



**Meeting of the States Parties  
to the Convention on the  
Rights of the Child**

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COMMITTEE ON THE RIGHTS OF THE CHILD

Forty-second session

SUMMARY RECORD OF THE 1133rd (Chamber A) MEETING

Held at the Palais Wilson, Geneva,  
on Friday, 19 May 2006, at 10 a.m

Chairperson: Mr. DOEK

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Second periodic report of Uzbekistan

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\* No summary records were prepared for the 1131st and 1132nd meetings.

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*The meeting was called to order at 10.20 a.m.*

CONSIDERATION OF REPORTS OF STATE PARTIES (item 4 of the agenda)

Second periodic report of Uzbekistan (CRC/C/104/Add.6; core document (HRI/CORE/1/Add.129); list of issues (CRC/C/UZB/Q/2); written replies (CRC/C/UZB/Q/2/Add.1), document distributed in Russian and Spanish only)

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

2. Mr. SAIDOV (Uzbekistan) said that 32 governmental organizations and some dozen non-governmental organizations (NGOs) had participated in the preparation of the report under consideration. The national action plan formulated to give effect to the Committee's recommendations following consideration of the initial report of Uzbekistan was being implemented under permanent Government oversight. Accordingly, quarterly meetings were held at the level of the various ministries and local authorities to examine the activities being carried out. Thus far 29 of the Committee's 32 recommendations had been implemented.

3. Some 50 laws had been evaluated in order to determine their conformity with the principles and provisions of the Convention. A group of national experts was currently drafting, in collaboration with NGO representatives, a draft law on the guarantees of the rights of the child and another on juvenile justice. The Children's Parliament had drawn up its own version of the draft law on the guarantees of the rights of the child.

4. Two new monitoring bodies had been created in 2005: the Institute for Legislative Review in the Office of the President of the Republic to give legal advice on the constitutionality of the draft laws and their conformity with international human rights norms and to ensure the actual exercise of those rights, and the Centre for Verification of Legal Standards, under the Ministry of Justice, whose task was to verify the legal bases of laws and regulations in the light of the objectives and activities for the reform and modernization of the country. A debate on the establishment of a children's ombudsman's office was currently under way.

5. More than 5,000 NGOs currently operated in Uzbekistan, and a coalition of NGOs had been established to work on children's behalf. In the previous two years an NGO, *Tu n'es pas seul* (You are not alone), had organized international forums on problems relating to orphans' social integration. One of its recommendations had spawned a governmental decree, attesting to consolidation of the partnership between the Government and NGOs.

6. The text of the Convention was regularly published in Uzbek and circulated to pupils, students, officials and NGOs. An information kit on the rights of the child had been designed and disseminated electronically with the support of the United Nations Children's Fund (UNICEF) and the European Commission. A series of 10 brochures on the rights of the child, the dangers of drugs, and HIV/AIDS had been issued with UNICEF support. A handbook on the study of the Convention had also been circulated in Uzbek and Russian. Numerous education programmes were organized on a regular basis for professionals working with children and NGO officials.

7. Uzbekistan cooperated with many international partners for implementation of the Convention, especially UNICEF, the United Nations Development Programme

(UNDP), the World Health Organization (WHO), the International Labour Organization (ILO), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the Organization for Security and Co-operation in Europe (OSCE) and the World Bank. In 2005 the Uzbek Government and the UNICEF representative in Tashkent had signed an agreement for a programme to promote the rights of the child for the period 2005-2009.

8. The main priority child protection areas were basic social and medical services, education, prevention of disability and medical and social reintegration of children with disabilities. Great attention was paid to developing children's sport so as to enable all children to practise a variety of sport in keeping with their age and gender and the country's special geographical characteristics.

9. Many difficulties hindered implementation of the Convention, particularly those linked to the transition from the Soviet system to a democratic regime of separation of powers. The ecological situation in the Aral Sea area remained serious, influencing food security and access to drinking water, compounded by Uzbekistan's geopolitical situation in Central Asia, a region struggling to find stability and peace because of the civil war in Tajikistan and the armed conflict in Afghanistan accompanied by drug production and trafficking. The threat of terrorism and religious extremism brought instability and used up resources that should have been allocated for other purposes.

10. Effective exercise of children's rights therefore called for strengthened protection mechanisms, concerted action by the Government and civil society and an improved legal culture of children's rights.

11. Ms. LEE (Rapporteur for Uzbekistan) said that the report was very factual but lacking in critical analysis. She would like to have more details on NGO involvement in its preparation and the assistance provided by UNICEF, and more information on the measures taken recently to implement the national action plan.

12. Initiatives aimed at harmonizing national legislation with the provisions of the Convention had not been clearly presented and the country appeared not to have a children's code. Could the delegation provide more details on the ambitious draft laws on the guarantees in favour of the rights of the child and on juvenile justice?

13. Since a number of ministries were involved in matters relating to children and their rights, it would be useful to know which body was responsible for coordination between the central Government and local authorities, as well as information on the *makhalla* committees, particularly their composition and their members' training in matters relating to the rights of the child. Some clarifications on what had been described as the differential rearing of boys and girls in paragraph 24 of the report would also be welcome.

14. The delegation could perhaps say whether there were plans to provide the future children's ombudsman with the financial, human and other resources required for the discharge of his/her functions and how much independence he or she would enjoy. In fact, she was surprised that the State party's delegation was headed by the Director of the purportedly independent National Human Rights Centre.

15. It would also be useful to discover why the system of compulsory registration of residence continued when it entailed problems of discrimination, the right to life and development and access to certain services.

16. Lastly, she would like to know what stage had been reached in the investigations into the incidents in Andijan and what measures the Government had taken in favour of the child victims.

17. Mr. SIDDIQUI asked which agency collected and analysed data and statistics on children, whether there was a mechanism for coordination between the National Statistical Committee and the ministries and other units involved, and whether the *makhalla* (neighbourhood) committees were involved in the collection of statistics. He would like the delegation to comment on the claim by certain sources that statistics on children were unreliable because the agents responsible for their collection were afraid of being punished if they supplied negative data. He would like to know whether and when Uzbekistan, which did not regularly produce gender-disaggregated statistics concerning the various categories of children (orphans, children with disabilities, children in the juvenile justice system, etc.), intended to do so.

18. Independent sources had reported that social spending had fallen from 4 to 2 per cent of GDP in recent years and that children's services had been the most seriously affected by the budget cuts. While a large share of the budget was indeed allocated to education and health, the quality of those services did not appear to have improved significantly. He would therefore like to have more details on the situation and learn whether the Government was conducting audits to determine the efficiency of its spending and whether it consulted or intended to consult children and organizations involved in children's rights in the preparation of the budget.

19. Ms. OUEDRAOGO asked whether the initial report and the concluding observations based on discussions with the Committee had been the subject of debate in the country. Information had been supplied on the activities undertaken to ensure dissemination of the Convention, but it was important to know whether the Convention was integrated into school and vocational training curricula, or even in programmes intended for the general public.

20. The delegation could perhaps indicate what measures the Government intended to take in order to improve the situation of civil rights and freedoms, which appeared to leave much to be desired, in view of reports of violations of the right to life, ill-treatment, cases of torture and arbitrary detention, all with consequences for children.

21. Work on birth registrations had been done, but available information suggested problems regarding refugee children in particular and linked to the parents' residence, and the existence of irregular procedures for the issue of birth certificates. She also wished to know what the State planned to do to facilitate the registration of all children.

22. Since the incidents in Andijan had resulted in the deaths of children, she would like further information on the way the situation was developing and on Government measures to prevent the recurrence of such incidents.

23. The delegation could perhaps say whether provisions were envisaged to protect children from harmful information to which they were likely to be exposed in the press, on the Internet and in cinemas, and whether any national or local action was being taken to promote reading through library access.

24. The part of the report dealing with protection of life should be expanded. It was not merely a matter of whether the laws protected a child's privacy, but also of how those laws were enforced.

25. There was a dearth of specific information on torture and other cruel, inhuman and degrading treatment. The Committee had been informed of cases involving children, but did not know whether the perpetrators had been prosecuted. Nor did it know whether reporting and complaint mechanisms existed or whether victims of torture had access to treatment or rehabilitation services. The delegation might clarify whether the Ombudsman's Office was equipped to receive and deal with complaints, and the situation regarding the children's ombudsman.

26. Violence, in the broadest sense of the term, would appear to be widespread in Uzbek society, including schools or institutions, even though corporal punishment was banned. It would therefore be useful to know whether violence was a subject of discussion in the State party and whether tolerance was taught in schools. Certain sources claimed that the police displayed little interest or tact when dealing with victims of domestic violence, which suggested that the best interests of the child counted for very little in their work.

27. Mr. KRAPPMANN pointed out that the State party could not simply declare that the best interests of the child found expression in virtually all the newly adopted codes and laws; concrete examples of its commitment were needed. Information from independent sources claimed that Uzbek children were considered to be more their fathers' property than owners of rights, which raised the question of whether the laws invoked really did confer obligatory consideration of a child's opinion. The same sources claimed that parents imposed onerous tasks on their children and went so far as to take them out of school for long periods so that they could help with certain chores.

28. The fact that the right of children to express their views on matters of concern to them was enshrined in the Constitution and other laws was positive, but it would be useful to know whether those provisions were enforced in all cases and in all areas and whether they took precedence over the authority of the *makhallas*.

29. Mr. KOTRANE said he was disappointed that many of the Committee's earlier recommendations had not been implemented. For example, Uzbekistan was not yet a party to the Optional Protocols to the Convention or to ILO Conventions Nos. 138 and 182. The argument that the domestic labour legislation was more favourable than the ILO conventions was irrelevant, since ratification of an instrument did not preclude even more protective provisions.

30. The Committee had also urged the State party to adopt a children's code, provide greater protection for refugee and migrant children, create a juvenile justice system in keeping with international regulations, and eliminate discriminatory measures that impeded freedom of religion on its territory, all subjects that needed clarification as to their progress.

31. He, too, was surprised that the delegation was headed by the Director of the National Human Rights Centre, which suggested that he spoke on behalf of the Government and that his agency was not, in fact, independent.

32. The CHAIRPERSON asked whether the ageing of the population was a matter of concern to the State party and whether it had taken natalist measures.

*The meeting was suspended at 11.15 a.m. and resumed at 11.35 a.m.*

33. Ms. NARBAEVA (Uzbekistan) said that NGOs had been closely involved in the preparation of the report. About 100 NGOs in Uzbekistan were working on

behalf of children and had formed a coalition, with technical assistance from UNICEF, which cooperated closely with the authorities, especially on the occasion of round tables organized for World Children's Day.

34. The Cabinet of Ministers, especially its social unit comprising the Ministries of Education, Health and Social Protection, coordinated implementation of the Convention. Each quarter the Cabinet of Ministers met to discuss implementation of the Convention and, since 2001, to discuss action to be taken on the Committee's concluding observations. Special attention was paid to girls, as attested to by the creation of the Women's Committee – supported by the State since 2004 under a presidential decree – and the work of the Ministry of Education on parity and the health and sexuality of girls in favour of girls' participation at all levels of society;

35. The National Statistical Committee was responsible for data collection. The lack of disaggregated data had been mentioned during consideration of the initial report, and Uzbekistan had drawn up and distributed, even among the *makhalla* communities, a list of indicators relating to the welfare of women and children, and was currently endeavouring, with UNICEF support, to develop a system of indicators for disaggregated statistics.

36. Social spending accounted for some 57 per cent of the State budget. There had been a considerable increase in allocations to crèches, infant schools and secondary education and to healthcare for children under two years of age. Family allowances were now paid up to a child's eighteenth birthday, and allowances for unemployed women with one or more children under two years of age and in charge of low-income households had been revised upwards. In the countryside deprived families with three or more children received warm clothing and school supplies every year, funded from the State budget. The year 2006 had been proclaimed Year of Social and Benevolent Action.

37. The provisions of the Convention were introduced to primary-school pupils. The Children's Parliament, established with UNICEF assistance, afforded an opportunity for a detailed review of international child protection standards and encouraged children, through various committees and a Children's Parliament spokesperson, to become involved. It was in that context that the Children's Parliament had discussed the serious problem of iodine deficiency in certain regions.

38. Respect for the elderly was one of the guiding principles of Uzbek society. Other cultures might see it as a form of pressure on the young. In any event, in cases of domestic violence the *makhallas* were alerted and intervened. In parallel, the State had set up free emergency telephone services, hotlines, in eight regions and the calls were answered by adults – members of the *makhalla* committees, teachers and other respected citizens.

39. Ms. LEE asked the delegation for additional information on the *makhalla* committees and their links to the executive branch.

40. Mr. SAIDOV (Uzbekistan) said that the *makhalla* was not an offshoot of the authorities but a local democratic organization. There were 10,000 of them in Uzbekistan and they dealt with all aspects of community life (marriages, funerals, community assistance to the population and vulnerable population groups). *Makhalla* members were volunteers, and their president, secretary and 8 to 15 counsellors were elected. The *makhalla* was an authentic school of popular

democracy and social self-management. Its functions had been expanded and it now paid benefits to children under two years of age and to poor families.

41. The Cabinet of Ministers coordinated the activities of the local communities. The decentralization under way granted certain prerogatives of the central power to the local administration, which, in turn, called on non-governmental organizations for help.

42. The share of the State budget allocated to health and education, two sectors currently being reformed, had increased over the years. The Government was endeavouring to enhance the quality and quantity of public health services, and the number of rural health posts had increased. The health system was now mixed, with the public and private sectors working side by side.

43. Domestic violence was first and foremost a mentality problem: the Western and Eastern views did not coincide. The fight against domestic violence was waged in an integral fashion via punitive laws (the Criminal Code and the Administrative Offences Code) that severely punished rape, forced sexual relations, debauchery, forced marriage or any person who prevented another from marrying.

44. Women's NGOs were increasing in number. Women's greater participation in social life was the best way of combating the phenomena of domestic violence and discrimination against women. Rehabilitation of victims was an important activity. Civil society institutions also had a role to play, as was already occurring in Samarkand, for example.

45. Pursuant to a recommendation of the Committee, Uzbekistan intended to pass a law bringing together all the provisions relating to protection of the rights of the child. Two projects were being prepared with the participation of UNICEF and national and international experts: the first was a draft law on the guarantees of the rights of the child, so-called "Children's Code", which Parliament was expected to adopt within the year; the second was a draft law on juvenile justice, which was being drawn up with the help of a renowned international expert.

46. In 2004, pursuant to a Committee recommendation, the Government had passed a new law on the Office of the Ombudsman, enlarging its powers and endowing it with regional offices. Each of Uzbekistan's 90 districts now had an ombudsman's representative. The idea of creating a post of children's ombudsman was still under consideration: there were those who thought it unnecessary since the existing Office of the Ombudsman could look after children's rights, while others, including the National Human Rights Centre, deemed it essential.

47. The mandate of the National Human Rights Centre, now in its tenth year, was, inter alia, to coordinate State action, especially accession to international instruments. The Centre prepared plans for implementation of the Convention in the economic, social and cultural fields and in connection with the fight against racial discrimination. Another of its functions was to prepare reports on implementation of the various international instruments to which Uzbekistan had acceded. The Centre also provided information by disseminating United Nations documents in the national languages. It had published seven human rights compilations, the Convention on the Rights of the Child (six editions) and reviews and books on human rights.

48. The Centre also undertook teaching. Special courses on human rights and the Constitution were provided in all schools and universities, and a pilot project to train human rights education specialists was under way.

49. The Centre maintained partnership links with United Nations bodies, various overseas foundations and a number of foreign embassies and treaty bodies.

50. Mr. KOTRANE asked whether a child could file a complaint of violation of her or his rights with the Centre and whether the latter was independent of the official authorities: for example, how independently could it follow up a complaint against police or prison administration personnel?

51. Mr. SAIDOV (Uzbekistan) said that the Office of the Ombudsman was responsible for receiving and examining such complaints but that the Centre also had a small unit for receiving complaints. It provided free legal aid and objectively studied the complaint, but it was the Office of the Ombudsman that was really in charge of follow-up. There was close cooperation between the Centre and the Ombudsman; the latter took the views of the Centre into account when preparing his report, and they held joint seminars.

52. The Andijan massacre had left a profound mark on Uzbekistan. The number of casualties varied from source to source. According to the official figures, 187 lives had been lost, but none of the dead had been children. The incident had been distorted in the foreign press but the on-site investigation by a British expert, Ms. Shirin Akiner, had confirmed that figure. There were also those who claimed that there were over one million refugees in Kyrgyzstan, while the Office of the United Nations High Commissioner for Refugees (UNHCR) put the figure at 440. Charges had been brought against a dozen or so State officials and some 100 terrorists, the latter having been trained in camps in Kyrgyzstan, as that country's Government had acknowledged. A parliamentary committee and an oversight group of eminent persons accredited to Tashkent had been formed to conduct an investigation. The Government was determined to take social, economic and political measures to prevent a recurrence of such a tragedy.

53. The 22-metre drop in the level of the Aral Sea in 25 years was a problem not only for Uzbekistan, but for the whole of Central Asia and the world at large. It affected the health of children, mothers and the rest of the population, which was why Uzbekistan had repeatedly brought the matter up in the United Nations and other international forums.

54. Uzbekistan was also faced with many external problems, such as the fight against terrorism, the civil war in Tajikistan, the armed conflict in Afghanistan and the fight against drug trafficking; 80 per cent of narcotics destined for Europe passed through the country, a situation that had worsened since the installation of the new regime in Afghanistan.

55. The country was also experiencing difficulties connected with the transition from a centralized to a market economy, but a commitment had been made to halve by 2015 the proportion (currently 27 per cent) of the population living below the poverty line.

56. Since access to information was a fundamental right, including a right of the child, Parliament was working on a series of laws relating to the media and intended to regulate censorship. The fact that 15 per cent of the country's inhabitants



regularly used the Internet made it important to protect children from harmful documents and material.

57. Ms. LEE asked for clarification on birth registration costs.

58. With reference to paragraph 116 of the report, she wished to know how parents managed to bring up and teach their disabled children at home; she regretted the lack of statistics on that group of children in the written replies. The delegation could perhaps provide information on measures and services for comprehensive social integration of such children.

59. She would appreciate information on whether the closure of the UNHCR facilities, at the Government's request, had affected the situation of refugee and asylum-seeking children in Uzbekistan.

60. It would also be useful to learn why Uzbekistan did not inventory cases of child victims of sexual exploitation, whether it intended to remedy that situation and whether the fact that no cases of ill-treatment of children had been recorded between 2003 and 2005 was due to data-collection problems or other factors.

61. Ms. AL-THANI, welcoming the establishment of new health centres in various regions, enquired how the State party envisaged making good the centres' shortfall of financial and human resources.

62. The State party was progressively moving towards the criteria of definition of live births recommended by WHO, which was a good thing, but caution was needed when making comparisons with data based on other criteria. However, a 15 per mille mortality rate among infants under one year old was too high. Since child morbidity and mortality rates appeared to be attributable in part to accidents, the figures should be broken down into domestic accidents, traffic accidents and so on, and indications should be given of the measures the State was taking to prevent such accidents, especially those that occurred during the cotton harvest.

63. The proportion of children aged six months and over being breastfed (90 per cent) was impressive and made one wonder what impact it had on malnutrition. The delegation could perhaps also say whether measures existed to prevent transmissible diseases – still fairly prevalent – and on special health services for adolescents.

64. She would like more information on mental health and what was being done to halt the increase in the number of HIV/AIDS sufferers. The growing number of young drug addicts was disturbing. It would be helpful to know what steps were being taken to combat that scourge, to protect young people and to encourage them to use single-use syringes.

65. Environmental issues and their impact on health were another subject of concern. She would be interested to learn what measures were being taken to prevent pollution of drinking water, a problem that affected certain regions.

66. The CHAIRPERSON expressed surprise that half the cases of mental illness and behaviour disorders registered between 2003 and 2005 were of children under 18 years of age.

67. Mr. SIDDIQUI observed that nothing had been said about extreme poverty and special anti-poverty measures for children.

68. Mr. KRAPPMANN, noting that the enrolment rate in preschool establishments was only 50 per cent, asked whether there were places for all the children concerned, whether the State party planned to make one year of pre-primary education compulsory and whether preschool education was free. The enrolment statistics did not appear to be very reliable and could perhaps be clarified.

69. He would also like the delegation to explain how the problem of schools in remote regions and not accessible on foot was addressed and whether compulsory education was free for all children, including refugee children, and at all levels.

70. It would be helpful if the State party, which had declared its readiness to change teaching methods – insufficiently focused on the child and interactivity – could indicate how it intended to address the problem, what measures were taken to guarantee continuing teacher training, whether it planned to reform all school curricula and what human rights education was offered in primary and secondary schools.

71. He would also like to learn more about vocational training. The available statistics pointed to a great many adolescents leaving the school system without any vocational skills and finding themselves without work. Could the delegation explain what was being done for those young people, by whom, and how they were looked after?

72. Ms. OUEDRAOGO, referring to paragraphs 124 and 125 of the report, asked what the State was doing to improve the fate of “abandoned homeless children” supported by their relatives, and children who found themselves vagrants on the streets because their parents had been deprived of their parental authority. It would be interesting to know why nothing was done to strengthen families’ capacity to care for them at home and why the root cause of children’s withdrawal from their families was not addressed, which would be more in keeping with the best interests of the child.

73. Despite the Committee’s earlier recommendations, scant progress had been made in the fight against sexual exploitation of children and child trafficking. While the legislative and other provisions for suppressing such actions were currently being revised, it would be useful to have more details on the process and its scope, especially on the planned establishment of a special criminal police unit.

74. The delegation could perhaps indicate the measures taken to help victims of sexual exploitation and trafficking and to punish the perpetrators, as well as measures for combating child prostitution, which was increasing apace.

75. She would also like more details on the measures taken by the State party to limit the consequences on its territory – population displacement, security – of the civil wars being waged in border countries.

76. Ms. ORTIZ asked what type of professional intervened to help families in situations of crisis. She would also like to know what role the Ombudsman played in the child de-institutionalization process, how one could avoid deprivation of parental authority and whether that decision was judicial and permanent or temporary.

77. She would also like to know whether the decision to place a child in an institution was a judicial or administrative one. Such placements should be a measure of last resort in view of the consequences for the child and for society, in

which the child felt inadequate, hence the high number of adolescents in conflict with the law. Could the delegation perhaps shed light on the property rights of children in institutions and whether there were any mechanisms for protecting those rights?

78. The delegation could perhaps explain what exactly was covered by the notion of adoption in Uzbekistan, how other childcare measures worked and how adopted children could discover their origins.

*The meeting rose at 1.05 p.m.*