition of "discrimination against women".

In order to implement the provisions of article 16 of the Convention concerning the prohibition of child marriage and on the basis of the provisions of the law on guarantees of the rights of the child of 7 January 2008, it was deemed advisable to make amendments to the Family Code so as to set the age of marriage for women at 18 years, since the establishment in article 15 of the Family Code of an age of marriage of 17 years could be an obstacle to women completing their secondary education.

Furthermore, in order to determine the attitude of the population to the discrepancy in the age of marriage for women and men, the Centre for the Study of Public Opinion organized a sociological survey "Public opinion on the age of marriage" which showed that there were different attitudes to this issue on the part of respondents depending on their age and gender. Respondents who agreed with the discrepancy cited such factors as: the husband should be older than the wife, and, at 17 years of age, girls are ready for family life. Respondents who disagreed believed that the family should be founded at a more mature age; that young men and girls should have equal rights at the time of marriage; that at that age young people are not ready for family life, and so on.

23. In its previous concluding observations the Committee expressed concern that the formulation of provisions in the Penal Code prohibiting polygamy in the form of cohabitation in the same home may be interpreted as being permissive of polygamy when not being practised in the same home (para. 31). Please elaborate on the steps taken to review and amend the relevant laws on polygamy.

Response: Article 126 of the Criminal Code establishes liability for polygamy, i.e. cohabitation with two or more women on the basis of a common household.

This crime is characterized, in practical terms, by cohabitation of a man with two or more women on the basis of a common household. The wives may live either in one house (apartment) or in various places. The important point is that each woman's household, separately or together, constitutes a single whole with the husband's household.

The maintenance of a common household with two or more women by a man should be understood to mean the joint performance of work and joint use of the income derived from the maintenance of a common household. If a person cohabits

with a woman or several women but does not maintain a common household, there is no polygamy.

There is also no polygamy in cases where a person who has not dissolved a marriage ceases to have marital relations and enters a new marriage. However, if a man who is in a new marriage continues to cohabit with both women on the basis of a common household, the actions of the perpetrator constitute polygamy.

In view of the foregoing, there is no need or justification for making amendments to the legislation on polygamy.

24. Please indicate whether there have been any changes in the policy of universal social support for children up to the age of two years old. The State party report refers to social allowances for children (para. 331). Please clarify whether local self-governance bodies can decide which families may receive such allowances.

Response: In order to improve the targeting of State support for poor families, by Presidential decree No. 744, of 12 December 2007, on the forecast of basic macroeconomic indicators and parameters of the State budget of the Republic of Uzbekistan for 2008 (para. 21), as of 1 January 2008 the procedure for the determination and payment of social allowances for the care of a child up to 2 years of age through the citizens' self-governing bodies was extended to mothers working in the State sector.

In accordance with the regulations on the procedure for the determination and payment to non-working mothers of a monthly allowance for the care of a child up to 2 years of age, of 8 February 2002, approved by the Ministry of Labour and Social Protection, the Ministry of Finance and the *Makhallya* Foundation, the citizens' self-governing bodies determine the allowance for the care of a child for the persons who are actually caring for a child up to 2 years of age, including:

- (a) Non-working mothers or persons replacing them (as a rule, the father, adoptive father, guardian or other relatives);
- (b) Mothers, or persons replacing them, who are studying in higher, secondary specialized and secondary vocational training institutions while on paid leave from work;
- (c) Mothers (or persons replacing them) who are engaged in entrepreneurial activity without forming a legal entity, and also members of *dekhan* (peasant) enterprises who are carrying out work without forming a legal entity.

The basis for determining an allowance for the care of a child is a decision taken by the citizens' assembly of the village, *kishlak*, *aul* or *makhallya* or a commission empowered by the citizens' assembly to decide on the determination and payment of the allowance.

The allowance for the care of a child is paid monthly, regardless of the number of children being cared for and the length of service of the person receiving the allowance, in the amounts: from 1 February 2002 — 170 per cent of the minimum wage; beginning in 2003 — 200 per cent of the minimum wage.

25. Please provide information on the type of property that is distributed upon dissolution of a relationship and indicate, in particular, whether the law recognizes intangible property, i.e. pension funds; severance payments;

insurance. Please also elaborate on whether the *Makhallya* committees may impose a waiting period on a woman before she files for a divorce and whether there is a practice of courts requiring *Makhallya* committee permission before the court may accept a divorce application, including in cases of domestic violence.

Response: The citizens' self-governing bodies, in accordance with law No. 758, of 14 April 1999, on citizens' self-governing bodies, take measures to protect the interests of women, enhance their role in public life, instil a spiritual and moral atmosphere in the family and educate the younger generation.

In each *makhallya* there are mediation commissions which take up such questions as the resolution of family problems and the prevention of various types of conflicts which affect intra-family relations and of domestic violence; they also inform the parties to a conflict of the provisions of the Family Code designed to strengthen the institution of the family and ensure peace and harmony within the family.

In the event that a dispute arises in the family, one party (the husband or the wife) on his or her own initiative may send an application to the *kengash* of the *makhallya*, which is taken up at a meeting of the mediation commission which both the parties are required to attend. The members of the commission conduct an investigation, determine the basic reasons for the emergence of family problems and facilitate the reconciliation of the spouses. The commission gives both parties time to give proper consideration to the question of whether it would be advisable to end the marriage and what the consequences would be for the children. At the next meeting the Commission again listens to both parties and if one of the parties (the husband or the wife) or both parties insist on having a divorce, it informs that parties of their right to file an official application with the court or the registry office.

It should be stressed that the permission of the *kengash* of the *makhallya* is not required for filing an application for divorce with the court. If necessary the court may request the record of the meeting of the mediation commission as additional material for clarifying the position of the parties.

Income earned by each of the spouses from work performed, entrepreneurial activity and intellectual activity, as well as pensions, allowances and other monetary payments received which do not have a special purpose (including material assistance, amounts paid in compensation for loss of working ability as a result of mutilation or other damage to health) are considered to be property acquired by the spouses during the marriage (community property). Moveable and immoveable items, securities, shares, investments, capital contributions made to credit institutions or other commercial organizations and any other property acquired by the spouses during the course of the marriage regardless of whose name it was acquired in or in whose name or by which of the spouses the financial resources were provided are also considered to be community property.

In accordance with article 27 of the Family Code, the division of community property may take place both during the marriage, and after its dissolution, at the request of either of the spouses, and also in the event of a request by a creditor for the division of community property in order to collect from the share of one of the spouses in the community property.

National human rights institution

26. Please elaborate on the activities of the Human Rights Commissioner of the Oliy Majlis and the National Centre for Human Rights for the Republic of Uzbekistan in the area of women's rights. Please provide additional details on the cases received and dealt with by both institutions in the years 2006, 2007 and 2008 with respect to violence against women, domestic violence and discrimination against women and provide details of cases, including any court cases initiated as a result of the complaints made. Please also elaborate on how these two institutions collaborate with the Women's Committee of Uzbekistan.

Response: The Human Rights Commissioner of the Oliy Majlis considers the protection of the rights and legitimate interests of women to be one of the most important areas of her work. The Ombudsman encounters problems of the protection of women's rights when receiving and considering complaints from women, monitoring the implementation of laws and international conventions, engaging in international relations and studying the experience of the protection of women's rights in foreign countries.

During the period from 2006 to 2008, a total of 26,228 communications was received by the Ombudsman. In 2008, the Human Rights Commissioner received 9,962 complaints, of which 1,891 were investigated. According to the statistical data, the number of complaints from women about violation of their rights increased almost four times in 2008 compared with 2006 (135 in 2008 as against 29 in 2006). This demonstrates the growing legal awareness of women.

The grounds for most communications from women to the Ombudsman are problems of legal rights in the sphere of family relations, the need for free legal assistance on specific legal issues and also issues of the late payment of wages, problems relating to the registration and receipt of passports, domestic conflicts, observance of the rights of economic entities and other issues. A certain number of communications have been received from women in prisons and concerned questions of violation of housing rights, the illegal residence in their apartments of outside persons, and infringement of the housing rights of children and relatives of the applicants.

The Ombudsman investigated 48 communications from women which concerned urgent matters of provision of material assistance, assistance in retrieving children from a spouse on the basis of a court decision and disagreement with the actions of officials, including workers in law-enforcement agencies. Nine communications that were investigated were resolved favourably.

During the period in question the Ombudsman's office received no communications from women about cases of violence or discrimination against women.

The Ombudsman cooperates closely with the Women's Committee in reviewing complaints from women, monitoring the observance of women's rights and carrying out joint measures to enhance the legal knowledge of women.

Representatives of the Women's Committee are members of the Ombudsman's expert council and of expert groups in regional offices.

In addition, the parliamentary Ombudsman, as the national partner of the Women's Committee, was included among the organizations and structures created

during the implementation of the National Plan of Action for the Implementation of the Recommendations of the Committee on the Elimination of Discrimination against Women, the United Nations Declaration on the Elimination of Violence against Women and other international legal instruments in the area of gender equality.

In 2006 the Ombudsman, together with the Women's Committee and the Council of the Federation of Trade Unions and with the participation of representatives of the Ministry of Justice and the Ministry of Labour and Social Protection organized monitoring of the observance of women's rights as provided under labour law in light industry in oblasts of the Fergana valley.

The National Centre for Human Rights conducts monitoring of the observance and protection of human rights through the establishment and organization of the work of the public liaison department. The department receives members of the public, gives advice about the protection of their rights and provides assistance in the restoration of rights by transmitting appeals from the public to the competent State bodies.

The number of people who applied to the Centre was 912 in 2006, 1,407 in 2007 and 1,991 in 2008. Most communications are concerned with such matters as illegal actions by workers of the law-enforcement system, disagreement with court verdicts and decisions, socio-economic, housing and communal issues, and labour disputes.

Women's communications to the Centre are mainly concerned with such issues as protection of their socio-economic rights, unjustified court decisions in relation to close relatives and the rights of farmers.

From 2006-2008 there were no communications from women concerning issues of domestic violence and discrimination against women.

The Centre cooperates closely with the Women's Committee in preparing national reports on Uzbekistan's implementation of the provisions of international human rights treaties, formulating and implementing national plans of action for the implementation of the recommendations of treaty bodies, resolving complaints by women, organizing awareness-raising activities, drafting of laws, and carrying out research on various aspects of women's rights.

Non-governmental organizations

27. Further to the State party's explanation of the legal status and regulations of activities of non-governmental organizations (paras. 77 to 85) and the establishment of a Committee on Democratic Institutions, Non-Governmental Organizations and Citizens Self-Government Bodies (para. 42), please elaborate on the registration procedure for women's non-governmental organizations, as well as on steps taken to review their funding criteria and practice, as recommended by the Committee in its previous concluding observations.

Response: The registration of women's and other non-governmental non-commercial organizations is carried out under the procedure provided for in the law on non-governmental non-commercial organizations and the law on public associations.

The State tax charged for the issuance of certificates of registration of the statutes of public associations of disabled persons, veterans, women and children is levied at a rate of 25 per cent of the prescribed amount.

Currently, according to data of the Ministry of Justice, over 120 women's non-governmental non-commercial organizations which have registered with the justice organs are carrying out activities in various spheres.

On the basis of a joint decree of the *Kengash* of the Legislative Chamber of the Oliy Majlis, of 3 July 2008, in order to promote the further development of independent non-governmental and non-commercial organizations and civil society institutions and their active participation in the implementation of democratic changes and the liberalization of society and to establish an independent system and objective conditions for the formation of their sources of funding, the *Kengash* of the Legislative Chamber of the Oliy Majlis and the *Kengash* of the Senate of the Oliy Majlis established a public fund for the support of non-governmental non-commercial organizations and other civil society institutions and also a Parliamentary Commission responsible for managing the finances of the Fund.

The Fund and the Parliamentary Commission ensure the distribution of the resources allocated from the State budget to support the work of non-governmental non-commercial organizations and other civil society institutions and the elaboration and implementation of programmes for the material and financial support of non-governmental non-commercial organizations.

The resources of the Fund are allocated directly to non-governmental non-commercial organizations and other civil society institutions in the form of subsidies, grants and the procurement of social services, in accordance with decisions of the Parliamentary Commission.

The annual allocation to the Fund of budgetary resources for the support of non-governmental non-commercial organizations and civil society institutions is carried out on the recommendation of the Parliamentary Commission at the time of the preparation, consideration, discussion and approval of the State budget.

The Parliamentary Commission is made up of deputies of the Legislative Chamber, members of the Senate of the Oliy Majlis, national non-governmental non-commercial organizations and other civil society institutions and consists of a chairperson, a deputy chairperson, a secretary and members.

The resources of the Fund are derived from resources of the State budget, voluntary sponsorship contributions from legal entities and individuals (both residents and non-residents of Uzbekistan), grants and resources provided free of charge by international organizations and financial institutions, and other resources which are not prohibited by law.

28. Please elaborate on the State party's use of the terminology "non-governmental non-commercial organizations" and how this differs from non-governmental organizations.

Response: With regard to the use of the terms "non-governmental non-commercial organizations" and "non-governmental organizations" in the fourth report it should be noted that these concepts are synonyms, the meaning of which is established in article 2 of the law on non-governmental non-commercial organizations. A non-governmental non-commercial organization is a self-governing

organization established on a voluntary basis by individuals or legal entities which does not seek to derive income (profit) as the basic goal of its activity and does not distribute income (profit) received among its participants (members). Non-governmental non-commercial organizations may operate in such organizational and legal forms as: public associations, public foundations, institutions and associations of legal entities (associations and unions).

Optional Protocol and amendment to article 20, paragraph 1

29. Please indicate any progress made towards accession to the Optional Protocol to the Convention, as recommended by the Committee in its previous concluding observations. Please also indicate whether progress has been made towards acceptance of the amendment to article 20, paragraph 1, of the Convention relating to the Committee's meeting time.

Response: The question of Uzbekistan's accession to the Optional Protocol to the Convention was studied by the Ministry of Foreign Affairs with the relevant ministries and departments.

Overall, the ministries and departments were in favour of accession. However, the Office of the Procurator-General drew attention to the need for the Protocol to be ratified with reservations about non-fulfilment by Uzbekistan of the provisions of articles 8 and 9. The question of accession to the Optional Protocol is currently under review, taking into account the proposal by the Office of the Procurator-General.

As to the adoption of the amendment to article 20, paragraph 1 of the Convention, it should be recalled that the proposal to make an amendment to article 20, paragraph 1 of the Convention was first put forward in 1995 by the delegations of Denmark, Finland, Iceland, Norway and Sweden.

In its existing form, article 20, paragraph 1 provides that the Committee shall normally meet for a period of not more than two weeks annually. The proposed amendment is designed to remove the time restrictions on the Committee's sessions by changing the wording of article 20, paragraph 1 to provide that the Committee shall normally hold its sessions annually but their duration shall be determined by a meeting of the States parties and shall be subject to the approval of the General Assembly.

The proposed amendment was approved at the eighth meeting of States parties to the Convention (22 May 1995) and also by the General Assembly in resolution 50/202 (22 December 1995). Specifically, that resolution urges States parties to the Convention to take appropriate measures so that acceptance of the amendment can be reached as soon as possible.

The amendment to article 20, paragraph 1 will enter into force after its acceptance by at least two thirds of the States parties to the Convention.