

# Corruption

## UPR of Uzbekistan May 2018

### 1. Presentation by the State under review

8. Efforts to ensure a genuinely **independent judiciary** required constitutional reform. The commission for the election of judges under the President's authority had been dissolved and a supreme judicial council had been established as the highest judicial body, and granted constitutional status. The new body was tasked with selecting judges and overseeing the constitutional principle of the independence of the judiciary. Judges henceforth served for life; judges retired at the age of 65, while Supreme Court justices retired at 70. Material and technical support for courts had been transferred from the Ministry of Justice to the Supreme Court itself. An example of progress was the fact that, in A/HRC/39/7 3 2017, a total of 262 people had been acquitted, up from only 4 people in 2016. Moreover, acquittals or non-custodial sentences had been handed down in high-profile trials of independent journalists and human rights defenders accused of undermining the constitutional order.

10. With regard to **corruption**, a new law on State procurement had been designed to enhance transparency in public procurement and eradicate corruption.

### 2. Interactive dialogue

16. While commending Uzbekistan for addressing human rights challenges, including **child labour in the cotton sector**, Canada expressed hope that Uzbekistan would continue its progress in addressing harassment of persons, including of civil society actors and journalists.

20. Cuba welcomed the measures taken to strengthen women's rights and the judiciary, and highlighted the improved quality of education witnessed at all levels.

24. Egypt welcomed the efforts made by Uzbekistan to **counter corruption** and human trafficking, and to establish mechanisms to promote and protect civil and political rights in the country.

25. Estonia expressed its concern regarding the situation of freedoms of expression, assembly, association and **movement**, and at reports of harassment, surveillance, arbitrary arrest and detention, torture and ill-treatment of journalists and human rights defenders.

26. Finland remained concerned about continued reports of torture and ill-treatment in detention and of **forced labour**, especially in the **cotton harvesting sector**. It urged Uzbekistan to ensure respect for the freedoms of expression, association and assembly, in accordance with international human rights standards.

27. France welcomed the improvements made to the legislative framework of the rule of law and the reforms in the **justice sector**. It also noted the reduction in the incidence of **forced labour** and the greater space accorded to civil society.

29. Germany welcomed the reforms made by Uzbekistan and its commitment to abolishing **child and forced labour**, to releasing political detainees and to preventing torture. It remained concerned about restrictions on civil society and NGOs, and ongoing reports of torture in prisons.

38. Iraq welcomed the constitutional and legislative reforms to promote human rights, and the national programmes to fight **corruption** and human trafficking.

41. Japan welcomed the State's emphasis on **judicial and socioeconomic reform** and the strengthening of civil society in the action strategy on five priority areas of development for 2017–2021, the Administrative Procedures Act and the Administrative Litigation Act.

42. Kazakhstan welcomed the increased cooperation of Uzbekistan with the treaty bodies and the special procedures of the Human Rights Council, and the efforts it had made to strengthen the **independence of the judiciary**, to reform the public management system and to preserve interethnic and interfaith harmony, while addressing the cultural and linguistic needs of minorities.

46. Lithuania welcomed the State's enhanced cooperation with OHCHR and the progress made in eliminating **child labour**, and the release of political activists, human rights defenders and journalists who had been detained.

51. Morocco commended the action strategy on five priority areas of development for 2017–2021 and the steps that the State had taken to ratify the Convention on the Rights of Persons with Disabilities. It welcomed the measures taken in the areas of **corruption**, domestic violence, education, health and women's empowerment.

52. The delegation of Uzbekistan stated that, with regard to **cotton harvesting**, measures had been taken to **eradicate forced labour**. The President had addressed the issue, and a parliamentary commission had been set up to ensure respect for labour rights. The Government was working together with representatives of Cotton Campaign, an international NGO that monitored the cotton sector worldwide. Various measures had been taken to improve the situation: harvest wages had been increased by 250 per cent in 2017; a sector-wide review, from planting to harvesting, had been conducted; and cotton growing was being phased out on low-yielding land. Annual production of cotton thread was around one ton; 72.5 per cent of the cotton harvest was processed, representing some 750,000 tons. Two major cotton-producing projects with a budget of \$464 million had led to the creation of more than 6,500 jobs.

58. Nepal welcomed the emphasis given to countering **corruption**, fighting human trafficking and promoting health and quality education. It also welcomed the State's engagement with the United Nations High Commissioner for Human Rights and other United Nations human rights mechanisms. Nepal called upon Uzbekistan to continue its measures to strengthen the **independence of the judiciary**, to fight domestic and gender violence and to ensure gender equality.

59. The Netherlands welcomed the visits made to Uzbekistan by the High Commissioner and the Special Rapporteur on freedom of religion or belief in 2017. It also welcomed the efforts made to eliminate **child labour** and to ratify all relevant conventions of the International Labour Organization (ILO). It regretted the situation of lesbian, gay, bisexual, transgender and intersex persons in Uzbekistan.

61. Norway noted the greater openness and international engagement of Uzbekistan, the release of political prisoners, the removal of persons from black lists, the increasing freedom of the press and the progress made in abolishing **forced labour**. Restrictions on civil society and freedom of expression, association and belief, however, remained.

69. The Republic of Korea welcomed the measures taken to strengthen the **independence of the judiciary**, the institutionalization of a constitutional court, the amendments made to the Citizenship Act and the regulations introduced to increase **freedom of movement** inside and across borders.

74. Slovakia praised the efforts made to strengthen media freedom and active cooperation with ILO in tackling **child labour**. It expressed concern at the fact that many journalists remained in custody.

75. Slovenia welcomed the improvement of the situation of human rights, pointing to active cooperation of Uzbekistan with civil society to strengthen the **judicial system** and raise awareness on human rights. It pointed to reports of **forced labour** and hazardous working conditions.

80. Tajikistan acknowledged the measures taken by Uzbekistan to adopt the plan of action for developing cooperation with OHCHR, to fight human trafficking and to provide legal protection and medical care for the victims of trafficking, and also the steps it had taken to eliminate **child and forced labour**.

85. The United States of America commended Uzbekistan for the steps taken to expand space for civil society and reduce structural challenges for NGOs. It urged Uzbekistan to continue its efforts to address torture, and to invite the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment to visit the country. It noted with concern the wide-ranging restrictions on peaceful religious activity and the fact that reports were still being received of cases of adult **forced labour**.

93. Australia commended Uzbekistan for its decree against **forced labour** and for its progress in the protection of freedom of expression. It welcomed the measures taken by the State to improve the situation of human rights of detainees and to strengthen protection against ill-treatment and torture.

94. Azerbaijan praised the achievements of Uzbekistan in its incorporation of international human rights standards into the national education system. It commended Uzbekistan for the progress made in delivering public services in a **transparent** and efficient manner.

### 3. Recommendations accepted by Uzbekistan

Subject	§	Recommending State	Recommendation
Rule of Law	101.43	France	Continue its consolidation of the rule of law by concretely implementing new legislation
Transparency	101.44	France	Ensure respect for transparency and equity in the granting of land and real-estate facilities to investors
Legislation	101.50	Algeria	Pursue measures to fight corruption, in particular through the adoption of an anti-corruption law in line with international standards in this area
Public services	101.51	Azerbaijan	Maintain and further develop the application of innovative approaches and technological innovations in the efficient delivery of public services

Judiciary	101.85	Japan	Continue to provide appropriate training to lawyers, prosecutors and judges in order to carry out judicial reforms
	101.87	Mexico	Adopt legislation that ensures the full independence of the judiciary and the exercise of the legal profession in conformity with international standards
	101.88	Republic of Korea	Further strengthen ongoing efforts to increase transparency of its judiciary
	101.89	Switzerland	Take all necessary measures to ensure the independence and impartiality of the judicial system
	101.90	Tajikistan	Continue taking steps for the strengthening of the judicial system
	101.106	Finland	Ensure that all trials, including those of persons charged with terrorism or in connection with membership in banned religious organizations, observe international fair trial standards
Fundamental freedoms	101.91	Cuba	Implement national priorities in the field of rights and freedoms of the person
Cotton sector, slavery, forced labour	101.115	France	Involve Uzbek civil society and international actors more widely in the implementation of decisions, in particular for the prevention of torture, freedom of the media and working conditions during cotton harvests
	101.124	Slovenia	Grant unrestricted permission to national and international civil society organizations to freely conduct independent monitoring of the alleged forced mobilization of citizens for cotton picking
	101.128	Islamic Republic of Iran	Increase its efforts in the prohibition of slavery and human trafficking
	101.133	Portugal	Effectively implement the decision made on 8 August 2017 by the Cabinet of Ministers and take further time-bound measures to combat all forms of slavery and forced labour, namely in the cotton and silk sectors
	101.138	Estonia	Continue to strengthen safeguards against the use of forced labour in the cotton sector
	101.139	Finland	End all forced labour, including by abolishing the quota system in the cotton sector, and allow independent monitoring in this regard
	101.140	France	Continue cooperation with ILO on the fight against forced labour
	101.141	Canada	Collaborate with ILO to end the systematic use of forced labour of adults in the cotton sector, and develop a comprehensive plan to eliminate its use
	101.142	Netherlands	Eradicate forced labour entirely, including in the cotton harvest sector, through the effective enforcement of the legal framework prohibiting forced labour and by holding those responsible for violations to account
	101.143	Slovenia	Step up its efforts to improve working conditions in the cotton production sector and strengthen safeguards against the use of forced labour, particularly child labour

	101.144	United Kingdom of Great Britain and Northern Ireland	Continue to work closely with international organizations to eradicate the drivers of forced labour and ensure compliance with ILO recommendations across all sectors
	101.145	United States of America	End forced labour by ensuring the consistent implementation of new labour protections, including by local governments
	101.146	Czechia	Take further steps to eradicate forced labour, in particular in the cotton industry
	101.148	Maldives	Continue its efforts to further implement international labour standards in the country through its established cooperation with ILO
Education	101.159	Malaysia	Address corruption in the education system to ensure that all hidden and/or informal costs are eliminated