

Country Study: Uzbekistan

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In the eight years since the independence of Uzbekistan, the foundations for the basic institutions of a parliamentary democracy have been laid. Now these institutions need to be strengthened and assisted to function effectively and efficiently. The legal framework inherited from the time before Uzbekistan's independence is being gradually adjusted to the needs of the new situation.

It is manifest, moreover, that a growing number of international observers are beginning to respond to Uzbekistan's unique situation and needs with greater understanding. Being the country of the Soviet totalitarian past, Uzbekistan still experiences some human rights problems, e.g., the judiciary is not fully independent, is corrupt and lacks public confidence; there is a shortage of a culture of rights and constitutionalism, the government officials are sometimes intolerant towards the mass media and independent human rights NGOs.

In order to overcome these problems, Uzbek Government, Parliament and civil society have come to an unwritten consensus concerning the steps to be made in this direction. They comprises the implementation of international human rights standards into the Uzbek Law, development of national human rights institutions and NGO framework, rising of human rights awareness, etc. The latter is highly important, as it has become apparent, that certain types of "human rights abuses" are not due to the Government's conscious intention to oppress its citizens and repress civil society, but rather to weak institutions of governance and justice, to the shortage of administrative and legal know-how and the lack of experience with democratic practices and institutions.

1. Legislative and institutional framework for human rights.

1.1. Implementation of the main UN human rights instruments and inclusion of human rights principles in the national Constitution and legislation.

The country has acceded to several international treaties, thus marking its intention to move towards the assumption of its responsibilities as a sovereign state and member of the international community. Uzbekistan acceded to the six major UN human rights instruments and more than forty human rights-related international conventions. The process of ratification of international treaties is progressing, given the present capacity of the responsible government agencies, and is being followed by the adoption of domestic legislation as required by those treaties.

The most important UN instruments ratified by Uzbekistan are as follows:

1. International Covenant on Civil and Political Rights
2. International Covenant on Economic, Social and Cultural Rights;
3. Convention on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
4. International Convention on the Elimination of All Forms of Discrimination;
5. Convention on the Elimination of all Forms of Discrimination against Women;
6. Convention on the Rights of the Child.

Uzbekistan ratified several key **ILO** human rights conventions, e.g.:

1. Convention (100) concerning Equal Remuneration for Men and Women Workers for Work for Equal Value;
2. Convention (103) on the Protection of Maternity;
3. Convention (111) concerning Discrimination in Respect of Employment and Occupation etc.

All these international instruments have become part and parcel of the national legislation of Uzbekistan. Human rights were emphasized as a priority value in the Constitution of Uzbekistan adopted in December 1992.

The Constitution of the Republic of Uzbekistan guarantees to everybody the right for freedom and personal immunity, presumption of not guilty, being protected against encroachments towards human honor and dignity, intervention into private affairs, and inviolability. According to the Constitution, nobody shall be subject of torture, violence, other form of a cruel treatment damaging personality's dignity. Provisions of the Criminal Code, as well as of the Criminal and Penal Proceedings and Administrative legislation are based on the principles of the international law seeking to create a system of protection of the personality's rights against criminal encroachments. In August 1998 at the parliamentary session five amendments abolishing capital punishment provisions were introduced into several clauses of the Criminal Code:

Clause 119. The forced satisfaction of the sex requirement in the unnatural form;

Clause 152. The violation of laws and customs of war;

Clause 158. The encroachment upon the President of the Republic of Uzbekistan;

Clause 160. The espionage, etc.

The Constitution is purely formal list, since each article or regulation is written with regard of its implementation within the standing legislation. Therefore a number of principal laws were adopted after the adoption of the Constitution of Uzbekistan: Civil Code, Civil Procedural Code, Criminal Code, Criminal Procedural Code, Administrative Infringement Code etc. The legislation of Uzbekistan determined by the Constitution includes more than 100 laws on the main political, economic and cultural rights.

1.2. National human rights institutes.

To implement the recommendations of the 1993 Vienna Declaration and Plan of Action, a system of national human rights institutions has been established in the Republic of Uzbekistan: the National Human Rights Centre, the Authorized Person of the Oliy Majlis (the Uzbek Parliament) on Human Rights (Ombudsman) and the Current Legislation Monitoring Institute.

National Human Rights Centre (NHRC) was established by the Decree of the President of Uzbekistan of October 31, 1996. It is an executive agency for co-ordination of all activities of the governmental institutions in the field of human rights. The main functions of the Centre are as follows.

1. dissemination of information on human rights and promotion of human rights education;
2. co-operation with all foreign and international human rights institution and organizations concerned;
3. research and analysis of the human rights situation within the country;

4. investigation of complaints received (in co-operation with the Ombudsman Office).

The dissemination of information on human rights and promotion of human rights education is the main NHRC's priority. In this context, The NHRC has undertaken the following publishing initiatives:

1. A special illustrated booklet for children on the Universal Declaration of Human Rights was published by the NHRC in 130.000 copies (100000 in Uzbek and 30000 in Russian). The book was disseminated also among the deputies of the Oliy Majlis.
2. A series of nine posters containing and illustrating the texts of the most important human rights treaties was printed and disseminated free of charge to schools, universities and government agencies in all provinces of Uzbekistan.
3. The NHRC developed and issued 12 pocket books explaining the basic principles of the Universal Declaration of Human Rights and other international human rights treaties. Two of these books, the "*Programme of National Activities on Human Rights*" and the "*Democratization, Human Rights and Governance in Uzbekistan*", were distributed to the deputies of the Oliy Majlis (Parliament).
4. *The Bulletin of the National Human Rights Centre* has been issued monthly since May 1998 in English and Russian. Moreover, the quarterly journal "*Democratization and Human Rights*" has been published since August 1999.
5. Many of the publications of the NHRC were disseminated at the regional conference "Human Rights for Human Development" that took place from the 2nd to the 4th of September, 1998 in Yalta.

As since 1997 special human rights course was introduced in all secondary schools and universities, several training activities for the resource persons were held in August and October 1997 in Tashkent. The other two conferences on human rights education are scheduled for late August 1998 as a part of national activities devoted to the celebration of the 50th anniversary of the Universal Declaration on Human Rights. In addition, as it was mentioned before, more than 30 training seminars for different target groups, were held by the National Human Rights Centre within the projects with UNDP and ODIHR/OSCE. Within the UN Human Rights Education Decade the special Program on Increase of the Legal Culture Level was adopted by the Parliament of Uzbekistan.

The Authorized Person for Human Rights (Ombudsman) Office was introduced at the First Session of Oliy Majlis (Parliament) by the initiative of the President of the Republic of Uzbekistan in order to strengthen the guarantees to observe the constitutional rights and freedoms of citizens of the Republic of Uzbekistan. By the Decree of the Oliy Majlis dated 6 May 1995 the Commission on Observation of Constitutional Rights and freedoms of citizens was established. The activities of the Ombudsman are regulated by the Law on the Authorized Person of the Oliy Majlis for Human Rights (Ombudsman) (April 25, 1997).

The Authorized Person has the mandate to investigate complaints and draft recommendations in cases of human rights violations. In 1997, the Authorized Person received 2319 complaints, mainly from the city of Tashkent and the regions of Samarkand, Tashkent and Ferghana. The complaints were related to the judiciary and to law-enforcement officials, to violations of rights related to labor and housing issues. Within 1997, the Authorized Person issued 12 recommendations for different judicial and law-enforcement bodies.

In 1998, 2875 applications were received from citizens of Uzbekistan by the Authorized Person of Oliy Majlis on Human Rights and were considered under the effective legislation.

Of this number, 1305 were posted to the Ombudsman's Office, 1570 were submitted in the course of reception; 240 applicants were given verbal consultations and explanations. There has been a significant increase of complaints and appeals for the reported period, as comparing to 1997. There also has been the follow-up to every third application, which showed obvious violations of rights and freedoms (820 applications in total). Of 820 applications, positive solutions were found for 205 ones as at 1 January 1999.

Institute of Monitoring of the Current Legislation under the Oliy Majlis was established by the decree of Kengash of Oliy Majlis of December 3, 1996. It is a state agency established with the purpose to bring the legislation of Uzbekistan in conformity with international standards, monitoring and control of observing legal norms in the sphere of human rights. It also design proposals to improve the legislative machinery, conduct analytic evaluation and expertise of draft laws, supervise the implementation of international human right standards into national legislation etc.

Thus, the institutional framework for human rights has been set in Uzbekistan prior to other Central Asian countries. It also includes **the Co-ordination Council** of the law-enforcement bodies' activity on protection of human rights, which was established in 1996. Heads and officials of the law enforcement agencies, as well as of Customs, Tax, Court bodies together with representatives national institutions of human rights and non-governmental organizations take part at the Co-ordination Meeting, which is arranged by a permanent secretariat. The Co-ordination Meetings' agenda includes issues related to ensuring constitutional rights of the citizens under criminal investigation, consumers' rights protection, ensuring the right of convicted persons to qualified medical help and other rights of the convicted persons, conditions of their keeping in the penitentiary system establishments.

The establishment of national institutions for human rights protection and promotion, undertaken by Uzbekistan since its independence, is an important sign of democratic reform. The purpose of the national human rights institutions now is to become more independent and effective, and more dealing with human rights monitoring and reporting.

1.3. Human rights and judiciary.

The core of the legal reform in Uzbekistan was the revival of the judiciary as an independent branch of power. It consists of the Constitutional Court (established in 1996), the Supreme Court, the Supreme Economic Court and regional, city and district civil and military courts.

According to Art. 112 of the Uzbek Constitution, "Judges are independent and subject solely to law. Any interference into the judges mandatory activities is inadmissible and punishable by law. The immunity of judges is guaranteed by law... Judges may not belong to any political parties or movements, nor hold any other paid posts".

In 1998 the Constitutional Court Training Program, attached to the Memorandum of understanding of 17.10.97 between ODIHR.OSCE and the Government of Uzbekistan was successfully carried out. The judges of the Court underwent the training in Paris (January 1998) and the French experts on Constitutional judiciary held in-site training in the cities of Tashkent and Nukus in April 1998. In 1998 the staff of the Court was completely manned: at the session of the Parliament of Uzbekistan two judges of the Constitutional Court were elected.

The main problem of the judiciary in Uzbekistan is its insufficient independence from executive branch of power. The trials are sometimes influenced by investigators and especially prosecutors (in Uzbekistan it is not a judge, but a prosecutor who signs the order for arrest). Judges also have limited terms of office, low salary and usually are overloaded with amount of cases.

According to the information of the Supreme Court in 1998 only one third of law-enforcement officers (19 officers) were punished for the compulsion to bear witness and illegal detention, while 55 officers accused in the same crimes were rehabilitated or set free by the courts. In comparison with the official information of the Prosecutor's Office these figures do not reflect the real situation with the arbitrary/illegal detentions. The statistics indicates 76 illegal detentions in Uzbekistan in 1992, 52 in 1993, 38 in 1994, 45 in 1995 and 20 in 1995¹. There is a reason to be afraid that the real figures are higher.

Another issue existed in the sphere of judiciary were clearly identified in the Act of the Plenary Meeting of the Supreme Court of 14 May 1999: "There are a lot of cases of sentencing people for imprisonment for non-serious crimes, women, miners... In violation of the law, the judges very often even do not take into consideration the alternative sanctions, fines, home arrests, labor penalty"².

Court should take an important place concerning the matters of guaranteeing and protecting of human rights. Being one of the branches of power judiciary in Uzbekistan protects legal rights and interests of citizens. Worth reminding that in times of the former USSR judiciary was a persecuting organ. Now courts gradually turn to the institutes of protection of rights and liberties of the citizens of the Republic of Uzbekistan. According to our Constitution every individual is able to defend his/her rights and freedoms in court, to refer with claims directly in a court, not to any other law-enforcement agency as prosecutor's office or police.

2. Human rights and non-governmental sector (NGO, civil society, trade unions and media).

2.1. NGO and civil society development.

The Government of Uzbekistan has permitted the opening of both national and international Human Rights NGOs: Human Rights Watch opened an office in July 1996, and a local human rights NGO, the Committee on Individual Rights, was registered in June 1996. Additionally, specialized local groups, such as the Bar Association, Association of Judges, Foundation for the Democratization of the Mass Media and Legal Aid Society have been formed and becoming active. Special attention is paid to 'makhallyas' (local neighborhoods) as traditional instruments of democratic self-governance. There are at the moment a lot of women's NGOs operating in Uzbekistan. They include: The Businesswomen's Association, the Legal Centre Himoya, the Women's Resource Centre the Women in Leadership NGO, etc. In addition, within the structure of the Women's Committee of Uzbekistan, there are a number of associations, including the Association of Women Scientists Olima, the Association Women and Ecology, the Association of Creative Women and the Association of Business and Economist Women

¹ National Report of the Republic of Uzbekistan on the Convention against torture. Tashkent, 1999 (in Russian).

² In the Name of Law. Bulletin of the Supreme Court of the Republic of Uzbekistan. 2(42), 1999, p.60 (in Russian).

and the Association of Women Lawyers.

Recent statements made by the Uzbek president underline the importance he gives to the development of a civil society in Uzbekistan. Thus, in a speech during the 14th session of the Oliy Majlis, president Islam Karimov strongly advocated the development of a vibrant civil society:

“One should especially emphasize the growing role of the non-governmental and communal entities in the social life. Only for the previous five years the number of the communal entities and NGOs in the country has increased for more than 1,500 and nowadays totals about 2,300. They express different facets of public opinion, and actively influence upon the growth of the public self-consciousness as well. (...)”

The legally established communal and non-governmental organizations should not turn into philanthropic institutions *par excellence*. I do not argue, that it really is an important aspect of the communal/NGO entities, but not the most important one. What really must matter in their activities, that is protection of democratic values, human rights, freedoms and legal interests.

The developed net of non-governmental and communal organizations is supposed to guarantee and maintain the balance of interests in the society, and to serve as a counterbalance to the governmental institutes in the political and social spheres”.

Islam Karimov. “Uzbekistan Rushing into the XXI Century”. The Report at the 14th Session of Oliy Majlis, April 14 1999.

The National Human Rights Center of Uzbekistan (NHRC) and the parliamentary Current Legislation Monitoring Institute in cooperation with USAID, its Global Training for Development Project, Counterpart Consortium and ICNL held six seminars in Ferghana, Kokand, Samarkand, Bukhara, Nukus and Tashkent in the beginning of this year. As a result of the seminars, it was recommended to set up a working group for the drafting of the new NGO law.

Since December 1997 seven meetings have been held (Tashkent, Chirchik, Gulistan, Jizak, Nukus) within the framework of the project on “Government - NGO Communication”, part of the Memorandum of Understanding between ODIHR/OSCE and Uzbek Government. During the 12th Session of the Oliy Majlis, from August 28th – 29th, 1998, the President of Uzbekistan, Islam Karimov, emphasized the necessity of the development of a civil society and of non-governmental organizations. The Uzbek government confirmed its readiness to promote the development of a civil society and gave impetus to drafting of NGO legislation.

On September 18th, 1998 the current NGO legislation was discussed at the meeting of governmental, non-governmental and international organizations which took place at the NHRC. Two seminars on “The Role of NGOs in Human Rights Protection” were held on November 17th and 19th respectively in Tashkent and Karshi. The discussion and recommendations resulting from these two seminars as well as from the previous ones have been taking into consideration when drafting of the NGO Law. As the result, a legislative framework intended to regulate the registration and operation of public, non-governmental organizations was adopted.

However, there are still a lot of fund rising and taxation issues faced by NGOs. About half of NGOs are dependable on foreign grants, as the existing system of taxation does not allow them to be self-sufficient. NGO activists often express sever criticism in regard to the handling of the official registration by the Ministry of Justice, the excessively long duration of the registration process and the ungrounded denial of official registration. NGOs should attract more young people for volunteer work and be more active in informing the public about their existence and activities.

2.2. Human rights and mass media.

Human rights and media relationship in Uzbekistan is setback system.

On the one hand, human rights standards were implemented into the national mass media legislation. This legislation framework covers the main instruments as follows:

- Law on protection of professional activity of a journalist;
- Law on freedom of access to information (both adopted in April 1997);
- Law on mass media (adopted in December 1997).

The basic human rights principles, first of all, freedom of expression, were reflected in such provisions as prohibition of any censorship, journalistic investigation, freedom of access to information etc.

On the other hand, mass media becomes a tool for raising human rights awareness. A lot of materials on human rights are published, broadcast and televised weekly. Articles on human rights matters are often published in such national newspapers as “Halk sozi” (“People’s word”), “Hurriyat” (“Independence”), “Toshkent okshomi”, a Tashkent city newspaper. Since May 1998 National Human Rights Centre started publishing its monthly newsletter informing about main Centre’s activities.

There are as many as 490 newspapers (348 governmental, 62 public/communal, 41 commercial) and 138 journals being published in Uzbekistan. “Pravda Vostoca” and “Business Vestnic Vostoka” newspapers have established legal service and consultancies of their own. Party press, “Uzbekiston Ovozi”, “Vatan” and “Milliy Tiklanish” newspapers are quite active in holding journalistic investigations.

Nevertheless, mass media still remains the less advanced chain in human rights framework in Uzbekistan. The diversity of media is very low, because of the economic difficulties of transitional period. Therefore, the only dynamically developed area of media is business press and commercial TV channels. They deal *par excellence* with protection of businessmen’s rights.

Very few critical articles on human rights are published; the self-censorship deteriorated by low professional skills is felt when reading some local newspapers. One possible way to overcome such a situation is a higher evolvement of Uzbek media in human rights monitoring and exposure of human rights violations.

To settle the above problems several steps have been taken. E.g., the International Journalist’ Training Centre was co-founded in 1997 by the Academy of State and Social Construction, Foundation for Democratization of Press and Support to Journalists, “Kamolot” Youth Foundation and Konrad Adenauer Foundation. The Centre provides training for media officials, press secretaries of khokimiats (local authorities), ministries and agencies. Along

with legal issues related to media, it also deals with the issues of development of free press. As a result, several new programs have been introduced on Uzbek State TV Company, such as “Society and Religion”, “Political Situation” etc.

2.3. Labor rights protection. Trade Unions.

The labor standards and rights are guaranteed by the new Labor Code of 1996. The minimum age of employment is sixteen. Employment of minors of fourteen for easy jobs after classes is permissible with written agreement of the parents or trustee only.

Normal working week is 40 working hours per week, for employees between sixteen and eighteen is 36 hours, for employees under sixteen is no more than 24 hours with the same salary as for the adult employees. The usage of under-18-year employees’ labor is prohibited at the unhealthy labor conditions narrated in the special list. After the adoption of the list only at the second half of 1996 the number of juvenile employee decreased twofold. Since 1996 the Sanitary standards of maximum permissible weights to be carried by juvenile workers. The weight taken and/or moved by 16-18 year workers must not exceed 13 kilos for male and 7 kilos for female employees. The same indicator for women has been decreased from 15 to 9 kilos and the summary weight per 1 shift decreased from 7000 to 2500 kilos.

The level of unemployment in Uzbekistan is not higher than in developed countries: it averaged 9.8 per cent (11 among men and 8 among women). Special regional job creation programs for the rural population were drawn. They consist of a package of measures for introducing new types of jobs, involving rural population in work in neighboring urban enterprises.

Nowadays as many as 7,3 million people are involved in trade union movement in Uzbekistan, having about 66.000 primal unions. Besides the branch unions, the Federation Trade Unions consists of both branch and regional (12 unions) and one city association of trade unions. The supreme body is the congress held once every five years.

The trade union framework has not been seriously changed since early nineties. It is determined by the strong policy of protection of low-income people and sufficiently low rate of unemployment. On the other hand, soviet-like mentality multiplied with traditional “master-client” relations model still predominates, especially in rural areas.

Nevertheless, some changes are visible in this sphere as well. It is trade union movement in Uzbekistan, where the process of promotion of women is indicated. The Chairperson of the Federation, chairpersons of the half of regional and branch unions are women. The governmental Program of Action on the Year of Women of 18 February 1999 urges to promote women for trade union leaders, training of female staff and leadership of trade unions.

3. Women’s and children’s rights and gender equality.

3.1. Protection of the women and children as most vulnerable strata.

Protection of children's rights is one of the focal points of the governmental strategy in Uzbekistan. The report shows main trends of the observing of children's rights in Uzbekistan. A lot of attention is paid to the rights and duties of parents, members of extended families and communities in taking care of and educating their children in accordance with the Convention on the rights of the child.

Parents' rights are regulated by the Family Code and the Civil Code of Uzbekistan. The Family Code foresees responsibilities of parents for complete development of children, training them in the spirit of respect to the society. In makhallas (local communities) special meetings are held where parents are given explanations about their duties to look after their children's health, behavior and study. Moreover, upbringing and looking after the are controlled by commissions for affairs of under-aged under local khokimiyats (local authorities) being able to raise the matter of depriving of parenthood in case of non-fulfillment of parents' duties.

Legislation provides restraints in punishment being imposed on women and minors, alongside with more liberal conditions for imprisoned women and minors, and special procedures to investigate crimes committed by minors. For instance, women and minors cannot be convicted to death sentence. For similar crime perpetrated by males, females and minors are subject to less severe punishment. Responsibility for inducing minors to perform antisocial behavior has become more severe. The Criminal Code contains a special provision protecting children against all forms of sexual exploitation and abuse. Right to have immediate access to legal assistance has been granted to the minors. Participation of a barrister in proceedings related to a suspect and defendant being a minor, starting from the very first one, is compulsory. Under amnesty acts of 07.08.96 and 3.12.97 all women and minors were set free, except those which had committed grave crimes.

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Of course, the governmental actions are far to be sufficient for providing necessary care for children. The development of such NGOs as "Kamalot", "Umid", "Soglom avlod uchun" ("For healthy generation") is the contribution for protection of children.

Uzbekistan joined the Convention on the rights of a child and in 1997 the National Report on the implementation of the Convention was prepared. More than 25 governmental and non-governmental organizations contributed in the preparation of the Report. Special emphasis in the Report was made on the implementation of UNICEF and ILO instruments on conditions of children labor and education.

3.2. Promotion of gender equality.

Uzbekistan, as all new democracies, is undergoing a difficult period of economic and social

readjustment which is having a major impact on women. Existing trends point in the direction of increasing female unemployment as a result of the contraction of the state sector, a decrease in women's political representation, substantial loss of benefits in the areas of maternity and child care and an increase in women's burden as a result of the deterioration of some public services, especially in the health sector.

Women constitute 44% of the total labor force of Uzbekistan, and 59% of the unemployed registered at the labor exchanges of the republic. They work mainly in education (64,3% of the total number of employees) in health, physical training and social protection (74,5%) and culture (52,1%), in addition to light industry, services and trade. There are 10% of those employed by the private sector and 0.1% of new entrepreneur. According to the National Report in preparation for Beijing, the proportion of women in high level managers is only 17.5% of the total number. They represent a small but fast growing share of middle level managers in the private sector, yet at the same time, women's share of manual labor is more than men in agriculture (especially cotton-picking, which is done mostly by hand).

Women are clearly the most disadvantaged and vulnerable population. Uzbekistan has a high infant mortality rate, a national average of 26 per 1000 live births, and high birth rate, making 40 per cent of the population under the age of 15. An important change in the transition period is an annual increase in the number of single mothers, and the number of divorces which is increasing at twice the rate of family growth rate, according to the National Report. This factor will lead to increase poverty among women.

Women represent 51% of the population of Uzbekistan and constitute 47% of the total labor force in the country. The Constitution and laws provide for equality off women in the most spheres of life, including employment, political activity and social relations. Unfortunately, these legal guarantees are not reflected in reality, because women are not sufficiently aware of their rights, they are reluctant to insist upon their rights, and the mechanisms of enforcement are inadequate.

The Government of Uzbekistan has become increasingly concerned about the deterioration in the status of women. Therefore, in December 1998 the President announced a 30% quota for women at the parliamentary elections in 1999. The year of 1999 is proclaimed as the Year of Women.

Women's affairs in Uzbekistan is overseen by the Department of the Protection of Women and the Family within the Cabinet of Ministers, and by the Women's Committee which is headed by the Deputy Prime Minister.

The Government of Uzbekistan has committed itself to the implementation of the Beijing Platform of Action, and to the CEDAW which it ratified in 1996, but for the realisation of these task there is a real need to foster gender sensitivity and to stress the importance of gender mainstreaming into the national policy and programs. There is also a need to develop a mechanism for the implementation of the National Platform for Uzbekistan through a consultative process involving various ministries and women's associations.

In order to implement Article 2 of the Universal Declaration of Human Rights which guarantees the equality of all human beings without distinction of sex, the GOU has been holding several events on gender equality development.

1. 1998 was proclaimed as the 'Year of the Family' by the president of Uzbekistan. The majority of the events taking place in the light of the 'Year of the Family' is aimed at raising the social and economic position of women in family and society.
2. The government of Uzbekistan approved the National Program on the Beijing platform, the first document aimed at implementing gender equality in the republic.
3. The Women's committee and the National Centre for Human Rights held 13 seminars on the subject "Women and law" in all provinces of Uzbekistan. In total, approximately 3000 representatives of governmental and non-governmental women's organizations took part in these events.
4. The regional conference "Women's role in public life" was held within the Memorandum on Mutual Understanding between the GOU and ODIHR/ OSCE: the conference was organized by ODIHR/OSCE in cooperation with the GOU and the UN Regional Gender Program on June 16-18, 1998. More than 60 representatives of governmental and non-governmental organizations as well as the mass-media participated in the conference. Delegations from Uzbekistan, Tadjikistan, Kyrgyzstan, Kazakhstan, Turkmenistan, Azerbaidjan and Turkey informed the participants about the provisions of their national plans related to the implementation of the Beijing platform.

The GID Unit of Uzbekistan was set up in October 1997 within a political and economic context of transition from state socialism and command economy towards democracy and instauration of civil society and market directed economy.

The Government's approach towards development is centered on developing the human potential of the country and undertaking gradual steps towards a new economy and social system.

One can also point out favorable legal context; according to the article 46 of the Constitution of the Republic of Uzbekistan both women and men have equal rights. Moreover, Article 18 states that all Uzbek citizens enjoy the same rights and freedoms and they are equal in front of Law regardless of their sex, race, nationality, language, religion, social origin, convictions, personal social status. Article 65 item 2 also states that maternity and childhood are protected by the state.

There is a recognized need to improve these recently acquired skills, as well as the skills concerning the day to day implementation aspects of the project, and maximum use of the acquired resources.

The UNDP sponsored GID Unit was established within the auspices of the Republican Women's Committee headed by the Deputy Prime Minister of Uzbekistan. The premises of the GID Unit were separate from the Women's Committee in order to facilitate a more transparent network among NGOs and Government agencies, as well as international organizations. The GID Unit housed a Resource Center, a Training Center as well as a separate room operating as an office. The Government provided the GID Unit with the premises needed to run the Project.

Facing the problems of transition with greater gender equity and addressing the empowerment of women in society requires mobilization and social action at all levels of society. Women's

NGOs need to be mobilized and their capacity strengthened to carry out advocacy work for women's empowerment and to become development organizations by designing, implementing and monitoring projects.

4. International cooperation for human rights.

Since 1995, two UNDP sponsored missions (July 1995 and February 1996) have stated that real, though cautious progress, has been made in the areas of democratization, human rights and governance. The conclusions drawn by the mission were as follows: some democratic institutions for the practical implementation of human rights have been established, the most important international instruments were ratified, civil society is developing. In the opinion of the UNDP experts, the main problem is a shortage of legal information, a lack of knowledge about international standards and practices, a lack of experience of how legal institutions function abroad, as well as inefficiency concerning the implementation and enforcement of laws.

In conditions of social and economic transformation, the process of human rights protection and promotion should be viewed as a long term one, which takes into account many cultural, economic and social considerations. One must not compromise reality by striving too quickly to achieve perceived ideals, but act at a realistic pace as the first step in a progressive strategy to achieve full adherence to the universal human rights principles. Considering this fact, one may understand why Phase I of the UNDP Human Rights Project in the country concentrated on governmental and semi-governmental institution building, on intensive training of law enforcement officials and on infrastructure and information network building in the human rights field.

On July 12th, 1997 the United National Development Programme and the Government of Uzbekistan signed the project document on "Democratization, Human Rights and Governance in Uzbekistan". The project has been giving technical assistance to the National Human Rights Centre (NHRC): a conference hall was established at the center in order to create a focal point for human rights training and information. The public library is in the process of accumulating books, journals and training materials. Computers and office equipment have already been provided for the information network at the center that sets up a computer link between itself, the Ombudsman office and the Bar Association. In this context, the human rights web site "Human Rights in Uzbekistan", containing various information on national and international human rights organizations, institutions and documents, has been created.

The Law on Ombudsman was drafted with the assistance of the UN expert Mr. Dean Gottehrer. The Ombudsman office was established and is being provided with technical assistance by the project, including the purchase of computers and electronic network equipment. The electronic network has been established and Ombudsman web site has been created and is being updated. Besides, three members of the Ombudsman's Office participated in study tour to Holland and Sweden in January 1999.

Training activities were conducted in the field of human rights. Two national conferences and 28 seminars were held in Tashkent, Marghilan, Navoi, Bukhara, Samarkand, Fergana, Urgench, Namangan, Termez and Nukus, involving various national and international experts. Overall, the training activities were attended by more than 1800 persons representing law enforcement agencies, NGO's and other institutions. Moreover, eight representatives of

various national human rights institutions underwent training at the Training Center of the International Labor Organization in Turin, Italy and visited the Office of High Commissioner for Human Rights in Geneva, Switzerland.

A Legal Aid Society was established to which provides those unable to pay legal fees with legal advice, assistance and representation. The society has the status of an independent non-governmental organization.

The Memorandum of Understanding between the Uzbek Government and ODIHR/OSCE was signed in October 1997. It was attached by 10 different projects on the Government-NGOs co-operation, free elections, women's rights, co-operation with National Human Rights Centre and the Ombudsman's Office, training for the Judges of the Constitutional Court etc. All the projects were successfully implemented which followed by the signing of the new communiqué between the Uzbek Government and ODIHR/OSCE in May, 1999.

Phase I of the project "*Capacity Building of the Gender in Development Unit in Uzbekistan*" was designed to support the activities of the UNDP sponsored GID Unit of the Republic of Uzbekistan. It helped to build the institutional capacity of the GID Unit to act as a policy co-ordination and information unit of gender activities in the country and be a center for training and retraining for women in preparation for new opportunities. The project puts the Republic of Uzbekistan in line with all the other countries, which committed to endorse a National Platform of Action as a follow-up to the Beijing Conference.

Recognizing the special challenges of women created by the transition, UNDP initiated the creation of a Women in Development Bureau as part of its WID Project with funds from an RBEC Regional Project RER/94/010. The Bureau was set up at the UNDP Office in Uzbekistan on May 1, 1995. During its initial two years, the WID Bureau held two Sub-Regional Meetings for women in Central Asia, one being a preparatory Meeting for the Fourth World Conference for Women in Beijing with the support of UNESCO, and the other on Networking and Information Exchanges with the assistance of ESCAP. The WID Bureau also sponsored an analysis of gender statistics conducted by an international consultants, and in October 1996, a legal review of the law and practices on equal protection in the Republic of Uzbekistan. An international consultant made a number of recommendations on the implementation of gender laws, which the GID Unit has followed up with during the phase I of this Project. The WID Bureau held a Gender Mainstreaming Workshop for the staff of the UN in Uzbekistan, and another one for national counterparts from various ministries, government agencies and NGOs.

In March 1997, the WID Bureau was officially relocated to the Women's Committee of Uzbekistan and re-entitled the GID Unit. An interim GID Unit Director was appointed, and paid for with funds from an Umbrella Project in anticipation of the start of this Project.

UNDP Uzbekistan was also one of the countries which participated in a GIDP/BPPS Baseline Survey of Gender Mainstreaming Practices in April 1996. A consultant assessed the situation and made some recommendations, including mainstreaming gender in UNDP Projects, organizing coordinating meetings, conducting a situation analysis of women and, in particular, actively following up on efforts to open a GID Unit as a coordinating body on gender activities in the country.

UNDP and UNFPA have together developed and are implementing a Pilot Project in income

generation and family planning among local communities in Surkhandarya and Kashkadarya, namely in Karshi and Termez.

A number of other donors are also involved in gender activities in Uzbekistan. USAID is funding a number of international organizations which promote private enterprise development, including among women, such as the Central Asian-American Enterprise Fund, and Winrock International which specializes in supporting private farmers and agribusiness, many of which involve women. Counterpart Consortium, Eurasia Foundation and ISAR, funded by USAID, support the citizens' participation in political and economic decision making by building the capacity of NGOs. The American Bar Association is supporting the improvement of the quality of legislation by reviewing and commenting on draft laws and providing relevant training, although gender laws are not targeted per se.

It goes without saying, that the progress in the promotion and protection of human rights in Uzbekistan, as a country in transition, would be very difficult without the international assistance received by Uzbekistan recently, first of all, from UNDP, UNHCR and OSCE/ODIHR.

But it is also necessary to underline that the human rights protecting system development concept must be targeted not only at diversified activities with participation of as many people as possible, usage of sophisticated equipment, involvement of best consultants and world wide experience. It should also try to achieve basic changes in people's thinking and attitudes.