



REPORT

**of the Authorized Person of the Oliy Majlis of
the Republic of Uzbekistan for Human Rights
(Ombudsman)**

for 2005

Tashkent – 2006

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Republic of Uzbekistan for Human Rights (Ombudsman) for 2005

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Introduction

In 2005 newly established first ever bicameral parliament of Uzbekistan started its work with the focus on enhancement of the role and influence of legislative branch of the country, enhancement of the benchmarks of lawmaking and parliamentary oversight, and enhancement of public involvement in the public and political life of the country.

Processes of further democratization and rejuvenation of the public, national reform and modernization according to the basic priorities voiced by President Islam Karimov of Uzbekistan in the first joint meeting of the Legislative Chamber and Senate of Uzbekistan set forth the objectives of the government, which remain steadfast and consistent – forming of civil society, enhancement of market reforms and democratic values in the public consciousness.

President of the Republic of Uzbekistan offered a concept of democratization and renewal of the society as well as the main tasks for reform and modernization of the country in 2005 and in the long-run. Implementation of the proposals of nation's leader geared for enhancement of reforms in public administration, judicial system, liberalization of the media, will enable to implement the principle of “transition from strong government to strong civil society”, enhancement of public oversight of government performance.

In order to facilitate practical implementation of specific measures for realization of the proposals made by the nation's leader, Programme for implementation of the goals and objectives for public democratization and renewal, country's reform and modernization has been adopted. Legislative system has been developed and adopted in the framework of this program during last year aimed at implementation of targets and priorities for further enhancement of reforms of all spheres of public life, forming civil society and implementation of administrative reform.

The Constitution of the Republic of Uzbekistan being a self-executed legal instrument directly guarantees basic civil, economic, social, and cultural rights and freedoms envisioned in the Universal Declaration of Human Rights. Respectively, observation of human rights and freedoms in the country – primarily an issue of strict and meticulous observation of the Constitution of the Republic of Uzbekistan.

New laws related to human and civil rights and freedoms have been developed based on the Constitution, laws adopted earlier have been changed and amended, and law enforcement practice is being improved. Uzbekistan has joined major international human rights instruments. Practical work beyond mere declarations has been started to ensure implementation of international treaties adopted in the framework of UN and OSCE. Positive changes are observed in traditionally painful areas such as conditions of detention in detention centers and penitentiary institutions.

In-depth and substantive changes have taken place in the judicial system of the country in independence years to ensure emergence of independent judiciary able to uphold due justice. A number of essential actions have been taken to maintain independent and autonomous government branch performing its authority for interests of civil rights and liberties, constitutional system, unified economic and legal environment in the country.

Current legal framework to facilitate judicial reforms enables to state that significant conceptual results have been achieved in unison with the demands of law-run governance:

First, the judiciary has established itself as separate branch, independent from legislative and executive branches, and its powers have been enshrined in the Constitution;

Secondly, single judicial system of the Republic of Uzbekistan has been created, institutions of criminal and civil courts have been reinforced, guarantees of independence of military tribunal judges from top brass and executive branches have been enhanced;

thirdly, a system of guarantees to ensure judicial independence have been put in place, Higher Qualification Commission for short listing and recommendation of judicial candidates under President of Uzbekistan and qualification commissions have been established;

fourth, Department for Enforcement of Court Rulings, Logistical, and Financial Support for Courts under the Ministry of Justice has been established, issues of logistical support for courts at all levels has been addressed, and a system for financial and social welfare of judges has been put in place.

fifth, broad measures for liberalization for national criminal legislation have been implemented, institution of reconciliation introduced, classification of crimes has been reviewed and changed, offences in the category of minor crimes without public danger has been significantly increased. Amendments made in the Criminal Correctional Code enabled to significantly improve the conditions at penitentiary institutions, ease the regime and conditions of incarceration.

All above-said certainly facilitates enhancement of judicial independence and judicial system in general from other branches of government. History of development of humankind created the need for independent judiciary able to contain other branches from crossing across constitutional framework, particularly when the issue is about human rights and freedoms.

Right for fair trial includes the right for access to courts, pro-bono legal aid, and right to demand complete and steadfast enforcement of court ruling. The right to appeal court ruling and decisions is a guarantee for protection from illegal and ungrounded actions of the judicial system as well as judicial errors.

A key factor in the process of judicial and legal reforms in our country is not only changes in the organization and conditions of court's activities but also changes primarily in the procedures ensuring protection of personal rights and access to justice. For instance, notion that litigation to uphold one's rights was extremely undesirable is being gradually overcome, and realization of the

mission of the court not only restoration of violated rights but also upholding dignity is in progress.

In the meantime, legislative and organizational activities in recent years have not yet led to success in achievement of the many objectives of reform, including overcoming incrimination inclination in handling criminal cases, ensuring guarantees of fast and effective protection of violated rights of victims of crimes and abuse of power, real enforcement of court rulings about financial compensation of damage inflicted to citizens. Judicial mechanism for safeguarding civil rights is not functioning effectively enough, and many civil and criminal cases are taking years to review.

Further development of the issues of judicial and legal reforms have been brought up in the address of President Islam Karimov in the joint meeting of Legislative Chamber and Senate of Oliy Majlis of the Republic of Uzbekistan, where nation's leader underscored that "noting everything done in judicial and legal reforms we cannot but see serious violations in this area, primarily in ensuring genuine independence and autonomy of the judiciary".

President has presented the concept for further liberalization of judicial and legal system, which envisions the issues of transferring the authority to issue warrants for detention, arrest, and measures of enforcement to courts as well as abolition of death penalty.

Adoption of the decrees of the President of Uzbekistan about "Abolition of death penalty in the Republic of Uzbekistan" and "Transferring the authority to issue arrest warrants to courts" geared for further liberalization of judicial and legal system, ensuring effective protection of constitutional rights and freedoms, primarily for the rights for life, for protection from ungrounded criminal prosecution, and privacy violation, personal immunity, and right for fair trial became the next steps.

It is well known that gradual reduction of the provisions for capital punishment is a major focal area in the processes of liberalizing the penal system. Law enforcement policy towards abolition of death penalty is fully in unison with worldwide trend and reflects the principles of humanism and justice.

Extent of realization of the right for freedom and privacy and respective legal guarantees are significant indicators of public democratization. In the system of criminal law system this is reflected in legislative guarantees for the rights of freedom and privacy including procedures and conditions for detention and arrest.

In accordance with international human rights instruments, everyone is guaranteed solely judicially sanctioned arrest as a preventive measure. It is notable that currently in 110 countries arrests are sanctioned by courts. Hence, court is more reliable guarantor from the viewpoint of safeguarding rights of an individual in the pre-trial investigation.

Decrees adopted once again demonstrate the aspiration of our country to ensure prioritized protection of human rights and freedoms and consistent implementation of international legal benchmarks in criminal legislation.

Introduction of new legal provisions reflects the coherency between the concept for reforming judicial and legal system and universal human values and principles of law-run governance.

In 2005 significant attention was paid to the issues of implementing economic rights of citizens. A number of government resolutions were issued for promotion of entrepreneurship, improvement of legislation, further reduction of administrative costs, reducing types and streamlining permit procedures, reduction and improvement of the system for conducting inspections of businesses, enhancing responsibility of oversight bodies' officials.

Radical transformation of political and economic life as well as of judicial and legal sector unfolding in the country cannot but affect all government institutions. Furthermore, it is thanks to enhanced legal culture of citizens who are striving to uphold their rights and interests using legal safeguards. For this very reason, collaboration of legislative, executive, and judicial branches of government is crucial in implementation of the concept of reforming judicial and legal system.

Outburst of terrorist activities occurred in Uzbekistan in 2005. Tragic events of May 13 in Andijan once again have demonstrated the need to search for effective means of combating terrorism posing threat to lives and outrageously violating the rights and legitimate interests of each person. In order to combat terrorism it is essential to unite the efforts of the public in general, government institutions, and law enforcement bodies based on cooperation to enhance national security, observe and safeguard human rights.

Realization of social rights of citizens is one of the most complicated issues for any modern nation. Implementation of these rights requires organization, coordination, and other forms government support. Social rights ensure meeting material needs of a human being and guarantee his liberties in socioeconomic life of the community. Since the first days of independence in Uzbekistan, resolution of social issues, safeguarding social rights of citizens, particularly in education, healthcare, housing, and utilities were among priorities.

In 2005 a number of activities were implemented with the aim to promote healthy lifestyle in community, public healthcare, protection of maternity and childhood, improving the health of retirees and disabled, implementation of activities to promote affordable and high standard healthcare system. In the meantime, pressing issues of individuals exercising their rights for healthcare and medical assistance were observed last year. Expanding commercial healthcare services leads to commercialization of government healthcare institutions. Cost of medications is increasing, making them less affordable for socially vulnerable groups – children, elderly, and the disabled.

In order to enhance the role and significance of charity, improving legal underpinning of charity, support for socially vulnerable groups, enhancing the profile of healthcare workers and their status in the public, improving the quality, affordability, and coverage of healthcare services for entire population,

nation's leader declared Year 2006 as the "Year of Charity and Healthcare Workers".

Observation of the rights of citizens for adequate housing remains quite complicated. Essential legislative and regulatory framework has been created in the recent years for reforming public utilities, introduction of market mechanisms in maintenance and servicing of housing, and enhancement of contractual relations between homeowners and utility companies.

In the meantime, locally there are no adequate controls over conformity of tariffs with the quality of utility services, full and timely payments. Activities to reduce heating and drinking water losses, their rational use, equipping homes with metering devices, reduction of unnecessary losses of utility companies are not adequate. In 2005, decrees of the President and resolutions of the Cabinet of Ministers were adopted for purposes of public welfare, prevention of ungrounded increase in tariffs as well as support to performance of homeowner associations and public utility companies.

In the meantime, rush and often unreasonable decisions of the number of local authorities and utility services are leading to violations of citizens' rights. Numerous complaints by citizens indicate unreasonable increase in housing and utility fees. Mortgages are not yet popular and only a few can afford it. In order to ensure effective implementation of the housing rights, there is an urgent need to develop a mechanism to make housing affordable both for affluent and low-income citizens.

Further development of democratic institutions, promoting the principles of rule of law and observation of human rights, developing civil society with the focus on observation of rights and liberties of every individual is a major objective of democratic reforms in Uzbekistan.

Upholding human rights in the countries with democratic traditions is facilitated by government bodies. In Uzbekistan individuals are entitled to refer to executive institutions of any level as well as to court and other institutions to uphold their rights. Being widespread in the world and having proven itself highly effective, the institution of Parliamentary Human Rights (ombudsman) is one of the effective human rights institutions

The Republic of Uzbekistan has accumulated its own experience in creation and legal regulation of Ombudsman's activities. Uzbek governance, where this democratic institution has been functioning for ten years, and turned it into a body for protection and safeguarding of human and civil rights and liberties. Establishment of a new institution for protection of human rights in Uzbekistan was necessitated by a set of factors – enhancement of democratic reforms, introduction of effective measures to uphold civil rights accumulated by international experience, and requirements related to participation of the Republic of Uzbekistan in international human rights organizations. Authorized Person for Human Rights had the task to find its place in the system of government institutions using her authority.

A decade-long period was of decisive significance for establishment of the institutions of the Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights. Underpinnings of the Authorized Person's staff were laid, mechanisms for implementation of the goals and functions of the ombudsman as well as collaboration with government institutions, particularly with courts and law enforcement bodies were identified and institution of regional representative was established. Practical activities for revival of the violated rights of citizens, improvement of legislation, public legal awareness, and development of international cooperation were undertaken. Ombudsman's activities throughout all these years became a genuine component of effective mechanism to safeguard civil rights in Uzbekistan.

Amended law «On Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights (Ombudsman)» was adopted on fifteenth session of the Parliament on August 27, 2004, taking into account reforms of supreme legislative body into bicameral parliament and processes of liberalization and democratization of public life. The new law consists of the Preamble and 22 Articles, and entered into force based on the outcomes of the elections to the Legislative Chamber and establishment of the Senate of the Oliy Majlis of the Republic of Uzbekistan. The law takes into account the provisions of new laws about the status of parliament's chambers as well as practice of Ombudsman's activities, international standards for performance of national human rights institutions, international experience of legal regulation for ombudsman status.

According to Article 7 of the Law, the Authorized Person submits annual report of her activities to the Legislative Chamber and Senate of Oliy Majlis of the Republic of Uzbekistan, which is heard at the meetings of the chambers in accordance with legislation. Annual report of the Authorized Person is published in the established procedure.

On March 29, 2005, the Legislative Chamber of Oliy Majlis of Uzbekistan for the first time reviewed the report on performance of the Authorized Person for Human Rights (Ombudsman) of Oliy Majlis for 2004. The Senate also reviewed Ombudsman's report in its meeting, which took place on May 6, 2005. It is notable that although this law has set the requirement to publish annual Ombudsman's report, as opposed to previous years, report for 2004 is not yet published in the official publication of the parliament – “Bulletin of the Chambers of the Oliy Majlis of Uzbekistan”.

In accordance with the Article 3 of the Law, Authorized Person is elected by the Legislative Chamber and Senate of Oliy Majlis for five years. Candidate for the position of the Authorized Person is nominated to the chambers of Oliy Majlis of Uzbekistan by the President. Legislative Chamber and Senate of Oliy Majlis elect the Authorized Person by majority of votes in their meetings.

According to the Paragraph 16 of Article 78 of the Constitution of Uzbekistan, Legislative Chamber (April 19, 2005) and Senate (May 6, 2005) for the first time elected the Authorized Person for Human Rights nominated by the President of Uzbekistan.

Authorized Person for Human Rights – is a special constitutional institution. Freedom and independence of the Authorized Person in making decisions, non-interference into her work is unquestionable condition of her effective human rights activities and a guarantee of objectivity and impartiality. Authorized Person's activities do not replace and substitute the work of other government bodies designed to safeguard and restore civil rights and liberties; facilitates improvement of their respective performance; indicates existing shortcomings and problems including those related to action or inaction of any government bodies and officials, and hence promotes better implementation of civil rights.

Mandate of parliamentary Ombudsman is established by the Law of Uzbekistan «On Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights (Ombudsman)» adopted on August 27, 2004, which stipulates that the Authorized Person reviews civil complaints and facilitates restoration of their rights, performs monitoring of the human rights situation in Uzbekistan, collaborates with representatives of various government branches, law enforcement and judicial bodies, international organizations, facilitates enhancement of human rights legislation and bringing it into conformity with the norms of international law, fostering international cooperation, and promote greater public awareness of human rights.

Enhancing public's legal awareness consequently facilitating better understanding by the citizens of their rights, forms and means to uphold them is one of the major objectives of the Authorized Person. Publication and delivery of annual and special ombudsman reports to the top government bodies is an effective means to generalize information about the state of affairs in domestic compliance with human rights and liberties and convey it to the government and public in general. The degree of priority given by the government to the reports and other official documents of the ombudsman is one of the most important indicators of democratization of governance, its responsiveness to the needs, wishes, and interests of citizens.

According to legislation, mandate of parliamentary Ombudsman includes annual reporting to the parliamentary chambers about human rights situation in the country.

Annual report of the outcomes of activities of the Authorized Person for Human Rights (Ombudsman), prepared in accordance with Article 7 of the Law «On Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights (Ombudsman)» is submitted to the Legislative Chamber and Senate of Oliy Majlis of Uzbekistan. In addition, Ombudsman report is also delivered to the Office of the President of Uzbekistan, Cabinet of Ministers of Uzbekistan, ministries and agencies, supreme judicial bodies, and local authorities.

This report covers the period from January 1 to December 31, 2005. Constant work was in progress throughout this time to receive citizens, restore violated civil rights, conduct human rights compliance monitoring locally,

enhance collaboration with government bodies, particularly with courts, law enforcement bodies, and human rights NGOs, promote improvement of human rights legislation, enhance public legal culture and literacy, and foster international human rights cooperation. A special focus was placed on making institutional performance of the Authorized Person more effective and address emerging issues strictly within the framework of law, guided by the principles of legitimacy, fairness, democracy, humanity, transparency and accessibility for every person.

This report was prepared based on the materials of human rights monitoring, analysis of the outcomes of civil complaints, information provided by regional representatives of Ombudsman, meetings and interviews with residents, officials, and civil servants, outcomes of scientific and research conferences and workshops, as well as analysis of the materials published in the media.

I. Improvement of human rights legislation of the Republic of Uzbekistan and monitoring of its observance

Improvement of parliamentary oversight of implementation of the laws into practice by all government bodies and officials is increasingly important in development of legal framework of democratic renewal of state and public framework. According to the Articles 78, 85-87 of the Constitution of the Republic of Uzbekistan, Legislative Chamber and Senate of Oliy Majlis of Uzbekistan exercise control over implementation of State budget, laws and decisions of parliamentary chambers.

Parliamentary oversight of implementation of the Constitution and human right laws of Uzbekistan is exercised by the Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights (Ombudsman) in conformity with the Law of Uzbekistan adopted on August 27, 2004.

Authorized Person for Human Rights of Oliy Majlis of Uzbekistan is an official authorized to exercise parliamentary oversight of observance of human rights legislation by government institutions, companies, organizations, and officials. The institution of Authorized Person for Human Rights complements existing forms and means for protection of human rights and liberties. In exercising her authority, Authorized Person is independent and separate from government institutions and officials, and accountable before the chambers of Oliy Majlis of Uzbekistan.

The activities of Ombudsman to promote improvement of human rights legislation of Uzbekistan and bringing it into compliance with generally recognized principles and norms of international law was implemented based on review of the information about human rights situation in the regions, analysis of citizens' petitions to the Authorized Person about violations of their rights and legitimate interests by issuing opinions based on legal review of draft laws, proposals to introduce changes and amendments into the draft laws, remove the

loopholes in legislation, proposals to ratify international human rights instruments.

Ombudsman institution has conducted legal review of the number of draft laws prepared in the parliamentary committees, government, and agencies to safeguard and uphold various categories of civil rights and liberties in the reporting period. Authorized Person for Human Rights has proposed amendments into the following draft laws: “Public associations”, “Electronic payments”, “Consumer Crediting”, “Protection of Information and Automated Systems”, “Microcredits and Microcredit Organizations”, “On External Labor Migration”, “Guarantees for Activities of Non-government Non-profit Organizations”, Changes and Amendments to some Legislative Acts of Uzbekistan due to Streamlining of Activities of certain Businesses”, “Changes and Amendments to some Legislative Acts of Uzbekistan due to Reorganization of Certain Government Bodies”, “, “Changes and Amendments to some Legislative Acts of Uzbekistan due to Reorganization of Some Government Institutions”, “Amendments into the Law on Bankruptcy”, “Changes and Amendments to some Legislative Acts of Uzbekistan due to Streamlining Taxation and Reporting System of Businesses”, “Changes and Amendments to some Legislative Acts of Uzbekistan due to Reduction of the Types and Streamlining of Permit Procedures for Business Activities”, etc (Annex 1).

In the process of reviewing draft laws, the Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights focused on compliance of the draft laws with the requirements of international human rights instruments.

In the period after adoption of the Constitution of the Republic of Uzbekistan, legislation on social and political rights of citizens was updated and legal and regulatory underpinning was laid for establishment of democratic legal governance. Substantial work in this regard was undertaken to enhance the effectiveness of the norms regulating civil rights to participate in public life, including the right for association.

Prepared draft laws “On public associations” and “Guarantees for Activities of Non-government non-profit organizations” are geared to further improve the mechanism of government support for activities of non-government non-profit organizations and expansion of social partnership. Ombudsman has reviewed these draft laws and initiated proposals to improve the quality of draft laws.

Conducting her activities in improvement of legislation in the reporting period Authorized Person for Human Rights has developed the established forms of collaboration with the committees of parliament’s chambers aimed at exchange of human rights information, conducting screening of draft laws affecting various categories of human rights, cooperation in oversight activities and involvement in human rights activities.

These forms of collaboration facilitated greater effectiveness of Ombudsman’s activities and enabled to make proposals to change and amend

current legislation. Ombudsman's cooperation with the following committees of the Legislative Chamber has been boosted in the reporting year:

a) in legal screening of draft laws of Uzbekistan:

Committee for Democratic Institutions, Non-Government Organizations and Civil Self-Governance Institutions (proposals and comments made on 2 draft laws);

Committee for Budget and Economic Reforms (proposals and comments made on 10 draft laws);

Committee for Labor and Social Issues (proposals and comments made on 1 draft law).

b) Oversight performance of committees:

Committee for Democratic Institutions, Non-Government Organizations, and Civil Self-Governance Institutions (involvement in oversight of observance of the Law "on Civil complaints" in Kashkadarya region);

Committee for International Affairs and Interparliamentary Relations (participation in oversight of compliance with UN Convention of the Rights of the Child, UN Convention against Torture, and Other Cruel, Inhuman or Degrading Treatment and Punishment).

Furthermore, Ombudsman was involved in the work of conferences, workshops, roundtables held by the Committees for Legislation and Judicial and Legal Affairs, on Democratic Institutions, Non-Government Organizations and Civil Self-Governance Institutions, Labor and Social Affairs, Information and Communication Technologies of the Legislative Chamber of Oliy Majlis of Uzbekistan (Annex 2).

Collaboration of the Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights with the committees of the Senate of Oliy Majlis of Uzbekistan – upper chamber of the parliament – was aimed to improve oversight of compliance with human rights and sharing of information and materials related to human rights, and participation in conferences and seminars held by the Senate committees.

In 2005 cooperation with Senate's Committees on External Political Affairs, legislation, and judicial affairs was reinforced. Ombudsman was involved in the work of the Senate Committee for External Political Affairs in the review of implementation of the UN Convention on Elimination of All Forms of Discrimination Against Women (CEDAW). Jointly with this committee, a presentation of the agreement of cooperation between the Ombudsmans of Uzbekistan and Slovakia was held. The Ombudsman also took part in the work of conferences held by the Senate Committee for Legislation and Judicial and Legal Affairs, Budget, and Economic Reforms.

More than 100 complaints of individuals about performance of homeowner associations (HOA) were filed to the Authorized Person for Human Rights (Ombudsman) in 2003-2005. As the analysis has shown, 70% of them are complaints about untimely maintenance and sub-standard technical maintenance of common facilities, lack of adequate heating in apartment block, and unstable

hot water supply. All incoming complaints were duly noted and sent for resolution to the respective institutions (local authorities, prosecutor's office, etc.). In 20% of complaints citizens have expressed their discontent about inaction of HOA in major and minor renovation of apartment blocks and fixing the roofs as well as inadequate work of elevators. Lack of reporting and transparency in the activities of HOA with regard to funds accumulated by HOA for major renovation, shortage of information among the members about the schedule and list of planned activities creates grounded complaints of citizens about unsatisfactory work of HOA.

As citizens have indicated, they do not always have the opportunity to take part in the general meeting of residents as they do not always have the information about the time and venue, which does not enable them to actively participate in discussion of housing issues, make decisions on expenditures of HOA and amount necessary to cover these expenditures. Often homeowners do not even know which apartment blocks were renovated this year, and which are scheduled for renovation next year. Citizens are encountering certain problems related to implementation of the Law of Uzbekistan "On Homeowner Association" specifically regarding land plots.

Current legislation does not provide clear definitions of the rights of residents for territory adjacent to the apartment blocks, common property of the block as well as procedures for registration and maintenance of this property. There are many complaints among homeowners with regard to issues of utility fees, non-compliance with agreements of mutual responsibility of the parties. Citizens cannot succeed in recalculation or lower fees if services provided are of inadequate quantity and quality.

Increasing amount of complaints about performance of homeowner services as well as problems in implementation of respective legislation identified in the course of examination of these problems served as the basis for conducting **monitoring of the observance of homeowner rights in the city of Tashkent**.

Monitoring study conducted by the Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights in 2005 in the Yakkasaroy district of the city of Tashkent was aimed to identification of the impact of ineffective terms for activities of homeowner services (HOA) to monitor observance of the rights and legitimate interests of homeowners.

Objectives of the monitoring included review of the conditions for HOA activities, inspection of the safekeeping, proper technical and sanitary state of housing and non-housing premises and buildings united into a HOA, identify the reasons hindering development and reinforcement of these organizations, identify issues that HOA encounter in managing multi-apartment housing blocks as well as in relations with maintenance, emergency, repair, and servicing companies.

In the course of monitoring representatives of working groups participated in the general meetings of a number of HOA with involvement of the representatives of local authorities, KRAVS (public utility companies and

services), and “Mahalla” Foundation. Analysis and review of monitoring findings indicate that effectiveness of the implementation of housing and utility reforms in many respects depends on both the extent and level of the application of law as well as compliance of all actors with the established norms.

Cases of improper implementation and violations of the Law “On Homeowner Services” identified in the course of monitoring indicate violation of homeowner rights in technical and sanitary maintenance of common property in one or several tightly located apartment blocks united in common land plot and infrastructure elements including:

Article 1. “Homeowner Services” – it has been established that setting up these services without awareness campaigns and involvement of homeowners led to the fact that majority of residents do not regard the service as non-government organizations created in their interests, do not fully realize the objectives for establishment and activities of these non-profit associations, and their own role in supporting the residential premises and common property of multi-apartment block in adequate condition making it apt for residence;

Article 2. “Legislation on Associations” – legislation does not define the form of associations, which have united the owners of several blocks. Practice has shown that the system of democratic self-governance can be positively implemented only if the homeowner association is created within one house. Associations do not have adequate legislative and regulatory documents regulating their activities, and homeowners are not familiar with legislative acts on HOAs and charter of the association;

Article 3. “Government Support for Associations” – local authorities do not conduct monitoring of the activities of associations related to compliance with the maintenance standards of their housing, ensuring safety of residence in their homes, essential action is taken on their side to develop and enhance associations, observing the rights and legitimate interests of homeowners.

Article 4. “Constituent meeting” – an adverse practice has emerged where decisionmaking, which is directly the authority of founding meeting, less than half of homeowners actually vote, signatures for establishment of association are collected by going round the apartments without prior information provided to the residents about legislation on associations;

Article 5. «Charter of Association» – 71.5% of surveyed homeowners are not aware of the charter of association;

Article 10. «Land plots of association» – not all associations are entitled to utilize land plots according to state register, homeowners do not know the

borders of land plots attached to the association, and do not participate in its development.

Article 12. «Relations of the association with owners of non-residential premises» – issues to transfer non-residential premises are not reviewed in general meetings of associations, decision on the matter is made single-handedly by the chairman of the board of association;

Article 13, 14. «Rights and responsibilities of association» – homeowners are not aware of the rights and responsibilities of the association, do not always meet their liabilities to reimburse the expenses for maintenance of houses, do not utilize the right to oversee decisionmaking and implementation as homeowners. Their insufficient activeness and unpreparedness to assume responsibility for the state of housing leads to inability in implementation of self-governance tasks of homeowners and complaints of residents about the work of associations;

Article 15. «Management bodies of association» – residents of multi-apartment blocks do not participate in election of association's management bodies and are not aware of their responsibilities;

Article 16. «General meeting of association members» – general meetings of associations are summoned with violation of deadlines, and usually less than half of the all members of HOAs are present, and issues exclusively in the competence of general meeting are not included agenda.

Article 17. «Procedures for conducting general meeting and voting of association members» – general meetings are held with violations of the procedures to conduct them, provisions of the charter regarding notification of homeowners about forthcoming meeting, its agenda as well as voting on the issues in the agenda.

Article 18, 19. «Board of the Association and its Scope of Work» – meetings of association boards are not summoned on the dates set, issues beyond their authority are reviewed, and homeowners are not aware of the activities of the association;

Article 20. «Chairman of association's board» – association's members do not participate in election of chairman; elected term of chairman is not set. Some chairmen do not have the experience or relevant education related not only to maintenance of housing but also organizational issues of HOA's activities. Lack of professional knowledge of the chairman of association's board or executive director in the issues of technical maintenance and

conducting renovation works adversely impact the quality of planning of the activities of the HOAs they run;

Article 21. «Inspection commission of the association» – members of association are not involved in electing inspection commission, and there is no practice of homeowner oversight of association’s performance through inspection commission and reporting of inspection commission before general meeting on the financial affairs of the association;

Article 22. «Association’s funds» – homeowners are not aware either of the sources of association’s funds or its revenues and expenditures, relevant reports are not delivered before general meetings of homeowners. Legally established principle “property owners are responsible for maintenance” is violated. Associations managing several apartment blocks spend the funds collected from all association members to renovate the blocks that need it most due to their technical condition, i.e. contributions of homeowners are spent for maintenance of other apartment blocks. This practice contradicts the interests of homeowners and lead to low rates of collections of associations’ fees for maintenance and renovation of apartment blocks (maintenance expenditures);

Article 23. «Reorganization and closure of association» – decision to reorganize and close down associations are not considered in general meetings of associations, decisions to quit (merge, separation) of apartment blocks from associations are made without securing the agreement of all homeowners;

Article 25. «Relationship of associations with civil self-governance institutions» – there is no collaboration between associations and civil self-governance institutions.

Article 26. «Dispute resolution» – associations usually litigate against homeowners for non-payment of utility fees, court rulings in majority of cases are issued in absentia, which causes justified discontent of residents. Homeowners are not always able to positively resolve emerging disputes emerging because of inadequate performance of association.

Article 27 «Liability for violation of the law on associations» – local authorities, HOA associations, law enforcement and tax bodies do not perform due oversight of HOA’s activities over issues of technical and sanitary state of residential blocks, observance of financial discipline, and responsibility of associations before their members.

Major issues identified in the course of monitoring as adversely impacting the effectiveness of activities of homeowner associations are as follows:

1. Gross and systematic violation of the Law “On Homeowner Associations”.

2. Lack of effective mechanisms for implementation of the provisions of the legislation on homeowner associations.

3. Low legal awareness of HOA staff and inadequate skills to conduct the work of non-profit organizations, lack of due working environment.

4. Violations of regulations for maintenance and renovation of homes, inadequate maintenance of apartment blocks, lack of effective mechanisms for relations among homeowners and management bodies of the association, among HOA and managing organizations and companies providing utility and home maintenance and renovation services.

5. Inadequate awareness raising activities among residents of multi-apartment blocks on issues of maintenance and renovation of housing blocks and adjacent areas, lack of oversight of HOA’s activities by association members. As the main objective of associations are unifying homeowners for making joint decisions on maintenance of common property, while the property itself is primarily limited to the particular block, then in large associations it is expedient to transfer significant share of authority in making decisions on scope of works to maintain the house and among of payments for this purpose to the meeting of homeowners in each house.

6. Failure to observe the order and procedures for maintaining financial records, lack of transparency in activities of homeowner associations, and improper spending of revenues.

7. Lack of coordination of activities and collaboration of homeowner associations with local authorities and self-governance institutions for area development activities, observance of residential regulations in multi-apartment blocks by residents as well as failure to comply with legislation to provide financial support to low-income families in paying for utility fees.

8. Gross and systematic violation of legislative provisions on conducting general meetings of HOA members, illicit exercise of the authority of general meetings by HOA board or small group of persons in violation of the rights and interests of homeowners. In this regard, it is essential to determine the procedure for management of associations, where it is virtually impossible to conduct a general meeting with presence of all association members due to their large number.

9. Inadequate implementation of legislative norms in joint management and maintenance of apartment blocks, determination of the policies and rules for utilization of common property, and adequate maintenance of common property.

10. Inadequate legal regulation of the relations of associations with owners of non-residential premises, lack of mechanisms for implementation of relevant legal provisions. The issue of legal status of owners of non-residential premises including their involvement in maintenance of the block and works to replace water supply systems and roof repairs has not been resolved. They have no

responsibilities for maintenance of common property and do not have equal rights for joint decisionmaking and management of common property.

11. Low legal awareness of homeowners in multi-apartment blocks, limitations of the rights of homeowners for judicial protection of their rights.

Summary of the findings of homeowner survey conducted in the course of monitoring has helped to identify their passive involvement in HOA activities, lack of trust for this institution, and unwillingness to participate in the survey. Majority of surveyed individuals believe that changing the current situation for the better is impossible.

Findings of the monitoring identified the need to improve the housing and utilities legislation, to develop effective mechanisms for implementation of legislative acts aimed to improve the effectiveness of the activities of homeowner associations:

a) legislative measures to enhance the legal status of HOAs, improve the mechanisms and procedures for collaboration of this institution with its members, government and non-government institutions:

- Legislative definition of the opportunity to form associations unifying homeowners of several blocks;
- Inclusion of provisions about special vocational training of persons involved in management of homeowner associations in the Law “on Homeowner Associations”;
- Authorize responsible officials of local authorities, Union of HOAs, chairmen of HOA boards, law enforcement bodies, civil self-governance bodies to oversee proper implementation of the provisions of the Law on “Homeowner Associations”;
- Introduce into the Law on HOAs mandatory reporting (once in six months) of HOA boards and inspection commissions (inspector) on the outcomes of financial and business operations of the associations before the members;
- Introduce provision on delivery of reports of chairmen of HOA boards at the sessions of district, city, and regional councils of people’s deputies, meetings of HOA associations (once in six months);
- Codify the responsibilities of owners of non-residential premises in each block before the associations;
- Ensure legal regulation of trilateral relations among consumers, suppliers of utility services and homeowner associations (local authorities, UzKommunXizmat agency, KRAVS);

b) measures for improvement of HOA activities, management technologies aimed at enhancement of their effectiveness, efficiency, flexibility, etc.:

- Develop a system to provide housing related legislative acts to associations (local authorities, YA «UzKommunXizmat», RUMNITs «UzKommunO'kuvtashkilotchi»);
- take measures to enhance HOAs' professional skills and quality of management and maintenance of homes (local authorities, YA «UzKommunXizmat», RUMNITs «UzKommunO'kuvtashkilotchi»);
- Promote involvement of private companies and entrepreneurs in management and maintenance of homes (local authorities, YA «UzKommunXizmat»);

c) information and awareness raising activities aimed at enhancement public's trust to HOA as an institution, disseminate information about the rights and responsibilities of HOAs and its members, promote positive experience accumulated in this area:

- Enhance responsibility of members for timely payments for maintenance of homes and utility fees;
- Set up a system of counseling offices and training centers for homeowners and HOAs;
- Conduct workshops, lectures for association members at local authorities, mahallas (residential area council), RUMNITs «UzKommunO'kuvtashkilotchi»;
- Conduct media awareness raising campaign (TV and radio) about activities of associations, existing problems and ways to resolve them;

d) Recommendations for establishment of a system for monitoring and supervision of HOA's activities by:

Members of homeowner associations:

- Introduce the practice of systematic hearing (every 6 months) of reports by board chairman, executive director and inspection commission (inspector) about their performance and current state of financial and business activities of the association in general meetings of each block (several blocks).

Prosecutor's office:

- Ensure prosecutorial oversight of implementation of the Law on HOAs;
- Take prosecutorial action against offenders of HOA legislation.

Local authorities:

- Facilitate the oversight of performance of associations (technical and sanitary condition of apartment blocks), provide assistance in creating adequate environment for HOA operations, and provide them regulatory documents;
- Ensure receipt and review of civil complaints regarding HOAs;
- Identify government institutions responsible to assist HOAs;

- Conduct attestation of chairmen of association boards at district HOA associations;
- Organize quarterly hearing of the reports of board chairmen and executive directors on association's performance at the sessions of Councils of deputies.
- Develop a system of measures for government support and strengthening of associations;
- Organize permanent system for training of chairmen and members of association councils.

Civil self-governance bodies:

- Introduce the practice of including the position of HOA chairman and two members of the board to the mahalla (community council).
- Hold periodic hearing of reports by chairmen and executive directors on performance of association at the meetings of self-governance institutions;
- Ensure improvement of the system for targeted support for low-income population group for payment of housing maintenance and utility fees.

In order to enhance the effectiveness of parliamentary oversight of compliance with human rights, establishment of a system for collaboration and coordination of oversight activities of Ombudsman and committees of the Legislative Chamber and Senate of Oliy Majlis of Uzbekistan, the Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights believes it is appropriate to focus on the following aspects:

- involvement in oversight activities of the committees of the Legislative Chamber and Senate of Oliy Majlis of Uzbekistan to monitor implementation of the laws and international treaties on human rights;
- send to the committees of the Legislative Chamber and Senate of Oliy Majlis of Uzbekistan Ombudsman's materials based on the findings of human rights compliance monitoring;
- receive the plans of legislative activities of parliament chambers and draft laws submitted to the parliament;
- participation in working groups for preparation of draft laws;
- conduct legal screening of compliance of draft laws on parliament floor with human rights standards;
- make proposals to join, denounce or suspend international human rights instruments.

Basic objective of parliamentary oversight is seen as enhancement of performance of both central and local government bodies, protection of interests of Uzbekistan and its citizens by increasing the responsibility of government bodies and officials for performance of their tasks and enhancing their personal responsibility. Enhancing effectiveness of parliamentary oversight will certainly facilitate boosting of prosecutorial, judicial, agency, regional, and public oversight.

Expanding the collaboration of Ombudsman with the committees of Oliy Majlis chambers will enable to enhance leverage on government bodies and officials offending human rights, remove the causes, and develop the system for unconditional conformity to the principle of rule of law in their activities.

II. Activities to review individual complaints and restoration of their violated rights and freedoms

Meeting with citizens and reviewing their complaints subsequently facilitating restoration of their violated rights and freedoms is the ultimate focal area in Ombudsman's activities.

Secretariat and regional representatives of the Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights have organized receipt and review of individual complaints in accordance with the requirement of the Laws of the Republic of Uzbekistan «On Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights (Ombudsman)» and «On citizens' applications». In-office meetings with individuals and reviewing their petitions were done under personal control of the Authorized Person.

In the reporting year Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights received **6,142** individual petitions, including **3,672** petitions by mail and **2,470** petitions were submitted during the meeting. Legal counseling and explanations were provided to 1,184 individuals in the reporting period plus more than 3,000 individuals over the hotline.

Among the petitions about violations of rights, freedoms, and legitimate interests of individuals filed to the Authorized Person for Human Right, **1754** were placed under special control. During the reporting period, **240** petitions were resolved positively, while **389** are under review.

In 2005 individual in-office meetings with citizens at Ombudsman's Secretariat were conducted by the Authorized Person (Tuesday), members of the Commission for Observance of Constitutional Human Rights and Freedoms, staff members and experts of Ombudsman every business day.

According to the approved schedule, Ombudsman has personally held **30** meetings with **449** individuals and **181** petitions were placed under control.

Majority of the letters sent to the Ombudsman are sent for review to respective institutions, ministries, and agencies. In cases, when resolution of the issues raised by citizens is within the competence of local authorities, petitions are sent to Ombudsman's regional representatives and respective regional authorities or law enforcement bodies.

In the reporting period, Authorized Person has issued **16 conclusions**, of which **4** were sent to the Supreme Court of the Republic of Uzbekistan, **1** – to the administration of Tashkent oblast, and others are being reviewed.

It is notable that letters of Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights to the local authorities, law enforcement bodies, and other organizations and agencies are getting responses

quite swiftly and answers are provided quickly and to the point.

In the meantime, in collaboration with various government bodies and organizations, parliamentary Ombudsman has received answers signed by deputy heads or middle management, which was in violation of business ethics. As a violation of Article 16 of the Law of the Republic of Uzbekistan «On Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights (Ombudsman)» sometimes answers to the recommendations of Ombudsman were received beside the point and with violations of the deadlines.

In the reporting year, in order to effectively review the issues raised in the petitions to the Ombudsman and resolving them quickly and competently, activities of public Expert Council under the Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights (Ombudsman) have proven to be particularly significant.

To ensure objective resolution and most comprehensive study of the arguments brought by petitioners in the petitions, **180** cases have been transferred for expert assessment to the members of Expert Council in order to identify the violation of individuals' rights, and making proposals to remedy identified violations. Decisions, opinions, and proposals of Expert Council on particular complaints were regularly discussed in the meetings of the Commission to safeguard the constitutional human rights and freedoms and considered in drafting Ombudsman's opinions.

Liberalization of domestic criminal punishment enabled the citizens facing limitations of their rights regarding court rulings and investigation in progress, more fully utilize the opportunity to apply to various rights advocacy institutions. In the reporting period, **39** petitions of the persons incarcerated at penitentiary institutions and remand prisons were received Authorized Person for Human Rights(Ombudsman), of which **23** were placed under control.

The Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights along with her regional representatives has conducted 16 meetings on field visits, including at penitentiary institutions.

Members of the Commission to observe constitutional rights and freedoms, staff of Ombudsman's Secretariat have participated in **2** criminal and **3** civil trials. Need to participate in trials because of petitions received by Ombudsman was received by courts with understanding, which enabled to create effective mechanism for collaboration of the Ombudsman with the courts to resolve complaints related to justice.

According to Article 13 of the Law «On Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights (Ombudsman)», out of **6,142** petitions received by Ombudsman (**1,004** of them – second time), **1,754** were accepted for consideration and placed under control; **1,184** applicants were counseled about the means and forms to protect their rights, freedoms, and legitimate interests; **2,243** complaints – transferred to law enforced bodies or officials for resolution; **292** – denied by providing the grounds for denial; **669** – added to complaints previously received.

Complaints received by Ombudsman were sent to the following organizations for consideration:

Organization	Under control	No control	Total
Supreme Court of Uzbekistan	171	272	443
Higher Economic Court of Uzbekistan	10	9	19
Regional, city, and district courts	187	308	495
Departments on execution of courts decisions	75	41	116
Prosecutor General's Office of Uzbekistan	118	96	214
Regional, city, and district prosecutor offices	448	587	1035
Khokimiats (Local authorities)	230	498	728
Regional Representatives of Ombudsman	237	-	237
Members of Expert Council	164	16	180
Ministry of Internal Affairs of Uzbekistan	111	223	334
Ministry of Labor and Public Welfare of Uzbekistan	36	37	73
Ministry of Health of Uzbekistan	23	33	56
Ministry of Defense of Uzbekistan	6	5	11
Ministry of Public Education of Uzbekistan	15	9	24
Ministry of Higher and Secondary Special Education of Uzbekistan	8	10	18
Ministry of Foreign Affairs of Uzbekistan	3	1	4
Ministry of Finance of Uzbekistan	3	8	11
Ministry of Culture and Sports of Uzbekistan	2	-	2
Ministry of Justice of Uzbekistan	6	13	19
"Mahalla" Foundation	3	4	7
Cabinet of Ministers of Uzbekistan	2	7	9
State Tax Committee of Uzbekistan	2	3	5
Commission for Pardons under the President of Uzbekistan	-	15	15
Women's Committee of Uzbekistan	-	3	3
Council of Federation of Trade Unions of Uzbekistan	1	3	4
Senate of Oliy Majlis of Uzbekistan	1	-	1
Legislative Chamber of Oliy Majlis of Uzbekistan	1	-	1
Other organizations	22	25	47
Ombudsman of the Russian Federation	3	1	4
Ombudsman of Kyrgyzstan	1	-	1
Ombudsman of Ukraine	1	-	1
Explanations to plaintiffs	-	292	292
TOTAL	1890	2519	4409

669 of **1,004** petitions received by Ombudsman for the second time were added into previous petitions, while **335** were sent to relevant authorities for execution.

It is notable that not all petitions received by Authorized Person for Human Rights are grounded, as often their resolution is beyond the authority and legal mandate parliamentary Ombudsman. In these cases, the Authorized Person or her regional representatives have provided essential counseling, explanations, and other types of legal aid to the applicants.

According to the Article 15 of the Law «On Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights (Ombudsman)», officials must provide the documents, materials, and other information related to violation of rights, freedoms, and legitimate interests of individuals at the request of the Authorized Person. Hindering the implementation of Authorized Person's responsibilities leads to liability in the established manner.

Ombudsman has sent notices to comply with the requirements of the Laws of the Republic of Uzbekistan «On Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights (Ombudsman)» and «On citizens' applications» to more than **50** government institutions and organizations on 97 cases under control received in 2005 and cases where answer was not received. These institutions included primarily the local authorities both at oblast, city, and district levels; civil courts of Andijan and Kashkadarya oblasts, city of Tashkent; prosecutor's office of Surkhandarya, Namangan and Tashkent oblasts, some districts of the Republic of Karakalpakstan, city of Tashkent, Tashkent oblast; Ministries of Public Education, and Agriculture and Water Management, and Culture and Sports of the Republic of Uzbekistan, regional departments of the Ministry of Labor and Public Welfare, People's Bank of the Republic of Uzbekistan.

The largest number of individual complaints was received from city of Tashkent, Surkhandarya, Tashkent, and Kashkadarya oblasts.

Below is the breakdown of petitions received from the regions of the country and placed under control:

№	Regions	Petitions under control	Petitions received
1	City of Tashkent	547	1470
2	Surkhandarya oblast	149	574
3	Tashkent oblast	141	480
4	Kashkadarya oblast	166	466
5	Samarkand oblast	132	390
6	Andijan oblast	92	262
7	Ferghana oblast	78	257
8	Namangan oblast	59	221
9	Jizzakh oblast	79	187
10	Navoi oblast	77	175
11	Bukhara oblast	56	174
12	Khorezm oblast	42	137

13	Republic of Karakalpakstan	53	132
14	Syrdarya oblast	33	106
	TOTAL	1704	5070

Above-said indicates that residents of the capital city, oblast centers, and adjacent oblasts have more opportunities to seek the assistance of Authorized Person for Human Rights than the residents of distant regions.

For this very reason, focus was made on conducting field trip meetings in various regions of the country. These meetings were conducted in the following regions in the last year: Andijan, Namangan, Ferghana, Jizzakh, and Syrdarya.

In May 2005 Ombudsman visited Ferghana valley and visited Andijan, Namangan and Ferghana oblasts in the course of the visit. During the visit the issues of safeguarding human rights in the activities of law enforcement bodies, enhancing the effectiveness of the activities of regional representatives were discussed, meetings and talks with oblast administration and law enforcement bodies were held, penitentiary institutions were visited, meetings with the members of expert groups under regional representatives as well as meetings with citizens in the communities took place.

Themes of individual petitions to the Authorized Person on the issues related to violation of the rights look as follows:

№	Categories of human rights	Number of complaints received	Complaints under control
1	Right for life, freedom, and personal immunity, humane treatment and dignity:	1076	425
	Disagreement with arrest and imprisonment	123	52
	Disagreement with criminal charges pressed	127	43
	Matters of transfer of inmates to another place of incarceration	29	8
	Matters of amnesty act and pardon	143	32
	Provision of medical assistance to convicts	3	2
	About illegal actions of the penitentiary service officers	22	14
	About disagreement with actions of law enforcement officers	224	106
	About disagreement with the investigation process	396	164
	About change in preventive action (release on bail)	9	4
2	Right for fair trial:	1668	573
	Disagreement with court sentence on criminal matters	574	224
	about disagreement with ruling of civil court	574	201
	about disagreement with ruling of economic court	30	15
	Non-enforcement of court rulings	197	103
	Hurdles created in trials	293	30
3	Right to work:	316	166
	disagreement about dismissal (downsizing) and transfer to another job	100	43
	disagreement about court ruling on this matter	49	24
	disagreement about actions of the administration of the institution, organization, and company	111	54

	Untimely payment of wages	56	45
4	Right for education	68	29
5	Welfare rights:	214	72
	pension entitlements	50	24
	Untimely payment of pension	16	9
	Issue of benefits	32	5
	Issues of financial assistance and benefits	116	34
6	Right for freedom of movement:	168	34
	Residence permit matters	75	24
	Naturalization issues	71	6
	Deportation issues	1	3
	Issues of passport and other identification documents of a citizen	21	1
7	Healthcare rights of citizens and disabled:	106	51
	Issues of providing public medical assistance	34	12
	Complaints about practices of healthcare workers	30	15
	Disagreement with diagnosis	7	2
	Issues related to benefits for the disabled	35	22
8	Family welfare rights:	382	60
	Violation of women's rights	46	7
	Violation of child's rights	18	2
	Family and domestic issues	318	51
9	Rights of military servicemen, law enforcement officers, and judicial staff	91	33
10	Entrepreneurial rights:	57	33
	Violation of entrepreneur's rights	53	32
	Issues related to access to loans	4	1
11	Housing and utility issues:	518	155
	Issues of home purchase	148	32
	Issues of home maintenance and utility services	133	48
	Issues related to activities of HOAs	64	28
	Issues of land plot allotment	173	47
12	Issues related to activities of local authorities, collective farms, and civil self-governance bodies:	180	90
	disagreements about decisions and actions of local authorities	103	52
	disagreements about decisions and actions of collective farm officials	53	25
	disagreement about decisions and actions of civil self-governance bodies	24	13
13	Issues related to indexation of funds	18	3
14	Issues related to improvement of legislation	1	1
15	Other issues	207	29
	TOTAL	5070	1754

In 2005 trends in the monthly number of petitions to Authorized Person for Human Rights were as follows:

№	Month	Number of petitions
1.	January	420

2.	February	452
3.	March	467
4.	April	441
5.	May	510
6.	June	387
7.	July	385
8.	August	475
9.	September	396
10.	October	464
11.	November	337
12.	December	393

The largest number of petitions – **510** was received in May, while the minimum number of complaints - **337** was received in November.

Number of petitions related to violation of housing legislation amounted to **518**, issues of welfare and social protection of citizens – **214**. The following were, inter alia, among urgent issues raised in civil petitions: labor rights violations – **316**, complaints against police actions – 22, appealing court verdicts in criminal matters – **574**.

29 petitions were received from CIS countries:

1.	Russian Federation	18
2.	Ukraine	5
3.	Kyrgyzstan	4
4.	Tajikistan	1
5.	Kazakhstan	1
	Total	29

Petitions to the Ombudsman from other countries were relate to the following issues:

Category of rights	Russia	Ukraine	Kazakhstan	Kyrgyzstan	Tajikistan
Disagreement with procedures and progress of investigation				1	
Disagreement with the verdict of criminal court	1	1	1		1
Disagreement with court ruling for civil matters	2	2			
Trial hindrances	1				
About non-execution of court ruling	1	1			
About disagreement with actions of institution's management	1				

Issues of pension entitlements	2			1	
Issuance of passport	4				
Issues of obtaining residence registration	1				
Issues related to protection of the rights of the disabled				1	
Disagreement with decisions of local authorities and actions of its staff	1				
Other issues	4	1		1	
Total	18	5	1	4	1

Personal rights

In the reporting period the Authorized Person received petitions where individuals expressed their disagreement with their arrest, incarceration, criminal charges pressed against them, actions of law enforcement bodies as well as inaction regarding individual petitions on any issues, procedures and conducting of investigation, assistance in changing preventive measures.

The largest number of petitions was received from the city of Tashkent, Surkhandarya, Tashkent, Kashkadarya and Samarkand oblasts.

№	Regions	Number of petitions	Placed under control
1	City of Tashkent	249	105
2	Tashkent oblast	116	54
3	Surkhandarya oblast	136	38
4	Samarkand oblast	106	38
5	Kashkadarya oblast	109	38
6	Jizzakh oblast	37	16
7	Ferghana oblast	58	21
8	Navoi oblast	35	21
9	Andijan oblast	66	29
10	Bukhara oblast	28	10
11	Syrdarya oblast	18	8
12	Namangan oblast	57	19
13	Khorezm oblast	27	8
14	Republic of Karakalpakstan	34	11
	TOTAL	1076	416

It is notable that although law enforcement administrators are paying serious attention to resolution of aforementioned problems, compliance of law enforcement bodies with civil rights and freedoms remains a pressing issue and requires further legal and law enforcement regulation.

Actions of Chilanzar District Interior Department police officers who entered inaccurate data about three previous convictions in passport registration of Ms. F.K. (#907q), which is an example of professional negligence leading to disgracing of human dignity. As a result, not only Ms. F.K. could not get recruited for position with financial and administrative responsibility, but also suffered moral damage to her reputation. After complaining to the Ombudsman, who in turn contacted its partner organization – Ministry of Internal Affairs of the Republic of Uzbekistan, good name of the petitioner was restored and those responsible were duly punished appropriately.

New class of owners became more demanding to the conditions of entrepreneurial activities. For instance, O.Sh. and D.M., private entrepreneurs from Tashkent (#328q) informed of the illegitimate actions of Mirzo-Ulugbek district tax inspection in their petition to the Ombudsman. After joint actions of Ombudsman and State Tax Committee of the Republic of Uzbekistan it was identified that the facts listed in the petition were partially proven, and Mr. R. Hamraev, head of inspection group of this tax inspection was disciplined, and entire staff of city tax service was informed in this regard.

Faculty of school № 12 of the city of Angren (#2032p) complained to the Authorized Person about the outright offences by principal A. Karabaev, whose actions were not curbed by local authorities or local educational authorities. Ombudsman's reference to the prosecutor's office has led to establishment of proof, and city prosecutor's office has pressed criminal charges against A. Karabaev.

Mr. V. Lukin, Ombudsman of the Russian Federation (#4109p) referred to illegitimate actions of police officers of Mirabad district Interior Department against D.D., a citizen of the Russian Federation. After examination of this case, Ombudsman and Ministry of Internal Affairs of the Republic of Uzbekistan conducted internal investigation and materials of the violations regarding violated rights of the applicant were conveyed to the prosecutor's office.

Complaint from Ms. N.N. about attempt of rape and infliction of bodily injuries (#428q) by Mr. B. Rahmatov indicates violation of women's rights. Trial of this case at district courts and insignificant sentences they have issued against the offender who had relatives in law enforcement bodies did not satisfy the applicant. Referral of the Authorized Person to the higher courts and prosecutor's office has had effect, and Mr. B. Rahmatov is currently on wanted list, and he will be strictly punished considering social implications of the crime.

Issues of safeguarding housing rights

Safeguarding constitutional right for housing is a fundamental condition for human and citizen's activities. Individual petitions on housing and utility issues were primarily related to the access to housing, lack of utility services, lack of heating in winter season, lack of hot and cold water, natural gas and electricity, maintenance of apartment blocks and apartments, staircases and basement areas.

Petitions indicated the problems related to access to land plots for home building, cases of disconnecting electricity, cold and hot water, inaction of officials responsible for housing and utilities to maintain housing buildings, adjacent area, illegitimate increase of utility fees, violations in establishment and operating homeowner associations, etc.

Analysis of this category of petitions has demonstrated that all of them are due to failure of government bodies and local authorities to abide by the Constitution and laws of the Republic of Uzbekistan stipulating facilitation of realization of citizens' rights for adequate housing.

As the trends have indicated, these issues are particularly acute in the regions.

№	Regions	Total Number of Petitions	Petitions under control
1	City of Tashkent	174	65
2	Andijan oblast	16	9
3	Bukhara oblast	17	3
4	Jizzakh oblast	13	6
5	Kashkadarya oblast	38	9
6	Navoi oblast	11	5
7	Namangan oblast	11	4
8	Samarkand oblast	31	12
9	Syrdarya oblast	10	3
10	Surkhandarya oblast	87	16
11	Tashkent oblast	21	5
12	Ferghana oblast	39	7
13	Khorezm oblast	18	4
14	Republic of Karakalpakstan	12	6
	TOTAL	518	153

From the total number of petitions placed under control, violations of citizens' rights were identified in 32 cases and necessary actions were taken to address the shortcomings.

Increase in the number of complaints regarding activities of HOA as well as violations of individuals' rights for adequate housing identified in the course of review necessitated the monitoring of safeguarding homeowner rights in the city of Tashkent. It is planned to conduct monitoring in the regions of the country in 2006.

Effectiveness of special services supporting the operation of HOAs is of great importance amid the reform of public utilities sector. In the meantime, as staff members of these services do not receive their wages, it is difficult to expect any adequate performance. Employees of TashLift company (№2218q) fruitlessly trying to get their wages overdue for 9 months informed the

Authorized Person. This fact indicates negligible approach of the manager S. Dayblovsky and chief accountant N. Shevtsova to the pressing issues of the staff, little legal awareness of its members and inadequate activeness of trade unions. Prosecutor's office of the city of Tashkent took administrative action against the management after Ombudsman's reference to this petition and facilitated payment of overdue wages.

Reform of public utilities sector underway in the country increases the demands to the quality of the services provided and performance of HOAs. This was demonstrated in the *collective petition of residents (№2169q) about inaction of local authorities to fix malfunctioning power grid leading to the damaged home appliances. Ombudsman, realizing the importance of ensuring homeowner rights, assigned her regional representative to handle this matter and mobilize respective institutions to restore violated rights of citizens. As a result of the actions taken, Oq-Tepa Kommunalchi assumed the responsibility to cover the expenses to repair damaged home appliances of the petitioners.*

Collective petition of the residents of Yangiyer town of Syrdarya oblast to the Ombudsman (#917p) to facilitate their access to natural gas supply and maintenance of existing communications was addressed thanks to coordinated actions of local authorities and local Sirdaryogas company.

Welfare issues

In addition to certain guarantees in the areas of labor, healthcare, and education, social policy also includes government support for the disabled and senior citizens, a system of social services, payment of pensions, benefits, and other welfare measures.

214 individual petitions were received by the Authorized Person with regard to social welfare.

№	Regions	Number of petitions received	Petitions under control
1	City of Tashkent	81	28
2	Andijan oblast	9	5
3	Bukhara oblast	5	3
4	Jizzakh oblast	13	6
5	Kashkadarya oblast	16	11
6	Navoi oblast	6	5
7	Namangan oblast	13	4
8	Samarkand oblast	22	1
9	Syrdarya oblast	13	1
10	Surkhandarya oblast	5	3
11	Tashkent oblast	13	1
12	Ferghana oblast	13	1

13	Khorezm oblast	1	-
14	Republic of Karakalpakstan	4	1
	TOTAL	214	74

Arguments of petitioners were confirmed in 21 cases and appropriate actions were taken to restore violated rights of the individuals.

Assistance to socially vulnerable population groups is amongst the priorities of Ombudsman's institution. *Therefore, petitions from lonely and aged citizens are never left without attention and are implemented with involvement of government authorities and public institutions. Petition of F. and B.N. from Forish district of Jizzakh oblast (#1596p) regarding entitlement for essential medical assistance and treatment at healthcare institutions can be used as an example. The local authorities have taken this request very seriously and issued 2 orders and 2 tickets at inpatient rehabilitation and resort.*

Safeguarding the rights of the disabled indicates the responsibility of officials and ideas of humanism in the society. Petition of Mr. I.T. (#203p) about non-payment of benefits by Tamir-kour JSC for in-service injury related disability and non-enforcement of the relevant district court order prompted the Authorized Person to turn to the Prosecutor's office of the city of Tashkent to uphold justice. As a result of actions taken by the prosecutor's office, administrative charges were pressed against the manager of the organization, while the payment of overdue benefits is being sorted out jointly with Yakkasaroy district tax inspection.

1st category disabled B.A. (№ 1705 p) petitioned to the Ombudsman for assistance in obtaining wheelchair due to amputation of both legs. Taking the circumstances into account, the Authorized Person turned to the Ministry of Labor and Public Welfare of the Republic of Uzbekistan, which allocated a wheelchair to Mr. B.A. from its additional reserves.

Assistance to low-income families and families with many children is particularly important in the transition period. Ms. A.Sh., a resident of Uchtepa district of the capital city (№ 2925 q) *applied to the Ombudsman to facilitate the receipt of financial benefits and child benefit for her orphan- grand son in her custody due to tragic loss of the parents. District authorities and city department for labor and welfare, having duly assessed the situation and reference of the Ombudsman, took all actions to assist the retired woman and her grandson.*

Not only the feelings of duty but also moral commitments should not fade in the background while market relations are emerging. *Petition of Ms. M.S., who in vain tried to get entitlement for benefits due to the loss of breadwinner – son who had died in the workplace accident at TashInjStroy JSC (№2668p) to the Authorized Person indicates this. The organization where petitioner's son worked always found reasons to deny these benefits, which prompted the Ombudsman to contact the prosecutor's office, who identified the violation of*

legitimate rights of the lone woman and filed a lawsuit to the district civil court to collect the overdue amount for Ms. M.S.

Issues of healthcare and medical services provided to citizens

According to Article 40 of the Constitution of the Republic of Uzbekistan, Law “on Citizens’ healthcare, citizens of the Republic of Uzbekistan are entitled to healthcare support, qualified medical assistance at healthcare institutions and appropriate support of local authorities.

Problems in public medical services (34), implementation of the rights of the disabled (35), and disagreement with practices of healthcare workers (30) were the most frequent reasons for petitions to the Ombudsman.

City of Tashkent, Kashkadarya, Ferghana, and Namangan regions account for the largest number of complaints among the total number of complaints received.

№	Regions	Number of petitions received	Petitions under control
1	City of Tashkent	32	10
2	Andijan oblast	6	2
3	Bukhara oblast	4	-
4	Jizzakh oblast	6	4
5	Kashkadarya oblast	10	6
6	Navoi oblast	5	2
7	Namangan oblast	8	6
8	Samarkand oblast	7	7
9	Syrdarya oblast	3	1
10	Surkhandarya oblast	5	3
11	Tashkent oblast	6	2
12	Ferghana oblast	8	2
13	Khorezm oblast	4	2
14	Republic of Karakalpakstan	2	-
	TOTAL	106	51

In 11 cases taken by the Ombudsman under control, arguments of the applicants were confirmed.

Major nationwide endeavor was undertaken to improve public healthcare and safeguard patients’ rights in the Year of Health. *But lack of professionalism in the practices of some healthcare workers is causing justified discontent of the public according to the petition of Ms. L.K., a resident of Samarkand (№2166q). Having contacted its national partner – Ministry of Health of the Republic of Uzbekistan, Ombudsman secured its support in resolving the issues the applicant was facing by providing her essential assistance as well as*

opportunity to undergo examination and treatment at inpatient hospitals and clinics of nation's capital.

Ms. H. S. has petitioned the Ombudsman about opening of medical institution for obstetric and patronage support in the village of Rapkon of Besharik district of Ferghana oblast. Considering the significance of this issue in the Year of Grace and Health, oblast khokim (governor) Sh. Nurmatov responded to the request of the Authorized Person to assist in the matter, and the aforementioned settlement is currently being serviced by physicians and gynecologists-obstetricians of Besharik district healthcare department according to the schedule, and opening of a special medical center is being planned in the nearest future.

Issues of safeguarding labor rights

Labor legislation of the Republic of Uzbekistan contains the legal underpinnings for realization of the guarantees of freedom, ban of forced labor, labor discrimination; unemployment benefits and assistance in getting employed. Every employee is entitled for fair labor conditions in conformity with safety and hygiene regulations; right for leisure, right for timely payment of wages no less than minimum wages; protection of labor rights, freedoms, and legitimate interests.

Individual petitions manifested continuing adverse practices in violation of a fundamental human right for labor and decent wages stipulated in the Constitution and labor legislation of the Republic of Uzbekistan. Authorized Person for Human Rights has received petitions expressing disagreement with dismissal, transfer to another position without prior warning, and actions of management of the institution, organization, and company – employer, court rulings and verdicts to protect this category of rights, and late payment of wages. It is notable that in response to these petitions to the Authorized Person, concrete actions were taken, inter alia, in many cases overdue wages were paid.

№	Regions	Number of petitions received	Petitions under control
1	City of Tashkent	94	56
2	Andijan oblast	13	4
3	Bukhara oblast	16	8
4	Jizzakh oblast	9	4
5	Kashkadarya oblast	27	24
6	Navoi oblast	12	7
7	Namangan oblast	11	5
8	Samarkand oblast	19	7
9	Syrdarya oblast	4	3
10	Surkhandarya oblast	50	21

11	Tashkent oblast	20	7
12	Ferghana oblast	20	7
13	Khorezm oblast	9	5
14	Republic of Karakalpakstan	12	9
	TOTAL	316	160

35 of the total number of petitions filed to uphold labor rights of citizens and placed under control were resolved positively.

Mr. U.K., handyman of Dangara Industrial Vocation College (№2714q) informed the Ombudsman about his ungrounded dismissal from his position and illegitimate actions of the administration of this educational institution. Ombudsman contacted Ferghana oblast prosecutor's office for assistance, which found the actions of college principal A.Koraboev to be illegitimate and took administrative action against him, also filing prosecutorial protest against dismissal of the petitioner. Mr. U.K. was restored in his position.

Right for decent wages for one's labor is vital in socioeconomic area. Yet some officials neglect this right of the workers, which was manifested in the petition of the workers of Toshkurilishmateriallari LITI (№4465q) about non-payment of wages for more than 10 months. Ombudsman contacted prosecutor's office of the city of Tashkent, which took action for timely payment of petitioner's wages and criminal charges were pressed against responsible officials.

Collective petition of the Uzbekistan Havo Yullari National Airlines (№4299q) to the Ombudsman regarding adequate labor conditions and payment of benefits was reviewed jointly by the regional representative for the city of Tashkent and airline's management. Labor conflict was resolved thanks to mutual understanding and positive response of airline's management.

Implementation of the Agreement of Cooperation with national partners of the Ombudsman has practical outcomes. Petition by the staff of Uzbek experimental station for oil-bearing and fiber crops (№1406q) about ungrounded termination of labor agreements by the administration prompted the Ombudsman to inquire into this labor conflict jointly with Tashkent oblast Council of Trade Unions Federation, who after the situational analysis found the actions of the management to be illegitimate. As a result of joint actions, orders about dismissals were cancelled, appropriate payments made, and labor rights of petitioners restored.

Collective petition of the teachers of the school № 9 named after S. Ayniy of Shurchi district of Surkhandarya oblast (№2972p) to the Authorized Person about overdue wages and leave payments was sent to the prosecutor's office, which identified illegitimate actions of district branch of Gallabank. After the action of district prosecutor's office, overdue amount equaling nearly 5 mln. soums were paid out to the teachers, while I. Bobobekov, manager of Shurchi branch of the bank was warned in writing of the liability for this kind of actions.

Issues of residence registration and naturalization in the Republic of Uzbekistan

During last year the office of the ombudsman received **168** individual petitions related to the matters of residence permit, exchange of passports, residence registration, and naturalization.

Major difficulties in realization of the rights of the citizens, as statistics has demonstrated, are the issues of residence registration and naturalization in the city of Tashkent, Tashkent and Ferghana oblasts.

№	Regions	Number of petitions received	Petitions under control
1	City of Tashkent	97	28
2	Andijan oblast	6	-
3	Bukhara oblast	4	-
4	Jizzakh oblast	7	1
5	Kashkadarya oblast	6	1
6	Navoi oblast	3	1
7	Namangan oblast	2	-
8	Samarkand oblast	8	-
9	Syrdarya oblast	5	-
10	Surkhandarya oblast	7	1
11	Tashkent oblast	17	2
12	Ferghana oblast	17	2
13	Khorezm oblast	1	-
14	Republic of Karakalpakstan	2	-
	TOTAL	168	36

Born in Uzbekistan Ms. D.H. (№1539q) petitioned to the Authorized Person for Human Rights after attempts in vain to regain her citizen's passport seized by the employee's of the passport office of the Chilanzar district Interior Department. Thorough approach of the officers of the Department of Citizens' Movements and Naturalization of the Ministry of Internal Affairs of the Republic of Uzbekistan and division of this service in the capital city in response to the inquiry of the Ombudsman resulted in internal investigation and identified that the petitioner will be covered by the Decree # UP-500 of the President issued on November 20, 1992, and she was offered apologies and her passport of the citizen of the Republic of Uzbekistan.

Resident of the city of Chirchik in the Tashkent oblast M.H. (№1039q) informed the Ombudsman about his difficulties in getting the citizenship of Uzbekistan. He has been living in the country for more than fifteen years and served in the Armed Forces of the Republic of Uzbekistan. Due to the hurdles

created by some civil servants and ignorance of his rights, he had not yet received necessary documents. After intervention by the Ombudsman, all procedural issues were swiftly resolved by the passport and visa office, and applicant received the essential documents.

Issues of safeguarding juvenile rights

The Authorized Person has often encountered the cases of violations of the rights of such a vulnerable group as children in the course of her activities to uphold and safeguard human rights.

During 2005 work was in progress to review citizens' petitions about violation of legitimate rights of the juveniles. Child institutions with various social profiles were visited.

№	Regions	Number of petitions received	Petitions under control
1	City of Tashkent	9	
2	Andijan oblast	-	-
3	Bukhara oblast	-	-
4	Jizzakh oblast	1	-
5	Kashkadarya oblast	1	1
6	Navoi oblast	-	-
7	Namangan oblast	-	-
8	Samarkand oblast	1	1
9	Syrdarya oblast	2	-
10	Surkhandarya oblast	-	-
11	Tashkent oblast	1	-
12	Ferghana oblast	2	-
13	Khorezm oblast	1	-
14	Republic of Karakalpakstan	-	-
	TOTAL	18	2

In his pursuit to provide for normal family-based development of his children, father B.Sh. who has petitioned to the Ombudsman seeking to appeal the ruling of Mirzo Ulugbek interdistrict trial court for civil cases in his divorce case with the spouse N. Hakimova and custody of two children. The case indicated that city court for civil cases has not taken into account all aspects of the case, which was upheld by the protest of the Supreme Court of the Republic of Uzbekistan, whom Ombudsman has turned to safeguard the interests of children.

Administrator of Chilanzar district Vital Registration office Sh. Kasimova has committed forgery by fabricating divorce certificate of the petitioner N.Sh.

(№2975q) with subsequent departure of her husband Khan Tafsir abroad. This fact was transferred by the Ombudsman to the Justice Department of the city of Tashkent, which dismissed Sh. Kasimova from her position and assisting Ms. N.Sh. to exercise her right to litigate for appropriate ruling.

Petition of a resident of Tashkent oblast Ms. B.A. (№3807q) to the Ombudsman was about the hurdles she encountered in collecting child support payments from her former husband living in Kashkadarya oblast. Department for Enforcement of Court Rulings, Technical and Financial Support to the Courts under the Ministry of Justice of the Republic of Uzbekistan, after reviewing the reasons, collected the appropriate amount from Mr. R. Rajabov, while D. Alikulov, the secretary of Shahrisabz interdistrict court for civil cases was disciplined for the hurdle caused and malpractice.

According to the legislation, Ombudsman is entitled to request and receive any documents, materials, and other information and receive appropriate explanations from the officials. Law does not prohibit the Authorized Person from requesting the criminal, civil, and administrative case files, where final rulings were issued and check the arguments of the petitioners based on credible documents.

In the meantime, handling the complaints in Ombudsman's practice involves serious difficulties due to the lack of opportunities for the Authorized Person for Human Rights to examine the materials of criminal, civil or administrative cases. Often judicial and law enforcement bodies somewhat resist her activities, citing that Ombudsman's powers are not enshrined in the procedural legislation of the country.

Findings of the study of petitions received by the Authorized Person for Human Rights of Oliy Majlis of the Republic of Uzbekistan in the reporting period enables to list the following reasons leading to human rights violations in the Republic of Uzbekistan:

- inadequately effective oversight of superior bodies over observance of human rights by subordinate institutions and officials in performing their duties, which indicates the pressing need to increase public control in these processes;
- *lack of transparency in the activities of government institutions, including the judiciary and law enforcement bodies, which leads to deviation from the established norms and rules in promoting the implementation of various categories of rights;*
- *slow implementation of some organizational and legal forms for exercising judicial and administrative oversight of the actions and decisions of the investigation bodies that limit civil rights;*
- *inadequate qualifications, narrow professional vision, and often legal nihilism, negligence, bureaucracy, lack of the feeling of responsibility of some law enforcement officers, administrators of local authorities, various organizations and institutions, and civil self-governance institutions;*
- *lack of or inadequate coordination of the activities of government and public institutions in raising the legal awareness of the public and creation of*

the system for legal education of certain categories of citizens in order to enhance their law obedience.

It is also notable that individual petitions to the Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights on the issues of persecution, harassment, and pressure of some local officials have become more frequent in the recent years. Analysis of the incoming correspondence enables to conclude that these kinds of actions are perpetrated against the citizens after they have petitioned to the Authorized Person, and in this regard, intervention of the Authorized Person is not always effective and requires organizational and legal support.

In the course of further development of the institution of Ombudsman in the foreseeable future, in reviewing complaints and conducting inquiries by own initiative the following issues should be in the focus of activities:

- Greater accessibility of the public to the legal aid provided by Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights by increasing the awareness of citizens about the objectives and tasks of the institution;
- Enhance the effectiveness of investigation of complaints, including legal expertise, requesting essential documents, follow up response to Ombudsman's opinions, etc;
- Ongoing analysis and oversight of the outcomes of the petitions of the Authorized Person to the government institutions, companies, organizations, and officials.
- Greater use of the capacity of non-government non-profit organizations and media to popularize the institution of Ombudsman among the public in general.

III. Activities of the regional representatives of the Ombudsman

Ombudsman's regional representatives provide substantial assistance in her activities. Handling individual petitions is a major dimension of activities of Ombudsman's regional representative. Analysis of the work of regional representatives in handling individual petitions has demonstrated that increasingly individuals are contacting local representatives of the Ombudsman regarding the issues of upholding and safeguarding their socioeconomic rights, and the number of petitions is also on the increase. Monitoring trials as an observer in the courtroom, meetings with petitioners locally, visits to penitentiary systems to establish specific facts have emerged as the forms of work in the activities of Ombudsman's regional representatives.

Starting 2002, regional representatives of Ombudsman have started independently conducting human rights monitoring and sending reports to the local authorities based on its findings. In 2005 regional representatives continued their monitoring of observance of human rights in the Republic of

Karakalpakstan, oblasts, and city of Tashkent. Regional representative for Karakalpakstan conducted monitoring of compliance with the rights of disabled children, where problems in child care were identified and recommendations were made to remedy them. Regional representative of Ombudsman for Bukhara, Khorezm, Kashkadarya, Samarkand, and city of Tashkent conducted monitoring research of compliance with rights of children, women, patients, homeowners, and labor rights of citizens.

Members of expert and working groups under regional representatives along with the representatives of non-government non-profit organizations and media actively participated in these activities. Materials of monitoring were provided to the local authorities and discussed in the meetings of respective khokimiats. It is notable conducting human rights monitoring locally by regional representatives of the Ombudsman enables take swift action to prevent the circumstances and causes leading to violation of citizens' rights.

Receipt and review of individual petitions is a priority in the activities of Ombudsman's regional representatives and conducted in accordance with the requirements of current legislation. In the reporting year Ombudsman's regional representatives reviewed **1,300** individual petitions, and violated rights of the citizens were restored in the majority of cases, and petitioners were explained the means and ways to safeguard their rights.

Following is the breakdown of individual petitions received by Ombudsman's regional representatives and taken under control:

№	Regions	2004 г.	2005
1	City of Tashkent	135	203
2	Andijan oblast	24	65
3	Bukhara oblast	75	55
4	Jizzakh oblast	67	72
5	Kashkadarya oblast	79	86
6	Navoi oblast	128	143
7	Namangan oblast	47	31
8	Samarkand oblast	243	275
9	Syrdarya oblast	28	29
10	Surkhandarya oblast	96	47
11	Tashkent oblast	14	20
12	Ferghana oblast	289	38
13	Khorezm oblast	228	202
14	Republic of Karakalpakstan	12	25
	TOTAL	1465	1291

It is notable that there is a trend of growing number of individual petitions in the regions, including the city of Tashkent, Andijan, Kashkadarya, Samarkand, Navoi oblasts, and Republic of Karakalpakstan. There was a notable

trend in number of individual complaints decreasing in a few regions (Ferghana, Surkhandarya oblast) caused by organizational issues of the activities of regional representatives.

Petitions received by Ombudsman's regional representatives were classified by the following categories:

№	Categories of human rights	Year 2005
1	Right for life, freedom, and personal immunity, humane treatment and respect for dignity:	157
	disagreement with arrest and incarceration	18
	disagreement with criminal charges pressed	40
	Issues of transfer of the convicts to another correctional facility	2
	Issues of amnesty and pardon	20
	Provision of health services to the inmates	15
	Illegitimate actions of the staff of penitentiary institutions	4
	disagreement with the actions of law enforcement officers	33
	disagreement with the procedure and conducting of the investigation	25
	Changing preventive measure	
2	Right for fair trial:	164
	disagreement with sentence of criminal court	50
	disagreement with the sentence of civil court	63
	disagreement with the sentence of economic court	19
	Non-enforcement of court sentences	20
	Hurdle created in trial	12
3	Right for work:	149
	disagreement with dismissal (lay off) and transfer to another job	57
	disagreement with court sentence on this matter	15
	disagreement with the actions of the administration of the institution, organization, and company	57
	Untimely receipt of wages	20
4	Right for education	61
5	Welfare rights:	126
	Pension entitlement issues	23
	Untimely payment of pensions	15
	Issues of benefits	32
	Issues of financial aid and benefits	56
6	Right for freedom of movement:	49
	Issues of residence registration	15
	Issues of naturalization	16
	Issues of deportation	3
	Issuance of passport and other identity documents	15
7	Right for the best possible psychological and physical health:	72
	Issues of public health services	38
	disagreement with actions of law enforcement bodies	25
	disagreement with the diagnosis set	-
	Issues related to the rights of the disabled	9

8	Family rights:	121
	Violation of women's rights	13
	Violation of child's rights	22
	Family and household issues	86
9	Rights of the military servicemen, law enforcement and judicial staff	5
10	Rights of entrepreneurs:	43
	Violations of entrepreneurs' rights	29
	Issues related to loans	14
11	Housing and utility issues:	171
	Issues of home purchase	45
	Issues of utility services and home maintenance	45
	Issues related to HOA	33
	Issues of land allotment	48
12	Issues related to actions of local authorities, collective farm managers, and civil self-governance institutions:	50
	disagreement with decisions and actions of khokimiats	32
	disagreement with decisions and actions of collective farm management	12
	disagreement with decisions and actions of civil self-governance bodies	6
13	Issues related to indexation of funds	-
14	Issues related to improvement of legislation	7
15	Other issues	116
	TOTAL	1291

Nature of individual petitions handled by Ombudsman's regional representatives enables to notice that prevailing number of complaints are related to housing rights, labor and socioeconomic rights of individuals. Complaints about violation of housing rights expressed as inadequate work of utility services, homeowner association, issues of home purchase or land allotment for construction accounted for significant share of individual petitions (13 percent of total number). In labor rights issues 11% of individuals complain about illegitimate dismissals and express their disagreement with the actions of administration of institutions, organizations, and companies. Complaints regarding social rights constitute the largest share of petition (9.8%), which is reflected in non-observance of pension laws, problems in access to financial aid and benefits. There are also complaints about violation of healthcare (5.6%) and educational (4.7%) rights of individuals and freedom of movement (3,8%).

In the meantime, Ombudsman's regional representatives are receiving significant number of complaints from individuals about violations of their rights related to justice (every fourth petition). Individuals complain about violations of the rights for life, freedom, and personal immunity, humane treatment and respect for dignity (12%) as well as rights for fair trial (12.7%). Majority of petitions are related to disagreement with criminal charges pressed, arrest and incarceration, illegitimate actions of law enforcement officers, as well

as disagreements with court verdicts and sentences, demands to review the case, and non-enforcement of court verdicts.

In addition, in order to address complaints, exercise oversight, conduct inspections and collect objective information on human rights compliance, Ombudsman has issued 237 instructions to her regional representatives regarding individual complaints in 2005. During reporting year, 67 of them were resolved and violated rights of individuals were restored, 106 are placed under control, and in the rest of the cases – arguments indicated in the petition were not confirmed. Petitioners were explained the procedure and means for protection of their rights and legitimate interests.

The following examples indicate the nature of individual complaints reviewed by Ombudsman’s regional representatives:

1. *Authorized Person for Human Rights received collective petition of residents of one of the apartment blocks (№4097p) in Mirzo-Ulugbek district of the city of Tashkent regarding asphalt coverage of the area adjacent to the block after repair works conducted by Mirzo Ulugbek RES. Petitions to the RES and district khokimiats yielded no results. Ombudsman’s regional representative for the city of Tashkent has examined this petition by field visit, and as a result, by efforts of district khokimiat and Tashkent city Electricity Grids JSC, the area adjacent to the house was asphalted.*

2. *Ombudsman received the complaint from Ms. Sh.M (№1744p)seeking qualified medical assistance. This petition was taken under control and sent to Ombudsman’s regional representative in the Andijan oblast. In the process of inquiry into the complaint it was identified that the petitioner had health problems, had a disabled child, and could not get the essential medical assistance due to her difficult financial situation. After the review of the complaint, Ms. Sh.M. underwent medical check-up, she was identified as a disabled of 2nd category and granted free-of-charge treatment at Republican Institute of Traumatology and Orthopedics with assistance of oblast khokimiat.*

3. *Mr. E. H., formerly employee of communications hub of Amudarya district of the Republic of Karakalpakstan petitioned to the Authorized Person for Human Rights (№316p) expressing his disagreement with his dismissal. Ombudsman’s regional representative in the Republic of Karakalpakstan has made an inquiry into this complaint and established that his dismissal was done in violation of the provision of the Labor Code of the Republic of Uzbekistan. The petitioner was reinstated into his position thanks to the inquiry.*

Distribution of Ombudsman’s instructions related to individual cases sent to the regional representatives is as follows:

№	Regions	Cases sent by the Ombudsman	Resolved positively
1	City of Tashkent	36	17
2	Andijan oblast	16	4
3	Bukhara oblast	15	7

4	Jizzakh oblast	4	1
5	Kashkadarya oblast	44	6
6	Navoi oblast	23	3
7	Namangan oblast	14	7
8	Samarkand oblast	25	3
9	Syrdarya oblast	5	1
10	Surkhandarya oblast	16	6
11	Tashkent oblast	8	2
12	Ferghana oblast	2	1
13	Khorezm oblast	13	2
14	Republic of Karakalpakstan	16	7
	TOTAL	237	67

Unequal distribution of cases sent by Ombudsman to a number of regions (Jizzakh, Ferghana, Syrdarya oblast) is due to the organizational issues in the activities of regional representatives that hindered effective performance of their authority, appointment of new representatives instead of previously elected or appointment of these persons to other positions.

Collaboration of regional representatives among each other became something new in the activities of regional representatives. Members of expert and working groups, volunteers of Ombudsman's regional representatives started being invited to the meetings conducted by Ombudsman's Secretariat.

In the reporting year, in conformity with the Resolution №232-II of Oliy Majlis of the Republic of Uzbekistan issued on May 12, 2001, Councils of people's deputies of Bukhara, Kashkadarya, Khorezm oblasts and city of Tashkent reviewed the information provided by Ombudsman's regional representatives regarding human rights compliance situation and activities of the regional representative. Yet majority of elected councils of regions did not review the information of Ombudsman's regional representatives on human rights compliance situation and activities of the regional representative due to the organizational issues in the activities of newly elected Councils of people's deputies in the first year. It seems appropriate to reflect this issue in the order of business of Councils of people's deputies to facilitate the realization of the parliamentary recommendations.

In order to inform the deputies of oblast, city and district Councils of deputies, Ombudsman and her regional representatives participated in the seminars conducted in all regions by Central Council of People's Democratic Party of Uzbekistan under the title "Legal Underpinning of local Councils of people's deputies" and delivered their reports. Deputies had the opportunity to learn about activities of regional representatives and human rights issues in the region in the course of these seminars.

Ombudsman's regional representatives jointly with the members of expert groups have been constantly focusing on raising human rights awareness among the public, particularly pupils, students, and workplaces.

The activities for raising awareness about human rights legislation, activities of the Ombudsman and her regional representatives among citizens and officials at government institutions, particularly courts and law enforcement bodies, public organizations, civil self-governance institutions, academic institutions, companies, and communities was continued in the reporting period. Workshops, roundtables, meetings, conversations, and practical exercises were held for this purpose.

Ombudsman's regional representatives particularly focused on cooperation with the local media by regularly speaking on local television and radio, published materials on their activities to safeguard individuals' rights. It is notable that inclusion of the representatives of the media in the expert groups of regional representatives facilitated swift coverage of materials on human rights compliance issues.

Cooperation of regional representatives with government and public institutions in the reporting period was focused on further enhancement of contacts, explaining the functions and tasks of the Ombudsman, and effective resolution of individual complaints.

In 2005 Ombudsman's regional representatives have reached cooperation agreements with oblast departments of justice, interior, and health. Joint plans of activities were developed, working groups were set up, and activities for effective resolution of individual complaints, and human rights awareness-raising campaigns were continued.

Still, there are cases of negligence of local officials, particularly by courts and law enforcement bodies regarding the provisions of the Law on «on Authorized Person for Human Rights(Ombudsman) of Oliy Majlis of Uzbekistan» pertinent to timely and grounded answers to the requests of Ombudsman's regional representatives. In order to facilitate collaboration and cooperation with law enforcement and judicial bodies, address misunderstandings of some officials of the mandate of the ombudsman, activities to improve collaboration were undertaken in the reporting period.

From the moment of establishment regional representatives were actively involved in international cooperation of Ombudsman. In the reporting year Ombudsman's representative for the city of Tashkent participated in the roundtables of ombudsmans from Europe and CIS held by UNDP Regional Office. Regional representatives have participated in the conferences, seminars, roundtables organized by missions of UNDP, World Health Organization, OSCE Center, and Conrad Adenauer Stiftung.

Elements of collaboration of Ombudsman's institution with parliamentary institutions tested earlier were enhanced as well – a number of regional representatives actively collaborated with the committees of parliament's chambers in the period of oversight activities of the committees. Ombudsman's

regional representative in Kashkadarya oblast participated in the inquiry into compliance with UN Convention on the Rights of the Child and the Law of the Republic of Uzbekistan «On citizens' applications», conducted by the committees for international affairs and interparliamentary relations, democratic institutions, non-government organizations and civil self-governance institutions of the Legislative Chamber of Oliy Majlis of the Republic of Uzbekistan. Regional representative of the Ombudsman for Bukhara oblast was involved in oversight activities of the committee for legislation, judicial and legal issues of the Legislative Chamber of Oliy Majlis of the Republic of Uzbekistan in inquiry into compliance with the laws on private legal practice.

Despite the fact that only five years passed since establishment of the institution of Ombudsman's regional representatives, one could say that tangible results are already in hand, which enables to enhance the work and efficiency of parliamentary Ombudsman.

It is noteworthy that setting up and performance of Ombudsman's regional representatives was not smooth, as there were and are certain difficulties and problems. These are primarily related to lack of understanding of some officials of local authorities, courts, law enforcement bodies of Ombudsman's mandate, which requires improvement in awareness raising activities. Furthermore, the Law «On Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights (Ombudsman)» does not clearly stipulated the status, authority, financing, and logistical support for the activities of Ombudsman's regional representatives. In this regard, there is a need to accelerate the implementation of the provisions of Article 20 of the Law on Ombudsman by adoption of Statute of the Commission on Observance of Constitutional Human Rights and Freedoms by the Councils of the Legislative Chamber and Senate of Oliy Majlis of the Republic of Uzbekistan, stipulating the authority and responsibilities of Ombudsman's regional representatives.

Expert and working groups under Ombudsman's regional representatives provide substantial support but there is a need to train their members and enhance human resources available for regional representatives. Financial, logistical, and technical support from the local authorities, reinforcing collaboration with non-government organizations and civil self-governance institutions and media in safeguarding human rights will promote the effectiveness of the activities of Ombudsman's regional representatives.

IV. Collaboration with government institutions and non-government non-profit organizations in human rights dimension

In order to effectively restore violated rights of individuals, the Authorized Person collaborates with judicial and law enforcement bodies, ministries and agencies. In December 1998 Cooperation Agreement was signed with the Constitutional Court, in April 2000 – with Prosecutor General's Office, and in

December 2004 – Ministry of Internal Affairs of the Republic of Uzbekistan. In the reporting year Ombudsman has made cooperation agreements with two ministries – Ministry of Justice and Ministry of Health of the Republic of Uzbekistan. Cooperation with these institutions in this period has yielded its positive outcomes. Working groups have been formed at central and regional levels, and successful resolution of individual complaints was significantly boosted.

According to the provisions of these Agreements, the parties implement their cooperation in the following areas: human rights compliance monitoring; conduct inquiries of individual complaints, develop and implement activities for legal awareness of the public, officials, and civil servants about human rights; draft proposals to improve human rights legislation and law enforcement practices; educate working groups in order to address practical issues in safeguarding human rights and freedoms; organize media statements on pressing issues of compliance and protection of human rights.

Year 2005 was the first year of Cooperation Agreement of Ombudsman with the Ministry of Foreign Affairs of the Republic of Uzbekistan coming into force and implementation of the plan of activities for realization of this agreement. In the framework of implementation of the agreement and ensuring effective collaboration, permanent working groups have been set up at central and regional levels. Broad media coverage of the outcomes of cooperation between the Ombudsman and Ministry of Internal Affairs of the Republic of Uzbekistan has started. The working group has been examining individual complaints and petitions about illegitimate actions of police officers.

Agreement also envisions implementation of joint actions to exercise and safeguard the rights of convicts, facilitating unhindered visits of the Ombudsman or her representative to the penitentiary institutions, holding meetings and conversations with detainees or persons in custody. Article 4 of this Agreement envisions that in order to exercise control over compliance with the rights of persons being charged, arrested, and convicted, the parties can institute the position of the representatives of Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights (ombudsman for inmates' rights) at penitentiary institutions. Draft Statute on Ombudsman for the Rights of Convicts at the number of penitentiary institutions of the Ministry of Internal Affairs of the Republic of Uzbekistan has been developed.

One of the outcomes of the monitoring of compliance with patients' rights was enhancement of cooperation with healthcare authorities in safeguarding the rights of citizens for healthcare and access to quality health services. Based on the agreement between the Ombudsman and Ministry of Health of the Republic of Uzbekistan, there are ongoing joint activities for legal awareness raising about human rights and enhancement of public's health knowledge; monitoring of compliance with legislation on human rights, healthcare and health services; inquiries into individual complaints and petitions about violation of their rights

and legitimate interests; working groups have been formed to address practical issues in implementing the right for qualified health services and healthcare.

According to the Cooperation Agreement between the Ombudsman and Ministry of Health of the Republic of Uzbekistan, the Authorized Person is entitled to invite the specialists of the Ministry of Health of the Republic of Uzbekistan and its subordinate institutions for inquiries into cases of violation of individuals' rights and liberties, and preparation of expert reports. This Agreement also provides for establishment of the institution of ombudsmans for the rights of patients and healthcare staff.

On September 28, 2005, Memorandum of Cooperation in safeguarding human rights and liberties enshrined in the constitution was signed between the Ombudsman and Ministry of Justice of the Republic of Uzbekistan. In accordance with this memorandum, joint activities for raising legal awareness of the public with regard to human rights will be implemented, proposals for improvement of human rights legislation and law enforcement practices made, monitoring of conformity with human rights legislation conducted, joint inquiries into individual complaints and petitions about violations of their rights and legitimate interests conducted, and working groups with representatives of the Ombudsman and Ministry of Justice of the Republic of Uzbekistan will be formed. Furthermore, Ombudsman's regional representatives and local justice authorities will develop joint plans of action in complying with and restoring violated human rights and liberties.

To facilitate implementation of Memorandum's provisions, representatives of the parties have participated in the conferences and seminars held in the reporting year, developed and implemented plans of activities at central and regional levels, published information in the media about cooperation of two government institutions in safeguarding human rights. Republican Center for Training of Lawyers has developed and introduced a course on "National Mechanism for Safeguarding Human Rights in the Republic of Uzbekistan". Joint editorial of the "Inson va Qonun" newspaper and "Hayot va Qonun" journal are providing broad media coverage to implementation of the Memorandum of Cooperation.

In 2005 cooperation of Ombudsman with the Constitutional Court, Prosecutor General's Office and Council of Federation of Trade Unions of Uzbekistan was continued. A number of joint measures to safeguard human rights were implemented including the following conferences: "Issues of further reform, liberalization of judicial and legal system and improvement of constitutional justice", "Urgent issues of collaboration of Ombudsman with government institutions and non-government organizations in safeguarding and implementing human rights", a seminar titled "Safeguarding human rights – prioritized dimension of activities of prosecutor's office" were conducted including participation in the 4th congress of Uzbekistan's trade unions. Representatives of the Constitutional Court, Prosecutor's Office, and Council of Federations of Trade Unions of Uzbekistan were actively involved in the

activities of Expert Council under the Ombudsman by providing expert reports on specific individual complaints.

Ombudsman has actively collaborated with the Cabinet of Ministers of the Republic of Uzbekistan, a number of ministries and agencies of the Republic of Uzbekistan. The Authorized Person has, inter alia, submitted to the Cabinet of Ministers of the Republic of Uzbekistan information about the activities of the Ombudsman in safeguarding the rights of women and children. Authorized Person for Human Rights of Oliy Majlis of Uzbekistan was involved in the work of the Commission for Coordination of activities for further improvement of legislation for liberalization and implementation of administrative reform, Interagency Working Group for Human Rights Compliance of Law Enforcement Bodies as well as implementation of the Plan of Actions for implementation of the provisions of UN Convention against Torture and other Cruel, Inhumane or Degrading Treatment and Punishment.

In collaboration of the Ombudsman with government institutions, there has been a significant place for cooperation with the Ministry of Foreign Affairs of the Republic of Uzbekistan in examination of the incoming documents from international organizations where the Republic of Uzbekistan is a member. In the reporting year, Authorized Person for Human Rights has provided information about the actions taken by Uzbekistan related to human rights and Ombudsman's activities to this Ministry. Representatives of the Ministry were actively involved in the activities of public institutions under the Parliamentary Ombudsman – the Commission on Observance of Constitutional Human Rights and Freedoms, the Expert and Advisory Councils as well as in conducting various activities related to human rights, establishing bilateral and multilateral contacts with ombudsmans of overseas countries and international human rights organizations.

In the reporting year, Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights has also actively collaborated with State Committee for Demonopolization, Support for Competition and Entrepreneurship in the issues of safeguarding consumer rights. Inter alia, the Expert Council under the Ombudsman includes the staff of the State Committee of Statistics, who assists in handling complicated complaints related to violation of legislation on consumer rights.

In 2005 Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights continued close cooperation with its traditional partners – Institute for Monitoring of Current Legislation under the President of the Republic of Uzbekistan, National Center for Human Rights of the Republic of Uzbekistan, Ijtimoiy Fikr Center for Studies of Public Opinion, which translated into conferences and seminars on pressing issues of observance of human rights, discussion of the issues of improving the mechanisms to protect human rights and conduct sociological surveys. Furthermore, Authorized Person for Human Rights participated in discussion of initiated draft of the Law “on Child’s

Rights” prepared by National Center for Human Rights of the Republic of Uzbekistan.

Article 15 of the Law stipulates that officials must provide the records, documents, and other information related to violation of rights, liberties, and lawful interests of citizens as requested by the Authorized Person. The Authorized Person is entitled to meet the administration and other officials of government institutions, companies, and organizations immediately regarding the issues related to her mandate. Moreover, this Article provides for liability of officials for interference into the activities of the Authorized Person to influence her decision or hinder Authorized Person’s activities in other ways. In practice this norm is not implemented due to the lack of appropriate mechanism drafted in detail.

It is noteworthy that after adoption of the Law «On Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights (Ombudsman)», appropriate amendments into the procedural, criminal-procedural and criminal enforcement codes, Code on Administrative Violations, and other legislative acts. It appears that removing these gaps in the legislation will serve as good underpinning for improvement of the activities of the Ombudsman in Uzbekistan. International experience has shown that Ombudsman’s powers have been incorporated into the procedural legislation of many countries (Russia, Slovenia, Poland, Ukraine, Azerbaijan, Kyrgyzstan, etc).

Decisions-opinions of the Ombudsman are only recommendations. Lack of authority to make legally binding decisions eases the perception of Ombudsman’s recommendations by civil servants. Government institutions often do not hinder investigation, as the activities of Authorized Person for Human Rights are ultimately aimed enhancement of public trust for them by civil society.

It would be premature to expect from the institution of Uzbek ombudsman to gain the same status in such a short timeframe of its existence as the Swedish ombudsman with its bicentennial tradition. Voluntary implementation of Ombudsman’s recommendations in the Nordic countries is beyond questions.

Analysis of individual complaints and summary of monitoring conducted have demonstrated that the staff of the judicial and law enforcement bodies, ministries and agencies do not always conform to the legal requirements, which is worsened by inadequate qualifications, legal nihilism, negligence and lack of the feeling of responsibility among civil servants. This provision is duly causing lack of public trust to these institutions, reducing the effectiveness of the measures to reform judicial and legal system. For this very reason, one of the priorities in activities of Ombudsman is fostering collaboration with government bodies including judiciary and law enforcement bodies at various levels, utilizing national and international experience.

In order to enhance legal guarantees to ensure implementation of Authorized Person’s rights, enhancement of collaboration of the Ombudsman

with executive, judicial, and law enforcement bodies in exercising and safeguarding human rights, it is essential to undertake appropriate actions including:

1) Assistance in enhancing legal guarantees of Authorized Person's activities and improvement of legislation of the Republic of Uzbekistan by adapting the Law «on Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights(Ombudsman)», draft legislative proposals to introduce changes and amendments into a number of regulatory acts.

2) Implement measures to enhance efficiency in handling individual petitions about violation of their rights, take actions to restore their violated rights, liberties, and lawful interests namely:

- introduce a procedure into the practice of executive, judicial, and law enforcement bodies stipulating timely review of Ombudsman's opinions and providing grounded answers;
- assistance from government institution and officials to the Ombudsman and her regional representatives in gaining access to materials and documents essential to investigate individual complaints and boost activities of working groups locally;
- in line with Authorized Person's request, take action to enhance the responsibility of civil servants, judicial and law enforcement officers systematically violating human rights;
- make proposals to the prosecutor's office and authorized government bodies to improve the form and methods of supervision and oversight of human rights observance.

3) Jointly conduct monitoring of implementation of human rights legislation of the Republic of Uzbekistan.

4) Collaboration in awareness raising activities aimed at enhancing legal culture of civil servants, judicial and law enforcement officers, and the public.

Role and significance of non-government institutions stands out as an essential prerequisite for emergence of civil society. Partnerly and positive relations as well as collaboration of the Ombudsman with non-government non-profit organizations facilitate development of civil society and law-run governance. Collaboration between the Ombudsman and non-government organizations is implemented in order to inform the citizens about human rights, ensure transparency and accountability of government institutions, conducting monitoring of compliance with human rights legislation.

The following non-government non-profit organizations were among the high-priority partners of Ombudsman among civil society institutions – Women's Committee of Uzbekistan, "Mahalla" and "Ecosan" Foundations, Federation of the Consumer Rights Societies of Uzbekistan, Center for Support of Civil Initiatives, Institute of Democracy and Human Rights, Center for Human Rights and Humanitarian Law studies, etc. Ombudsman institution was regularly involved in the activities of these organizations dedicated to the issues of compliance and safeguarding human rights. During reporting period,

representatives of non-government organizations were involved in monitoring of compliance with the rights of homeowners in the city of Tashkent.

Role and activities of domestic political parties has been significantly boosted thanks to the bicameral parliament. In order to enhance collaboration with political parties, Ombudsman's institution participated in the number of activities organized by political party blocs in the Legislative Chamber of Oliy Majlis of the Republic of Uzbekistan in the reporting year. Furthermore, Ombudsman and her regional representatives participated by making presentations in the regional workshops titled "Legal Underpinning of Activities of Local Councils of People's Deputies" held by the Central Council of People's Democratic Party of Uzbekistan in the Republic of Karakalpakstan, oblast and city of Tashkent.

Understanding of the necessity to augment the cooperation and collaboration between Authorized Person for Human Rights and non-government organizations led to joint implementation of the following areas of collaboration:

1) Conduct monitoring of the situation related to compliance and safeguarding human rights in Uzbekistan with involvement of the representatives of non-government organizations in the working groups of Ombudsman;

2) Combination of parliamentary (ombudsman) and public(NGO) oversight of conformity with the norms of national and international law to ensure human rights compliance of government bodies and officials by:

– drafting proposals to remove the gaps in human rights legislation and bringing it into conformity with the norms of international law;

– oversight of decisions and actions of local authorities to ensure compliance and protection through Ombudsman's regional representatives and local non-government organizations;

3) conduct joint awareness raising activities about human rights among the population.

Hence, radical transformation in the political and economic life of the country, in governance, judicial, and legal dimensions cannot but affect all government institutions. Furthermore, this is also due to higher legal culture of citizens who are increasingly often are trying to uphold their rights and interests using legal avenues. For this very reason, collaboration of the Ombudsman with legislative, executive, and judicial branches is instrumental in implementation of the concept of human rights.

A decade-long practice of collaboration between the Ombudsman and government institutions and non-government organizations enabled to develop mechanisms of this cooperation and measures to enhance its effectiveness, which should improved by:

- Boost the measures to enhance the legal culture and conduct human rights training for the staff of local authorities, particularly in the areas where

individuals' rights are violated most often according to the analysis of complaints and Ombudsman's monitoring;

- conduct studies of international human rights standards, particularly focusing on law enforcement practice;

- enhance transparency in activities of government institution to protect the rights and increase cooperation with civil society institutions.

V. Human rights awareness raising activities

Promoting legal awareness including human rights and liberties is a focal area in Ombudsman's activities, which is implemented by organization and participation in awareness raising activities, publication and dissemination of materials on human rights, and media coverage.

Human rights education is an important instrument in establishment of law-run governance and acts as a guarantee of adequate realization of civil rights and liberties. Legal education is a pre-requisite in forming the legal culture of a man and citizen as well as prevention of legal offences.

Recently a great number of legal acts have been adopted and changes and amendments have been introduced into current legislation. Administrative, judicial, housing and utilities reforms are underway in the country ultimately geared at enhancement of governance and building law-run welfare country. In this regard one of the tasks of Authorized Person for Human Rights is explaining the current legislation and means to protect one's rights and liberties to citizens.

In order to promote public legal awareness of human rights, Authorized Person for Human Rights of Oliy Majlis of the Republic of Uzbekistan conducted educational, organizational, and awareness raising activities in 2005(Annex3).

Ombudsman believes that legal awareness of all population groups is very significant. Legal awareness raising is directly linked to citizens' access to information. The Authorized Person regularly visits workers introducing them the forms and means to protect human rights. Organization and participation of the Authorized Person in awareness raising activities is geared to the ultimate objective – promote emergence of democratic law-run governance in Uzbekistan, ensuring and safeguarding constitutional human rights and liberties.

In the reporting year the Authorized Person and the staff of her Secretariat have conducted scheduled theoretical and practical trainings for civil servants, trade unions, employees of companies, institutions, and organizations at training centers of the Council of Federation of Trade Unions of Uzbekistan, Main Department of Correctional Institutions of the Ministry of Interior of the Republic of Uzbekistan, and Manaviyat and Marifat Center in the city of Tashkent.

Speeches by the staff and foreign partners of Ombudsman at the Center of Issues in Enhancing Legitimacy and Training of Prosecutorial and Investigation

Staff under Prosecutor General's Office of the Republic of Uzbekistan, Center for Training of Lawyers of the Ministry of Justice of the Republic of Uzbekistan, where information about ombudsman and parliamentary activities as well other human rights institutions delivered has become regular practice.

In 2005 Ombudsman's institution held meetings and talks on legal issues at Main Tax Department of the City of Tashkent, institutions of Ipoteka Bank, Uzpromstroybank, Ministries of Interior, Health, Defense, as well as educational institutions, companies, and communities.

The review of individual complaints and petitions to the Authorized Person indicates that many of them are in need of knowledge about their rights and means to protect them, and they are provided appropriate written explanations. Providing citizens affordable legal aid is one of the forms of legal awareness raising. Aware of this, Ombudsman's regional representatives are conducting information and awareness raising activities in all oblast nationwide including publications about human rights and means of their protection in the local press.

On March 2, 2005, Authorized Person for Human Rights jointly with the Ministry of Health of the Republic of Uzbekistan and representative office of the World Health Organization held a roundtable on patients' rights with involvement of the management of healthcare institutions, medical educational institutions, representatives of the judiciary and law enforcement bodies, and healthcare community. K. Bostok, head of the UK Department of Healthcare delivered a report on overseas experience in safeguarding patients' rights. Participants of the roundtable noted the need to improve the mechanisms and legislative framework to protect patients' rights. An idea to institute an ombudsman for patients' rights found support reflected in the Cooperation Agreement between the Ombudsman and Ministry of Health of the Republic of Uzbekistan.

Increasing number of students is willing to be interns in the office of the Authorized Person by every year. This certainly indicates the growing interest of the youth to the institution of the Authorized Person. In 2005 five students from the University of World Economy and Diplomacy and a student from Tashkent State Law Institute interned in Authorized Person's office. Furthermore, in order to support research on pressing matters of compliance and safeguarding human rights, Ombudsman's institution has provided reviews of 1 post-doctoral and 5 PhD dissertations and 10 Master's theses.

A compilation titled "World's Ombudsmen" containing information about performance of ombudsmen abroad and in Uzbekistan as well as articles of domestic and foreign scholars and human rights specialists has been prepared for publication. This compilation is planned for distribution among academic and research institutions, libraries, courts, and law enforcement bodies, national and foreign partners of the Authorized Person for Human Rights as well as during meetings with communities and visits to penitentiary institutions.

Trainings for the students of the Academy of State and Social Construction under the President of the Republic of Uzbekistan, students of Tashkent Islamic

University, Tashkent State Law Institute, University of World Economy and Diplomacy and other meetings at special academic institutions conducted by the staff of Ombudsman have become traditional.

On April 12, 2005, workshop training on human rights was held for students of the faculties of “State and social construction” and “Basics and principles of market economy” of the Academy of State and Social Construction under the President of the Republic of Uzbekistan where participants learned about ombudsman’s activities in safeguarding the rights of individuals and activities of the new bicameral parliament in improving human rights legislation.

Achievement of gender equality – is a prerequisite of equitable and sustainable human development and resolution of this issue is particularly pressing for the new independent states that have started market transformation and overcoming serious difficulties of transition period. In Uzbekistan women make up more than 50% of the population and their involvement in the processes of decisionmaking and economic development is an extremely important component of sustainable move of the society towards law-run governance. Radical transformation of the economy and spiritual life in Uzbekistan caused major changes in enhancing the status of women in the society and family.

According to the recommendations of the UN Committee on Elimination of All Forms of Discrimination Against Women, National Plan for implementation of the provisions of the convention and recommendations of this committee in the country has been developed and is being actively implemented. For further realization of this plan, Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights has prepared a series of training workshops conducted for the public in general and women’s groups in the in a number of oblasts in the country.

Workshop trainings for national experts on the issues of implementation, reporting, and monitoring of UN Convention on Elimination of All Forms of Discrimination Against Women were conducted jointly with Women’s Committee of Uzbekistan, Center for Support of Civil Initiatives and Institute for Democracy and Human Rights in the city of Tashkent, Bukhara, Jizzakh, Navoi, Syrdarya, and Tashkent oblasts.

In 2005 the activities of Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights with national partners for implementation of Agreements for Cooperation in Human Rights Awareness Raising activities, including on regional level, were further enhanced.

On December 15-16 a conference titled “Important issues of collaboration of Ombudsman with government institutions and non-government organizations in compliance and safeguarding of human rights” was held to commemorate 10th anniversary of establishment of parliamentary Ombudsman of Uzbekistan. This conference was organized Authorized Person of the Oliy Majlis of the Republic

of Uzbekistan for Human Rights jointly with national partners and representative office of the Conrad Adenauer Stiftung in Central Asia.

Deputies of the Legislative Chamber and members of the Senate, administration and representatives of the ministries of internal affairs, justice, health, Prosecutor General's Office, Constitutional Court, Supreme Court, Higher Economic Court, Institute of Strategic and Interregional Studies under the President of the Republic of Uzbekistan, Women's Committee of Uzbekistan, Mahalla Foundation, etc. have spoken at the conference. The outcome of the conference was the decision to conduct workshops and roundtables on the issues of collaboration of Ombudsman with government bodies and non-government human rights organizations in the regions by involving broad public.

Activities of the Authorized Person and staff of her Office in legal awareness raising were also conducted by participating at scientific conferences, workshops, and roundtables. In 2005 Ombudsman's institution participated in **50** conferences, workshops, roundtables, meetings dedicated to urgent issues of human rights and liberties (Annex 2). These activities organized by the committees of parliament's chambers, higher judicial and law enforcement bodies, ministries, non-government non-profit organizations, international organizations were focused on improvement of the functions of government institutions, ensuring transparency of activities of government institutions, courts and law enforcement bodies, further development of mechanisms to protect human rights, discussion of pressing issues of judicial and legal reforms and safeguarding human rights.

Activities of the Authorized Person for legal awareness raising of individuals was implemented in various forms. It is noteworthy that the media are crucial in this endeavor. With the help of the media, Authorized Person for Human Rights informs of the ombudsman's institution, main areas of its activities, sheds light on issues of human rights violations bringing the attention of officials and government institutions.

In 2005 Ombudsman's cooperation with the media was further developed. Activities of public information by publication of news about major human rights related activities conducted under the auspices or with participation of the Authorized Person for Human Rights.

Ombudsman has closely collaborated with the radio, television, and the press. Approximately **100** materials about the activities of the Authorized Person and her interviews were published and broadcast in the national, oblast, and district newspapers, radio, and television channels: "Xalq So'zi", "Narodnoe Slovo", "Pravda Vostoka", "O'zbekiston Ovozi", "Toshkent Oqshomi", "Vecherniy Tashkent", "Novosti Uzbekistana", "Inson va Qonun", "Huquq" newspapers, regional and local press, "Democratization and Human Rights" Journal, Bulletin of the Constitutional Court of the Republic of Uzbekistan, "Nashe Pravo", "Xalq ta'limi" journals; websites of "UzA", "Jahon", and "Uzreport" information agencies; aired in the "Axborot", "Davr", "Tahlilnoma",

“Poytaxt”, local TV companies and radios. Information about the human rights advocacy activities of the Ombudsman was regularly uploaded in the Internet websites in the recent period.

Furthermore, Ombudsman has instituted the collection and review of information on human rights from the press based on the materials of the “Ijtimoiy Fikr” Center for Public Opinion Studies.

Reports and addresses of the Authorized Person for Human Rights at international conferences, workshops, and roundtables were printed in the publications of government bodies and academic institutions including of Tashkent State Law Institute, Tashkent State University of Economics, Institute of History of the Academy of Sciences of the Republic of Uzbekistan, Constitutional Court, Prosecutor General’s Office, Ministry of Justice and Ministry of Public Education. In 2005 Ombudsman participated in compilation of the dictionary of legal terms developed by Tashkent State Law Institute jointly with academic institutions according to the Resolution №310 of the Cabinet of Ministers of the Republic of Uzbekistan issued on July 27, 2005.

Legal periodicals have an important role in enhancing the legal culture of the public, promoting broad access of individuals to legal information, discussion of pressing issues in improvement of governance, legal, and judicial systems. Resolution of the President of the Republic of Uzbekistan “Measures for Further Development of the System of Legal Journals in the Republic of Uzbekistan” issued on October 18, 2008, promotes active involvement of the Ombudsman for the journal “Democratization and Human Rights” as a co-founder. To this end, Ombudsman’s institution was involved in development of the concept and foundation documents of the journal.

There is a functioning library at the Secretariat of the Authorized Person for Human Rights, which has publications on human rights, reports of foreign ombudsmen, and other legal publications. Deputies of the Legislative Chamber of Oliy Majlis of the Republic of Uzbekistan and its staff, students, graduate and doctoral students, teachers and scholars, employees of government institutions and public organizations have contacted the Secretariat of the Authorized Person for information and methodical support.

Authorized Person’s activities for legal awareness raising were directly supported by the university ombudsmen of four academic institutions nationwide: National University of Uzbekistan, Tashkent State Agrarian University, Samarkand State University, and Samarkand Medical Institute.

University ombudsmen along with the members of expert councils systematically conduct events geared for legal education of teachers, students, and staff of academic institutions. University ombudsmen have started the work to consider complaints by students and university staff, workshops, meetings, conversations, as lectures on human rights issues are being held as well, and first reports before the Scholar Councils of academic institutions were delivered.

Considering that professional training of the staff should meet the requirement and the processes of the time, Ombudsman regards the training of

regional representatives, Secretariat staff and members of the Expert Council as very important. For these purposes, Ombudsmen's representatives participated in the training workshops on human rights held by UNDP and OSCE Center in Tashkent.

Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights is confident that for successful legal awareness raising it is essential to expand the aforementioned areas of activities and develop new forms. Education in the broadest meaning is the main instrument of legal awareness. It is essential to form a system of continuous legal education and awareness raising, education for all communities, and civil servants training. Development, adoption, and implementation of the targeted programme of legal awareness and education in human rights and means for their protection can be a solution to this issue.

Currently there is ongoing work to improve human rights information and awareness raising activities of the Ombudsman by:

- promote activities to create a system for regular publications on national and regional media and Internet websites;
- field trips by Ombudsman to the regions of the country for personal meetings with citizens and residents, employees, and statements in the local media;
- expand information activities of Authorized Person for Human Rights's regional representatives;
- boost cooperation with government institutions, particularly the judiciary and law enforcement bodies, non-government non-profit organizations to hold human rights information and awareness-raising activities.

VI. International cooperation

According to Article 1 of the Law of the Republic of Uzbekistan "On Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights (Ombudsman)", institution of Authorized Person for Human Rights of the Republic of Uzbekistan actively promotes improvement of human rights legislation of the Republic of Uzbekistan and bringing it into compliance with the norms of the international law as well as development of international cooperation in the field of human rights.

During the reporting period, Authorized Person for Human Rights (Ombudsman) focused on development of international cooperation in the field of human rights through fostering contacts with foreign colleagues, international human rights organizations, meeting foreign delegations, participation of Ombudsman in international human rights forums, and to the review of the requests by international human rights organizations, foreign colleagues, and foreigners on issues related to safeguarding human rights.

This focal area of activities is aimed at informing international community about the processes of deepening democratic reforms in Uzbekistan, including

human rights observance and protection, and development of bilateral and multilateral relations of the Authorized Person with foreign partners organizations.

In 2005 Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights (Ombudsman) identified the following priorities in fostering international cooperation:

- broadening participation of Ombudsman in international cooperation in the sphere of human rights protection as well as safeguarding the rights and lawful interests of Uzbek citizens abroad;
- enhancing effectiveness of cooperation with foreign partners;
- bringing the activities of national institutes on human rights including Ombudsman to ensure and protect citizens' rights to the notice of international community;
- considering requests of Ombudsmen, foreign human rights organizations, and foreign nationals for assistance in restoration of violated human rights and freedoms;
- ensuring effective representation of Ombudsman's interests in international arena;
- improving activities for collection; analysis, use and replication of foreign experience in human rights;
- improving information, analytical and methodical support to international contacts of Ombudsman, including the use of modern information technologies.

During the reporting year, Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights (Ombudsman) met with representatives of foreign states and international organizations **20** times, in particular the official delegations of OSCE Secretary General, Israeli Knesset , Constitutional Court of the Republic of Korea, Special Envoy of the Federal Government of Germany for Russia, countries of Central Asia and Caucasus, ambassadors of the USA, Slovakia, Poland, Japan in Uzbekistan, Head of OSCE Center in Tashkent, delegation of Conrad Adenauer Foundation, representatives of UNDP, Australian Embassy, International Red Cross Committee, USAID, London University and others (Annex 4).

Concurrently, during the reporting period cooperation within the framework of International and European Institutes of Ombudsman has been developed. During the period of membership in these organizations, Authorized Person for Human Rights cooperated through exchange of information, materials, and literature on the institution of ombudsman, participation in election of governing bodies and other arrangements. Inter alia, materials published by the Authorized Person and annual reports have been regularly forwarded. Furthermore, an article on election of Uzbek Ombudsman was published in IOI Newsletter in June 2005, Vol.27, N.2.

One of examples of successful cooperation of Authorized Person for Human Rights with European ombudsmen is publication of articles in European Ombudsmen Newsletter published by the European Union Ombudsman. In Issue #4, April, 2005 an article devoted to the activities of Authorized Person for Human Rights of Oliy Majlis of the Republic of Uzbekistan has been published. Information about the visit of Authorized Person for Human Rights of Oliy Majlis of the Republic of Uzbekistan was placed in the annual report of European Union Ombudsman.

In 2005 cooperation with ombudsmen and human rights institutes of foreign countries was continued. Currently, Ombudsman of Uzbekistan concluded 6 agreements on cooperation with foreign partners, in particular, with Commissioner for Civil Rights Protection of Poland, Parliamentary Ombudsman of Sweden, Commissioner for Human Rights of Azerbaijan, National Bureau for Human Rights of Latvia, Commissioner for Human Rights of Russian Federation, Public Defender of Rights of Slovakia. Based on the agreements made, bilateral relations with the Ombudsmen of Russia, Poland, Sweden, Latvia, and Azerbaijan became more active.

In order to protect the rights and lawful interests of citizens of the Republic of Uzbekistan abroad, Authorized Person for Human Rights of Uzbekistan actively implemented cooperation agreements reached with foreign colleagues. For these purposes during the reporting period Parliamentary Ombudsman of Uzbekistan forwarded requests and letters of inquiry to Commissioner for Human Rights in Russia, Commissioner for Human Rights of Supreme Rada of Ukraine. As a result, infringed rights of Uzbek citizens have been restored, means and forms of protecting their rights and freedoms have been explained to petitioners.

For establishment of long-term contacts and making them ongoing, in 2005 a cooperation agreement was concluded with the Public Protector of Rights of the Republic of Slovakia established according to constitutional law 90/2001 of 23 February 2001. This agreement was signed for the period of five years in Uzbek, Slovak, and English and consists of the preamble and 7 articles that envisage cooperation in the following spheres: exchange of information in safeguarding human rights and freedoms; exchange of legislative acts on human rights issues; organization of visits, conferences and trainings; rendering mutual assistance in protecting rights and freedoms of the citizens of the countries-parties to the agreement; establishment of contacts related to the membership of Parties in the international organizations in the field of protection of human rights and freedoms; preparation and publishing joint publications. Furthermore, the Parties agreed on conducting regular consultations on issues related to ensuring human rights and freedoms, and specialists' exchange.

Presentation of this agreement took place on 29 September 2005 in the premises of the Legislative Chamber of Oliy Majlis of the Republic of Uzbekistan and it was aimed at broadening and complementing the opportunities of ombudsmen of two countries in safeguarding and ensuring human rights and freedoms. Members of Senate, Legislative Chamber deputies, representatives of

diplomatic corps, international organizations, ministries, law-enforcement bodies, higher education institutions, NGOs, and the media took part in the presentation ceremony.

During the reporting period work was in progress to establish long-term relations with ombudsmen and human rights institutions of the Central Asian countries. With the assistance of the Ministry of Foreign Affairs of the Republic of Uzbekistan, concluding memorandum of cooperation between Commissioner for Human Rights of the Republic of Kazakhstan, Human Rights Commission under the President of the Republic of Kazakhstan and Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights was discussed.

During the reporting period cooperation with UN Agencies, in particular, UN High Authorized Person for Human Rights, UNDP, UNICEF, WHO has been continued. Cooperation with the UN system bodies has taken the form of assistance in legislation expertise, exchange of materials, analytical data, literature on human rights issues, participation in international conferences and seminars. Information about assistance in the expertise of the Law on Ombudsman of Uzbekistan is reflected in the reports of the UN Secretary General “National institutions involved in encouragement and protection of human rights” (A/60/299 of 24 August 2005) presented at 60th session of the General Assembly, and “Effective functioning of human rights mechanisms: national institutions and regional arrangements” (E/CN.4/2005/106 of 7 January 2005) presented at 61st session of the UN Commission on Human Rights.

In March 2005 with the assistance of the World Health Organization Representation in Uzbekistan, a visit of the UK Health Department expert on patients’ rights took place. During this visit to Uzbekistan a round table on patients’ rights and meetings have been arranged at the Ministry of Health of the Republic of Uzbekistan, Association of Doctors of Uzbekistan, editorial offices of medical newspapers, Council of Federation of Trade Unions of Uzbekistan, Center for strengthening law and raising the level of skills of prosecution and investigation officials under the General Office of Public Prosecutor of the Republic of Uzbekistan, Children’s Psychoneurological Hospital, with the students and teaching staff of the 1st Tashkent State Medical Institute. British expert positively evaluated the reforms being implemented in healthcare sector of Uzbekistan and gave his assessment of the trends in ensuring patients’ rights.

During the reporting period the cooperation with UNDP Representation in Uzbekistan became more active. With UNDP assistance representatives of parliament Ombudsman of Uzbekistan took part at international round tables of ombudsmen of Europe and CIS.

In May 2005 a delegation of Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights took part in the 5th international round table of ombudsmen of European countries and CIS in Karlovy Vary (Czech Republic), organized by UNDP Regional Bureau for European countries and CIS. Program of the round table was aimed at familiarization and exchange of experience in techniques and methods of investigation of the facts of human

rights infringement, carried out by ombudsmen, and their role in their fight against all forms of discrimination. In November 2005 representatives of Ombudsman participated at the 6th international roundtable of ombudsmen of European countries and CIS dedicated to the issues of interaction of extrajudicial protection institutions with judicial bodies, consideration of complaints about discrimination by ombudsmen, and planning of future activities of UNDP Regional Project.

Heads and representatives of ombudsmen and human right institutions of Russia, Azerbaijan, Armenia, Georgia, Kazakhstan, Kyrgyzstan, Lithuania, Moldova, Ukraine, Uzbekistan, Austria, Slovakia, Philippines, Czech Republic, and representatives of UNDP, international and European Institutes of Ombudsman, experts of international organizations took part in the work of these round tables.

Round tables were geared to exchange of information and opinions of ombudsman institutions on different forms of cooperation with judicial system, study of the aspects of rights advocacy, measures and strategies, ombudsmen powers on national and regional levels. Development of expected decisions and recommendations was carried out by “brainstorming” in small group and plenary sessions with participation of UNDP experts. Representatives of Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights took active part in the discussions of questions raised, made presentations, looked into the experience of handling citizens’ appeals by offices of CIS ombudsmen. Based on the results of six ombudsmen summits, a decision has been made to continue cooperation, develop model acts on considering appeals and opposing discrimination, interaction with the judiciary.

OSCE Center in Tashkent has been a long-term international partner of parliament Ombudsman is the. In 2005 within the framework of cooperation with OSCE Center training workshops to train experts on women’s rights in some of country’s regions have been conducted, and an agreement was reached to hold training for regional representatives of Ombudsman, jointly arrange human rights training for law enforcement officers, and publish human rights related literature.

In the reporting period Authorized Person for Human Rights received more than **20** appeals and inquiries of foreign colleagues on issues related to assistance in restoration of infringed human rights and freedoms, including those of Commissioner for Human Rights in Russia, Commissioner for Human Rights of Supreme Rada of Ukraine, Commissioners for Human Rights in Sverdlovsk and Volgograd Regions, Commissioner for Human Rights of the Republic of Kazakhstan, Human Rights Commission under the President of the Republic of Kazakhstan, Ombudsman of Kyrgyzstan, citizens of Russia, Kyrgyzstan, Tajikistan.

The following categories can be distinguished among the petitions reviewed considered in the international legal issues: collection of overdue pensions, transfer or payment to compensate workplace injuries at Uzbek

enterprises; assistance in obtaining necessary records for pension and allowance entitlements, naturalization, transfer of foreign citizens for serving sentences to their places of residence; disagreement with criminal charges pressed or court sentences on criminal cases; illegitimate actions of law enforcement officers, etc. Authorized Person for Human Rights rendered genuine assistance in restoring infringed human rights in the cases handled.

In order to ensure the further development of business relations with foreign ombudsmen, priority was given to the appeals and inquiries of foreign colleagues related to considering citizens' complaints.

Ombudsman has received a request from Commissioner for Human Rights of the Russian Federation re. complaint of citizen L.G. about non-enforcement of court ruling related to collection of benefits to compensate for health damages to the petitioner. According to the results of investigation, based on the ruling of Kasbin District Court on 25 February 1993, defendant PMK #33 had made regular payments to the claimant L.G. until 1 January 2003. Payments stopped due to the lack of funds in the enterprise's bank account. After Ombudsman's interference, enterprise's management took the liability for regular payments to the claimant, and the debt in the amount of 109,616 soums had been sent to the claimant by postal order in December 2005.

An example of successful cooperation and practical assistance on the part of Uzbek Ombudsman is reflected in the reports and materials of foreign countries ombudsmen. In the report "On activities of Commissioner for Human Rights of Sverdlovsk Region in 2004", an example of cooperation with Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights was cited when resident of Ekaterinburg K. joined her 15 years old granddaughter, who had lived in Uzbekistan after death of her parents.

In addition, 330 appeals were received by Ombudsman in the past year from international human rights organizations and their members regarding abolition of capital punishment, disagreement with court sentences and unlawful acts of law enforcement officers against Uzbek citizens, etc.

A distinct feature of the development of international contacts of Authorized Person for Human Rights is involvement of ombudsman institution in implementation of activities adopted by resolutions and instructions of the Cabinet of Ministers of the Republic of Uzbekistan in order to foster cooperation of the Republic of Uzbekistan with the European Union, Republic of Poland, Republic of Bulgaria, Latvian Republic, and Czech Republic. These acts provide for participation of ombudsman through establishment and development of contacts with the European Ombudsman Institute, European Union Ombudsman, ombudsmen and human rights institutes of Poland, Bulgaria, Latvia, Czech Republic, and countries-members of the European Union.

According to Article 7 of the Law, Authorized Person for Human Rights is entitled to participate in drafting annual reports of the Republic of Uzbekistan on implementation of international treaties on human rights and freedoms. This work is carried out through presentation of materials and expertise of draft

national reports, based on the analysis of citizens' complaints, monitoring of human rights law observance, information dissemination and awareness raising among population. During the reporting year, Ombudsman took part in the development and expertise of draft national report on implementation of provisions of the International Covenant on Social, Economic and Cultural Rights, preparation of answers to the questionnaire of the UN Human Rights Commission and treaty committees. Final recommendations of UN treaty committees based on the results of examination of these national reports have been discussed at the meetings of the Commission for observance of constitutional human rights and freedoms.

During the reporting period a significant focus was on development of international cooperation of regional representatives of the Ombudsman by delivering reports at conferences, seminars, trainings held abroad, holding meetings with the representatives of international and foreign organizations that have visited country regions. Regional representatives of Ombudsman from Namangan oblast and city of Tashkent participated in UNDP round tables in Karlovy Vary and Prague.

Emphasizing the significance to informing the international community and foreign colleagues about the activities of Authorized Person for Human Rights of Oliy Majlis, publications of Uzbek Ombudsman including annual reports have been regularly forwarded to different international and human rights organizations, ombudsmen and human rights institutions, and foreign diplomatic missions.

It became a good tradition to exchange literature and annual reports with foreign colleagues. During the reporting period Ombudsman's library received materials from International Ombudsman Institute, European Ombudsman Institute, ombudsmen and human rights institutions of the European Union, Austria, Azerbaijan, Bosnia and Herzegovina, Hungary, Greece, Kazakhstan, Kyrgyzstan, Korea, Lithuania, Macedonia, Mexico, Moldova, Norway, Slovenia, Russia, Finland, Estonia and others.

Issues of legal status and activities of ombudsman institution in Uzbekistan remains inadequately explored. There are no studies devoted to comprehensive theoretical insight into the legal status and activities of ombudsman institution in domestic literature. Incomplete information about the essence and distinct features of ombudsman's activities is one of the reasons of inadequate knowledge of not only citizens but also officials about actual tasks and methods of work of ombudsman institution.

With the purpose of providing insight into the activities of ombudsman institution in different countries of the world, Authorized Person for Human Rights Institution has prepared a special "World Ombudsmen" compilation for information and education purposes. Ombudsmen of Poland, Belgium, Portugal, Great Britain, Australia, Canada, Netherlands, Hungary, Czech Republic, Slovakia, Azerbaijan, Estonia, specialized ombudsmen, and others have sent their articles. This book is designed for students, teaching staff of educational

institutions, research staff, law-enforcement bodies, lawyers, human rights activists, and other readers. This publication will be useful for human rights information and awareness raising activities.

In 2005 in order to efficiently inform international community about the activities of Uzbek Ombudsman, the work has been continued on placing information and materials at the sites of information agencies, remedial institutes, and ombudsman organizations. For example, more than 20 pieces of information about the activity of Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights have been placed at the web-sites of the Ombudsmen Association of the USA, European Union Ombudsman, "Forum of Human Rights National Institutions".

Thus, in 2005 international activities of Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights featured a stable trend towards expansion and strengthening of bilateral relations with foreign colleagues. At the same time, it may be assumed that for developing international contacts it is necessary to boost Ombudsman's cooperation with the International Coordination Committee of National Human Rights Institutions, and activities within the framework of the European Regional Division of the International Ombudsman Institute as well as bilateral cooperation with CIS ombudsmen.

Conclusion

Further reform and modernization of the activities of government institution, capacity building and development of non-government non-profit organizations, and civil self-governance institutions, gradual reduction of the role of government institutions in resolution of many issues related primarily to socioeconomic processes and transfer these functions to the public organizations as well as enhancement of public oversight of the performance of government institutions and law enforcement bodies are among priorities in building democratic and law-run governance in Uzbekistan that is transparent and integrated to the international community. A decade-long experience of the Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights has demonstrated that this institution has found its due place among government institutions to safeguard human rights.

Activities of the Ombudsman in the reporting year were undertaken along with the functioning of bicameral parliament, processes of the realization of the concept for public reform and modernization, and implementation of administrative reforms.

As Islam Karimov, the President of the Republic of Uzbekistan, noted in his address on the grand ceremony dedicated to the 13th anniversary of the Constitution of the Republic of Uzbekistan: **"Today, speaking of human rights and interests, about their comprehensive protection, democratization and**

liberalization, it is notable that this subject has always been in the spotlight but becoming ever more pressing recently”.

Holding on the ground meetings in the regions of the republic is an important form of modus operandi enabling to get “first-hand” information about local human rights situation and accept individual petitions on the spot, and hold inspections related to specific complaints. It is essential to exercise effective follow-up of the Ombudsman’s requests and eliminate the practice of ignoring Authorized Person’s requests or sending merely formal replies.

Particular attention should be paid to development of activities of Ombudsman’s regional representatives. Experience accumulated in these matters indicates how the issues of human resources and financial support can be resolved both at legislative and regional level.

Further improvement of national human rights legislation is a priority in government policy. Given the multifaceted nature of the issues in improving legislation, it appears appropriate to identify the following areas:

1. Expand Ombudsman’s collaboration with the committees of Oliy Majlis’s chambers and other supervisory bodies (prosecutor’s office, courts, ministries and agencies, khokimiats, civil self-governance bodies) enables to enhance the impact on the institutions and officials committing human rights violations, address its causes, and set up a system to enforce the principle of rule of law in their practice.

In order to enhance the legal guarantees to implement the rights of the Authorized Person, creation of the underpinnings for close collaboration of the Ombudsman with executive bodies, courts, and law enforcement bodies in upholding and safeguarding human rights, appropriate activities should be undertaken including the following:

- bring current legislation into compliance with the Law «On Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights (Ombudsman) » by introducing changes and amendments to the Code of Administrative Liability, Criminal, Civil Procedural, Criminal Procedural, and Criminal Punitive Codes, laws on “Constitutional Court”, “Citizens’ Applications”, etc.;

- adopt Government resolution on improvement of the activities of Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights (Ombudsman) and her regional representatives.

2. To facilitate effective collaboration of the Authorized Person for Human Rights with the Legislative Chamber and the Senate as well as cooperation with their committees, the following amendments should be introduced:

- into the Statute of the Legislative Chamber of Oliy Majlis of the Republic of Uzbekistan: issues of participation in the meetings of the Legislative Chamber and its Council, procedures for forming the Commission for Observance of Constitutional Human Rights and Freedoms and adoption of its Statute by the Council of the Legislative Chamber;

- Statute of the Senate of Oliy Majlis of the Republic of Uzbekistan: issues of participation in the meetings of the Senate and its Council, procedures for election of the Authorized Person and her deputy, premature dismissal, approval of the deprivation of the immunity of Authorized Person for Human Rights, hearing of Ombudsman's annual reports, procedure for establishment of the Commission for Observance of the Constitutional Human Rights and Freedoms and adoption of its Statute by the Council of the Senate.

Article 21 of the Law of the Republic of Uzbekistan on «Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights (Ombudsman)» stipulates that a Secretariat may be set up to support the activities of the Authorized Person. Authorized Person's Secretariat shall be a legal entity. The Authorized Person will have her seal with State Emblem of the Republic of Uzbekistan. Logistical and other support to the activities of the Authorized Person shall be covered by the funds of the State budget of the Republic of Uzbekistan.

Based on this, the issues of collaboration of the Secretariat of the Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights with the Staff of the Legislative Chamber and Senate of the Republic of Uzbekistan should be reflected in the Regulations of the Legislative Chamber and Senate.

In 2006 Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights (Ombudsman) has set the following prioritized objectives:

- further enhancement of the institution of ombudsman by improvement of legislation, enhancement of human resources and financial capacity of the Ombudsman and her regional representatives;
- active involvement in implementation of the measures for legal awareness raising of all population groups, primarily women and children;
- improvement of the mechanisms to conduct human rights monitoring, and exercise ongoing control over the findings of the monitoring conducted;
- further development of collaboration with government institutions, courts, and law enforcement bodies for more comprehensive and effective compliance and safeguarding human rights;
- enhance collaboration in human rights issues with civil society institutions and the media based on the principle of social partnership.

**Draft Laws Improved with participation of the Authorized Person of
the Oliy Majlis of the Republic of Uzbekistan for Human Rights (Ombudsman)**

№	Title	Committees of Legislative Chamber of Oliy Majlis of the Republic of Uzbekistan	Date
1	«On Public Associations»	Committee for Democratic Institutions, Non-Government Organizations and Civil Self-Governance Institutions	April 2005
2	«On Introduction of Changes and Amendments into some Legislative Acts of the Republic of Uzbekistan to Streamline Activities of Business Entities»	Committee for Budget and Economic Reforms	July 2005
3	«On Electronic Payments»	Committee for Budget and Economic Reforms	July 2005
4	«Introduction of Changes and Amendments into some Legislative Acts of the Republic of Uzbekistan due to Reorganization of some Government Bodies	Committee for Budget and Economic Reforms	August 2005
5	«On Consumer Crediting»	Committee for Budget and Economic Reforms	August 2005
6	On Protection of Information in Automated Banking Systems	Committee for Budget and Economic Reforms	August 2005
7	On Microcrediting and Microcredit Organizations	Committee for Budget and Economic Reforms	September 2005
8	On Introduction of Changes and Amendments to the Law on Bankruptcy of the Republic of Uzbekistan	Committee for Budget and Economic Reforms	October 2005
9	«On introduction of changes in to the Article 4 of the Law on Privatization of the Republic of Uzbekistan and annul certain laws of Uzbekistan related to privatization	Committee for Budget and Economic Reforms	October 2005
10	«On introduction of changes and amendments into some legislative acts of the Republic of Uzbekistan due to Streamlining of taxation and	Committee for Budget and Economic Reforms	October 2005

	reporting of businesses		
11	On External Labor Migration	Committee for Labor and Social Affairs	October 2005
12	On Guarantees for Non-Government Non-Profit Organizations	Committee for Democratic Institutions, Non-Government Organizations and Civil Self-Governance Institutions	December 2005
13	«On introduction of changes and amendments into some legislative acts of the Republic of Uzbekistan due to Reduction of the Types and Permit Procedures for Business Activities	Committee for Budget and Economic Reforms	December 2005

**Chronology of participation of the Authorized Person of
the Oliy Majlis of the Republic of Uzbekistan for Human Rights
(Ombudsman) in the activities conducted in 2005**

№	Date	Activity	Organizers
1	28 January 2005	Presentation of the book “Women of independent Uzbekistan”	Ijtimoiy Fikr Center for Public Opinion Studies
2	23 February 2005	Forum “Role and place of women in democratic renewal of the society »	Women’s Committee of the Republic of Uzbekistan
3	3-4 March 2005	Workshop “Incorporation of international human rights standards into the legislation of Uzbekistan”	United Nations Development Programme in Uzbekistan
4	30 March 2005	Presentation of a report at the seminar “Safeguarding human rights –a priority in activities of prosecutor’s office”	Center for Enhancement of Legitimacy and Qualifications of the Prosecutorial and Investigation Staff of the Prosecutor General’s Office of the Republic of Uzbekistan
5	1 April 2005	Presentation at the conference “Issues of judicial and extrajudicial protection of human rights”	Tashkent State Law Institute
6	5-6 May 2005	International Forum “Effective Forms and Methods to Assist Socially Vulnerable Children”	Republican Center for Social Adaptation, Ministries of Healthcare and Public Education, Municipality of Tashkent, Republican Public Children’s Fund, “Sen yolg’iz emassan” Foundation, UNESCO, UNICEF
7	24 May 2005	Participation at the conference “Improvement of Institutions of Administrative Legislation in the Republic of Uzbekistan”	USAID/IRIS «Assistance to Development of Judicial Systems in Central Asia », Friedrich Ebert Stiftung and German Society for Technical Cooperation (GTZ)
8	17 June 2005	Presentation at the seminar “Legal Framework for Protection of Maternity and Childhood”	Committee for Labor and Social Affairs of the Legislative Chamber of Oliy Majlis of Uzbekistan

9	24 June 2005	Meeting on Implementation of the Law on Civil Petitions of the Republic of Uzbekistan in the case of Kashkadarya oblast	Committee of the Legislative Chamber of Oliy Majlis of Uzbekistan for Democratic Institutions, Non-government Organizations, and Civil Self-Governance Institutions
10	11 July 2005	Presentation at the “Demography, Environment and Development” Conference	International ECOSAN Foundation
11	13 September 2005	Presentation at the seminar “Place and Role of Women in the Reforms implemented in the Republic of Uzbekistan»	Tashkent State University of Economics
12	13 September 2005	Presentation of National Human Development Report for 2005 titled “Decentralization and human development”	UNDP Country Office in Uzbekistan
13	15 September 2005	Conference titled “Judicial and Legal Reforms and Media”	Ijtimoiy Fikr Center for Public Opinion Studies
14	27 September 2005	Conference titled Legal protection of entrepreneur interests in Uzbekistan: problems and their solutions	Committees for Legislation, Judicial and Legal Issues, Budget and Economic Reforms of the Senate of Oliy Majlis of Uzbekistan
15	28 September 2005	Presentation at the conference titled «Role of judicial and legal reforms in protection of human rights	Ministry of Justice of the Republic of Uzbekistan
16	10 October 2005	Conference titled Abolition of death penalty: Commitment to the principles of humanism	Committee of the Legislative Chamber of Oliy Majlis of Uzbekistan for Legislative, Judicial, and Legal Affairs
17	10 October 2005	International conference titled “Bicameral parliament and the media: international experience of coverage and cooperation practices”	Committee on Information and Communication Technologies of the Legislative Chamber of Oliy Majlis of Uzbekistan EuropeAid “Further Enhancement of Democratic Reforms in Uzbekistan” Project
18	14 October 2005	Presentation at a roundtable “Practices of reviewing individual petitions in compliance with the Laws on “Individual petitions” and “Lawsuits against actions and decisions in violation of civil rights and liberties”	Committees of the Senate and Legislative Chamber of Oliy Majlis PY for Legislative, Judicial, and Legal Affairs

19	15 October 2005	Conference titled Judicial and legal reforms and the media	Ijtimoiy Fikr Center for Public Opinion Studies
20	25-26 October 2005	Conference on Combating Human Trafficking	“Future Generation” Youth Information Center
21	28 October 2005	Meeting on Implementation of UN Convention Against Torture and other Cruel, Inhumane or Degrading Treatment and Punishment in the case of Tashkent oblast	Committee for International and Interparliamentary Relations of the Legislative Chamber of Oliy Majlis of Uzbekistan
22	28 October 2005	Presentation of the comments to the Law “On Protection of Consumer Rights”	Federation of the Consumer Rights Societies of Uzbekistan
23	1 November 2005	IV congress of trade unions of Uzbekistan	Council of Federation of Trade Unions of Uzbekistan
24	8-9 November 2005	Presentation at the seminar titled «Legal framework of the activities of local councils of people’s deputies» in Andijan oblast	Central Council of People’s Democratic Party of Uzbekistan
25	9-10 November 2005	Presentation at the seminar titled «Legal framework of the activities of local councils of people’s deputies» in Republic of Karakalpakstan	Central Council of People’s Democratic Party of Uzbekistan
26	9-10 November 2005	Presentation at the seminar titled «Legal framework of the activities of local councils of people’s deputies» in Namangan oblast	Central Council of People’s Democratic Party of Uzbekistan
27	10-11 November 2005	Presentation at the seminar titled «Legal framework of the activities of local councils of people’s deputies» in Ferghana oblast	Central Council of People’s Democratic Party of Uzbekistan
28	10-11 November 2005	Presentation at the seminar titled «Legal framework of the activities of local councils of people’s deputies» in Khorezm oblast	Central Council of People’s Democratic Party of Uzbekistan
29	10-11 November 2005	Presentation at the seminar titled «Legal framework of the activities of local councils of people’s deputies» in Tashkent	Central Council of People’s Democratic Party of Uzbekistan
30	11 November 2005	Conference titled “Next stage of judicial and legal reforms in	Fraction of Adolat Social Democratic Party of the

		Uzbekistan”	Legislative Chamber of Oliy Majlis of the Republic of Uzbekistan
31	15 November 2005	Presentation at the seminar titled “Role of interreligious relations in formation of civil society”	Institute for Civil Society Studies
32	15-16 November 2005	Presentation at the seminar titled «Legal framework of the activities of local councils of people’s deputies» in Samarkand oblast	Central Council of People’s Democratic Party of Uzbekistan
33	16-17 November 2005	Presentation at the seminar titled «Legal framework of the activities of local councils of people’s deputies» in Surkhandarya oblast	Central Council of People’s Democratic Party of Uzbekistan
34	17 November 2005	Conference titled “Issues of Further Reforms, Liberalization of Judicial and Legal System and Improvement of Constitutional Justice”	Constitutional Court, Supreme Court, Higher Economic Court of the Republic of Uzbekistan
35	17-18 November 2005	Presentation at the seminar titled «Legal framework of the activities of local councils of people’s deputies» in Kashkadarya oblast	Central Council of People’s Democratic Party of Uzbekistan
36	17-18 November 2005	Presentation at the seminar titled «Legal framework of the activities of local councils of people’s deputies» in Navoi oblast	Central Council of People’s Democratic Party of Uzbekistan
37	17-18 November 2005	Presentation at the seminar titled «Legal framework of the activities of local councils of people’s deputies» in Tashkent oblast	Central Council of People’s Democratic Party of Uzbekistan
38	18-19 November 2005	Presentation at the seminar titled «Legal framework of the activities of local councils of people’s deputies» in Bukhara oblast	Central Council of People’s Democratic Party of Uzbekistan
39	23-24 November 2005	Presentation at the seminar titled «Legal framework of the activities of local councils of people’s deputies» in Jizzakh oblast	Central Council of People’s Democratic Party of Uzbekistan
40	24 November 2005	Presentation at the seminar titled “Parliamentary oversight: theoretical and practical issues”	Institute for Monitoring of Current Legislation under the President of the Republic of Uzbekistan

41	24-25 November 2005	Presentation at the seminar titled «Legal framework of the activities of local councils of people's deputies» in Syrdarya oblast	Central Council of People's Democratic Party of Uzbekistan
42	2 December 2005	Conference titled "Current Constitution: From Norms to Practice"	Ijtimoiy Fikr Center for Public Opinion Studies
43	6 December 2005	Roundtable «Human Rights in Uzbekistan: achievements, problems, and prospects»	Institute for Civil Society Studies
44	6 December 2005	Presentation at the seminar titled «Constitution and legislation of the Republic of Uzbekistan – guarantee of consumer rights »	State Committee of the Republic of Uzbekistan for Demonopolization, Support for Competition and Entrepreneurship, Federation of the Societies for Consumer Rights Protection of Uzbekistan
45	14 December 2005	Meeting on implementation of UN Convention on Elimination of All Forms of Discrimination Against Women	Senate Committee of Foreign Affairs of Oliy Majlis PY
46	15 December 2005	Conference titled «Guarantees of Human Rights and Liberties»	Tashkent State Law Institute
47	20 December 2005	Conference titled "Judicial and legal reforms: effectiveness and prospects"	Committee of the Senate of Oliy Majlis PY for Legislative, Judicial, and Legal Affairs
48	23 December 2005	Presentation at the seminar titled "Protection of labor and health of women working in the healthcare sector, improvement of the tasks of trade unions to enhance the role of women in family and community"	Council of the federation of trade unions of Uzbekistan
49	29 December 2005	Roundtable «Human Rights and Human Development	UNDP Country Office in Uzbekistan B Uzbekistane

**Chronology of major events held by the Authorized Person of the
Oliy Majlis of the Republic of Uzbekistan for Human Rights
(Ombudsman) in 2005**

№	Date	Activity	Organizers
1	2 March 2005	Roundtable on patients' rights (Tashkent)	Ombudsman, Ministry of Health of the Republic of Uzbekistan, WHO Liaison Office
2	12 April 2005	Meeting with the students of the Academy of State and Public Construction under the President of the Republic of Uzbekistan in Ombudsman's office	Ombudsman
3	3 May 2005	Meeting with the experts of the Ombudsman' regional representative in Tashkent city	Ombudsman
4	20-23 May 2005	Conducting on-field meetings with citizens, meetings with officials, visits to penitentiary institutions in the oblasts of Ferghana valley	Ombudsman, regional representatives
5	26 August 2005	Signing and presentation of the Agreement between Ombudsman and Ministry of Health of the Republic of Uzbekistan	Ombudsman, Ministry of Health of the Republic of Uzbekistan,
6	19-23 September 2005	Training workshop for trainers and national experts for implementation, reporting, and monitoring of UN Convention on Elimination of All Forms of Discrimination Against Women - CEDAW (Tashkent)	Ombudsman, Center for Support of Civil Initiatives, Institute of Democracy and Human Rights
7	28 September 2005	Signing and presentation of Memorandum between Ombudsman and Ministry of Justice of the Republic of Uzbekistan	Ombudsman, Ministry of Justice of the Republic of Uzbekistan
8	29 September 2005	Presentation of the Agreement between Ombudsmans of Slovakia and Uzbekistan	Ombudsman
9	24 November 2005	Roundtable «UN Convention on Elimination of All Forms of Discrimination Against Women-CEDAW» (Bukhara)	Ombudsman, Center for Support of Civil Initiatives, Institute of Democracy and Human Rights

10	11 December 2005	Roundtable «UN Convention on Elimination of All Forms of Discrimination Against Women-CEDAW» (Karshi)	Ombudsman, Center for Support of Civil Initiatives, Institute of Democracy and Human Rights
11	15-16 December 2005	Conference “Urgent issues of collaboration of Ombudsman with government bodies and non-government organizations to ensure upholding and safeguarding human rights» (Tashkent)	Ombudsman, Representation of Conrad Adenauer Stiftung
12	19 December 2005	Roundtable «UN Convention on Elimination of All Forms of Discrimination Against Women-CEDAW» (Gulistan)	Ombudsman, Center for Support of Civil Initiatives, Institute of Democracy and Human Rights
13	21 December 2005	Roundtable «UN Convention on Elimination of All Forms of Discrimination Against Women-CEDAW» (Tashkent oblast)	Ombudsman, Center for Support of Civil Initiatives, Institute of Democracy and Human Rights

Chronology of international cooperation of the Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights (Ombudsman) in 2005

№	Date	Activity
1	26 February – 5 March 2005	Visit of K. Bostok, expert for patients' rights, head of unit of the UK Department of healthcare
2	1 March 2005	Meeting with B. Jones, 1 st secretary of the Australian Embassy in Uzbekistan
3	16 March 2005	Meeting with A. Trimaylova and R. Pulatov, experts of UNDP project in Uzbekistan
4	17 March 2005	Meeting with P. Yuz, Charge d'Affairs of the Slovak Republic in Uzbekistan
5	18 March 2005	Meeting with H. Kaiser, regional representative of the Conrad Adenauer Foundation for Central Asia, Kazakhstan and Caucasus
6	24 March 2005	Meeting with R. Vavr, regional representative of International Red Cross Committee in Central Asia
7	6 April 2005	Meeting with Shirin Akiner, expert of the School of Oriental and African Studies of the University of London
8	11-13 May 2005	Participation of Ombudsman's delegation in the 4 th roundtable of the Ombudsmen of European and CIS countries in Karlovy Vary
9	12 May 2005	Meeting with Ambassador Jenca, Chief of OSCE Center in Tashkent
10	13 May 2005	Meeting with U.S. Ambassador John Purnell
11	28 July 2005	Meeting with OSCE Secretary General M.P. de Brishambo
12	5 August 2005	Meetings with Y. Vavshinyuk, Charge d'Affairs of Polish Republic in Uzbekistan
13	25 August 2005	Meeting with delegation of the Constitutional Court of the Republic of Korea headed by Yong Chol Yun, the President of Constitutional Court
14	12 September 2005	Meeting with the delegation of Conrad Adenauer Stiftung headed by G. Valers
15	29 September 2005	presentation of the Agreement of Cooperation between Ombudsmans of Uzbekistan and Slovakia

16	26 October 2005	Meeting with delegation of the Israeli Knesset members
17	28 October 2005	Meeting with Yu. Kusumoto, Ambassador Extraordinary and Plenipotentiary of Japan in Uzbekistan
18	2 November 2005	Meeting with M. Sever, Director of USAID Open Dialogue Project
19	7 November 2005	Meeting with P. Yuza, Charge d'Affaires of the Slovak Republic in Uzbekistan
20	11 November 2005	Meeting with A. Daminova, Head of UNDP Good Governance Unit
21	29 November 2005	Meeting with N. Baas, Envoy of the Federal Government of Germany for Russia, Caucasus, and Central Asia
22	28-30 November 2005	Participation of Ombudsman's delegation in the 4 th roundtable of ombudsmen of European and CIS countries in Prague

AGREEMENT
on co-operation between the Authorized Person of the Oliy Majlis of the
Republic of Uzbekistan for Human Rights (Ombudsman) and
the Public Protector of rights of the Slovak Republic

The Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights (Ombudsman) and the Public Protector of rights of the Slovak Republic, hereinafter referred to as "the Parties", guided by the desire to establish friendly co-operation aimed at the exchange of experiences on the issues connected with providing an efficient protection of human rights in their respective countries and considering the similarity of actions implemented by both institutions, have agreed upon the following:

Article 1

The Parties carry out cooperation in the following areas:

- exchange of information on actions in the sphere of the protection of human rights and freedoms;
- exchange of legislative acts concerning the organization, competence and activity of the Parties, as well as other legislative acts on human rights issues;
- providing mutual information on important decisions taken by state bodies regarding to the activities of the Parties;
- organization of visits, conferences and trainings;
- providing mutual assistance in the protection of rights and freedoms of citizens of the States of the Parties;
- being in contact on issues regarding to the membership of the Parties in international organizations in the sphere of the protection of human rights and freedoms;
- preparation and edition of the joint publications.

Article 2

Each of the Parties may accept and execute the requests of other Party for providing information. In case of submission of information contradicts the legislation, public security, norms of public regulations, the Parties may deny the request.

Article 3

The Parties or their authorized representatives shall temporarily hold meetings in order to evaluate the implementation of the present Agreement and to define new directions of co-operation.

Article 4

According to the co-ordinated plan the Parties shall carry out an exchange of the experts.

Article 5

The financial and organizational matters of co-operation are co-ordinated by the Parties in each certain case.

Article 6

Correspondence and providing information will be carried out in the state languages of the Parties with translation into English and Russian.

Article 7

The present Agreement shall enter into force from the date of signing. The Agreement is concluded for five years and will be automatically extended for more five years unless any of the Parties informs by written notification three months before the termination of relevant period.

The present Agreement was done in two copies, each copy in Uzbek, Slovak and English, both texts are authentic.

**The Authorized Person of the Oliy
Majlis of the Republic of Uzbekistan
for Human Rights (Ombudsman)**

S. Rashidova

Tashkent
20 of May 2005

**The Public
Protector of rights
of the Slovak Republic**

P. Kandráč

Bratislava
20 of May 2005