

Universal Periodic Review (30th session, Apr-May 2018)
Contribution of UNESCO
Contribution of UNESCO to Compilation of UN information
(to Part I. A. and to Part III - F, J, K, and P)

Uzbekistan

I. Background and framework

Title	Date of ratification, accession or succession	Declarations /reservations	Recognition of specific competences of treaty bodies	Reference to the rights within UNESCO's fields of competence
Convention against Discrimination in Education 1960	Ratified (08/12/1997)	Reservation to this Convention shall not be permitted		Right to education
Convention on Technical and Vocational Education 1989	Ratified (08/12/1997)			Right to education
Convention concerning the Protection of the World Cultural and Natural Heritage 1972	13/01/1993 Notification of succession			Right to take part in cultural life
Convention for the Safeguarding of the Intangible Cultural Heritage 2003	29/01/2008 Ratification			Right to take part in cultural life
Convention on the Protection and Promotion of the Diversity of Cultural Expressions 2005	Not ratified			Right to take part in cultural life

Right to education

II. Promotion and protection of human rights on the ground

1. The **Constitution of Uzbekistan of 1992 (as amended in 2011)**¹ enshrines the right to education. It guarantees free public secondary education and the supervision of schooling by the State. The Law on Education, adopted in 1997, sets the legal basis for education and professional training of citizens and guarantees equal rights to education.

¹ Accessible on UNESCO's Global Database on the Right to Education:
<http://www.unesco.org/education/edurights/media/docs/51de00a636a738a108b088d32ee453ffe7672d0a.pdf>

2. In terms of reporting to UNESCO, Uzbekistan submitted a national report within the framework of the **8th (2011-2013)** as well as within the **9th (2016-2017) Consultations of Member States** on the measures taken to implement the UNESCO Convention against Discrimination in Education. Uzbekistan also reported on the measures taken to implement the UNESCO Recommendation concerning Education for International Understanding, Co-operation and Peace and Education relating to Human Rights and Fundamental Freedoms for the **5th (2012-2013) and 6th (2016-2017) Consultations of Member States**.

Freedom of opinion and expression

➤ Constitutional and Legislative Framework:

3. Art. 29 of the Constitution of the Republic of Uzbekistan states that “Everyone shall be guaranteed freedom of thought, speech and convictions. Everyone shall have the right to seek, obtain and disseminate any information, except that which is directed against the existing constitutional system and in some other instances specified by law. Freedom of opinion and its expression may be restricted by law if any state or other secret is involved.” Art. 30 provides for the right to access information. Art. 67 prohibits censorship.²
4. The Law on the Principles of and Guarantees for the Freedom of Information³ secures access to information. According to Art. 11 of the law exceptions to the right of access to information include national security, confidentiality, etc. Information could also be denied in order to prevent the distortion and falsification of information.
5. The Law on Protection of Professional Activities of Journalists⁴ protects the interests and rights of journalists, defines their responsibilities, and sets for inadmissibility of censorship. It also provides guarantees for professional journalistic activities, including protection of confidentiality of sources.
6. Art. 19 of the Law on Mass Media⁵ requires the registration of all media outlets. The procedure for registration of mass media is established by the Cabinet of Ministers of the Republic of Uzbekistan. New amendments⁶ have been prepared this year and should align the provisions of the Law with international legislation.
7. Art. 23 of the Law on Informatisation, adopted 4 September 2014, imposed a wide array of responsibilities of bloggers, including an obligation to verify the truthfulness of information before its posting, as well to remove untrue posts upon the demand of

² <http://www.gov.uz/en/constitution/#s268>

³ <http://www.api.uz/ru/#ru/content/documents/qonunlar/>

⁴ Law on Protection of Professional Activities of Journalists:

http://nrm.uz/contentf?doc=8561_zakon_respubliki_uzbekistan_ot_24_04_1997_g_n_402-i_o_zashchite_professionalnoy_deyatelnosti_jurnalista&products=1

⁵ <http://www.api.uz/ru/#ru/content/documents/qonunlar/>

⁶ http://www.lex.uz/pages/GetAct.aspx?lact_id=52709

the relevant authorities. In case of violation of this provision, the statute foresees taking blocking measures against websites and other types of liability.⁷

➤ Implementation of Legislation:

8. The Press and Information Agency is the government agency responsible for media policies as well as registration and licensing issues⁸. The Press and Information Agency and the Communication and Information Agency⁹ are in charge of registration and licensing of mass media in Uzbekistan. Both agencies report to the Cabinet of Ministers of Uzbekistan. They ensure that mass media outlets established by the Government are exempt from registration and respective fees.¹⁰

➤ Safety of Journalists:

9. UNESCO recorded no killing of media workers in Uzbekistan since 2008.

III. Recommendations

10. Below are the recommendations made within the framework of the 2nd cycle of the Working Group (16th session) on the Universal Periodic Review (July 2013):¹¹

133.16. *Continue its efforts in the field of human rights education and training.*

133.17. *Pay special attention to education and training in the field of human rights, in particular for members of the law enforcement and judiciary bodies.*

133.18. *Promote the culture of human rights through awareness-raising and education, in particular through training programmes for the benefit of law enforcement.*

133.80. *Continue its efforts on current national action plans for job creation, quality education, health care and social security, with more focus on vulnerable groups of women, children, persons with difficulties, migrants and ethnic minorities.*

133.89. *Continue to take measures to allow the improvement of the education system and universal access to a quality education.*

133.90. *Continue the efforts for the improvement of the access to education as an important factor in the process of democratization.*

133.91. *Continue to adopt its successful social policy of access to education and health services, particularly, of women and girls.*

133.92. *Further strengthen efforts to ensure equal access of girls and women to all levels of education.*

133.93. *Provide adequate financial and human resources towards the promotion of the right to education and that of the rights of the child, as a whole.*

133.94. *Continue its efforts aimed at enforcing and improving the quality of the educational system with a view to ensuring that the young generation would receive the best opportunities for education and training.*

⁷ The Law of the Republic of Uzbekistan “On amendments and additions to certain legislative acts of the Republic of Uzbekistan”, No. 3PY-373, adopted by the Oliy Majlis on 23 August 2014, published in Narodnoe slovo official daily on 5 September 2014

⁸ <http://www.api.uz/ru/#ru/content/agency/nizom/>

⁹ <http://mitc.uz/ru>

¹⁰ Report on the state of the legislation on mass media in Uzbekistan, Chapter 5: System of registration and licensing of mass media, <http://medialaw.asia/book/export/html/1265>.

¹¹ <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G13/154/79/PDF/G1315479.pdf?OpenElement>

133.95. *Further promote inclusive and accessible education to children with disabilities at ordinary schools.*

Review and specific recommendations

11. Among the education-related recommendations made during the last UPR cycle, an important number of them focused on universal access to education, especially for girls, as well as the improvement of education quality, human rights education and training and the promotion of inclusive education.
12. Positive measures regarding the improvement of access to education and quality of education have been undertaken and should be particularly welcomed. Gender parity in primary and secondary education has been achieved and the literacy rate is of 99.9% among the population aged 15 and older.¹² Uzbekistan has set up its first Education Sector Plan for 2013-2017,¹³ defining a development strategy for the education sector built on life-long education, aiming to ensure equal opportunities and quality education for everyone. A textbook rental system providing full coverage of textbooks in public schools has been established, from which children from low-income families can benefit free of charge.¹⁴ Additionally, foreign language training, starting in first grade, has been introduced in 2013-2014. Furthermore, in 2013, the introduction of amendments to article 47 of the Code of Administrative Liability have made parents liable for preventing children from receiving secondary education.¹⁵
13. Regarding human rights education, Uzbekistan has reportedly elaborated textbooks and curricula on human rights, introducing “Human Rights” as a subject into the curriculum, including conferences, lectures or roundtables.¹⁶ Furthermore, human rights education has been promoted with the Universal Declaration on Human Rights translated into Uzbek and Russian, publicly accessible online.¹⁷ Furthermore, Uzbekistan reported within the framework of a UNESCO Consultation of Member States on the measures taken to implement the UNESCO Recommendation concerning Education for International Understanding, Co-operation and Peace and Education relating to Human Rights and Fundamental Freedoms. Uzbekistan should be encouraged to continue to share information in this regard with UNESCO and to pursue its efforts to provide human rights education.

¹² Uzbekistan Profile, accessible on UNESCO Institute for Statistics’ website: <http://uis.unesco.org/country/UZ>

¹³ <http://www.unesco.org/education/edurights/media/docs/ace51f6859fe2224f4b2934190be9ebb12470f70.pdf>

¹⁴ United Nations in Uzbekistan and Government of Uzbekistan, 2015, United Nations Development Assistance Framework for the Republic of Uzbekistan 2016-2020, Tashkent: United Nations in Uzbekistan, p 34; Center for Economic Research, 2015, Millenium Development Goals Report Uzbekistan 2015, Tashkent, Center for Economic Research, p 30

¹⁵ Committee on the Elimination of Discrimination against Women, Concluding observations on the fifth periodic report of Uzbekistan, 25 November 2015, CEDAW/C/UZB/CO/5, p 1

¹⁶ Uzbekistan Report submitted for the Fifth Consultation on the implementation of the Recommendation concerning Education for International Understanding, Cooperation and Peace and Education relating to Human Rights and Fundamental Freedoms (2009-2012), 2013, p 7

¹⁷ United Nations Human Rights Office of the High Commissioner, 2015, Human Rights Committee considers the report of Uzbekistan:

<http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16220&LangID=E#sthash.LS2ebbbX.dpuf> (accessed 26 June 2017)

14. With regard to equal access to education of girls and women, some progress can be recorded. Uzbekistan has achieved gender parity in primary and secondary education.¹⁸ At the higher education level, women account for 42% of bachelor and 35% of master students.¹⁹ Women are overrepresented in the education and health care sectors and underrepresented in the better-paid sectors of construction, telecommunications and ICT.²⁰ Uzbekistan could therefore be recommended to take additional steps to achieve gender parity in higher education and to overcome barriers to non-traditional education and career paths for girls and women.
15. Another area of recommendation regarding education has been inclusive education for children with special needs. In this regard, Uzbekistan achieved several important goals with the EU-funded project “Inclusive Education for Children with Special needs in Uzbekistan”, implemented between 2014 and 2016. A national long-term strategy “On Inclusive Education in Uzbekistan” and an Action Plan for 2016-2018 have been drafted as a basis to promote inclusive education. Furthermore, 24 pilot schools and 24 pilot kindergartens are reported to give access to inclusive education to almost 900 children.²¹ In addition, a child-friendly version of the Convention on the Rights of Persons with Disabilities has been released in 2016 to explain its role in assisting persons with special needs to realize their rights, including to education.²² Yet, if Uzbekistan signed the UN Convention on the Rights of Persons with Disabilities in 2009, it did not formally ratify it yet.²³ Uzbekistan should be encouraged to confirm its commitment to guaranteeing the rights of persons with disabilities, including their right to education as outlined in Article 24 of the Convention,²⁴ by formally ratifying it.
16. To sustain these positive developments and in light of the global commitment under Sustainable Development Goal 4 on Education to “ensure inclusive and equitable quality education and promote lifelong learning opportunities for all”, Uzbekistan could be encouraged to promote further inclusive education to all children, including those with special needs. Particular attention should be paid to ensuring that school curricula are adapted and that teachers and educators are adequately trained to inclusive education.

➤ **Specific recommendations:**

¹⁸ Committee on the Elimination of Discrimination against Women, Concluding observations on the fifth periodic report of Uzbekistan, 25 November 2015, CEDAW/C/UZB/CO/5, p 7

¹⁹ Committee on the Elimination of Discrimination against Women, Consideration of reports submitted by States parties under article 18 of the Convention, Fifth periodic report of States parties due in 2014, Uzbekistan, 10 April 2014, CEDAW/C/UZB/5, p 32

²⁰ United Nations in Uzbekistan and Government of Uzbekistan, 2015, United Nations Development Assistance Framework for the Republic of Uzbekistan 2016-2020. Tashkent: United Nations in Uzbekistan, p 13

²¹ Delegation of the European Union to Trinidad and Tobago, 2017, The EU contributes to social inclusion of children with special needs in Uzbekistan, https://eeas.europa.eu/delegations/trinidad-and-tobago/19768/eu-contributes-social-inclusion-children-special-needs-uzbekistan_en (accessed 26 June 2017)

²² The National Human Rights Centre of the Republic of Uzbekistan, 2016, The presentation of the book “Hamma gap imkoniyatda” (“Its’ (*sic*) About Abilities”) http://nhrc.uz/en/news/center_news/765/ (accessed 26 June 2017)

²³ https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg_no=IV-15&chapter=4&lang=en and <http://indicators.ohchr.org/> (last accessed 22 August 2017)

²⁴ <http://www.ohchr.org/EN/HRBodies/CRPD/Pages/ConventionRightsPersonsWithDisabilities.aspx>

1. Uzbekistan could be recommended to intensify its efforts to provide human rights education and to continue to share information on its human rights education programs and activities.
2. Uzbekistan could be recommended to continue its efforts in providing inclusive education to all children, including those with special needs, and to ratify the UN Convention on the Rights of Persons with Disabilities which guarantees the right to education for persons with disabilities.
3. Uzbekistan should be strongly encouraged to continue to submit state reports for the periodic consultations on UNESCO's education-related standard-setting instruments.
4. Uzbekistan should be encouraged to share with UNESCO any relevant information to update its country profile on UNESCO's Global Database on the Right to Education.²⁵

Freedom of opinion and expression

17. The Government is encouraged to align the provisions of the Law on Mass Media on registration procedures of mass media outlets with international standards for necessity and proportionality concerning limitations on freedom of expression.
18. The Government is encouraged to decriminalize defamation and subsequently incorporate it into the civil code in accordance with international standards.
19. The Government is encouraged to assess whether current regulation of blogger information activities meet international standards of necessity and proportionality.²⁶
20. The Government is encouraged to create an independent regulatory authority for allocation of broadcast licenses.

Cultural Rights

21. As a State Party to the Convention concerning the Protection of the World Cultural and Natural Heritage (1972)²⁷ and the Convention for the Safeguarding of the Intangible Cultural Heritage (2003),²⁸ Uzbekistan is encouraged to fully implement the relevant provisions that promote access to and participation in cultural heritage and, as such, are conducive to implementing the right to take part in cultural life as defined in article 27 of the Universal Declaration of Human Rights and article 15 of the International Covenant on Economic, Social and Cultural Rights. In doing so, Uzbekistan is encouraged to give due consideration to the participation of communities, practitioners, cultural actors and NGOs from the civil society as well as

²⁵ <http://www.unesco.org/new/en/education/themes/leading-the-international-agenda/right-to-education/database/>

²⁶ <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CCPR.aspx>

²⁷ Periodic Report available at: <http://whc.unesco.org/document/116967>

²⁸ Periodic Report available at: <https://ich.unesco.org/doc/download.php?versionID=37502>

vulnerable groups (minorities, indigenous peoples, migrants, refugees, young peoples and peoples with disabilities), and to ensure that equal opportunities are given to women and girls to address gender disparities.

22. Uzbekistan is also encouraged to ratify the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005) as a means to promote access to and participation in creative expressions and as such contribute to implementing the right to take part in cultural life.

Freedom of scientific research and the right to benefit from scientific progress and its applications

23. **Uzbekistan** has not submitted its National Report on the implementation of the **Recommendation on the Status of Scientific Researchers** (1974) for the **Second Consultation** covering the period from 2013 to 2016 (<http://unesdoc.unesco.org/images/0025/002527/252798e.pdf>). Therefore **Uzbekistan** is encouraged to report to UNESCO in future on any legislative or other steps undertaken by it to ensure the application of this international standard-setting instrument, paying particular attention to the legal provisions and regulatory frameworks which ensure that scientific researchers have the responsibility and the right to work in a spirit of autonomy, freedom of research, non-discrimination and respect for their human rights.