Child Rights References in the Universal Periodic Review

Summary:
A compilation of extracts featuring child-rights issues from the reports submitted to the first Universal Periodic Review. There are extracts from the 'National Report', the 'Compilation of UN Information' and the 'Summary of Stakeholder's Information'. Also included is the 'Final Report' and 'Conclusions and Recommendations' from the Review.

Uzbekistan - 3rd Session - 2008
Date of Review - Thursday 11th December, 2008

National Report

49. As more than 40 per cent of the population of Uzbekistan consists of children under 18, the Government has made the promotion of children's rights a priority.

50. Together with 189 other countries, Uzbekistan signed the Millennium Declaration and the document entitled “A world fit for children”. In accordance with those documents the Government, having undertaken to improve living conditions for children and monitor progress towards that goal, adopted a national programme of action to improve the well-being of the children of Uzbekistan in 2007. This programme is long-term, extending to 2011, and includes continuous monitoring and evaluation of the situation of children as regards education, health, recreation, the family environment, employment, vocational training and protection against the adverse effects of modern life.

51. Children’s rights in Uzbekistan are protected by a wide range of national legislation, but chiefly by the provisions of family, criminal, civil and labour law. As recommended by the Committee on the Rights of the Child, a law on guarantees of the rights of the child, protecting children's right to health, education, social welfare and all-round development, was passed in 2007. The law particularly emphasizes the protection of the rights of vulnerable children and children with special needs.

52. The rights of children are provided for at both the legislative and the institutional level. The systemic approach involves the adoption and implementation of national programmes that include a range of measures taken by government bodies and institutions and by non-governmental organizations and foundations. Non-governmental children’s organizations are multiplying and becoming more active. There is a network of national-level NGOs focusing on various areas of promoting and protecting the rights of the child, including: the Kamolot youth movement, which supports youth initiatives and the political and leadership activities of young persons; the Sen Yolgiz Emassan (“You are not alone”) fund, which provides support for orphaned children, children without parental care, children with disabilities and children from needy families; the Children's Fund of Uzbekistan, which supports initiatives directly involving children themselves (Children’s Parliament); the Soglov Avlod Uchun (For a Healthy Generation) fund, which conducts medical and educational programmes and advocates healthy living; and the Forum for the Culture and Art of Uzbekistan, which runs projects for gifted children.

53. Educational reform, including the establishment of life-long education, has been under way since 1997. More than 50 per cent of the state budget, or 12 per cent of gross domestic income, is allocated to education. According to the Education Act and the national personnel training programme, life-long education includes preschool, general secondary, specialized secondary, vocational, higher and postgraduate education, advanced training and retraining of personnel and non-formal education. Specialized secondary and vocational education is compulsory and free and conducted in seven languages. The population of Uzbekistan has achieved almost universal literacy; the literacy level rose from 97.7 per cent in 1991 to 99.3 per cent in 2003.

54. Government programmes have been providing children from low-income families with free text books since 2002. Winter clothes have been provided free of cost to children from needy families since 1997.

55. The specific mechanism by which children can exercise their right to qualified medical care is established in the Citizens’ Health Care Act. The State provides children with access to health and convalescent care. Uzbekistan has a national reproductive health centre and a national centre for adolescent reproductive health, with branches in the provinces. All children receive a yearly medical check-up.
The health-care reforms begun in 1998 were aimed at promoting extensive use of private health services in conjunction with a range of free medical services. They focus mainly on developing a network of primary health-care facilities and services for women and children. Key objectives include improving maternal and child health, encouraging the practice of breastfeeding and reducing infant mortality and child morbidity. The infant mortality rate has steadily declined since the 1990s. Today, it stands at 13.7 per thousand live births whereas it stood at 35.5 per thousand in 1991.

6. The protection of the rights of the child is a priority of state policy. The State declared 2008 the year of youth, since 40 per cent of the population of Uzbekistan is under 18 years of age and 64 per cent is under 30. The law on guarantees of children’s rights is in effect and appropriate protection, education and health care.

34. CRC recommended that Uzbekistan establish juvenile courts, staffed with appropriately trained personnel, a recommendation supported in the report on Uzbekistan. Uzbekistan should, inter alia, ensure that detention is used only as a last resort; ensure that persons under the age of 18 are separated from adults; improve their conditions of detention; and introduce training programmes on relevant international standards.

41 CRC and CESCR were concerned at the reported involvement of many school-age children in the harvesting of cotton. CRC recommended that this practice be in full compliance with international child labour standards in terms of age, working hours, working conditions, education and health. In 2005, the HR Committee urged Uzbekistan to stop this practice and combat child labour.

48 CRC expressed deep concern at the negative consequences of the ecological disaster that continues to affect the Aral Sea and its environment for the health and development of children living in Karakalpakstan. Uzbekistan should take measures to stop the deterioration of this region. CRC recommended that Uzbekistan seek technical assistance, inter alia, in the areas of data collection, child labour and juvenile justice.

**Stakeholder Compilation**

12. According to Global Initiative to End All Corporal Punishment of Children (GIEACPC), corporal punishment is lawful in the home and unlawful in schools and in the penal system. There is no explicit prohibition of corporal punishment in alternative care settings. Summary of the proceedings of the review process.

**Final Report**

6. The protection of the rights of the child is a priority of state policy. The State declared 2008 the year of youth, since 40 per cent of the population of Uzbekistan is under 18 years of age and 64 per cent is under 30. The law on guarantees of children’s rights is in effect and Parliament has ratified ILO Conventions 138 and 182. The national plan of action on the implementation of these conventions includes measures to improve the legal framework and monitor the implementation of international obligations. Both Optional Protocols to the Convention on the Rights of the Child have been ratified.

8. Uzbekistan also addressed the issue of trafficking in persons and mentioned the law on combating trafficking in persons and the ratification of the Optional Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the Convention against Transnational Organized Crime. A decree on the establishment of the national rehabilitation centre to assist and protect victims of trafficking in persons was adopted, together with the national plan of action on combating trafficking in persons for the period 2008-201

11. Regarding civil society institutions, the delegation stated that the Government encourages the development of non-governmental organizations (NGOs), including those active in human rights, and that the policy of social partnership and the principle of transition from a strong State to a strong civil society are being implemented. It noted that NGOs provide strong support for the development of
civil society and rule of law, by working in areas such as education, care for children and women, people with disabilities or suffering from illnesses and people requiring social help.

29. The recent release of political prisoners and the acceptance of visits of International Committee of the Red Cross (ICRC) teams to Uzbek detention centres, the steady growth of NGOs and media, the abolition of the death penalty and the introduction of the habeas corpus procedure and the decision of the Government to establish the institute of the Children’s Ombudsman were also welcomed.

35. Italy recommended that Uzbekistan adopt adequate measures for the protection and promotion of religious freedom, in order to ensure an effective freedom of worship of all religious communities. It recommended that Uzbekistan comply with its international obligations in this field, and ensure the right to seek, receive and provide information and ideas, including by electronic means and from foreign sources. Italy also recommended that Uzbekistan effectively fight against child labour, including by considering taking specific administrative and penal actions towards those officials who, in their respective provinces, incentivize or facilitate the labour of children in cotton fields.

36. Bahrain noted that the protection and promotion of the rights of women and children continues to be one of the main priorities of Uzbekistan and several plans of action have been adopted to prevent the exploitation of children. Bahrain asked for clarification on allegations by human rights organizations of child labour in the plantation field and asked about measures taken to prevent children from entering the labour market that would endanger their health and education and how ILO Conventions 182 and 138 were implemented to address this problem.

37. Oman noted that a national action plan has been drawn up for 2007-11 requesting more information on this action plan. Oman asked about measures taken to guarantee the rights of the disabled, especially children and to provide them with access to basic services.

38. The United Arab Emirates noted that Uzbekistan has ratified the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children and enquired about Uzbekistan’s plans and governmental structures responsible for its implementation and the role of NGOs in this process.

59. With regards to child labour, the delegation noted that this practice is addressed through the legal prohibition of labour of children under 14 and through educational measures. The fact that legislation allows 14-16 year old children to work, subject to restrictive conditions, was considered in line with ILO Conventions 138 and 182. It cited measures taken concerning education and information on child labour in cooperation with UNICEF and ILO, in particular the publication of a collection of relevant ILO conventions and of a manual on ILO Convention 182. It also referred to national legislation implementing relevant ILO Conventions and the awareness-raising of parliamentarians on ILO standards. A national action plan for the implementation of ILO conventions 138 and 182 was adopted.

67. Switzerland recommended Uzbekistan to do its utmost to eliminate forced child labour and to intensify its efforts to effectively implement the national legislation, in particular the labour code of 1996, and international conventions ratified by the Government on this subject. Switzerland recommended following the recommendations made by the Committee against Torture to adopt all necessary measures to combat impunity. Switzerland recommended inviting the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment to examine the question of the possible use of torture and to extend a standing invitation to all special procedures of the Council. Switzerland recommended that Uzbekistan strengthen its collaboration with national and international civil society actors, notably by giving general accreditation to the major international human rights organizations. Switzerland recommends making (a) a humanitarian gesture by liberating prisoners for political and religious offenses who are in serious health condition.

74. Cuba requested more information on the measures adopted by the Government to protect socially vulnerable children, on the results achieved from this monitoring programme and how findings are used to improve the situation of children. Cuba recommended that Uzbekistan continue positive efforts already under way to improve economic, social and cultural rights. Cuba recommended that Uzbekistan pursue positive endeavours aimed at promoting and protecting the rights of women, including through the strengthening of the measures already taken to prevent and combat trafficking in women. Cuba recommended that Uzbekistan continue with positive work already under way to ensure the progress of the rights of children and the full wellbeing.

83. The Islamic Republic of Iran considered particularly initiatives taken for human rights education as an important step to further promotion and protection of human rights. Iran noted that the decision to establish a Children Ombudsman is an important step to better protect the rights of the child. It recommended that Uzbekistan use all appropriate means to further develop and strengthen a culture of human rights, create more human rights capacity-building and promote human rights education and public awareness-raising with a view to better promoting and protecting of all human rights.

86. Saudi Arabia stated that Uzbekistan provides education and healthcare to children and that statistics reveal the decline in child mortality rates. It recommended that Uzbekistan promote legislation that is in conformity with UNICEF and ILO standards regarding the rights of the child.

93. Nigeria noted that more needs to be done, in particular in the area of the juvenile justice system and access to basic health services, especially in prisons. Nigeria called upon the international community to provide urgently the needed assistance to Uzbekistan in support of its efforts, as well as eventual implementation of recommendations that may come out of the review.

98. To questions concerning children’s rights, the delegation drew attention to a bill on the child’s ombudsman, the cooperation with UNICEF to create a juvenile justice system, the drafting of a law on juvenile justice, and the reformulation of the law on juvenile policy. It noted that the law on the rights of the child includes a specific chapter with additional guarantees for socially vulnerable children, such as integration into society, rights to housing, social assistance and education.
Conclusions and Recommendations

10. Continue efforts to combat trafficking in women and children, by fully implementing the recently passed law of April 2008, on countering trafficking in persons (Malaysia).

16. Continue with positive work to ensure the progress of the rights of children and their full well-being (Cuba);

17. Promote legislation in conformity with UNICEF and ILO standards regarding the rights of the child (Saudi Arabia);

22. Continue to dedicate resources to promote the right to education and the right of children (Philippines);

26. Effectively fight against the practice of forced child labour, including by considering taking specific administrative and penal actions towards those officials who, in their respective provinces, incentivize or facilitate the labour of children in cotton fields (Italy);

30. Immediately cease all public support for the employment of children in cotton harvesting and that the Government publicly condemn and effectively combat all forms of child labour (Germany);

31. Ensure regular inspection of harvesting practices to monitor and guarantee full compliance with international child labour standards (Netherlands).

106. Uzbekistan indicated that the following recommendations are pertaining to measures already being implemented or which had already been implemented and will be further considered by the Government:

8. Do its utmost to eliminate forced child labour and intensify its efforts to effectively implement the national legislation, in particular the labour code of 1996, and international conventions ratified by the Government on this subject (Switzerland);

20. Ensure compliance with international child labour standards, including ILO Convention 182 on the Elimination of the Worst Forms of Child Labour and collaborate with ILO to that effect and implement the relevant recommendations of the Committee on the Rights of the Child and the Human Rights Committee (Canada);

24. Implement the ILO Convention concerning the Minimum Age for Admission to Employment and the prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (Finland);

25. Fully implement the national strategy to fight against child labour and to promote decent work (Brazil)