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COMMITTEE ON ECONOMIC, SOCIAL  
AND CULTURAL RIGHTS  
Pre-sessional working group  
29 November-3 December 2004

**IMPLEMENTATION OF THE INTERNATIONAL COVENANT  
ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

**List of issues to be taken up in connection with the consideration of  
the initial report of UZBEKISTAN concerning the rights referred to  
in articles 1-15 of the International Covenant on Economic, Social  
and Cultural Rights (E/1990/6/Add.63)**

## **I. GENERAL FRAMEWORK WITHIN WHICH THE COVENANT IS IMPLEMENTED**

1. Please indicate on what constitutional basis international treaties ratified by the State party are automatically incorporated into the domestic legal system, and whether the norms of international law prevail over domestic legislation.
2. Please indicate whether the State party plans to adopt and implement a national human rights action plan in accordance with the Vienna Declaration and Programme of Action of 1993.
3. Please indicate whether the State party intends to establish a national human rights institution in conformity with the Paris Principles (General Assembly resolution 48/134, annex), mandated with the promotion and protection of all human rights, including economic, social and cultural rights.
4. Please state whether the Ombudsman has competence to receive complaints from citizens relating to economic, social and cultural rights, and whether this institution has competence to make recommendations to the authorities.
5. According to paragraph 77 of the report, the functions of the National Human Rights Centre, which is part of the executive, include that of coordinating the activities of non-governmental organizations (NGOs) dealing with human rights. Please indicate measures taken by the State party to ensure the independence of NGOs.
6. Please indicate how the independence of the judiciary is ensured. What is the procedure for appointing judges and for removing them from office? What is the level of their salaries in relation to members of other official bodies?
7. Please explain the reasons why the State party has not yet ratified a number of important ILO Conventions, including, inter alia, Conventions Nos. 81, 87, 102, 138, 174 and 182, and please indicate whether the State party intends to ratify any of those Conventions.

## **II. ISSUES RELATING TO THE GENERAL PROVISIONS OF THE COVENANT (arts. 1-5)**

### **Article 2 (2). Non-discrimination**

8. Please indicate what effective measures the State party has taken to ensure that ethnic minorities living in Uzbekistan are not subjected to discrimination.
9. Please indicate to what extent foreigners residing in the State party enjoy the rights recognized in the Covenant.

### **Article 3. Equality between men and women**

10. Please provide information on measures taken by the State party to prevent discrimination against women in their enjoyment of economic, social and cultural rights.

## **III. ISSUES RELATING TO SPECIFIC PROVISIONS OF THE COVENANT (arts. 6-15)**

### **Article 6. The right to work**

11. Please indicate whether the State party has adopted a plan of action to combat unemployment and, if so, describe its content, job-training programmes established for the unemployed and the results achieved.

12. Please indicate the criteria used for calculating the figures given in the State party's report relating to the level of unemployment, and please indicate how the level of unemployment has evolved over the past five years.

13. Please describe the content of technical and vocational training programmes provided in recent years and the results obtained.

### **Article 7. The right to just and favourable conditions of work**

14. Please describe the criteria and procedures used to determine, monitor and adjust the minimum wage, and indicate to what extent it is respected in the private sector. Please include quantified data on the changes in the minimum wage in relation to the changes in the cost of living over the past five years.

15. Please indicate whether there are regulations in the public sector relating to promotion and competitive recruitment, or other methods which guarantee equal opportunity, particularly for women.

### **Article 8. Trade union rights**

16. Please provide further information on the requirements for the establishment of trade unions and trade union federations.

17. In view of the fact that the right to strike is not recognized in Uzbek law, please indicate whether the State party intends to provide for the right to strike in its legislation in order to comply with the obligations assumed under article 8 (1) (d) of the Covenant.

### **Article 9. The right to social security**

18. Please provide more information concerning the levels of retirement pensions based on age and of unemployment benefits, in comparison with the obligatory minimum wage, the average level of wages and inflation.

### **Article 10. Protection of the family, mothers and children**

19. Please describe steps taken to protect children against all forms of exploitation and to prevent them from being employed in work that is likely to be hazardous or to be harmful to their health and development. Please also specify the age below which paid labour by children is prohibited.

20. Please indicate effective measures taken by the State party to deal with the problem of domestic violence, especially against women.

21. Please indicate how the problem of abandoned children is being dealt with by the State party, and please explain whether foster homes, including the so-called infant homes, provide adequate protection for the rights of children.

22. Please indicate what effective measures the State party has adopted to deal with the problem of trafficking in persons, especially of women and children.

### **Article 11. The right to an adequate standard of living**

23. Please describe steps taken to conserve and protect sources of water required for agriculture and for the needs of the people.

24. Please provide information on the realization of the right to housing, the protection of tenants against arbitrary eviction, the construction of low-income housing for the most disadvantaged groups, and measures to address the problem of homelessness.

25. Please provide information on measures adopted by the State party to improve prison conditions, especially prison overcrowding, and the health conditions of prisoners.

### **Article 12. The right to physical and mental health**

26. Please provide explanations of the sharp decline in the share of expenditure allocated to public health in the State budget, from 4.6 per cent in 1992 to 2.4 per cent in 2002 (paragraph 335 of the report).

27. Please describe briefly the major changes in the public health system which followed the reform introduced under Decree No. DP-2107 of 10 November 1998, indicating in particular the impact on health-care benefits and the funding of the health insurance system.

28. Please indicate what measures the State party has taken to reduce infant and maternal mortality rates.

29. Please describe the procedure for determining the prices of medicines and medical items established under Cabinet of Ministers Decision No. 19 of 14 January 1999 (paragraph 382 of the report).

30. Please provide information on the measures taken to combat alcohol abuse and the consumption of tobacco and illicit drugs.
31. Please indicate measures the State party is taking to prevent the spread of HIV/AIDS.

**Article 13. The right to education**

32. Please describe steps taken or planned to guarantee equal access to all levels of education, including financial incentives, scholarships and other measures to benefit pupils from rural areas or families with low incomes.

**Article 15. Cultural rights**

33. Please provide information on the extent to which Uzbek is currently used in education and in the country's cultural life, including books and newspaper publishing, theatre, radio and television.
34. Please describe legislative and other steps taken to protect the intellectual and material interests of the authors of scientific, literary and artistic works.

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