



REPORT
On the activities of the
Authorized Person
for Human Rights (ombudsman)
of the Oliy Majlis
of the Republic of Uzbekistan

Tashkent – 2009

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of the Report of the activities of
the Authorized Person for Human Rights (Ombudsman)
of the Oliy Majlis of the Republic of Uzbekistan
in 2008

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of the Oliy Majlis of the Republic of Uzbekistan 2009.

The Report of the activities of the Authorized Person for Human Rights (Ombudsman) of the Oliy Majlis of the Republic of Uzbekistan for 2008 can be found in the web-site:
www.ombudsman.uz.

Introduction

This report on compliance with human rights and freedoms of individuals has been prepared by the parliamentary Ombudsman in accordance with the articles of Constitution of the Republic of Uzbekistan and the Law on Authorized Person for Human Rights (Ombudsman) of the Oliy Majlis of the Republic of Uzbekistan, which regulates its activities.

Past period was observed with the implementation of regulations of the Decree of the President of the Republic of Uzbekistan I. Karimov from May, 1 2008 № PP-3994 *On Action Programme dedicated to the 60th anniversary of adoption of the Universal Declaration of Human Rights*, acknowledged the adherence of Uzbekistan to the democratic choice of its development, stability and the entrance of movement to civil- legal society, strengthening of legal status and materialtechnical basis of the national institutes of human rights, including the Authorized Person for Human Rights (Ombudsman) of the Oliy Majlis of the Republic of Uzbekistan.

Joint Resolution of Kengashes of the Legislative Chamber and the Senate of the Oliy Majlis of the Republic of Uzbekistan from September, 30 2008 № 875-I/554-I "On Improvement the activities of the Secretariat of Authorized Person for Human Rights (Ombudsman) of the Oliy Majlis of the Republic of Uzbekistan" and the Resolution of the Cabinet of Ministers of the Republic of Uzbekistan from September, 30 2008 № 219 "On complex measures on the state support of the national institutions of human rights" allowed in the process of modernization and renewal of all spheres of the life of society, increasing the social-political activeness of population, realization of reforms in state and public construction and active participation of the Institute of Ombudsman in the implementation of state policy on the guarantees of constitutional rights and freedoms of citizens.

The parliamentary Ombudsman, being an institute of civil society, and with the purpose of implementation of its aims and obligations, particularly the expectations of the population, actively cooperated with the national and foreign partners on the more effective guarantees of all categories of human rights. In this process, the institute of the Authorized Person for Human Rights (Ombudsman) of the Oliy Majlis of the Republic of Uzbekistan has been supported in regular basis by the state administration, closely assisted by the parliament and the government of Uzbekistan, various government bodies, public organizations and citizens.

Meantime, the process of stable improvement of its activities, looking for mechanisms of collaboration with government bodies and state officials on the issues of guarantees and observance of interests of citizens in the process of wide reforms on renewal and modernization of the country, and further formation of civil society were not ended. In the frame of multilateral cooperation with national partners, the activity of Ombudsman on the issues of guarantees of concrete

categories of rights of socially vulnerable people of the society, particularly women, children, patients of medical institutions, students and prisoners was also extended.

The report of Ombudsman includes the results of its activities for the whole year on different issues related to the issues of improvement of national legislation in the area of human rights and the monitoring of its enforcement, examining of citizen's complaints, information and awareness raising activities, international cooperation, examining problems in the area of guaranteeing the freedoms and legal interests of citizens of the Republic of Uzbekistan and the forms and optimal ways of their solutions. Choosing the rational scheme of activities from obtained practice and international practices of colleagues and international organizations, the main instrument of activities of Ombudsman was the monitoring of situation in the area of human rights, which has been done through generalization and the analysis of complaints of citizens presented to the Authorized Person for Human Rights, through organized activities and meetings with different categories and groups of society, using the facts underlined in documents of national and foreign partners and Mass Media.

There are statistical data, conclusions and recommendations, plans of perspective activities, which allow to examine in-depth all aspects of activities of the Authorized Person for Human Rights of Oliy Majlis of the Republic of Uzbekistan in accordance with obtained for last fourteen years of experience and standards on the guarantees of universal rights and freedoms of people, accepted in the world practice of Ombudsmen.

I. Practices of Assisting the improvement of the Human Rights Legislation of Uzbekistan and Monitoring of its Enforcement

The powerful impulse in the process of development of democratic institutions in the Republic of Uzbekistan was the adoption of Decree of the President of the Republic of Uzbekistan on May, 1 2008 *Action Programme dedicated to the 60th anniversary of the Universal Declaration of Human Rights*. The Decree was served as practical endorsement of deep attention, given in our country for the guarantees of rights and interests of people, particularly it has strengthened legal guarantees of functioning of national institutions on human rights, provided necessary organizational-legal, material-technical opportunities for the guarantees of effective protection of rights and freedoms of human beings.

In the constitutional state, the lawmaking activities shall depend on its principles, guaranteeing rights and freedoms of human beings and citizens, therefore the necessary condition for lawmaking process is to use those rules, resources and methods, which are important for the legislative techniques of constitutional state. This is ensured by the compliance of the content of normative

acts with the idea of human rights, universally accepted norms and principles of international law.

The main objective of improvement of the legislation is to increase the effectiveness of legal adjustment of public relations with the purpose of:

- protection of rights and freedoms of individuals, state sovereignty, national interests and security;
- conformity of national legislation with universally- accepted principles of international law;
- realization of legal integration of national legislation with the legislation of other countries.

The improvement of national legislation in the field of human rights and the guarantees of its compliance with the norms of international law is one of the important objectives of the Authorized Person for Human Rights of Oliy Majlis of the Republic of Uzbekistan.

On the basis of studies and analysis of the citizen's complaints, results of monitoring research, the Authorized Person for Human Rights examines the practical essence of the legislation; does the research on the violations of human rights and their reasons; identifies the problems in the legislation; prepares draft laws directed to the improvement of human rights and through the subject of legislative initiatives delivers them to the parliament for further examination; addresses to the subjects of law of the legislative initiative on the identification of gaps in the legislation; presents the information on the gaps in the legislation identified during the preparation of reports of Ombudsman, recommends to ratify the international agreements related to the issue of human rights, and does the examination of normative-legal acts in the area of human rights and their compliance with the Constitution of the Republic of Uzbekistan, norms of international law and obligations, which are taken by the Republic of Uzbekistan.

In the identifying the gaps in the legislation, the analytical work of the institute of Ombudsman played a great importance. The aims of the Ombudsman is not only renewing the human rights violations, but also identifying the reasons of such violations related to the problems in the legislation and law-making process.

During the reporting period of the Authorized Person for Human Rights of the Republic of Uzbekistan, there have been done legal examination of 22 draft laws, prepared by the committees of the Legislative Chamber of Oliy Majlis of the Republic of Uzbekistan, ministries and other government bodies (Annex 1). Regarding the draft laws, the conclusions with the recommendations on the additional amendments and making changes into the legislation with the purpose of making sure that current legislation complies with the Constitution of the Republic of Uzbekistan and universally accepted principles and norms of International law have been presented, the contradictions between the legislative acts have been eliminated and gaps in the legislation have been examined.

The Authorized Person for Human Rights of the Republic of Uzbekistan participated in the legal examination of following draft laws: “On Making Changes and Amendments into certain Legislative Acts of the Republic of Uzbekistan in regard with regulating the implementation of customs duty privileges regarding the property, imported by the foreign investors to the Republic of Uzbekistan for the personal production needs”, “On the Salutory Service and status of savior”, “On Making Changes into the Article 109 of Customs Code of the Republic of Uzbekistan”, “On Making Changes and Amendments into certain Legislative Acts of the Republic of Uzbekistan”, “On the operative investigation activities”, “On Making Changes and Amendments into the Law on evaluation activities”, “On Making Changes and Amendments into the Criminal Code of the Republic of Uzbekistan in regard with the adoption of the Law on prevention of human trafficking”, “On Making Changes and Amendments into the Law of the Republic of Uzbekistan on insurance measures”, “On the state necessary social insurance from accidents in manufacturing and professional illnesses”, “On collector activities”, “On Making Changes into Civil Code of the Republic of Uzbekistan and the Law on bank secrecy in regard with adoption of the Law of the Republic of Uzbekistan on collector activities”, “On Authorized Person for the rights of child of the Republic of Uzbekistan (Ombudsman for the protection of the rights of child)”, “On Making Changes and Amendments into certain Legislative Acts of the Republic of Uzbekistan in regard with the adoption of the law on Authorized Person for the rights of child of the Republic of Uzbekistan (Ombudsman for the protection of the rights of child)”, “On Making Changes and Amendments into Tax Code of the Republic of Uzbekistan”, “On Making Changes and Amendments into certain Legislative Acts of the Republic of Uzbekistan in regard with the improvement of activities of the Authorized Person for Human Rights (Ombudsman) of Oliy Majlis of the Republic of Uzbekistan”, “On Making Changes into the article 10 of the Law of the Republic of Uzbekistan on guarantees of securing the deposits of citizens made in banks” and etc.

The important attention by the Ombudsman was given to the draft law “On the Salutory service and status of savior”. The Ombudsman was recommended to identify the order of establishing the salutory institutions, which are not working on permanent basis and their formation in the draft law. The need for establishing the responsibility of salutory services and the formations for damages caused by the incorrect acts during the activities on the liquidation of emergency situations, also those saviors accused in the failure of their acts which are supposed to do, intentional injure to the health of citizens, damage of natural environment and material and cultural values during the activities on the liquidation of emergency situations. Those recommendations were sent to the Legislative chamber of Oliy Majlis of the Republic of Uzbekistan.

The draft law “**On operative investigation activities**”, which guarantees the human rights for freedom and personal immunity, was in-depth examined. The main objective of draft law “On operative investigation activities” is regulating the relations in the field of operative-investigation activities. The draft law describes

the contents, main aims and objectives of operative-investigation activities, jurisdiction of agencies carrying out the operative-investigation activities in the territory of Uzbekistan, also strengthen the system of legal guarantees basis on the common values, observance of constitutional rights and freedom of individuals. The Authorized Person for Human Rights was recommended to define the main aims of operative-investigation activities to protect the life, health, rights, freedoms and legal interests of citizens and legitimacy from unlawful infringement; realization of measures on investigation of individuals disappeared from agencies of inquiry, investigation and from the trials, who are fugitive from criminal punishment, and disappeared without any information. The Ombudsman was also recommended to include to the list those people from the institute of the Authorized Person for Human Rights of Oliy Majlis of the Republic of Uzbekistan, who are not entitled to cooperate with agencies implementing operative-investigation activities.

The comments and recommendations were also presented by the Ombudsperson on the draft law “On the Authorized Person for the rights of child of the Republic of Uzbekistan (Ombudsman for the protection of the rights of child)” prepared by the Cabinet of Ministers of the Republic of Uzbekistan. The Ombudsman on the rights of child totally supported the establishment of the institute on the state protection of the rights of child and presented its recommendations on the realization of the draft law. The comments of Ombudsman includes making changes into the title of the draft law, requirements related to the candidacy for the position of Ombudsman on the rights of child, concretization of the status of the Ombudsperson, establishment of the status of limitation to complaints received for the examination by the Ombudsman, also exclusion of provisions duplicating the norms of the law “On the Authorized Person for Human Rights(Ombudsman)of Oliy Majlis of the Republic ofUzbekistan" and others.

The Ombudsman also presented conclusions of examination of the draft law **“On prevention of human trafficking”, “On Making Changes and Amendments into the Criminal Code of the Republic of Uzbekistan in regard with the adoption of the law on prevention of human trafficking”**.

The activities of Ombudsman, aimed to improve the legislation in the area of human is depend on the interaction of Ombudsman with the chambers of Oliy Majlis of the Republic of Uzbekistan, its committees, members of the Senate and deputies of the Legislative chamber of Oliy Majlis of the Republic of Uzbekistan. The forms and methods of activities of Ombudsman in the area of improvement of the legislation could be different. In 2008, the main forms of cooperation between the Ombudsman and committees of chambers of the Parliament were:

- legal expertise of draft laws related to different aspects of human rights and preparation of conclusions;
- participation in working groups on the preparation and discussion of draft laws;

- joint implementation of monitoring activities of committees of the Legislative chamber and the Senate;

- addressing the subjects of law of the legislative initiatives with the recommendations for the parliament's further consideration, related to the improvement of the draft of legislative acts on the guarantees of constitutional rights and freedoms of citizens;

- exchange of information on the issue of observance of the legislation on human rights;

- participation in conferences, seminars, round-tables and other joint activities on human rights issues.

Abovementioned forms of collaboration allowed increasing the effectiveness of activities of Ombudsman in the area of human rights protection.

During 2008, the Ombudsman actively collaborated with the committees of the parliament:

- Committee of the Legislative chamber on budgeting and economic reforms (recommendations and comments in regard with 10 draft laws have been presented);

- Committee of the Legislative chamber on the issues of defense and security (recommendations and comments in regard with 2 draft laws have been presented);

- Committee of the Legislative chamber on legislation and legal issues (recommendations and comments in regard with 2 draft laws have been presented);

- Committee of the Legislative chamber on democratic institutions, non-governmental organizations and agencies for self-administration of citizens (recommendations and comments in regard with 1 draft laws have been presented);

- Committee of the Senate on defense and security issues (recommendations and comments in regard with 1 draft laws have been presented).

It is important to emphasize that the cooperation of Ombudsman with the committees of the Legislative chamber of Oliy Majlis of the Republic of Uzbekistan was developed not only through legal examinations, but also through the exchange of information on the results of monitoring of observance of the legislation in the area of human rights, through organization of joint meetings, seminars, trainings, round-tables, with the participation in activities in the area of human rights. The members of the Secretariat of the Authorized Person for Human Rights actively participated during the seminars and conferences organized by the Committee of the Legislative Chamber of Oliy Majlis on the issues of science,

education, culture and sport, Committee of the Legislative Chamber on the issue of defense and security, Committee of the Legislative Chamber on the legislation and legal issues, Committee of the Legislative Chamber on democratic institutions, non-governmental organizations and the agencies for citizens' self-administration.

In 2008, the Ombudsman strengthened the cooperation with the Senate of the Oliy Majlis of the Republic of Uzbekistan. The cooperation with the upper chamber of the parliament was aimed at improving the monitoring activities in the area of observance of the human rights through the participation in monitoring processes on the implementation of the legislation in the area of human rights, in the organization of conferences, seminars and other activities, also exchange of information on the situation of the observance of human rights.

With the Resolution of the Senate of Oliy Majlis of the Republic of Uzbekistan on the 28th of August 2008 № 530-1 "On the order of the implementation of the act on amnesty in regard with the seventeenth anniversary of the independence of the Republic of Uzbekistan", the Senate with its decision defined the order of implementation of the resolution on amnesty, which establishes the procedure of the court's scrutiny of the materials related to the persons, who are entitled to be released from punishment on amnesty. In this regard, it is expected that senators, deputies of regional, district and county Kengashes of national deputies, also regional representatives of the Authorized Person for Human Rights of the Oliy Majlis will actively participate in the realization of public monitoring of the procedures of implementation of the act of amnesty.

In 2008, the Authorized Person for Human Rights of the Oliy Majlis continued the collaboration with the Committees of the Senate of Oliy Majlis of the Republic of Uzbekistan on the issues of foreign policies. With the purpose of implementation of the recommendations of UN Committee on torture prevention, in March 2008 there has been discussed the methods of implementation of the provisions of UN Convention on Torture and other cruel, inhuman or degrading Treatment or Punishment, the status of human rights guarantees in the penitentiary institutions of the country. With the participation of representatives of all lawenforcement bodies in the session of parliamentary committee, the recommendations on the realization of mechanisms of the implementation of UN Convention on Torture and other cruel, inhuman or degrading Treatment or Punishment have been prepared.

One of the reasons of human rights violations is inconsistency between the legislation and international standards in the sphere of human rights. In this respect, many rights guaranteed by the international acts on human rights and ratified by the Republic of Uzbekistan graded in the procedure of judicial bodies. The work on the elimination of such situations can be only effective in time of deep collaboration of the Authorized Person for Human Rights with the Supreme Court of the Republic of Uzbekistan. In the same year the Authorized Person for Human Rights has established deep cooperation with the Supreme Court of the

Republic of Uzbekistan. The practice of activities included the reference of project of the Resolution of the Plenary Session of the Supreme Court to Ombudsman on the conformity of made decisions with international standards in the field of human rights. Ombudsman participated in the procedure of examination of projects of the Resolution of the Plenum of the Supreme Court “On the issues of qualification of acts in frequent crimes”, “On the procedure of examination of criminal cases by Courts as appeals”, “On the procedure of judicial review of criminal cases”. Within the Article 14 of Law “On the Authorized Person for Human Rights of the Oliy Majlis of the Republic of Uzbekistan”, during the examination of complaints and monitoring the Ombudsman has a right on the basis of personal initiative to address the organizations and government officials for contribution in the procedure of monitoring of the situation, subjected to clarification. In this regard, the Ombudsman recommended to complete the project of the Resolution of the Plenum of the Supreme Court “On the procedure of judicial review of criminal cases” with the provision defining that individuals, who have the right to protest against the sentence, the decision of the court regarding the application of Ombudsman, are entitled to obtain on demand from the court in the frame of their competence any criminal case for further examination and legal settlement of the issue.

The main importance in the activities of judicial bodies has the implementation of universally accepted principles and norms of international law and international agreements of the Republic of Uzbekistan. Taking into consideration that this will allow to ensure to citizens the right to fair trial, the Ombudsman has examined the project of the Resolution of the Plenum of the Supreme Court and the Plenum of the Supreme Economic Court of the Republic of Uzbekistan ***“On the implementation of universally accepted principles and norms of international law and international agreements of the Republic of Uzbekistan by the courts”***. The recommendations and comments of Ombudsman were directed to the Supreme Court of the Republic of Uzbekistan.

The Ombudsman has also examined the project of the Resolution of the Plenum of the Supreme Court “On some issues of judicial practice related to the assignment of judicial expertise, and evaluation of final expertise on civil cases”. The recommendations of Ombudsman included the provisions on importance of listing the persons, who are not entitled to do the examination, definition of responsibilities of the expert on the confirmation and research of materials and documents presented for the examination; determining the responsibilities for deliberately giving false evidence or rejection from giving decisions because of inadequate reasons. The Ombudsman has also defined the issues, which shall be highlighted in summary of the expertise and others.

Activity of the Authorized Person for Human Rights of Oliy Majlis of the Republic of Uzbekistan on assistance of improvement of the legislation on human rights and its conformity with the norms of international law should be carried out

by joint efforts of legislative and executive bodies, and courts. In this process the institute of Ombudsman plays a special role. The Authorized Person for Human Rights based on the analysis of citizens' complaints, and monitoring studies on compliance with the various categories of human rights can assess the impact of legislative and law-enforcement practices, to identify its shortcomings and give appropriate recommendations. The principal difference of this institute from judicial bodies, law enforcement and other agencies is that the Ombudsman does not only operate within the existing legal framework, but also aims to improve its standing. Comparing with the subjects of the right of legislative initiative, the advantage of Ombudsman is that, by working directly with citizens, non-governmental organizations, it can represent the interests of the general public to introduce legislative initiatives.

Taking into account the integration of the Republic of Uzbekistan in the international community, it is necessary to enforce law-making activities of the parliament aimed at bringing the legislation of the Republic of Uzbekistan in line with international legal standards of guarantees of human rights.

The Decree of the President of Republic Uzbekistan published on May, 1 2008 « On the programs of activities, devoted to the 60th anniversary of the Universal Declaration of Human Rights» played the important stage of progress of national institutions of human rights.

Issues of the improvement of activities are always in focus of the Authorized Person for Human Rights of Oliy Majlis of the Republic of Uzbekistan. The studies of the experience of similar foreign institutions, reviews of activities of the institute of Ombudsman, developments of recommendations for further improvement are continued.

Paragraph 1.2. of the Action Programme devoted to the 60th anniversary of the Universal Declaration of Human Rights (the Appendix №1 to the Decree of the President of Republic Uzbekistan №3994 from May, 1st 2008) anticipate to make comments to the Legislative Chamber of the Oliy Majlis of the Republic of Uzbekistan on bringing the national legislation in line with the Law of the Republic of Uzbekistan "On the Authorized Person for Human Rights (Ombudsman) of the Oliy Majlis of the Republic of Uzbekistan". With the purpose of realization of specified provisions by the Authorized Person for Human Rights of the Oliy Majlis of the Republic of Uzbekistan in the cooperation with the Ministry of Justice of the Republic of Uzbekistan, there has been prepared a draft law «On making changes and amendments into certain legislative acts of the Republic of Uzbekistan in regard with improvement of activity of the Authorized Person for Human Rights (Ombudsman) of the Oliy Majlis of the Republic of Uzbekistan».

Current draft law has been prepared on the basis of studies of the international experience and practice of some foreign Ombudsmen. After agreement with the ministries, departments and other state bodies the draft law has been directed by

the Cabinet of Ministers of the Republic of Uzbekistan for consideration to the Legislative Chamber Oliy Majlis of the Republic of Uzbekistan. The draft law on bringing the current legislation in conformity with the Law on Ombudsman has been discussed in the sessions of working groups, fractions of political parties, and also committees of Legislative Chamber of the Parliament. In November, 2008 the draft law has been accepted in the third reading and directed to the Senate for approval.

The draft law recommends making changes and amendments into the laws of the Republic of Uzbekistan «On the State Flag of the Republic of Uzbekistan», «On the State Emblem of the Republic of Uzbekistan». In accordance with Article 14 of the Law «On Authorized Person for Human Rights (Ombudsman) of Oliy Majlis of the Republic of Uzbekistan», during the examination of complaint, as well as violations of human rights, freedom and legitimate interests of citizens, the Ombudsman has the right to organize meetings and conversations with arrested or detained persons.

With the purpose of bringing the current legislation to confirm with the current norms, the draft law makes additions to Article 216 of the Criminal procedure Code of the Republic of Uzbekistan defining that, the administration of the place of detention and arrest is obliged to provide for detained and the arrested persons a condition for meetings and conversations with the Authorized Person for Human Rights (Ombudsman) of the Oliy Majlis of the Republic of Uzbekistan; and also to Article 18 of the Criminal Code of the Republic Uzbekistan establishing that, during the examination of complaints, the Ombudsman has the right to visit the places of detention without any special permission.

According to the Law on the Authorized Person for Human Rights, the person submitted the complaint to the Ombudsman, and also persons to whom the gathering and the analysis of the information or the results of examination has been granted by Ombudsman, cannot be entitled to prosecution or other restrictions of rights for this action. As the complaint submitted to the Ombudsman can be related to the complaint against actions of the administration of institution or the executing body, the draft law recommends making amendments into the Criminal Code, limiting the action of administration of places of detention on the censorship of correspondence between the convicted person and the Ombudsman.

The Ombudsman has its assistant selected by the Chambers of the Oliy Majlis of the Republic of Uzbekistan. But, the procedure of selection of the deputy of Ombudsman is not emphasized in the current laws “On the regulations of the Legislative Chamber of the Oliy Majlis of the Republic of Uzbekistan” and “On the regulations of the Senate of Oliy Majlis of the Republic of Uzbekistan”. With the purpose of procedural regulating the norms of the Law “On the Authorized Person for Human Rights (Ombudsman) of the Oliy Majlis of the Republic of Uzbekistan”, the draft law made related amendments.

The guarantees of immunity of the Ombudsman are strengthened in the Law on Ombudsman. In addition, the current legislation does not emphasize the procedure of the deprivation of immunity of Ombudsman. In this regard, it is anticipated that by the draft law "On making changes and amendments into certain legislative acts in regard with the improvement of the activities of the Authorized Person for Human Rights (Ombudsman) of Oliy Majlis of the Republic of Uzbekistan" it will be made related amendments into the laws of the Republic of Uzbekistan "On the procedure of the Legislative Chamber of Oliy Majlis of the Republic of Uzbekistan" and "On the procedure of the senate of Oliy Majlis of the Republic of Uzbekistan".

Issues of integrity of the Ombudsman are reflected in the standards that complement the Customs Code of the Republic of Uzbekistan in determining that the personal luggage of the Authorized Person for Human Rights of the Oliy Majlis of the Republic of Uzbekistan to be exempt from customs inspection, if the person crosses the customs border of the Republic of Uzbekistan with the purpose of performing the official duties.

Important aspect to ensure the independence of ombudsman is the improvement of its activity on reviewing and examining of citizens' complaints, improving the efficiency of interaction with public authorities, the Ombudsman prepared proposals to draft Law "On making changes and amendments to certain legislative acts in regard with improving the activities of the Authorized Person for Human Rights (Ombudsman) of the Oliy Majlis". The Article 15 of the Law on Ombudsman emphasize that the intervention in the performance of duties of the Ombudsman attracts responsibility in prescribed manner. However, in the current administrative and criminal legislation there is no the provision providing responsibility for such kind of offence. Considering that similar practice is available in a number of the foreign states, the Ombudsman has presented amendments to the Criminal Code of the Republic of Uzbekistan and the Code of the Republic of Uzbekistan on the administrative responsibility, establishing criminal and administrative responsibility for intervention in the activity of the Authorized Person for Human Rights of the Republic of Uzbekistan.

Adopting a law, taking into account the proposals of Ombudsman on the establishment of responsibility for intervention in its activity, allows Ombudsman to solve more effectively assigned to him duties on the protection of the rights and freedom of person and the citizen.

One of duties of the Ombudsman is to develop proposals on improvement of the legislation regulating legal relations in the field of human rights. The experience of Ombudsman, the practice of Ombudsmen of foreign countries allowed defining the existed problems in the legislation on the Institute of Ombudsman. Taking into account this, in the realization of the Joint Resolution of Kengash of the Legislative Chamber of the Oliy Majlis of the Republic of Uzbekistan and the Kengash of the Senate of the Oliy Majlis of the Republic of Uzbekistan from 30.09.2008 "On the improvement of activity of the Secretary of the Authorized Person for Human

Rights (Ombudsman) of the Oliy Majlis of the Republic of Uzbekistan" and the Resolution of the Cabinet of Ministers from 30.09.2008 of №219 «On the series of measures on the state support of national institutes of human rights», the Ombudsman has prepared proposals on making changes and amendments into the current legislation of the Republic of Uzbekistan and presented to the Ministry of Justice of the Republic of Uzbekistan. In particular, Ombudsman has presented its proposals to some decision-making procedures of the Government of Uzbekistan, in particular, to «The order of manufacturing, using, storage and destruction of stamps and blanks of documents with the image of the State Emblem of the Republic of Uzbekistan», approved by the Resolution of the Cabinet of Ministers from 28.08.1992 of №401; «The Issue of manufacturing and use of the image of the State Emblem of the Republic of Uzbekistan"; "The list of officials who are entitled for the diplomatic passport of the Republic of Uzbekistan», approved by the Resolution of the Cabinet of Ministers from 06.01.1995 of №8, «On the approval of the order of exits to abroad of citizens of the Republic of Uzbekistan and Regulation on the diplomatic passport of the Republic of Uzbekistan"; "The List of people entitled to receive the service apartments», approved by the Resolution of the Cabinet of Ministers of the Republic of Uzbekistan from 27.01.2000 of №24, « On the approval of the regulation on the order of granting of service apartments"; "Order of granting of the payments related to the performance done by the state officials or public duties, and the fulfillment of duties in interests of society», approved by the Resolution of the Cabinet of Ministers of the Republic of Uzbekistan from 11.03.1997 of № 133.

With the purpose of guaranteeing the observance of the rights of prisoners in places of detention Ombudsman has developed changes into several normative legal acts of ministries of the Republic of Uzbekistan. It is offered to make amendments into the Regulation of internal rules of institutions on the execution of the punishment in the form of the imprisonment, approved by the order of the Minister of Internal Affairs from 08.05.2001 of №118, registered by the Ministry of Justice of the Republic of Uzbekistan from 08.06.2001 of №1039 with the regulation stating that the Authorized Person for Human Rights (Ombudsman) of the Oliy Majlis of the Republic of Uzbekistan, and its representative, during the monitoring of complaints, has the right to visit places of detention without the special permission.

Proposed amendments into the normative legal acts will allow not only to carry out the activity of Ombudsman irrespective of any bodies, but also to strengthen the guarantees of social protection, and to provide observance and protection of the rights convicted.

Effective practical guarantee of human rights is served by the system of monitoring of implementation of observance and protection of the rights and freedom of people. It includes the parliamentary control over implementation of laws, adopted by the parliament, monitoring of the current legislation on its conformity with the international standards in the field of human rights. Results of

monitoring assist the state bodies to co-ordinate their activities and make operative and appropriate decisions on the protection of the rights and freedom of people.

Monitoring of legal grounds and law-making process, carried out by Ombudsman on the basis of the comparative analysis of the legislation on human rights, their actual implementation by citizens in relations with state bodies and government officials, allows revealing the gaps in the legal regulation and address with proposals on their elimination.

In the same year, the Ombudsman and its regional representatives continued the monitoring of observance of the rights of farmers according to the Law of the Republic of Uzbekistan «On farming management» in Sirdarya and Khorezm regions. The main objective of the monitoring was the studies of situation on the status of implementation of the current legislation on the observance of the rights of farmers, defining the problems interfering to the realization of farmers' activity, developing proposals directed to the improvement of normative- legal basis and the guarantees of the rights and legitimate interests of farms.

Monitoring researches in the specified regions have been conducted in the cooperation with regional bodies of the Public Prosecutors Office, regional departments of Justice, and regional branches of the Farmers Association.

In the Khorezm region, the monitoring has been done in the farms, developing their activities in Urgench, Hankin, Kushkupir and Shavat regions. The farms of Sirdarya, Sardoba and Boevut regions of Sirdarya participated during the monitoring researches.

Monitoring was carried out by working groups in four directions of activities of farms – cotton-growing, cattle breeding, gardening and vegetable growing.

As the results of monitoring of realization of the Law of the Republic of Uzbekistan «On farming management» in Sirdarya and Khorezm regions, there have been revealed some reasons interfering to the development and strengthening of farms:

- There is no opportunity for farms to make monetary calculations in the terms specified in the contracts on delivery of production and rendering of services, therefore the fines are imposed on daily basis because of overdue transfer of financial resources for a crop on grain and clap to accounts of farms only in july-august and november-january;
- numerous changes to agreements of contracting on the basis of the order of Khokims (head of administration) of regions on placing of grain and cotton leads to problems in the implementation of conditions of the specified contracts;
- Failure in taking measures on revision of grades of growth class of soul that results the insufficient calculation of productivity on grain crops and clap;

- Failure in taking into account of force-majeure circumstances (natural cataclysms, salinization of soils, etc.), an objective estimation of failure in the implementation of plans, leading to the failure of implementation of conditions of contracts and the termination of activity of farms;
- Absence of the mechanism of financial support of establishment of small enterprises on processing of production made by farms, insufficient readiness and non-efficiency of the mechanism of microcrediting;
- Continuous practice of intervention of state bodies in the activity of farms;
- Insufficient information-educational activity on the improvement of professional skills of heads and other members of farms;
- Insufficient readiness of mechanisms of social security of the members of farms, receiving social benefits.

With a purpose of solving mentioned above problems as the results of monitoring in Sirdarya and Khorezm regions, following recommendations are given:

- It is necessary to fix the dates of recalculation (each five years) of grades of the growth class of soil and on the basis of results to make planning of agricultural crops;
- To cancel the practice of the numerous edition of decisions of Khokims on placing of agriculture products;
- To guarantee the observance of norms of the labour legislation of the Republic of Uzbekistan in the farms activities.
- To give more attention to increasing of legal literacy of heads of farms by carrying out of information-educational activity.

The specified recommendations have been discussed in the session of the Commission on observance of constitutional rights and freedoms of the person under the Authorized Person for Human Rights (Ombudsman) of the Oliy Majlis of the Republic of Uzbekistan.

The important attention by the Ombudsman is given to a spadework on carrying out of monitoring of observance of laws by creation of a necessary information-analytical database on the investigated problem concerning the studies of the legislation, the analysis of causes of human rights violations in the given sphere on the basis of examining of complaints of citizens, press materials, the information of regional representatives, the non-governmental organizations, the data presented by the ministries, departments, local agencies, preparation of questionnaires, carrying out of sociological surveys.

According to the plan of activities of Ombudsman for 2008, in the same year the institute of Ombudsman had carried out the analysis of the current legislation concerning the guarantees of the rights of persons, suffering by mental disability, there have been examined by-laws in this sphere on their conformity with the

Constitution, the legislative acts of the Republic of Uzbekistan and international standards on the protection of persons with mental disability, and the improvement of the psychiatric assistance. The main objective of the monitoring is to study of conditions of maintenance in psychiatric clinics and the guarantees of rights of people with mental disability for adequate treatment, qualified medical service.

Under the supervision of the Authorized Person for Human Rights, there has been created a working group among the representatives of the Office of Public Prosecutor, Ministry of Health of the Republic of Uzbekistan, Ministry of Justice of the Republic of Uzbekistan, members of Advisory Council and the Commission on observance of constitutional rights and freedoms of persons, Association of doctors of Uzbekistan, Society for the protection of consumers rights. A working group is authorized to work out of the concept of monitoring, define the means and methods of carrying out of research, prepare the questionnaires for the heads of psychiatric hospitals, their employees, and also questionnaires for the persons, suffering from mental disability. Monitoring research is planned to carry out in 2009 in Tashkent.

With a purpose of implementation of the regulation 2.1. Action Programme dedicated to the 60th anniversary of the Universal Declaration of human rights, the Ombudsman together with the Ministry of Justice of the Republic of Uzbekistan started monitoring of observance of Laws "On the Authorized Person for Human Rights of the Oliy Majlis of the Republic of Uzbekistan" and " On the citizens complaints" in Tashkent and Tashkent region. For the participation in the process of monitoring, there has been created a working group with the representatives of Ombudsman, judicial authorities, internal affairs, Office of Public Prosecutor, Advokatura (Bar Association), Institute of monitoring of the current legislation under the President of the Republic of Uzbekistan, and the Center "Ijtimoy fikr". It is planned in 2009 to continue the monitoring in other regions of the country.

Studies of monitoring practices related to the realization of the Law on Ombudsman are directed to state bodies for introduction with whole situation in country regions on the guarantees of the rights to submit complaints, receiving information on the procedure with citizens complaints, directed for consideration by Ombudsman, revealing of awareness of public officials, civil servants on the regulation of the legislation on Ombudsman, data acquisition on the forms of co-operation of local authorities with Ombudsman and its representatives in regions, revealing of problems arising during the collaboration of Ombudsman with local government bodies.

The monitoring research is aimed at introducing of state bodies and government officials with new methods and forms of control over guarantees of fundamental rights and freedoms of citizens, and also on introduction of these methods in activities of regional representatives of Ombudsman.

Following the results of monitoring, there will be prepared proposals on the improvement of the Law "On the Authorized Person for Human Rights of the Oliy Majlis of the Republic of Uzbekistan", the current legislation, and monitoring practices.

With a purpose of guaranteeing the implementation of the Decree of Senate of the Oliy Majlis of the Republic of Uzbekistan for №530-1 from August, 28th, 2008 " On the order of application of the Decree of the Senate of Oliy Majlis of the Republic of Uzbekistan", " On the amnesty in regard with the seventeenth anniversary of the declaration of independence of the Republic of Uzbekistan", the regional representatives were given instructions by the Ombudsman for №07-06/318 from 14.11.2008. Representatives of the Regional branches of Ombudsman in Karakalpakstan, Tashkent, Andijan, Fergana and other regions took part in the activities of working groups among senators, deputies of local representative bodies. In particular, the regional representative of Ombudsman in the Republic of Karakalpakstan has taken part in the procedure of consideration of petitions by courts on amnesty concerning more than 10 persons from Detention Center №9. Regional representative of Ombudsman in Tashkent has taken part in the activities of the same group and visited the Detention Center №1 and the Zangiatsinsky settlement-type colony. At the same time, the regional representatives of Ombudsman from Djizzak, Samarkand and Surkhandarya regions have not been involved in such activity at all.

With a purpose of realization of the parliamentary control over implementation of the Law of the Republic of Uzbekistan from April, 17th, 2008 «On combating against human trafficking», Decree of the President of the Republic of Uzbekistan №PP-911 from July, 9th, 2008 «On the measures of increasing of efficiency of combating against human trafficking», following the results of the session of the Republican Interdepartmental commission on combating against human trafficking from July, 23rd, 2008, the Ombudsman had formed a working group on combating against human trafficking and the Plan of measures of the Institute of Ombudsman for 2008-2009 was approved. According to this, the regional representatives of Ombudsman had formed a working Group and the plans of measures were confirmed. The regional representatives were entrusted to inform about the work done on a regular basis, and also to promote actively the activity of analytical working group and the territorial interdepartmental commissions on combating against human trafficking.

According to clause 7 of the Decree of the President of the Republic of Uzbekistan "On the Action Programmes dedicated to the 60th anniversary of the Universal Declaration of Human Rights" the Institute for civil society studies, Institute for monitoring of the current legislation under the President of the Republic of Uzbekistan, the Ombudsman, the National Center of Human Rights of the Republic of Uzbekistan had critically examined the activity of divisions on the protection of human rights created in the Ministry of Justice, the General

Prosecutor Office, the Ministry of Internal Affairs. For the first time, the institutes of civil society had examined the activity of state bodies.

In the monitoring activities, the employees of the Secretary and regional representatives of Ombudsman in Andijan, Bukhara, Navoi, Namangan, Sirdarya, Khorezm regions and the Republic of Karakalpakstan have also participated. Based on the results of monitoring, the certificate, which emphasized the gap in the activity of law-enforcement bodies on the work with citizens' complaints, has been prepared and the recommendations on the improvement of activity of divisions on the protection of human rights have been also presented.

The results of joint work stimulated the further in-depth cooperation of national institutes of human rights with state bodies of the Public Prosecutor Office and Ministry of Justice.

II. Practices of Reviewing Individual Complaints and Redressing their Violated Rights and Liberties

Observance and implementation of the Law of the Republic of Uzbekistan «On Citizens' complaints» are one of the main principles of state activity, allowing conducting the complex analysis of the major social problems and perspective issues of the state construction, to reveal the vital issues of daily interests of citizens of the country.

The institute of citizen's appeals at the constitutional level is strengthened in the main Law of the Republic of Uzbekistan. Article 35 of the Constitution states that «Everyone has the right, both individually and collectively, to submit the applications, proposals and to lodge the complaint with competent state bodies, institutions and public representatives. Applications, proposals or complaints should be considered in accordance with the procedure and within the time limit specified by law».

The constitutional rights of citizens to address to state authorities and to participate in the administration of the state and public affairs are also one of the principles of mutual relations between the state and citizens.

State bodies, government officials, and employees of state apparatus, irrespective of where they work and what they do, are entitled accurately and strictly to implement the aims and functions of the state, to provide the observance and protection of all rights and freedoms of citizens. Functions of the state bodies and government officials, after receiving and considering of the citizens' complaints, allow to reveal the gaps in the work of state authorities and to take measures on their elimination and to promote the improvement of the life of people not in words, but in practice.

According to the legislation, the protection of the rights of citizens in Republic Uzbekistan is guaranteed through:

-the realization of the right of citizens to submit the applications, proposals and complaints in any of the state bodies, public organizations, institutions of citizens self-government;

-the right to submit the application or complaint to the court for protection of constitutional rights and freedoms of the person;

-the right to address to the Authorized Person for Human Rights (Ombudsman) of the Oliy Majlis of the Republic of Uzbekistan.

The Authorized Person for Human Rights (Ombudsman) of the Oliy Majlis of the Republic of Uzbekistan is a body of extrajudicial protection of the rights of citizens, entitled to accept and consider their complaint, which have settled the other legal means of protection of the rights and freedoms. Ombudsman is obliged to contribute to the restoration of the violated human rights by presenting their recommendations on the settlement of conflict between the state body and the citizen.

Addressing the complaints of Uzbek citizens, persons without citizenship, and foreign nationals as well as assistance in redressing their violated rights was among priorities of the Ombudswoman, hence it was implemented in collaboration with government bodies, including courts and law enforcement bodies.

Using their constitutional rights to submit the application to different state bodies, the citizens every year submit their complaints to Ombudsman as mentioned in the statistics.

№	Petitions received	2008	2007	2006	2005
1.	The central office of Ombudsman, particularly:	5676	5372	4753	5138
	From regions	5383	5324	4642	5070
	From foreign nationals	207	42	45	29
	From penitentiary institutions	69	19	66	39
	Sent without return address	11	17		
	Through internet	6			
3.	Repeated complaints	2370	1250	878	1004
4.	Via hotlines	770	715	647	300
5.	Regional representatives of Ombudsman	1146	1244	1377	1291
	Total	9962	8611	7655	7733

As previous, most of the complaints sent to the Central office of Ombudsman are received from residents of Tashkent city, Surhandarya, Kashkadarya and Tashkent regions.

Regions	2008	2007	2006	2005
Tashkent city	1357	1371	1163	1470
Surhandarya region	659	624	606	574
Kashkadarya region	618	585	533	466
Tashkent region	530	511	414	480
Samarkand region	446	477	415	390

Fergana region	305	291	230	257
Andijan region	238	305	220	262
Djizzak region	210	208	221	187
Bukhara region	200	175	137	174
Navoi region	198	196	168	175
Khorezm region	180	172	138	137
Namangan region	170	179	155	221
Republic of Karakalpakstan	154	99	116	132
Sirdarya region	118	131	126	106
Total	5383	5324	4642	5070

In this year, the applications from foreign nationals and the Ombudsmen of different countries on the issue of redressing the violated rights of the representatives of different groups of population are increased.

Addressee	2008	2007	2006	2005
Russia	107	31	27	18
Ukraine	40	2	3	5
Kazakhstan	11	4	2	1
Germany	10			
Moldova	9	1	1	
Belarus	8			
USA	7		1	
Kyrgyz Republic	6	3	8	4
Armenia	3			
Azerbaijan	2	1		
Latvia	2			
Tajikistan	1		1	1
Sweden	1			
Republic of Korea			1	
Iran			1	
Total:	207	42	45	29

The applications and complaints from people in prisons are received three times more comparing with the previous year. If Ombudsman in 2006 received 66 complaints, it has received in 2007 19 complaints, and in 2008 it has increased up to **69**. Among the total numbers of received applications, **29** have been taken under control in 2008.

Complaints from penitentiary institutions	2008	2007	2006	2005
Total	69	19	66	39
Taken under control	29	4	20	23

Ombudsman has received 6 applications via e-mail and 11 anonymous complaints.

The consultations to citizens in the Secretariat of Ombudsman were given by the Ombudsman, members of the Commission on observance of constitutional

rights and freedoms of the persons, employees of the Secretariat and experts of Ombudsman according to the confirmed schedule.

Within a year, the Ombudsman gave **12** consultations in person, with participation of **246** citizens. **46** applications were taken under control and referred for examination to the corresponding instances, other citizens were given explanations.

992 persons had a possibility in person to have a consultation at the Secretariat ombudsman.

The essence of complaints and applications play a great role. It considers as the indicator of social and other problems in the society, distinctly highlights the weak places, gaps in the work of state authorities, and gives the opportunity to define the most effective measures on their elimination.

In 2008, the total received applications by Ombudsman have increased, in spite of the fact that the number of complaints related to particular categories of the rights of citizens has decreased. The received applications by Ombudsman emphasize that comparing to the previous year, the themes of complaints practically have not changed.

Themes of Complaints to the Ombudsman on the issues related to the Infringements of Rights

№	Categories of Human Rights	2008	2007	2006	2005
	Right for life, freedom, privacy, human treatment, and respect for dignity	1093	1210	1104	1076
	Discontent with arrest and detention	19	35	45	123
	Discontent about criminal charges pressed	299	284	234	127
	Regarding the transfer of the convicted and detainees to other places of detention	18	29	22	29
	The issues of amnesty and pardon act	192	205	155	143
	Health services for convicts	7	10	6	3
	Illegitimate actions of the staff of the penitentiary services	8	20	13	22
	Disagreement with the actions of the law-enforcement bodies	268	262	314	224
	Discontent with the procedures and progress of investigation	270	343	307	396
	Replacement of arrest with other preventive measures	10	10	8	9
	Extradition	2	12		
2	Right for fair trial	1393	1164	1009	1668
	Disagreement with criminal court sentence	625	405	309	574
	Disagreement with ruling of civil court	530	502	486	574

	Disagreement with ruling of economic court	15	13	18	30
	Non-enforcement of court order	140	161	143	197
	Red tape in trials	83	83	53	293
3	Right to work	286	340	295	316
	Disagreement with dismissal (downsizing) and transfer to another job	67	85	159	100
	Disagreement with actions of management of an institution, organization, and a company	127	129	91	111
	Wage arrears	33	49	39	56
	Obtaining certificates or other records	7	6		
	Labor migration affairs	24	23		
	Access to jobs	28	48		
4	Right for Education	85	134	57	68
	Disagreement with the actions of the staff or management of educational institutions	46	95		
	Disagreement with test results	32	36		
	Nostrification of diplomas or graduation certificates	7	3		
5	Right to Social Protection	218	274	199	214
	Complaints about the amount of pension	33	53	63	50
	Pension arrears	9	15	14	16
	Retirement upon attainment of minimum age or by nature of occupation	7	14		
	Access to financial assistance and benefits	153	154	109	116
	Access to benefits	16	38	13	32
6	Right for freedom of movement	151	202	180	168
	Residence permit	49	58	47	75
	On the issue of obtaining citizenship	44	81	74	71
	Deportation	8	5	9	1
	Obtaining passports and other identification documents	50	58	50	21
7	Right for health services and disability benefits	72	121	101	106
	Public healthcare	29	33	19	34
	Disagreement with actions of health workers	24	40	21	30
	Disagreement with diagnosis	5	6	7	7
	Protection of the rights of people with disability	14	42	54	35
8	Family welfare rights	274	277	133	382
	Violation of women's rights	135	161	29	46
	Violation of child's rights	23	15	16	18
	Family and domestic issues	116	101	88	318
9.	Legal services	353	343		

	Disagreement with lawyer's actions	8	9		
	Disagreement with the actions of notary offices	9	6		
	Disagreement with the actions of non-government human rights organizations	2	1		
	Damage compensation	46	7		
	Ownership and inheritance rights	288	320		
10.	Entrepreneur's rights	230	169	60	57
	Violation of entrepreneurs' rights	71	52	45	53
	Access to loans	55	58	15	4
	Violation of farmer's rights	104	59		
11.	Rights of military servicemen, law enforcement bodies, and courts	65	78	27	91
12.	Housing and Utilities	568	544	479	518
	Home acquisition affairs	220	216	114	148
	Utilities and Home maintenance	132	113	98	133
	Activities of Private Homeowner Cooperative	30	46	107	64
	Land allotment	186	169	160	173
13.	Issues related to activities of local authorities, collective farms, and civil self-governance bodies:	310	272	207	180
	Disagreement about decisions and actions of local authorities	224	174	122	103
	Disagreement about decisions and actions of collective farm officials	23	43	41	53
	Disagreement about decisions and actions of civil self-governance bodies	63	55	44	24
14.	Rights of foreign nationals	2	6		
15.	Environmental rights	4	19		
16.	Indexation of funds in bank deposits	6	14	7	18
17.	Freedom of conscience	20	39		
	Discontent about the activities of religious organizations and actions of the clergy		14		
	Discontent about limitations of the freedom of conscience	20	25		
18.	Improvement of legislation	2	4	4	1
19.	Proposals	4	7		
20.	Other matters	540	155	891	207
	TOTAL	5676	5372	4753	5070

In the same year, the number of applications related to the guarantees of rights to fair trial, violations of the rights of entrepreneurs and farmers from citizens is

increased, and more often the complaints regarding the decisions and actions of concrete government officials of state bodies in places were received.

The annual increase of applications sent to Ombudsman means the availability of this institute to all categories of the population, objective difficulties faced quiet often by citizens, and their desire to defend their rights, and in this regard the explanations of norms of the current legislation and the recommendation on the settlement of such issues were given.

So, for the same period, regarding the **264** complaints received by Ombudsman, the information on forms and methods of further use of legal means of the protection of violated rights has been given to applicants, 770 citizens have used the hotlines services.

In this regard, 776 applicants have received reasonable refusal in the consideration of applications because of their discrepancy to requirements of the Law of the Republic of Uzbekistan «On the Authorized Person for Human Rights of Oliy Majlis of the Republic of Uzbekistan».

From the point of view of increasing the efficiency of human rights protection of citizens, the important role is played by the examination of received complaints. Presenting its reference and inquiries to state authorities, law-enforcement and judicial instances, citizens' self-government institutions, the Ombudsman induces them to return for the consideration of concrete cases to correct the admitted violations and more exhaustively to prove the legitimacy of their actions.

For this period, Ombudsman has followed-up **1891** complaints, which include the facts of violations of the rights and legitimate interests of citizens on various categories of human rights.

№	Categories of Human Rights	Number of Complaints Received	Complaints followed-up	Positively solved
1	Right for life, freedom, privacy, humane treatment, and respect for dignity	1093	495	40
	Discontent with arrest and detention	19	12	-
	Discontent about criminal charges pressed	299	136	7
	Regarding transfer of the convicts and detainees to other places of detention	18	3	-
	The issues of amnesty and pardon act	192	30	2
	Health services for convicts	7	4	-
	Illegitimate actions of the staff of the penitentiary services	8	1	-

	Disagreement with the actions of the law enforcement bodies	268	190	12
	Discontent with the procedures and progress of investigation	270	117	19
	Replacement of arrest with other preventive measures	10	-	-
	Extradition	2	2	-
	Right for fair trial	1393	434	38
	Disagreement with criminal court sentence	625	182	12
	Disagreement with ruling of civil court	530	153	8
	Disagreement with ruling of economic court	15	6	2
	Non-enforcement of court order	140	71	13
	Red tape in trials	83	22	3
3	Right to work	286	135	31
	Disagreement with dismissal (downsizing) and transfer to another job	67	18	4
	Disagreement with actions of management of an institution, organization, and a company	127	72	9
	Wage arrears	33	9	7
	Obtaining certificates or other records	7	10	1
	Labor migration affairs	24	16	3
	Access to jobs	28	10	7
4	Right for Education	85	29	4
	Disagreement with the actions of the staff or management of educational institutions	46	19	4
	Disagreement with test results	32	10	-
	Nostrification of diplomas or graduation certificates	7	-	-
5	Welfare rights	218	69	30
	Complaints about the amount of pension	33	11	5
	Pension arrears	9	3	3
	Retirement upon attainment of minimum age or by nature of occupation	7	4	-
	Access to financial assistance and benefits	153	45	20
	Access to benefits	16	6	2
6	Right for freedom of movement	151	30	6
	Residence permit	49	10	2
	Naturalization	44	7	-
	Deportation	8	-	-
	Obtaining passports and other identification documents	50	13	4
7	Right for health services and disability benefits	72	39	16

	Public healthcare	29	9	6
	Disagreement with actions of health workers	24	18	8
	Disagreement with diagnosis	5	3	-
	Protection of the rights of the disabled	14	9	2
8	Family welfare rights	274	79	9
	Violation of women's rights	135	48	6
	Violation of child's rights	23	5	1
	Family and domestic issues	116	26	2
9.	Legal services	353	86	7
	Disagreement with lawyer's actions	8	4	2
	Disagreement with the actions of notary offices	9	1	-
	Disagreement with the actions of non-government human rights organizations	2	-	-
	Damage compensation	46	12	-
	Ownership and inheritance rights	288	69	5
10	Entrepreneur's rights	230	92	12
	Violation of entrepreneurs' rights	71	12	7
	Access to loans	55	11	1
	Violation of farmer's rights	104	69	4
11	Rights of military servicemen, law enforcement bodies, and courts	65	31	2
12	Housing and Utilities	568	170	63
	Home acquisition affairs	220	56	18
	Utilities and Home maintenance	132	64	28
	Activities of Private Homeowner Cooperative	30	10	9
	Land allotment	186	40	8
13	Issues related to activities of local authorities, collective farms, and civil self-governance bodies:	310	131	33
	Disagreement about decisions and actions of local authorities	224	104	17
	Disagreement about decisions and actions of collective farm officials	23	4	3
	Disagreement about decisions and actions of civil self-governance bodies	63	23	13

14	Rights of foreign nationals	2	1	1
15	Environmental rights	4	4	4
16	Indexation of funds in bank deposits	6	2	-
17	Freedom of conscience	20		
	Discontent about the activities of religious organizations and actions of the clergy		-	
	Discontent about limitations of the freedom of conscience	20		
18	Improvement of legislation	2	1	-
19	Proposals	4	3	-
20	Other matters	540	60	6
	TOTAL	5,676	1,891	302

203 applications have been presented to the members of Advisory Council for the examination of stated agreements and giving legal evaluation to the revealed facts of the violation of the rights of citizens.

The inquiries of Ombudsman directed to the government officials and organizations are the important source of information during the examination of complaints. So, during the examination of facts mentioned in **1891** applications taken by Ombudsman for follow-up, for the same period **2215** inquiries to **205** various state bodies and organizations have been sent. Specificity of issues mentioned in the applications is that they require collecting the information from the several ministries or departments at once, and the numbers of inquiries, exceeding the numbers of applications, depend on it.

The previous year resulted many examples confirming the efficiency and positive feedback of cooperation of Ombudsman with various state bodies, law-enforcement bodies and courts on the restoration of the violated rights of citizens.

As the summary and analysis of results, which have been examined through monitoring inquiries of Ombudsman, testifies that those facts and arguments mentioned in **302** complaints of citizens, were approved, and the government officials have taken measures on the restoration of the violated rights and legitimate interests of citizens (*Appendix 2*).

It is necessary to notice that as the result of collaboration of Ombudsman with the Public Prosecutors Office in the same year, the Ombudsman has referred to the General Prosecutors Office of the Republic of Uzbekistan and the territorial subordinated bodies **683** follow-up applications, and **79** of them have been positively examined.

352 applications have been examined by the local authorities among the applications taken for follow-up by the Ombudsman, and **84** applications were positively solved.

In the frame of realization of the Agreement on the cooperation with the Ministry of Internal Affairs of the Republic of Uzbekistan, Ombudsman together with the agencies of internal affairs has examined **133** follow-up applications, and **18** of them were positively solved.

Recently, the number of applications and complaints from all regions of the Republic on the most various and essential problems of the population are increased, and the solution of the majority is included into the direct competence of local authorities and does not require the direct intervention of the central bodies.

It is necessary to consider that, without having sufficient evidence in order to accept the complaint for further examination, Ombudsman directs them with necessary recommendations to competent bodies.

Complaints Received by the Ombudswoman and Forwarded for Consideration to the following Organizations

№	Organization	Total	Followed-up
1.	Constitutional Court of Uzbekistan	2	2
2.	Supreme Court of Uzbekistan	199	57
3.	Region criminal courts	23	10
4.	Region civil courts	309	76
5.	Higher Economic Court of Uzbekistan	13	8
6.	Region economic courts	1	1
7.	Military Court of Uzbekistan	1	1
8.	Prosecutor General of Uzbekistan	443	182
9.	Region prosecutor's office	1104	501
10	Military Prosecutor's Office of Uzbekistan	37	25
11	Transportation Prosecutor's Office of Uzbekistan	1	1
12	Ministry of Justice of Uzbekistan	24	5
13	Regional departments of justice	30	28
14	Department for Execution of Court Orders under the Ministry of Justice of Uzbekistan	47	35
15	Local departments for enforcement of court orders	101	47
16	Ministry of Internal Affairs of Uzbekistan	176	43
17	Regional Departments of Internal Affairs	122	30
18	Main Department of Corrections (GUIN) of the Ministry of Internal Affairs of Uzbekistan	84	24
19	Department of Exits /Enters of citizens of MIA of Uzbekistan	55	35
20	Department of Exits /Enters of citizens of Tashkent city	1	1
21	Ministry of Labour and Social Protection of population of the Republic of Uzbekistan	40	25
22	Regional departments of labour and social protection of population	30	13
23	Ministry of Health of Uzbekistan	57	28
24	Regional health departments	38	11

25	Ministry of Defense of Uzbekistan	13	7
26	Ministry of Public Education of Uzbekistan	37	11
27	Regional departments of public education	26	11
28	Ministry of Higher and Secondary Special Education of Uzbekistan	39	12
29	Region departments of secondary special and vocational education	1	1
30	Ministry of Foreign Affairs of Uzbekistan	7	4
31	Ministry of Emergency Situations of Uzbekistan	1	1
32	Ministry of Finance of Uzbekistan	2	2
33	Cabinet of Ministers of Uzbekistan	38	15
34	Council of Ministers of Karakalpakstan	6	2
35	Supreme Council of Karakalpakstan	3	3
36	Committee for Religious Affairs of the Cabinet of Uzbekistan	20	12
37	State Tax Committee of Uzbekistan	5	3
38	Regional tax departments	2	1
39	State Customs Committee of Uzbekistan	20	11
40	Banks of Uzbekistan	40	10
41	Local Administrations	958	352
42	Apparatus of the President of Uzbekistan	4	-
43	Pardons Commission under the President of Uzbekistan	1	1
44	Commission on the issues of citizenship under President of Uzbekistan	8	-
45	Committees of the Legislative Chamber of the Oliy Majlis of Uzbekistan	4	2
46	Fund «Mahalla»	16	4
47	Regional departments of the Fund «Mahalla»	128	31
48	Council of the Federation of Trade Unions of Uzbekistan	16	10
49	Regional departments of Trade Unions	5	5
50	Committee of Women	5	3
51	<i>Regional committees of women</i>	113	2
52	Regional Representatives of Ombudsman	358	306
53	Members of the Expert Council	203	169
54	Ombudsman of Kyrgyz Republic	1	1
55	Ombudsman of Kazakhstan	1	1
56	<i>Other institutions</i>	118	33
57	TOTAL	5178	2215

As the analysis of the received application emphasizes that, in the work of ministries, departments, local authorities there are the cases of violations of requirements for objective and timely examination of applications and complaints of citizens, the facts of procrastinations are not suppressed, the inattentive callous, formal-bureaucratic relations to well-founded applications of citizens. There are the cases when the commission created on the concrete complaint does not meet with the authors of letters, examine the problem superficially and one-sidedly.

The authors of letters specifies the absence of feedbacks towards their primary applications, formal replies, incomplete answers to the questions mentioned in the

in the application or unrelated answers, and impossibility to meet in person the heads of law-enforcement bodies and self-government institutions on places.

All these problems cause the fair censures of citizens, compel them to address repeatedly to Ombudsman, and other government bodies.

Repeated applications received by Ombudsman	2008	2007	2006
Total	2370	1250	878

At the same time, with the same complaints in 2008, citizens addressed to Ombudsman two, three and more times as their problems were not solved by the competent bodies.

From the total number of the repeated applications received in the same year, **207** have been directed by Ombudsman to corresponding instances for their resolution, and also **1979** additional inquiries were sent with the request of informing about the results of complaints for consideration, **184** – are attached to the previous applications.

Repeated applications	In 2008	Sent inquiries for follow-up
Total	2370	1979
Among them		
Once	2137	1803
Twice	146	105
Three and more time	87	71

One of the reasons of such situation is that, first of all, inadequate realization of their duties by separate executives and officials because of the insufficient knowledge of the legislation, or ignoring of requirements of Law «On the Authorized Person for Human Rights of Oliy Majlis of the Republic of Uzbekistan (Ombudsman)» and «On citizens' complaints».

1. Right for Life, Freedom, Privacy, Humane Treatment and Respect for Dignity

The judicial-legal reform in the Republic of Uzbekistan is urged to guarantee the democratization of all legal system, the effective human rights protection. One of the important aspects of legal state is a rule of law, inadmissibility of arbitrariness and lawlessness in mutual relations of state bodies, government officials and individuality, restriction of compulsion of cases when it is really necessary for the protection of interests of the society and the state.

The judicial-legal reforms in Uzbekistan are aimed at liberalization of the systems of criminal punishments, increasing the efficiency of measures on the guarantees of the state protection of the rights and freedoms of the person in the judicial proceedings, abolishment of death penalty from the system of criminal punishment, transfer the arrest warrants to the courts and others, they are the major activities in the process of democratic reforms and the modernization of the country. In 2008, two major laws came into force, which reflect the drastic alteration in judicial-legal system. Since January 1, the death penalty as a type of

criminal punishment has been abolished, and the right to arrest warrants was transferred to the courts.

The important step towards a humanization of a criminal policy of the state was the adoption of the law of the Republic of Uzbekistan «**On joining of the Republic of Uzbekistan to the second Optional Protocol to the International Convention on Civil and Political Rights, directed to abolishing the death penalty (1989)**». The current law has been adopted by the Legislative Chamber of Oliy Majlis of Uzbekistan on October 30, 2008 and approved by the Senate of Oliy Majlis of the Republic of Uzbekistan on December 5, 2008. Thus, Uzbekistan became the 36th state which has signed the International Convention on the abolishment of death penalty. Joining of our country to the second Optional Protocol was one the acknowledgements of invariability of reforms aimed at creating the effective legal mechanisms of judicial-legal system guaranteeing a reliable protection of the rights and freedoms of the person.

Transfer the arrest warrants to the courts, definition of accurate procedural-legal mechanism its realizations was the important guarantee of effective protection of the rights and legitimate interests of citizens, subjected to the criminal prosecution at the pre-judicial stage of criminal procedure. The specified measures allowed strengthening the responsibility of investigators and public prosecutors during the selection of preventive punishment in the form of imprisonment, to increase the authority and independence of judicial body, to provide reliable protection of constitutional rights of the person to freedom.

These cardinal changes have marked a new stage of liberalization of the criminal legislation and an opportunity to come to the new stage of protection of fundamental human rights, including the rights to life and personal immunity proclaimed in the Universal Declaration of Human Rights and the Constitution of Uzbekistan.

The issues of the guarantee of observance and protection of constitutional right to life, freedom and personal immunity are given a particular attention in activity of Ombudsman.

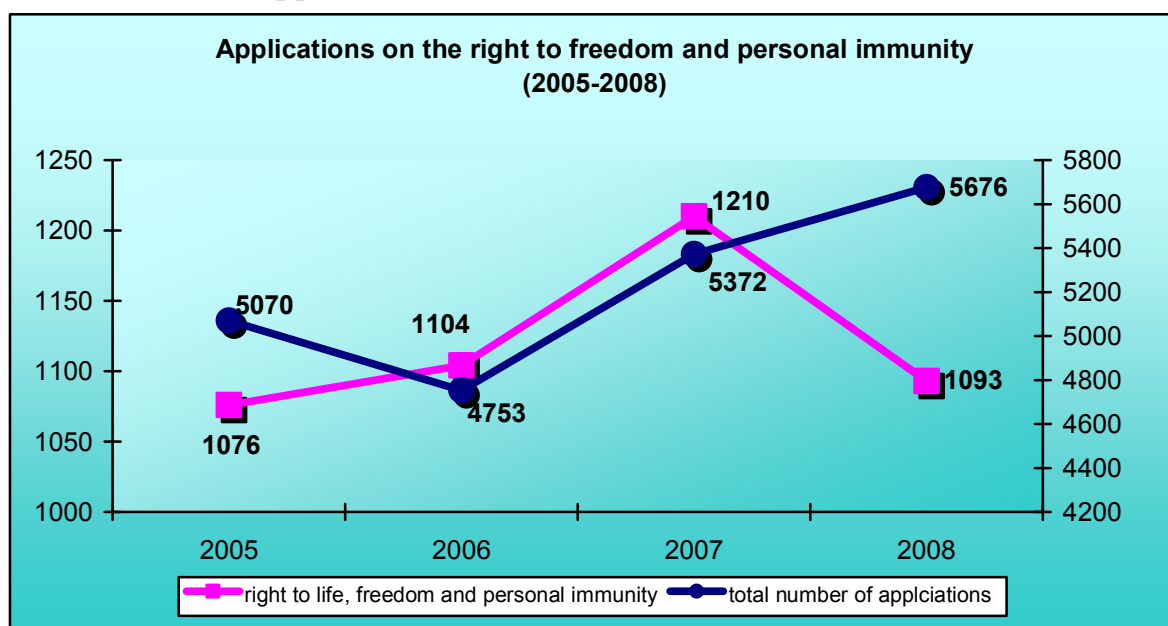
Among the total number of applications received by Ombudsman, complaints on the violations of constitutional right to freedom and personal immunity are in the second place. The analysis of applications received by the Ombudsman shows that 19,3 % from the total applications were related to the violation of the rights of arrested, suspected, accused and the victims of preliminary investigation procedure by law- enforcement officers.

During 2008, Ombudsman has received 1093 applications from citizens related to the guarantees of the right to freedom and personal immunity, observance and the protection of the rights of the arrested and convicted persons. 495 applications from total number have been followed-up and 40 have been solved positively. The number of positively resolved complaints in the same year has made 8,1 % among followed-up applications by the Ombudsman.

Categories of Civil Petitions	2008	2007
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	Total received	Of which followed up	Resolved positively	Total received	Of which followed up	Resolved positively
Disagreement with arrest and imprisonment	19	12	-	35	13	-
Disagreement with criminal charges pressed	299	136	7	284	104	4
Matters of transfer of inmates to another place of incarceration	18	3	-	29	8	1
Matters of amnesty act and pardon	192	30	2	205	40	-
Provision of medical assistance to convicts	7	4	-	10	3	2
About illegal actions of the penitentiary service officers	8	1	-	20	10	-
About disagreement with actions of law enforcement officers	268	190	12	262	119	10
About disagreement with the investigation process	270	117	19	343	140	23
About change in preventive action (release on bail)	10	-	-	10	5	1
Extradition	2	2	-	12	7	-
Total	1093	495	40	1210	449	41

It is necessary to notice that with the introduction of the institute of «habeas corpus» in 2008, the tendency of decrease of the numbers of applications of citizens on the issues of the violations of the right to freedom and personal immunity in comparison with previous years is observed. So, in 2007 the complaints on the given category were 1210, and in 2008 this indicator has decreased to 117 applications.



The analysis of applications of citizens concerning the issues of guarantee of the right to freedom and personal immunity in the activity of law-enforcement

bodies testifies the change of character of complaints. So, if in 2007 the significant amount of complaints of citizens has been related to the disagreement with procedure and a way of conducting investigation, in 2008 most of the applications were related to the disagreement with criminal charges (299 applications). In 270 applications, citizens mentioned about the violations of the order and procedure of investigation, established by the procedural legislation of the Republic of Uzbekistan. The most of the applications (268) were related to the disagreement with actions of the law -enforcement bodies, who refused to start an investigation on the criminal case without reason, wrong actions of officers during the preliminary investigation. Many complaints are related to the matters of amnesty act and the pardon issues.

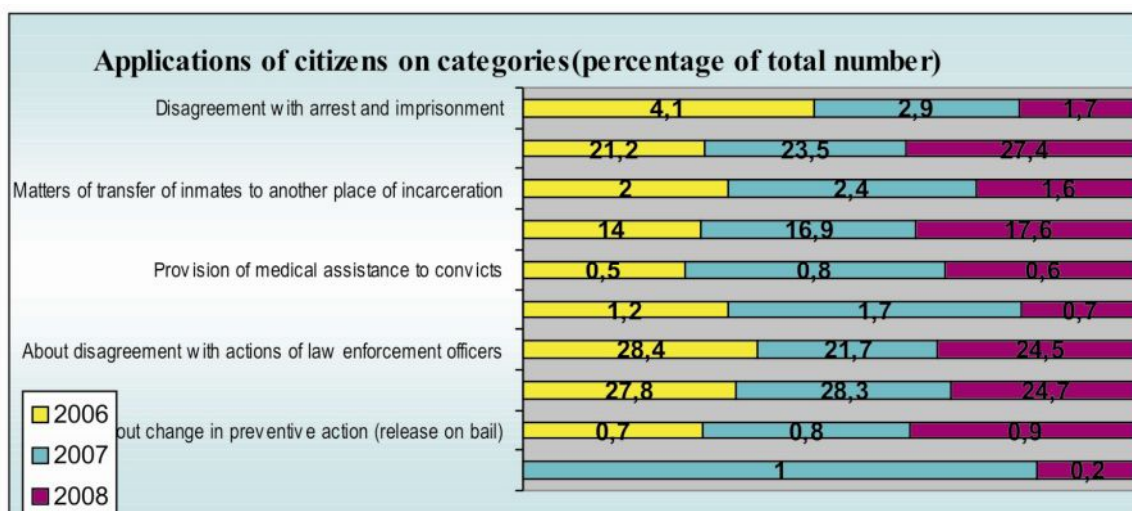
In the same year the number of complaints of citizens on the disagreement with arrest and detention are reduced, applications on the transfer of convicted persons have decreased. It is also necessary to note the decrease of complaints of convicted and their relatives on illegal actions of officers of the penitentiary services.

Categories of Civil Complaints	Total received		
	2008	2007	2006
Disagreement with arrest and imprisonment	19	35	45
Disagreement with criminal charges pressed	299	284	234
Matters of transfer of inmates to another place of incarceration	18	29	22
Matters of amnesty act and pardon	192	205	155
Provision of medical assistance to convicts	7	10	6
About illegal actions of the penitentiary service officers	8	20	13
About disagreement with actions of law enforcement officers	268	262	314
About disagreement with the investigation process	270	343	307
About change in preventive action (release on bail)	10	10	8
Extradition¹	2	12	-
Total	1093	1210	1104

In 2008, most of the complaints were about the disagreement with criminal charges (27,4 %).

2,8 % of applications were related to the disagreement with actions of law-enforcement officers. At the same time, the number of complaints on the disagreement with the procedure and the process of investigation has decreased to 3,6 %. The number of applications on the matters of amnesty act and pardon has also decreased (the number of applications decreased to 13).

¹ Current category of complaints was introduced in 2007.



The greatest number of applications was received by the residents of Tashkent city, Kashkadarya, Surkhandarya, Samarkand and Tashkent regions. The least number of applications related to the right to life, freedom and personal immunity has been received from Syrdarya, Bukhara, Khorezm and Namangan regions. For the three years of period there was a stable distribution of applications of the citizens received from regions of the country.

	Regions	Received applications	Followed-up
1	Andijan region	54	18
2	Bukhara region	31	11
3	Djizzah region	36	19
4	Kashkadarya region	136	58
5	Navoi region	49	24
6	Namangan region	33	10
7	Samarkand region	106	59
9	Surhandarya region	126	38
8	Sirdarya region	21	13
10	Tashkent region	96	41
11	Fergana region	57	16
12	Khorezm region	31	17
13	Tashkent city	242	103
14	Karakalpakstan Republic	52	24
	Received by email	2	2
	From foreign nationals	12	10
	Received from convicted persons	7	5
	Received from military personnel	2	2
	TOTAL	1093	470

The categories of applications of citizens, received from regions of the country on the issue of the right to life, freedom and personal immunity are allocated as follows:

	Disagreement with arrest and imprisonment	Disagreement with criminal charges pressed	Matters of transfer of inmates to another place of incarceration	Matters of amnesty act and pardon	Provision of medical assistance to convicts	About illegal actions of the penitentiary service officers	About disagreement with actions of law enforcement	About disagreement with the investigation process	About change in preventive action (release on bail)	Extradition
Andijan region	2	14	3	18	-	-	1	15	1	-
Bukhara region	2	11	-	3	-	-	8	7	-	-
Djizzah region	1	9	1	5	-	-	9	10	1	-
Kashkadarya region	1	40	2	14	1	1	44	33	-	-
Navoi region	3	17	1	1	-	1	12	9	5	-
Namangan region	-	5	-	15	-	-	5	8	-	-
Samarkand region	-	23	-	18	-	1	33	30	-	1
Surhandarya region	1	39	2	24	-	-	30	29	1	-
Sirdarya region	1	2	1	2	-	-	4	10	1	-
Tashkent region	2	24	1	14	-	-	25	30	-	-
Fergana region	1	11	-	24	2	2	9	8	-	-
Khorezm region	1	5	-	4	-	-	10	11	-	-
Tashkent city	1	62	7	38	4	3	66	59	1	1
Karakalpakstan Republic	3	31	-	2	-	-	9	7	-	-
Received by email		1					1			
From foreign nationals		2		9				1		
Received from convicted persons	-	2	-	1	-	-	2	2	-	-
Received from military personnel		1						1		
TOTAL	19	299	18	192	7	8	268	270	10	2

The examination of applications of citizens testifies that the agencies of internal affairs and other law-enforcement bodies not always confirm with the requirements of the legislation at all, fully and objectively consider the circumstances of the case during the investigation of criminal cases. In the complaints citizens mentioned about the violation of their rights by the law-enforcement officers, expressed in unreasonable attraction to administrative and the criminal liability, unreasonable choice of a preventive punishment, unlawful arrest, red tape and delaying the time of investigation, unreasonable excitation and the termination of criminal cases, illegal methods of conducting preliminary investigation.

In the applications sent to Ombudsman, citizens quite often mention about the facts of the failure by law -enforcement officers of taking appropriate measures on checking of information, unreasonable refusal in excitation of the criminal cases, directed to the concealment of the crime from registration.

The Ombudsman has received a complaint from T.T.(case #1363r-1b) on the disagreement with refusal in excitation of criminal case on the death of her daughter. The given application was followed-up by Ombudsman and directed to

the Tashkent regional Office of Public Prosecutor. According to the received reply №16/110-08 from 5.05.2008 it has been established that on September, 2 2007 at the time of delivery the daughter of applicant K.T. in Akkurgan regional central hospital lost her child. In this regard applicant T.T. has addressed with the complaint to Department of Internal Affairs of Akkurgan region in which she has mentioned about the regular beatings of her daughter by K.G., who was in a civil marriage with her, and by the members of his family.

On the basis of this complaint, the employee of DIA of Akkurgan region has conducted an investigation, and on March 6, 2008 the decision on refusal to open the criminal case was announced.

As a result of checking done by Tashkent regional Office of Public Prosecutor, it was revealed that the investigation has been carried out one-sidedly. The earlier made decision has been cancelled and the case was directed for further investigation to agencies of internal affairs.

One the acknowledgements of the fact of incomplete examination of circumstances of the case, neglect of duties on disclosing of crimes by the employees of law-enforcement bodies can be the application of X.X on the suicide of her spouse X.M., who has committed a suicide by hanging himself at night between 16th and 17th of January, 2006 (case of №4411-1z). The current application has been directed to the General Prosecutor Office of the Republic of Uzbekistan with follow-up. Because of the necessity of additional investigatory actions, the decision on refusal to open the criminal case of 29.12.2008 was cancelled by Tashkent regional Office of Public Prosecutor and directed for additional investigation to Pskent regional Office of Public Prosecutor.

The additional investigation is followed-up by the General Public Prosecutor's Office of the Republic of Uzbekistan.

The significant numbers of applications sent to the Ombudsman are the complaints of citizens related to the issue of unreasonable termination of preliminary investigation by the agencies and inquiry of criminal cases.

The complaint of the citizen Y.M. on the disagreement with a process of investigation conducted by Bekabad Regional Office of Public Prosecutor on the death of her son, and disagreement with court's decision on criminal cases of Bekabad region was taken for follow-up by the Ombudsman and directed to the Tashkent Regional Office of Public Prosecutor for further examination (case #928r-1z). According to the received feedback, deputy public prosecutor of Bekabad region of Tashkent region Sh.T.Atajanov has taken the decision on the termination of a part of criminal case regarding the inspectors of internal affairs department G.Esanturdiev and others. The current decision has been cancelled and the criminal case was directed for further investigation.

Taking of illegal procedural decisions on bringing to account results citizen's dissatisfaction, which is mentioned in their complaints to Ombudsman. So, the

significant numbers of complaints were related to the **illegal bringing to administrative responsibility**.

The complaint of citizen K.E. on illegal bringing to administrative responsibility was taken for follow-up by Ombudsman (case № 1628p-1b) and directed to the General Prosecution Office of the Republic of Uzbekistan for further clarification of the situation on the case. According to received feedback (№12/1573-2008 from 29.07.2008), it was determined that by the Resolution of the Fergana city Criminal Court from 15.05.2008, the citizen K.E. has been found guilty under clause 240 p.1 of the Code on Administrative Responsibility of the Republic of Uzbekistan and with the application of the clause 33 of the Code on Administrative Responsibility and has been subjected to the penalty of 20 minimum salaries of wages.

In accordance with the court decision, in 03.02.2008, during the action of "Tozalash" (clearance), the employees of the Department of Internal Affairs and National Security Service of the Fergana region have determined that citizen K.E., without the permission of corresponding agencies, has created at home a church «Praying House» and engaged in illegal religious activity.

According to the clause 36 of the Code on Administrative Responsibility of the Republic of Uzbekistan the administrative penalty can be applied not later 2x months from the date of breaking the law, and in case of continues crime - two months from the date of its disclosure.

During the examination of the case of administrative character by court in relation to the citizen K.E. the specified requirements of the law have been ignored and, in spite of the fact that citizen K.E. has broken the law mentioned in the chapter 1 clause 240 of the Code on Administrative Responsibility of 03.02.2008, the court in 15.05.2008 has made an illegal decision on the application of the official penalty in the form of the penalty of 372.600 UZS to the citizen K.E.

On the basis of the facts, in 29.07.2008 the public prosecutor of the Fergana region has protested against the judgment and the cancelation of the decision on the case.

The citizen R.P. addressed to Ombudsman on the illegal bringing of her son Sh.T. to the administrative responsibility (case № 1390p-1b). The given complaint was taken to follow-up by Ombudsman and directed to Surkhandarya Regional Prosecution Office. Basis on examination (№12-2-07 from 22.04.2008) it has been found that citizen Sh.T. in the consumer's house, located in Uzun district, Uzbekistan str., was engaged in manufacture of pornographic materials and their distribution, and on February, 13 2008 he has been arrested in the place of crime by the employees of the Department of Internal Affairs.

The current administrative violation of the law has been examined in 22.02.2008 by the Uzun district criminal court, and citizen Sh.T. has been charged

on the basis of clause 189 of the Code on Administrative Responsibility and application of the clause 33 of the Code on Administrative Responsibility the penalty of 10 minimum salaries of wages.

During the examination of materials of administrative case, there have been identified numbers of mistakes admitted by the court, in particular, there has been no expertise of all materials, there is no expert's decision, there was a fact that the lawful representative of the minor has not been introduced with the materials of the case, have not taken part in a preliminary investigation and court trials. As the result of the revealed violations of the criminal-procedural legislation the decision of Uzun district court from 22.02.2008 has been nullified and the protest for further examination of the case has been submitted.

The Authorized Person for Human Rights is receiving applications from citizens on the actions of law-enforcement bodies on preliminary investigation in regard with **illegal bringing to criminal liability**.

Citizen F.R. complaint on unreasonable bringing of her spouse K.R. to the criminal liability. The current application is taken for follow-up by the Ombudsman (case #2932r-1b) and directed for clarification of circumstances of the case General Prosecution Office of the Republic of Uzbekistan. During the examination of the case, it has been revealed that (№17/128-08 from 22.08.2008) citizen K.R. has been convicted by the Tashkent city court on December, 27 2001 for 12 years of imprisonment. He has been applied an act of amnesty from 2001 and 2003, and the imprisonment terms have been cancelled according to the criminal-procedural legislation.

In June, 11 2008 for breaking the law during serving his punishment, he has been brought to the criminal responsibility under the clause 221, part 2, para "b" of the Criminal Code of the republic of Uzbekistan and directed to the court.

With the decision of Zangiata district criminal court from August, 6 2008, citizen K.R. has been found guilty because of the failure to fulfill the requirements of the administration of the place of detention, and on the basis of clause 60 of the Criminal Code he has been sentenced to 3 years of imprisonment. Against the decision of the court, the public prosecutor of Zangiata district of Tashkent region brought the protest to the appealing instance of the Tashkent regional criminal court, and in accordance with the definition of the court from August, 15 2008 the sentence of Zangiata district court has been cancelled, and criminal case was directed for additional investigation.

Criminal case was accepted for examination by Tashkent Specialized Office of Public Prosecutor, a preventive punishment in relation to citizen K.R. has been cancelled, and in August, 18 2008 he has been released from the custody, criminal case was closed.

The Authorized Person for human rights of Oliy Majlis of the Republic of Uzbekistan receives systematically complaints **on the inactivity of law-enforcement bodies and on the failure in taking legal measures towards the persons who have committed crimes**. It is testified by the application of B.T. (case# 7r-1b) on the failure in taking legal measures towards the persons who have physically injured her son B.I. The application has been directed to the Surkhandarya regional Office of Public Prosecutor, and according to the answer (#16/100sh-08 from 14.02.2008), on November, 13 2007 citizen U.U. being a drunk has psychically injured the son of applicant B.I.

On the given fact on November, 24 2007, the inspector of the Department of Internal Affairs of Zharkurgan district of Surkhandarya region E.Sherdanov brought a criminal action against citizen U.U. under article 105, part 1 of the Criminal Code of Uzbekistan. During the investigation, there has been appointed a commission for forensic-medical examination in relation to B.I.

As the results of a forensic medical examination it has been found that the physical injuries of B.I. was of heavy category, therefore the criminal case has been retrained to the clause 105, part 1 from clause 104, part 2, para. "c". In February, 4 2008 U.U. has been accused and in February, 5 2008 he has been detained.

By the results of investigation, the criminal case was directed to the criminal court.

Another example of irresponsibility of law -enforcement agencies towards complaints of citizens can be found in the *application of M. M with the request of assisting in looking for his nephew M. U who has left to the Russian Federation to work and has been missed (case №52q-1j)*. The given application has been directed to the General Prosecutors Office of the Republic of Uzbekistan and it has been established that in October, 2006 M. U together with E.M. have left to the Russian Federation, and in 21.03.2007 and 20.06.2007 he has transferred via bank amount of 400 USD to his father M. I. Besides, in March, April, May, July, 2007 M. U. has worked in the Tver region of the Russian Federation and had contacted his father M. I.

As the results of investigation carried out based on the complaint, department of internal affairs of the Urgench district, on the basis of the clause 83, part 2 of the Criminal-procedure Code of the Republic of Uzbekistan, in 09.01.2008 refused to bring a criminal action because of absence of means of crime in someone's actions.

After complete examination of materials of the case, with a purpose of establishing the circumstances mentioned in the complaint of M. M, in February, 21 2008 the General Prosecution Office of the Republic of Uzbekistan has cancelled the decision on refusal to bring a criminal action, and the case has been

directed to the Khorezm regional Office of Public Prosecutor for further investigation (№16/1401-07 from 22.02.2008).

The correspondence analysis testifies that the officials, carrying out an investigation on crimes, often break the norms of criminal and criminal-procedure legislation during the preliminary investigation.

The Ombudsman has received a complaint from person with disability of group II G.I. on the disagreement with a process of investigation on the death of his son G.C., the victim of accident (case №2751q-1z). In her complaint G.I. mentions about one-side investigation of circumstances of the case, unreasonable refusals of the inspector of the requests for investigatory experiment.

As it has been clarified that the driver of the enterprise "Mahsustrans" A.T. was driving his vehicle with refuse collector in Katartal, Chilanzar-17avenue with the speed of about 10-15 km/h and went along the street. In the salon refuse collector vehicle was a minor G.S. born in 2000, who falls out the vehicle in the turning point and crushed under the back right wheel. As a result of physical injuries minor G.S. died on the place of accident.

On the given fact, Department of Internal Affairs of Tashkent brought a criminal case under article 266, part 2 of the Criminal Code of Uzbekistan in March, 13 2008, and by results of investigation in July, 24 2008 according to article 83, part 2 of the Criminal Procedure Code of Uzbekistan the preliminary investigation on the case was stopped.

After intervention of the Tashkent City Prosecutor's Office (#9/32a-08 from 16.09.2008) and with the request of Ombudsman, the decision has been examined , and in September, 12 2008 the decision on the termination of criminal case has been cancelled and directed to the Department of Internal Affairs of Tashkent city for additional investigation.

With a purpose of increasing the productivity of activities, the employees of law-enforcement bodies apply illegal means and methods which lead to the violation of constitutional rights and freedom of the person. The Ombudsman worries more about the facts of application by law- enforcement bodies of wrongful methods of effecting on suspect and arrested persons during the operative-investigatory actions.

Citizen U.X. addressed with the complaint of illegal actions of employees of the Department of Internal Affairs of Sobir of Rahimov region and their physical violence against the citizens (case №2796q-1z). With a purpose of clarifying the circumstances the case, the Ombudsman has directed the given application to the Tashkent city Office of Public Prosecutor. It has been established that the citizen U.X. earlier addressed on this issue to the Office of Public Prosecutor of Sobir

Rahimov district and as the results of investigation on the 10th of July, 2008 the decision on refusal of bringing the criminal action against the operative officers of DIA of Sobir Rahimov district U.R. Azizov and B.M.Ganiev in accordance with the part 2 of the article 83 of the Criminal-procedure Code of Uzbekistan has been made.

The given decision has been cancelled in July, 24 2008 by the Tashkent city Office of Public Prosecutor, the case was directed to Shayhontahur regional Office of Public Prosecutor for further additional investigation.

Further investigation was taken for follow-up by the Office of Public Prosecutor of Tashkent city (16/246-08 from 24.07.2008).

The concrete facts of application of unlawful methods by the employees of law-enforcement bodies testify the gap in the process of departmental control, insufficient professional level and legal understanding which leads to the violation of the rights of citizens to dignity and physical health.

The Ombudsman specially worries about the facts of **incompetence of employees of the department of internal affairs**, their rudeness, the arrogance, the indifferent reaction to citizens' problems which is not quite often seen in the activity of law-enforcement bodies. As one of the examples of indifferent reaction of officials to the destiny of people may be *the application of the widow of citizen Sh.I., who was the victim of traffic accident, left with two minor children. In her application the citizen K.M. has shown her dissatisfaction with the actions of officers of the law -enforcement agencies and their refusal in bringing the criminal action on the fact of death of her spouse (case #479r/1z). The given application was taken for follow-up by the Ombudsman and directed to the Samarkand regional Office of Public Prosecutor.*

According to the received answer (№16/53-2007 from 29.03.2008), on the 26th of November, 2007 at 20.00 the driver K.O. of the car of "VAZ-2106" brought down the citizen on bicycle Sh.I. As the result of accident, Sh.I. died in the hospital. On the given facts the inspector of the investigatory department of Internal Affairs of Samarkand region B.Karahanov started the investigation. As the result, on the 25th of December, 2007 the decision on refusal in bringing the criminal action against the driver K.O because of the absence of the means of crime in his actions has been made.

On the basis of application of K.M. and the interventions of Ombudsman, the regional Office of Public Prosecutor has examined the case materials, the decision, made by the inspector B.Karahanov was cancelled, and the case has been directed to the regional Department of Internal Affairs for additional investigation.

Following the results of additional investigation by the investigatory department of Internal Affairs of Samarkand region, on the 28th of March, 2008 the

criminal action against the driver K.O. under the article 266, part 2 of the Criminal Code of Uzbekistan has been brought. Office of Public Prosecutor of Samarkand region has taken the case for follow-up.

Activities of law -enforcement agencies should be based on a principle of the rule of law and respect of human rights. However, in practice there are abuse cases by the law -enforcement officers using their powers. There are cases, when the representatives of law-enforcement bodies are not brought to liability for such actions; they threaten the trust of citizens towards the state. In this respect, as the positive tendency it is necessary to note the reaction of the Office of Public Prosecutor on the facts of **bringing to account of workers of law -enforcement bodies** for the illegal actions which violate the rights and freedoms of citizens.

The citizen T.B. (711q-1z) addressed to Ombudsman with the disagreement with the procedure of investigation on the case concerning his son T.I. In his complaint the applicant mentioned about the violations by the inspectors of investigatory department of internal affairs of Jakkasaray district of the norms of current criminal-procedure legislation and asked to take appropriate lawful measures against them. The given complaint has been directed to the Ministry of Internal Affairs of the Republic of Uzbekistan with follow-up. The given application has been examined by the main investigatory department of the Ministry of Internal Affairs of Uzbekistan and it has been established that on 7th of April, 2007 it has been brought a criminal action against T.I. under the article 109, part 2 of the Criminal Code of Uzbekistan, and on the 14th of November, 2007 the decision has been made, and the case was directed for the scrutiny to Jakkasaray District Criminal Court (№18/T-15 from 03.04.2008). For one-side and biased investigation of the given criminal case by the head of investigatory department of internal affairs of Jakkasaray district R.H.Hotamov and inspector F.Kodirov were brought for a disciplinary responsibility.

Citizen X.Z. has mentioned his disagreement with the actions of agencies of preliminary investigation in the complaint addressed to Ombudsman (case № 1744p-1z). The given application has been directed to the Department of Internal Affairs of Samarkand region with follow-up. According to received answer (№11/2-1831 from 24.05.2008) for the illegal actions, the employees of internal affairs have been brought for a disciplinary responsibility.

The Ombudsman has received the application from D.D. on the illegal actions of law enforcement officers (case № 3847r-1j). The current complaint was taken for follow-up and for the purpose of clarification of circumstances of the case it was directed to the Ministry of Internal Affairs of the Republic of Uzbekistan, where the investigation was carried-out upon the request of D.D. As the results it has been established that the arguments stated in the complaint on the disagreement with actions of the officer Z. Hakkulov have not been proved and on this case in September, 24 2008 the decision has been made. At the same time, the

rudeness reaction to citizens of the inspector of traffic police department has been discussed on court on ethics among officers (№24/5-D-14 (t)).

On the disagreement with the actions of law-enforcement officers, complained the citizen N.N. (Case #1324r-1j). In particular, in the complaint the applicant marked the illegal actions of the inspector of preventive department of internal affairs of Sergeliy district F.B. Hudayberdiyev. The application has been directed by Ombudsman to the Department of Internal Affairs of Sergeliy district with follow-up. According to received answer (№27/58-N-20) the arguments stated in the complaint of N.N. have been partially proved. Actions of the inspector of preventive department of internal affairs of Sergeliy district of Tashkent city F.B.Hudayberdiyev have been discussed among the employees of the regional department of internal affairs, and the inspector of preventive department has been warned.

The disagreement with the actions of law-enforcement bodies, which have certain attitude towards their duties on disclosing of crimes was mentioned in the application of Sh.N., who has expressed disagreement with the actions of employees of law-enforcement bodies of Jakkasaray region (case №1168q-1j). The application has been directed to the regional representative of Ombudsman in Tashkent city for the examination of the circumstances of the case. According to the received answer (01/47z-1j from 22.04.2008) the investigatory department of Internal Affairs of Tashkent city has examined the complaint of Sh.N as departmental control. For the mistakes, done during the implementation of his duty on the investigation of criminal case, the inspector of the department of investigation of the internal affairs of Jakkasaray region A.Jusupbekov has been fired from his post.

For red tape during the criminal case investigation, under the complaint of Sh.M. the actions of the inspector of the department of investigation of internal affairs of Jakkasaray district the police officer Z.Navruzov have been discussed on the court on ethics among officers of DIA of Jakkasaray district. The head of the department of investigation of DIA of Jakkasaray district of Tashkent city A.Askarov for the failure during the departmental control of criminal case investigation has been questioned on the court on ethics among the officers DIA of Jakkasaray district.

F.F. addressed to Ombudsman with the complaint on wrongful actions of the employees of the department of internal affairs of Bukhara city S.Ashurov and A.Nosirov (case № 4064r-1j). The application has been directed to the Office of Prosecutor General of the Republic of Uzbekistan and on the basis of arguments mentioned in the application of F.F., the unlawful actions of S.Ashurov and A.Nosirov has been established, and earlier the Office of Public Prosecutor in Bukhara has carried out the investigatory monitoring and on the basis of it the decision in June 7, 2008 on refusal in bringing the criminal action on the basis of article 83, clause 2 of the Criminal –procedure Code of the Republic of Uzbekistan

because of the absence of the means of crime has been made. After the intervention of Ombudsman, the given decision has been revoked the by Office of Public Prosecutor of Bukhara region and directed for additional examination to the Office of Public Prosecutor of Bukhara city (№16/902-2008 from 06.11.2008).

The examination of complaints sent to Ombudsman on actions of administration of detentions emphasizes that their number was reduced twice in comparison with 2007 and they basically relate to unreasonable imposing of penalties, material-household and medical-sanitary maintenance, etc.

The reduce of numbers of complaints arriving from convicted persons cause the watchfulness of Ombudsman as living conditions of prisoners are completely depend on the administration of prisons. In this regard, it is important to make changes into criminal-procedure code of the Republic of Uzbekistan, regulating that the correspondence of convicted, directed to the address of Ombudsman, is not subjected to censorship.

In this year the number of applications of citizens related to the transfer of convicted persons has decreased and there were only 18 applications. Because of the fact that the issue of placing convicted persons in custody are related to the activity of the central administration on ensuring the punishments of the Ministry of Internal Affairs of the Republic of Uzbekistan, the applications of convicted persons and their relatives with the request for transfer to the place of detention located near to the place of their residence, have been directed by Ombudsman to the Penitentiary Department of the Ministry of Internal Affairs. Unfortunately, none of them were solved positively.

There are not many applications of citizens concerning the issue of guaranteeing the medical aid to convicted persons. In 2008 on the given category there were only 7 complaints received, which emphasize the problems of violations of the rights of convicted persons to health protection, and medical-sanitary assistance.

The examination of applications concerning the issues of human rights guarantees to freedom and immunity is not possible without the cooperation with competent bodies. On this category of complaints, the Office of Public Prosecutor reacts to the reference of Ombudsman and within its competence takes measures, in particular, carries- out additional monitoring, cancels illegal decisions, calls to account for responsibility of convicted persons. So, only with the assistance of the Office of Public Prosecutor, the main part of complaints (32 complaints) was solved positively.

Ombudsman also receives applications from citizens with questions which are in the competence of law-enforcement bodies. For the resolution of problems of applicants the Ombudsman has directed to the Ministry of Internal Affairs 23 complaints, to the regional Departments of Internal Affairs – 16, and to the Central administrative board for execution – 29 applications.

№	Organizations	Followed-up	Positively solved
1	Supreme Court of Uzbekistan	2	
2	Regional Criminal Court of Kashkadarya	2	
4	Tashkent City Court on civil matters	1	
5	General Prosecution Office of Uzbekistan	77	11
6	Regional Prosecution Office of Andijan	12	
7	Regional Prosecution Office of Bukhara	8	
8	Regional Prosecution Office of Djizzak	14	1
9	Regional Prosecution Office of Kashkadarya	41	1
10	Regional Prosecution Office of Navoi	14	
11	Regional Prosecution Office of Namangan	6	
12	Prosecution office of Karakalpakistan	15	1
13	Regional Prosecution Office of Samarkand	36	4
14	Regional Prosecution Office of Surhandarya	24	2
15	Regional Prosecution Office of Sirdarya	3	2
16	Prosecution Office of Tashkent city	59	4
17	Regional Prosecution Office of Tashkent	25	4
18	Regional Prosecution Office of Fergana	9	
19	Regional Prosecution Office of Khorezm	10	
20	Prosecution of Office of Shayhontohur District of Tashkent city	1	
21	Military Prosecution Office of Uzbekistan	10	2
22	Transport Prosecution Office	1	
23	Ministry of Internal Affairs	23	4
24	Regional department of internal affairs of Kashkadarya	3	
25	Regional department of internal affairs of Navoi	1	1
26	Regional department of internal affairs of Samarkand	1	
27	Regional department of internal affairs of Surhandarya	3	
28	Department of internal affairs of Tashkent city	4	
29	Regional department of internal affairs of Tashkent	2	
30	Regional department of internal affairs of Khorezm	1	
32	Department of internal affairs of Sergeli district of Tashkent city	1	1
32	Head department of serving punishment of the Ministry of Internal Affairs of Uzbekistan	29	1
33	Department of entrance and exits and citizenship of the Ministry of Internal Affairs of Uzbekistan	2	
34	Ministry of Foreign Affairs	1	
35	State Customs Committee of Uzbekistan	4	
36	Commission for the issues of citizenship under the President of Uzbekistan	1	
37	Regional Representative in Andijan	3	

38	Regional Representative in Kashkadarya	16	
39	Regional Representative in Navoi	1	
40	Regional Representative in Namangan	1	
41	Regional Representative in the Republic of Karakalpakstan	5	1
42	Regional Representative in Surhandarya	2	
43	Regional Representative in Sirdarya	2	
44	Regional Representative in Tashkent	10	2
45	Regional Representative in Fergana	1	
46	Regional Representative in Fergana	4	
47	Members of expert council	18	
48	Ombudsman of Kyrgyz Republic	1	
	TOTAL :	510	42

The analysis and examination of applications of the citizens received by the Ombudsman related to the issues of the guarantees of the right to freedom and personal immunity testify that the reasons of violations of human rights in the activity of law-enforcement bodies is absence of the appropriate public prosecutor's and judicial control over observance of laws by the corresponding officials, the weak control of higher structures over the activity of subordinates. The president of Republic Uzbekistan specified that «by the actions of the ordinary employee, his mutual relation with the citizen, the majority of people judge, how far the rule of law is important in the society, how far the legal mechanisms are strong».

With a purpose of elimination of existing problems in the work of law-enforcement bodies, it is necessary to examine carefully the complaints of citizens, to take measures on increasing the level of legal understanding and professional training of employees of law-enforcement bodies. With a purpose of elimination of the violation of procedural legislation in the actions of law-enforcement bodies it is necessary to strengthen the public control by the institutes of civil society over the observance of constitutional rights of citizens by the law -enforcement bodies.

2. Right to Fair Trial

After the adoption of the Constitution of the Republic of Uzbekistan the circle of the social values invested to the legal form of the rights and freedom of citizens and protection in the highest act of Uzbekistan has considerably been extended and strengthened.

According to the Constitution the person, its rights and freedom are the supreme values. The realization of these rights and freedoms should define the meaning, content and the efficiency of application of laws of the Republic of Uzbekistan. Without their observance the genuine democracy cannot be formed and strengthened, and the legal state building may not be achieved.

The Constitution of the Republic of Uzbekistan strengthens the state obligation to protect the rights and freedom of citizens. At the same time the state creates the conditions for self-realization by the citizen of the rights and their

overall protection. Everyone has the right to protect his rights and freedom in all manners which are not forbidden by the law.

Means and ways of protection of the rights and freedom of the person and the citizen are diverse. More often they are related to the activity of the judicial bodies representing the judicial system which is the integral part of the state. In the process of formation of the legal state judicial bodies take the central place in the system of state mechanisms of the protection of rights and freedom of individuals.

The essence of judicial authority, as well as the government as a whole, is a possibility of compulsory regulative influence on the behaviour of various subjects (physical and legal bodies, public authorities and their officials). Such influence is made by the judicial authority, unlike other branches, by acceptance of obligatory judgments for execution which are taken in the strict defined framework of the rule law.

The major principle of legal proceedings in Uzbekistan is the respect of honor, dignity and the rights of individuals.

In accordance with articles 43 and 44 of Constitution of the Republic of Uzbekistan everyone is guaranteed with judicial protection of his rights and freedom, right to complaint in courts on the illegal actions of state structures, officials and public associations.

Guarantees of rule of law and justice of realization of judicial protection of the rights and freedom of citizens is the public trial in courts, with the principle of equality of both parties, the right of everyone to receive qualified legal service, right of the convicted person to protection, and the victim to participate in the case process of his representative, principle of the presumption of innocence.

However, the numbers of applications of citizens sent to Ombudsman are increasing every year and they testify that employees of law -enforcement bodies, and sometimes the courts do not have necessary experience allowing making fair and lawful decisions on the case. The number of complaints of citizens related to the activity of the courts of different level is not decreasing.

Complaints on the Right to Fair Trial	2008	2007	2006	2005
On Disagreement with court decision on criminal case	625	405	309	574
On Disagreement with court decision on civil case	530	502	486	574
On Disagreement with economic court decision	15	13	18	30
Non-enforcement of the court decision	140	161	143	197
Red tape in court hearings	83	83	53	293
Total complaints	1393	1164	1009	1668

The summaries and analysis of complaints of citizens emphasize that in the activity of law-enforcement bodies the numerous violations of procedural norms of

any category of rights, violations of the rights of people participating in the case procedures are not yet identified.

More than 30 % of total complaints sent to Ombudsman on the violation of the right to fair trial were followed-up. The facts and arguments mentioned in 38 complaints have been proved and measures were taken with the purpose of restoration of violated rights and legitimate interests of citizens.

Complaints on the Right to Fair Trial	2008	Followed up	Positively solved
On Disagreement with court decision on criminal case	625	182	12
On Disagreement with court decision on civil case	530	153	8
On Disagreement with economic court decision	15	6	2
Non-enforcement of the court decision	140	71	13
Red tape in court hearings	83	22	3
Total complaints	1393	434	38

The major number of complaints of citizens sent to Ombudsman by residents of the republic is related to the disagreement with the decisions of courts on civil cases (54,7 %), violations of procedural norms in the field of criminal legal proceedings and undefined judgments of courts on criminal cases (43,7 %). 1,5 % of complaints are related to the court hearings on economic disputes.

Thus, the greatest disagreement with activity of judicial bodies during the civil-law disputes settlement are contained in the complaints received from Tashkent city (30,4 %). 11.7 % of complaints on the given issue have been received from Tashkent region, 9,6 % from Surkhandarya region.

Regions	2008	On the disagreement with court decision on criminal cases	On the disagreement with court decision on civil cases	On the disagreement with the economic court decision
Tashkent city	283	119	160	4
Tashkent region	133	51	62	-
Samarkand region	81	36	45	-
Surhandarya region	80	28	51	1
Kashakdarya region	80	46	34	-
Andijan region	54	28	25	1
Fergana region	44	19	22	3
Bukhara region	44	12	30	2
Djizzah region	34	13	20	1
Navoiy region	34	12	20	2

Khorezm region	30	10	19	1
Namangan region	32	20	12	-
Karakalpakstan Republic	28	15	13	-
Sirdarya region	24	11	13	-
Total	961	420	526	15

In their complaints, the citizens pay attention to the facts of undefined judgments regarding their relatives; there are examples of application of unlawful methods of investigation by the operative workers and inspectors. Because of the reason that the Criminally-procedure Code of the Republic of Uzbekistan does not mention about the monitoring of criminal cases by Ombudsman on the revealing of violations of human rights at a stage of investigation and court hearings, similar complaints directed to law-enforcement and judicial bodies for checking.

The significant work of Ombudsman includes the examination of complaints of the convicted people (arrested, detained, etc).

Ombudsman during this period received 40 complaints from people serving time in places of detention on the disagreement with court judgment on criminal cases and one complaint related to the violation of procedural norms in the field of civil legal proceedings.

Ombudsman has received the complaint from M.G. and A.B on the disagreement with decision of Mirzo Ulugbek district court on criminal cases from 16.05.2007, who are accused under article 168, clause 3, para. «a» of the Criminal-procedure code of the Republic of Uzbekistan and convicted for 6 years of imprisonment (#1384r-2a). With the definition of appeal instance of Tashkent city criminal court from November, 9 2007 the court decision has been changed by, citizens M. G. and A.B. have been charged in favor of victim I.O amount of 1639529.600 UZS. With the decision of presidium of Tashketn city criminal court from January, 30t 2008 the definition of appeal instance has been left without changes.

With the request of Ombudsman, as a result, the criminal case has been examined by the Prosecutor General on May, 27 2008 and the protest has been brought to judicial board of the Supreme Court of the Republic of Uzbekistan on the transfer of the case for additional investigation.

Citizen M. A in her complaint to Ombudsman specified the wrong qualification of criminal actions and unfair decision made concerning her spouse A.F. (#578r-2a). As it has been established by decision of Tashkent city court on criminal cases citizen A.F. has been found guilty under article 97, part.2 of the Criminal-procedure Code and convicted for 17 years of imprisonment because of the fact that during quarrel on the household ground, convicted A.F. injured with knife his neighbor E.Sh., who has died in the place of crime. The Prosecutor General, after careful examination of materials of criminal case, on the request of

Ombudsman, had brought the protest on the examination of actions again of convicted and to take more fair decision.

The complaint of Ch.T. to Ombudsman on the disagreement with condemnation of his son A.D. mentions the facts of biased investigation of criminal case, unlawful judgment (№1381 r-2a) were specified. With a purpose of examination of arguments of the complaint of applicant, it has been directed to the Tashkent city Office of Public Prosecutor, which based on the results of examination, has brought the protest to the Tashkent city criminal court on changes of the decision of the court.

The majority of complaints related to the examination of civil-law relations in courts, underlined the violations of procedural norms, unreasonable refusal in accepting of a claim, and complaints of citizens. It is also important to mention about the inadequate notice of persons participating in concrete case, refuse of numerous legal proceeding. Applicants inform about the difficulties in receiving of court decisions which results the shortening of the term of appeal and protest. In this regard, the judgments are made in a state language, and for the citizens who do not know the Uzbek language, it is necessary to address to the translation service, which also results the shortening of terms of preparation of materials for the examination of the case in appealing or cassation instances.

The applicants specify that the court does not take measures for all-side, full and objective clarification of the valid circumstances of the case, their right to protection is violated, the norms of material or procedural right are violated or incorrectly applied.

Many citizens show their negative altitude towards the legal proceedings as to long and tiring process, specify the absence of modern technical means of official registration of documents in courts, accompanying the proceeding.

The complaint of T.T. on the disagreement with the judgments on civil case, sent to Ombudsman, was taken for follow-up and directed for check of the facts to Tashkent regional Office of Public Prosecutor (№1363). As results of examination of materials of civil case it has been established that during proceeding not all circumstances related to the case have been clarified, the inconsistency of conclusions, given in the court's decision, with actual circumstances of the case has been identified, and the violation of norms of substantive law which was the result of rejection of the judgment and in November, 3 2008 the civil case has been directed to presidium of Tashkent regional court on civil cases for the re-appeal.

The complaint of J.M. on the disagreement with the definition of appeal instance of Tashkent city court on civil cases has been directed by the Ombudsman to the Supreme Court of the Republic of Uzbekistan which, having examined the arguments mentioned in the complaint, has appealed on the earlier judgment (№ 4606k-2b).

10 % of the complaints arrived to Ombudsman are related to non-enforcement of court's decision.

As mentioned in the complaints, inefficient use of sources and methods, guaranteed by the legislation, by judicial bodies during their activity is one of the reasons of long non-enforcement of court's decisions.

Judicial bodies explain the reasons of long term period of execution with full-time of work, absence of sufficient material-technical basis for their effective realization.

Regions	Non-enforcement of the court's decision	Red tape in court hearings
Tashkent city	31	45
Tashkent region	17	3
Samarkand region	9	11
Surhandarya region	25	3
Kashkadarya region	17	8
Andijan region	9	1
Fergana region	5	1
Bukhara region	3	-
Djizzah region	5	3
Navoiy region	4	2
Khorezm region	4	1
Namangan region	3	4
Karakalpakstan region	1	-
Sirdarya region	6	1
Russia	1	-
Total	140	83

Citizen T.N. has addressed to Ombudsman with the request of assisting in the enforcement of the court's judgment on the collection of alimony, which has been directed to the Department on the enforcement of the court's judgments, material-technical and financial guarantees of the courts activity under the Ministry of Justice of the Republic of Karakalpakstan (#2499r-2g). The studies of materials has shown that with the decision of Kungrad district court on civil cases, in December, 2005 the court order on collecting of alimony of 1/4 part of the salary and other incomes for the single child by the respondent I.I. in favor of the applicant has arrived to the department of execution of judgments. The court order has been directed to the place of employment of the respondent, Unitary Enterprise "Usturtgazstroy" of Kungrad region. However, in regard with the dismissal of I.I. in June, 2006 from the work and concealment from the alimony, materials on the bringing him to the criminal liability under article 122 of Criminal Procedure Code of Uzbekistan have been directed to Office of Public Prosecutor. After the intervention of Ombudsman, the measures taken by judicial department, alimony debts have been completely cleared off in June, 2008 and directed the applicant.

Complaint of E.G. on the non-enforcement of the judgment on collecting of the alimony under the instructions of Ombudsman has been examined by Judicial department on the execution of judgments, material-technical and financial assisting of activity of the courts of Bukhara region (#3974r-2g). As it has been established that, in October, 30 2008 there has been a proceeding taken on the issue of collecting of alimony for two minor children. The copy of the decision has been directed to the address of residence of the respondent and he has been given five-days term for voluntary enforcement of obligations. In regard with his failure in enforcing his obligation , in November, 5 2008 with the visit to the address of residence of the respondent it has been established that in the given address lives the father of the respondent who does not know where his son lives and he has not been registered in the current address. With a purpose of timely and full repayment of alimony obligations the regional department on the execution of judgments, material-technical and financial assistance for activity of the courts had started in November, 7 2008 the search of the respondent, the copy of judgment was directed to the department of internal affairs of Gzhduvan region, and the executive was taken for follow-up.

However, in most cases the facts mentioning in the complaints submitted to Ombudsman, according to answers from judicial and law-enforcement bodies, do not find their acknowledgement. Because of the fact that Ombudsman does not have the right to be familiar with case materials, on what basis the judgment of courts has been entered into force, Ombudsman is agree with answers, however, in practice there are cases when she gets answers to her request.

3. Right to Work

The right to work and its guarantees are placed as one of the leading spheres in the catalogue of social and economic freedoms of individuals. The implementation of this right is necessary, first of all, for human existence, and also for guaranteeing the conditions of all-side personal development.

First of all the freedom to work is guaranteed that means the forced labour is prohibited and the right of everyone to freely to use their abilities of work, to choose the type of activity and profession. Besides, the right to work is included to the given category of rights in such conditions which meet the requirements of safety and hygiene, the compensation for work without any discrimination and not less than the established minimum salary, and also the right to protection from unemployment.

After the independence one of the main areas of reforms in the country was a strong social protection of population. A vivid example of that is the continuous process of strengthening of legal bases of guarantees of employed citizens.

There were adopted and implemented several laws as Labour Code, laws «On labour Security», «On the state guarantee of pensions of citizens», «On employment» and other normative acts.

The rights and guarantees of employed citizens, who have suffered from accidents at work and occupational diseases, objectives and mechanisms of regulations in this area, are strengthened by law.

In 2008, Oliy Majlis of the Republic of Uzbekistan ratified the Convention on the minimum age for employment (Geneva, June, 26 1973) and the Convention on prohibition and immediate measures on elimination of the worst forms of child labour (Geneva, June, 17 1999), the Protocol on the prevention and protection against Human Trafficking especially of women and children, and punishment for it, supplementing the Convention of the United Nations Organization against the transnational organized crime (New York, November, 15 2000), the Law of the Republic of Uzbekistan from April, 17 2008 «On the elimination of Human Trafficking» has been adopted. The Decree of the President of the Republic of Uzbekistan confirmed the National Plan of Action on increasing the efficiency of combating against Human Trafficking for 2008-2010.

With a purpose of preventing the negative consequences of world financial and economic crisis, the guarantees of steady rates of economic growth and macroeconomic equilibrium, stable work of key branches of the real sector of economy and assistance in guaranteeing of employment to the population, implementation of address support of exporters, the enterprises of leading industries and small business by the Decree of the President of the Republic of Uzbekistan № UP-4051 from November, 10 2008 it is been approved the developed Program on the support of enterprises of key branches of real sector of economy, guarantees of their stable work and the increase of export potential by the Cabinet of Ministers of the Republic of Uzbekistan.

Despite of taken measures, in practice there are the problems related to the implementation of the constitutional right of citizens to work, fair payment and the prevention from unemployment. The statistics of complaints sent to Ombudsman testifies the violation of rights of citizens in the labour market.

The main group (44,4 %) of complaints are related to the disagreement with the actions of administration of the institutions, organization, and the enterprise. 23,4 % of citizens addressed to Ombudsman with disagreement with dismissal (reduction) and transfer to another job. 11,5 % of applicants addressed with the facts of delaying the salaries, 8,9 % on the issues of labour migration, and 8,0 % of citizens have requested to assist in finding jobs.

	2008	2007	2006	2005
Right to Work	286	340	295	316
On disagreement with dismissal (reduction) and transfer to another job	67	85	159	100

On disagreement with the actions of the management (of an institution, organization, company)	127	129	91	111
On the delays of salaries	33	49	39	56
On the issues of getting Certificates or other documents	7	6		
On the issues of labour migration	24	23		
On the guarantees of employment	28	48		

Most of the complaints were received from Tashkent city (21,3%), Kashkadarya region (15,7%), Surhandarya (13,2%) и Tashkent regions(10,4%).

	Total in 2008	On disagreement with dismissal (reduction) and transfer to another job	On disagreement with the actions of the management (of an institution, organization, company)	On the delays of salaries	On the issues of getting Certificates or other documents	On the issues of labour migration	On the guarantees of employment
City of Tashkent	61	18	26	1	2		6
Kashkadarya region	45	5	24	6		4	6
Surkhandarya region	38	6	15	8	2	4	3
Tashkent region	30	11	10	4		3	2
Navoi region	19	7	10				2
Andijan region	14	3	7	1		3	
Samarkand region	14	2	7	1		2	2
Jizzakh region	11	1	4	1	2	2	1
Ferghana region	11	2	9				
Khorezm region	11	1	4	2		2	2
Republic of Karakalpakstan	11	5	4	1			1
Bukhara region	10	3	4				3
Namangan region	7	2	3	1		1	
Syrdarya region	1	1					
Places of detention	1	1					
Russia	2				2		
Total	286	67	127	33	7	24	23

132 complaints were taken for follow-up by Ombudsman and 24 of them were solved positively.

Right to Work	2008	Followed-up	Positively Solved
Total complaints	286	132	24
On disagreement with dismissal (reduction) and transfer to another job	67	18	3

On disagreement with the actions of the management (of an institution, organization, company)	127	72	8
On the delays of salaries	33	6	7
On the issues of getting Certificates or other documents	7	10	1
On the issues of labour migration	24	16	1
On the guarantees of employment	28	10	4

The Ministry of Labour and Social Protection of population of the Republic of Uzbekistan received 25 inquiries and in 7 cases the arguments on the facts of violation of the rights of citizens have been proved. Out of 13 control inquiries of Ombudsman to the regional representatives 4 were positively solved.

The complaint of K.K. on the violation of labour rights and unreasonable dismissal from law-enforcement bodies has been directed by Ombudsman to the Ministry of Internal Affairs of the Republic of Uzbekistan to check the arguments of the applicant (№ 4004r-3a). As the result, it has been clarified that, in regard with the applicant the norms of labour legislation have been violated, and her former position has been recreated, the payment for the forced absence from the work was guaranteed.

On inquire of Ombudsman the General Prosecutor's Office of the Republic of Uzbekistan has examined the complaint of D.M. regarding the release of her son N.S. from criminal liability, who was convicted and poisoned in the United Arab Emirates and on taking the lawful measures in relation to S.N., who has assisted him to go there with the purpose of earning money (№ 4428r-3d). As it has been established that the citizen S.N. in April, 1999 promised to the applicant that he will take with her son for work to Korea, she trusted him and gave 500 thousands sums. The son of D.M. was in the United Arab Emirates and has been convicted.

As the results of examination of the complaint of D.M. on December, 23 2008 the Department of Internal Affairs of Samarkand has brought the criminal case against S.N. under article 168 part.1 of the Criminal Case of Uzbekistan, and at the moment the investigation is going on and taken for follow-up by the Office of Public Prosecutor. The materials collected on the issue of release from criminal liability of her son, according to the international norms, were directed to the competent bodies of the United Arab Emirates through the Ministry of Foreign Affairs of the Republic of Uzbekistan.

The application of Sh.R. addressed to Ombudsman on impossibility to receive the money earned in South Korea, was it was followed-up and directed for consideration to the Office of Public Prosecutor of the Republic of Uzbekistan (№ 1788r-3d). As it is mentioned in the answer, the applicant on the basis of the work contract with the agency on the issues of external labour migration in December, 2003 has been sent to South Korea for training, but after return back from December, 2007 can not receive his money from the agency. After the intervention

of Ombudsman on the current issue, the requests of the applicant have been fulfilled.

M.I. addressed to Ombudsman with the request of assisting in taking of lawful measures against to D.M., who has take him out to the Russian Federation and sold to unknown people. As it has been established by the General Prosecutor Office of the Republic of Uzbekistan on the complaint, M.I. and his daughter D.Z. have been taken out of the country to the Russian Federation for work (№ 4568r-3d). The agencies of internal affairs of Pitnak of Khorezm region has carried out the investigation, and because of the absence of crime (*corpus delicti*) of 27.11.2008 the decision in accordance with article 83, para. 2 of the Criminal – procedure Code of Uzbekistan on refusal to carry out the criminal investigation was taken. After the intervention of Ombudsman and General Prosecutor of Uzbekistan, as the result of the examination of the legality of decision by the Offices of Public Prosecutor of Hazarap region, the decision has been reversed and directed for additional investigation. The investigation is followed-up by the Public Prosecution Office.

The collective complaint of seasonal workers concerning untimely payment by the LLC “Pila” of Pahtachi region has been examined by Ombudsman together with the Samarkand regional Office of Public Prosecutor (#646r-3b). As the results of examination the workers has been granted with payment of amount of 115615 UZS.

The resident of Hazarap region I.S. addressed to the Ombudsman regarding the failure of payment within 3 years of salary by the chairman of the farm of "Rahimbergan Dilmurod" (№1963r). The investigation carried out by the Khorezm regional Office of Public Prosecutor with the request of Ombudsman has shown that all payments of workers were made on time. However, it was found out that the farm administration has not issued the personal leave forms of T-2 for 6 employees, work record cards have not been registered, salaries were not paid, the plan of annual work holiday leaves has not been confirmed, and the norms of the articles 81, 144 and 174 of the labour legislations have been violated. On the given facts the Regional Public Prosecutor’s Office brought the administrative case against the head of the farm under the article 49 of the Code on Administrative Responsibility.

In her complaint addressed to Ombudsman citizen S.H. who takes care of her mother, daughter and three student brothers, asked for assistance to find a job because of the serious financial situation (#2494r-3e). By the request of Ombudsman, with a purpose of examination of the complaint, the Department on Labour and Social Protection of the Population of Bukhara region organized a meeting with the deputy director of enterprise "Gazlimagistralgazkuvurlari" with the participation of the applicant. Despite the lack of free workplaces, considering

the current situation of the applicant, the administration of the enterprise had found the possibility to employ the applicant.

Citizen S.A., the widow mother, taking care of her little child and sick mother, addressed to Ombudsman saying that she has serious financial problems and asks to help to find a job (#2488r-3e). The application has been directed by the Ombudsman for examination to the Department of Labour and Social Protection of the Population of Bukhara region. The examination with the attraction of the Romitan Support Centre in Employment and with the participation of the deputy director of the unitary enterprise «Neftgazishlabchikarish» has resulted that currently it is not possible to solve positively the issue of employment in the same enterprise requested by the applicant because of the lack of free workplaces. At the same time, citizen Sh.A. has been registered in the Center for assistance on the issues of employment «as jobseeker» and she has been granted with unemployment benefits, and the issue of employment requested by her was followed-up.

4. Right to Education

One of the major aspects of formation of the harmonious, comprehensively developed individuality is the educational process covering almost all spheres of public life.

The right of youth to education is strengthened in the laws of the Republic of Uzbekistan as «On the bases of the state youth policy», «On Education», «On the National Programme on professional trainings», «On the National Programme on increasing the legal knowledge in the society».

Within the frame of implementation of the State Programme «Year of Youth», there were carried out different activities related to the guarantees of additional legal, organizational conditions and guarantees for the development of youth, promoting their creativity.

With the Decree of the President of the Republic of Uzbekistan the State Programme on strengthening of the material-technical base and the further improvement of activity of children's schools of music and art for 2009-2014 has been approved, with a purpose of further involvement of future generation in the activities of physical trainings and swimming type of sport, widening the network and strengthening of material-technical base of swimming pools the Program of Reconstruction and Major Repairs of Swimming Pools for 2008-2012 was adopted.

For the implementation of the State Programme «Year of Youth» and with the purpose of guaranteeing the group and qualified preparation of experts with higher education on the specialties required in the fields of real economy of the state, and also for further enhancing of the preparation of highly trained experts taking into account the prospects of social and economic development and structural

transformation of the special Republican Commission created on the basis of the suggestion of the President of the Republic of Uzbekistan on April, 1, 2008 «On the measures for guarantee the preparation of professionals needed in all spheres of real economy», there was a need for experts with higher education for the period till 2012 and the preparation of bachelors and masters in all spheres and regions.

With a purpose of further enhancing of the system of payment and strengthening of the material stimulation of work and introduction to the effective mechanism of material stimulation of workers of the higher educational institutions in increasing of the level and quality of teaching and educational activities, guarantees of deserving assessment of the contribution of the faculty staff in preparation of competitive candidates with high level of skills required in all spheres of economy, by the Decree of the President of the Republic of Uzbekistan №PP-926 on July, 24 2008 the base salaries of the faculty staff and executive employees of higher educational establishments were increased.

On the positive results of actions carried out in the field of education, it is possible to judge on the basis of the decrease of numbers of the complaints of citizens addressed to the Authorized Person for Human Rights.

RIGHT TO EDUCATION	2008	2007	2006	2005
Total Complaints	85	134	57	68
On the disagreement with the actions of employees or the administration of educational organizations and institutions	46	95		
On the disagreement with the final results of examinations	32	36		
Nostarification (Legalization) of Diplomas and Certificates of Study	7	3		

The number of complaints per each region of the country has been classified as follows:

Regions	Total in 2008	On the disagreement with the actions of employees or the administration of educational organizations and institutions	On the disagreement with the final results of examinations	Nostarification (Legalization) of Diplomas and Certificates of Study
Surhandarya region	20	11	8	
Tashkent city	15	6	7	2
Kashkadarya region	12	7	5	
Samarkand region	8	4	4	
Tashkent region	7	5	2	
Fergana region	5	3	1	1
Djizzah region	5	2	1	2
Navoyi region	3	2	1	

Andijan region	3	1	1	1
Bukhara region	2	1		
Namangan region	2	1	1	
Khorezm region	1	1		
Republic of Karakalpakstan	1	1		
Sirdarya region	1	1		
Total	85	46	32	7

From all numbers of addressed complaints, 29 were directed by the Ombudsman for examination to the relevant instances with follow-up. The facts, specified in 3 complaints of citizens were proved.

Right to Education	2008	Followed-up	Positively Solved
Total number of complaints	85	29	3
On the disagreement with the actions of employees or the administration of educational organizations and institutions	46	19	3
On the disagreement with the final results of examinations	32	10	
Nostarfication (Legalization) of Diplomas and Certificates of Study	7	-	

Ombudsman received the complaint from Y.T. on the disagreement with the actions of the administration of school-internat № 78 of Akkurgan district of Tashkent region (№ 377r-4a). As it was specified in the complaint, after the appointment of the director of school-internat R.Muhamedov many children began to complain on the bad quality of the food, humiliation of pupils by teachers, unhealthy conditions in educational institution. In particular, after beating of her son Y.M. by the teacher of the group Jalolov U., he has run away from the educational institution. The complaint was followed-up and directed to the Ministry of Public Education of the Republic of Uzbekistan. As a result of examination, the arguments of the applicant have been partially proved. As it has been established, despite of numerous warnings of teachers the son of the applicant has been again convicted for stealing of money and things, for what he has been punished by the teacher of the group U.Jalolov. As the results of additional investigation on the failure of fulfillment of pedagogical actions on March, 13 2008 the work contract of U.Jalolov has been terminated by the administration of school. The minor Y.M. has been transferred to another group and has been taken under control by the group supervisor. With a purpose of preventing from the same cases, this issue was discussed with the director of the school-internat R.Muhamedov and it was recommended to strengthen the control over children by teachers.

In the complaint addressed to Ombudsman citizen S.I. informed on unlawful actions of the director of high school № 40 Voisov X. who has agreed with his assistant Ruzimov B, and falsified the documents, charged and paid salaries to nonexistent persons, kept the financial resources from the awards of teachers, and also plundered school property (#³1917r-4a). The given complaint was followed-up and directed for examination to the Office of Public Prosecutor of the Khorezm region. Arguments have been proved. On April, 30 2008 the principal of school Voisov X. has completely compensated the material damage and for the violation of law according to the order of Shavat region was released from his post.

5. Right for Social Security

The right of every person for social security is an important guarantee for improvement of the social status of an individual and implementation of basic rights and freedoms.

The right for social security is enshrined in the Article 9 of the Covenant on Economic, Social, and Cultural Rights and boils down primarily to meeting the needs of those in need of welfare assistance and miscellaneous free-of-charge services paid by the public. Implementation of this right is a prerequisite for exercising other rights stipulated in the Covenant, namely the right for satisfactory living standards, the right for protection and assistance to the family, mothers and children, the right for the highest feasible level of physical and mental health.

Entire set of these rights are listed in the Article 25 of the Universal Declaration of Human Rights, which states: *Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.*

The right for social security outlined in the Article 9 of the aforementioned Covenant including social insurance is addressed in a number of conventions and recommendations passed by the International Labor Organization.

The provisions and principles of international instruments are reflected in the own model of building a democratic society with welfare-oriented market economy formulated by the President of Uzbekistan.

Social policies of Uzbekistan focused on promoting decent living standards for citizens are actively developing targeted welfare.

Constitutional underpinning of the welfare rights and implementing the activities in the framework of State Programmes such as *Year of Kindness and Mercy, Year of Charity and Health Workers, Year of Social Security, Year of the Youth*, and improvement of the regulatory acts enabled to enhance the processes of the review, assessment, and optimization of the support provided to the socially vulnerable groups, improve the quality of services provided from the perspective of the rationale, effectiveness, and search for new forms of their implementation, which meet public needs.

At the same time, any reforms in the social sector, similarly its implementation should be thoroughly scrutinized, as the compliance with the rights of not only common citizens but also those from socially vulnerable groups not capable of independently protecting their own rights, depend on them.

Although in the reporting period the Ombudsman received fewer complaints about violations of citizens' social rights than in the previous year, still 70% are the requests to provide assistance in addressing issues related to obtaining material aid, compensation, and social benefits.

Right for Social Security	2008	2007	2006	2005
Total complaints	218	274	199	214
Related to the amount of pension granted	33	53	63	50
Pension arrears	9	15	14	16
Issues of age-based retirement or occupational-specific retirement	7	14		
Issues of financial aid and benefits	153	154	109	116
Issues of benefits	16	38	13	32

The largest number of letters came from the residents of Kashkadarya and Surkhandarya regions, and Tashkent city. In their complaints the individuals express discontent about the violation of the principle of social justice upon granting and payment of benefits, unjustified refusal to provide financial aid, and express disagreement with the amount of pensions granted.

Of all complaints received, 69 were followed up. According to the summary and analysis of the answers to the inquiries by the Ombudsman, the violations of the social security rights of individuals were substantiated.

Total complaints	2008	<i>Followed-up</i>	<i>Resolved successfully</i>
Related to the amount of pension granted	218	69	30
Pension arrears	33	11	5
Issues of age-based retirement or occupational-specific retirement	9	3	3
Issues of financial aid and benefits	7	4	-
Issues of benefits	153	45	20
Total complaints	16	6	2

For instance, at the inquiry of the Ombudsman Prosecutor's office of Tashkent city reviewed the complaint by Ms. G.O. about difficult financial status and inadequate income to bring up three disabled children. The complainant was granted financial assistance based on the decision of the Mahalla foundation of Mirzo Ulugbek district on 25.12.2008 with the involvement of prosecutor's office.

Ms. K.N. petitioned to the Ombudsman about non-payment of the benefit for the loss of breadwinner at workplace accident. In the course of inquiry by the Ombudsman into this petition, the prosecutor's office of Tashkent city established that as of 28.07.2008 the overdue benefits payable to the complainant amounted to 700,000 soums, as Tashinjstroy JSC did not have the funds in its bank account. To this end, the city prosecutor's office filed a lawsuit to Yakkasaray interdistrict civil court to collect overdue benefits from Tashinjstroy JSC to redress Ms. K.N's welfare rights.

6. Right for Health and Access to Healthcare

Human right for qualified healthcare is among essential principles of democratic governance and enshrined in the Basic Law – Constitution of the Republic of Uzbekistan.

State policies in the healthcare sector are focused on improvement of public health based on facilitating accessibility of health services by creating legal, economic, and organizational underpinnings of health services, as its types and quality should correspond to the public needs, and to the modern development of medical science and practice.

Constitutional guarantees for public health, regulation of healthcare practices, and health services are promoted through government institutions by improving legal framework of health services and patients' rights, oversight of their implementation, and through the judiciary – by resolving all disputed issues emerging in the relations of the patients with health institutions.

In 2008 for implementation of the State Programme of *Year of Youth* and for comprehensive improvement of the health of mothers and children, facilitating birth and upbringing of a healthy generation, further development of the state system of early detection of pathologies of pregnant women and newborns, reduced child disability, *State Programme for Early Detection of Congenital and Hereditary Diseases to Prevent Disability from Birth for 2008-2012* was approved.

The new revision of the *Law on Social Security of the Disabled* was developed and passed for implementation of the Decree on *Measures for Further*

Improvement and Enhancement of Social Security System of the President of the Republic of Uzbekistan dated March 19, 2007.

Implementation of comprehensive and targeted measures focused on protection of maternal and child health, upbringing of healthy generation, improved quality of health services is an important indicator for implementation of the right for healthcare and health services.

In the reporting year the number of complaints to the Ombudsman related to the protection of the health-related rights and legitimate interests decreased virtually by half.

Right for health and health services	2008	2007	2006	2005
Total complaints	72	121	101	106
Related to public health services	29	33	19	34
Discontent about the actions of the health workers	24	40	21	30
Disagreement with diagnosis	5	6	7	7
Issues related to protection of the rights of the disabled	14	42	54	35

The complaints about health services provided coming from the regions accounted for 38.8%, and about actions of healthcare officers – 33.3%, respectively. 6.9% of the patients expressed disagreement with the diagnosis, and 19.4% of individuals complained about violations of the rights of the disabled.

The greatest number of complaints came from Tashkent city (29.1%), Kashkadarya region (18.0%), Surkhandarya region (15.2%), and Tashkent region (12.5%).

Regions	2008	Issues related to public health services	Disagreement with the actions of the health authorities	Disagreement with the diagnosis	Issues related to the rights of the disabled
Tashkent city	21	7	10		4
Kashkadarya region	13	6	5		2
Surkhandarya region	11	6	5		
Tashkent region	9	2	1	4	2
Samarkand region	5	5			
Ferghana region	3	1	2		
Bukhara region	3	1		1	1
Andijan region	2				2

Khorezm region	2		1		1
Jizzakh region	1				1
Karakalpakstan	1	1			
Namangan region	1				1
Navoi region	-				
Syrdarya region	-				
Total	72	29	24	5	14

For comprehensive review of the arguments outlined in the individual petitions, the Ombudsman filed 39 follow-up inquiries to the Ministry of Health of Uzbekistan, region health departments, and if required, to the law enforcement bodies.

Ms. Z.D. petitioned to the Ombudsman with a complaint about illicit actions of G. Arislonova, the chief medical officer, and B. Turaeva, lab technician of TB dispensary (# 3060p-7a). This petition was forwarded for thorough review of the outlined arguments to the prosecutor of Surkhandarya region. As the inquiry established, the underage daughter of the complainant was referred for treatment with the diagnosis of tuberculosis only because her father was sick. The child had never been registered at the TB dispensary. As the parental consent for referral of underage M.Z. for treatment had not been received, which constitutes violation of the Law on Public Health of Uzbekistan, G. Arislonova, the chief medical officer and B. Turaeva, the lab technician were reprimanded.

In her petition to the Ombudsman, Ms. T.E. reported that as a result of the surgery of her brother T.P. in Angren central hospital because of fracture of the right humeral bone with displacement, his arm became disabled (# 4717-7b). In the response of the Ministry of Health of Uzbekistan, which reviewed the complaint jointly with the health department of Tashkent region, it was indicated that Kh. K. Jalalkhanov, the operating surgeon had made mistakes in the surgery, which produced a false joint. In order to revive the functionality of the limb, the decision was taken to conduct repeated surgery at the region multi-profile medical center of Tashkent region. With the prikaze # 125 of the City medical union of Angren city on December 25, 2008, Kh. Jalalkhanov was reprimanded with a fine of 15% of the salary for 3 months.

Ms. M.V. appealed to the Ombudsman about unqualified health services provided to her at Family Polyclinic # 47 of Tashkent city (# 4067p). The letter was followed up and forwarded to the Ministry of Health of Uzbekistan. With the prikaze # 1035 of the Minister of Health, a special commission was set up for review of the arguments locally. Based on the findings, all facts mentioned in the complaint were proven. Indeed, doctor Kh. Ravshanova had made a number of mistakes in providing care to her pregnant daughter, D.Z. Doctor Kh. Ravshanova had prescribed drugs harmful for a pregnant woman and the doctor herself ordered and bought these medications from miscellaneous firms. Considering that similar complaints about this doctor were received from other patients, the administration of family polyclinic issued the order # 138 of December 14, 2007,

to annul the labor agreement with Kh. Ravshanova according to the Article 100, Clause 3 of the Labor Code of Uzbekistan.

Violations of the rights of Ms. B.N. for access to free-of-charge care at Qibray central hospital were also substantiated (# 2789p-7a). Based on the inquiry of the Ombudsman, the complaint was reviewed by the Ministry of Health, based on the findings; steps were taken to provide care to the complainant on preferential terms.

Ms. G.S. complained to the Ombudsman about the inaction against those responsible for the death of her 23-year-old daughter (# 2254p-7b). Based on the assignment of the Authorized Person for Human Rights, the facts mentioned in the complaint were reviewed by the health department of the Kashkadarya region. According to the answer, Ms. Z.D. was admitted to the maternity ward at 23.00, March 10, 2008, with complaints about the pain in the stomach and back, and discharge of amniotic fluid. Upon registration of the labor, pregnancy was diagnosed as 39th month, Phase I of labor, and premature discharge of amniotic waters, severe preeclampsia, and mid-level severity of anemia. For this reason, the doctors decided to conduct Caesarean section but as the relatives did not give consent for surgery, labor went through vaginal delivery. At 12am, March 11, 2008, 54 cm and 3,800 g live boy was born. At 16.00 due to the sharp worsening of the health of the mother diagnosed with uterus hypotony, a surgery was performed under intubation anesthesia. Patient's condition did not improve after the surgery, and treatment measures undertaken were ineffective, and Ms. Z.D. died at 08.25 am, March 12, 2008.

No pathological and histological examination was done. On June 2, 2008, the case of maternal death was the subject of discussion at the meeting of the health department of Kashkadarya region with involvement of O. Shernayev, the chief of maternity ward of central hospital of Chiroqchi rayon, O. Shaymanov, deputy medical officer, and the complainant. According to the decision, O. Shernayev was dismissed from his position, and 30% were withheld from the wage of O. Shaymanov.

Ms. N.Kh. wrote in her petition to the Ombudsman about her disagreement with the actions of the health workers of the central hospital of Buka district of Tashkent region. It was followed up and forwarded to the Ministry of Health of Uzbekistan to verify the arguments (# 2662p-7a). The commission established to review this incident identified that the four-month-old son of complainant O.Sh. was indeed hospitalized in severe conditions. But due to the negligence of some health workers, his health was not duly assessed, and urgent measures were not taken to provide qualified health services, and the child died as a result. This case became the subject of discussion at the conference in the Central hospital of Buka district, and disciplinary actions were taken against the health workers for the mistakes made. Inter alia, S. Ibragimova, a pediatrician, and D. Ikramova, patronage nurse of rural health clinic were reprimanded. 50% of salary of D. Urolov, the doctor of child care ward, was withheld, and A. Aripov, in charge of

the ward was dismissed, and became the doctor on duty. N. Khaitov and E. Nurullaev, the doctors of acute care unit were reprimanded. Kh. Mahmudova and M. Khojaeva, the nurses of children's ward were transferred to the polyclinic as patronage nurses. In order to prevent these violations, explanatory work was done among health workers. The commission members met with the complainant, who was satisfied with the findings of the inquiry.

7. Right for Protection of Family

Marriage and family are fundamental social institutions, which have maintained reproduction and sustainability of the human society for many centuries. Family is a key social institution, where gender roles are realized and implemented. Family models depend not only on specific circumstances and decisions but also formed under the impact of government policies and grassroots public support as well as traditions, public values, and economic environment.

Major attention is given to the issues of family and women's status in the family and society in Uzbekistan. The government is implementing the programs focused on enhancement of the role and social capacity of the family, improved status of women in state and public affairs.

Family is a special domain, where the issues of gender equality or to be more precise, gender inequality, are demonstrated particularly acutely, often painfully, and where they are most difficult to address, at least with legal remedies. The practices demonstrate that the principle of equality between men and women stipulated by law is not always implemented in life. Therefore, it is very important to reinforce the ideas of gender equality in the family and facilitate the mechanism of its actual implementation in life.

Review of the complaints to the Ombudsman enable to conclude that the number of problems related to family relations is not decreasing by each year. The number of complaints related to violation of the rights of the woman and the child as well as to family and domestic conflict resolution is not decreasing.

Right for Protection of Family	2008	2007	2006	2005
Total number of complaints	274	277	133	382
On violation of the right of the woman	135	161	29	46
On violation of the right of the child	23	15	16	18
Family and domestic affairs	116	101	88	318

Individuals' complaints related to the right for protection of the family coming from Tashkent city accounted for 22.6%, from Kashkadarya region - 13.8%, Surkhandarya region – 12.7%, and Tashkent region – 10.2% of all complaints addressed to the Ombudsman related to family and marital affairs.

Regions	Total in 2008	Violation of the right of the woman	Violation of the right of the child	Family and domestic affairs
Tashkent city	61	21	12	28
Kashkadarya region	38	23	1	14
Surkhandarya region	35	18	1	16
Tashkent region	28	16		12
Samarkand region	20	10	1	9
Jizzakh region	17	6	1	10
Bukhara region	16	15		1
Ferghana region	13	4	9	
Namangan region	10	4		6
Navoi region	9	5	1	3
Andijan region	8	4	4	
Syrdarya region	7	4		3
Khorezm region	6	2		4
Karakalpakstan	3	1	1	1
Penitentiary institutions	2	1	1	
Internet	1	1		
Total	274	135	23	116

In their complaints to the Ombudsman, women indicated the cases of violation of their housing rights, family violence, violation of the right for child benefits, issues of employment, and non-payment of alimony for maintenance of underage children.

The number of complaints from female inmates about violations of their housing rights, illegitimate takeover of their apartments by third persons, infringement of the housing rights of the children and relatives of the complainants.

There are complaints about failure to take action against the perpetrators of crimes qualified by the Article 118 of the Criminal Code of Uzbekistan.

Increased number of complaints related to the protection of rights of the child is primarily related to complaints about violation of their housing rights. Illicit eviction from the homes to be demolished, eviction from residential premises and dormitories without provision of other living premises, etc. – it is not a complete list of grounds, based on which courts order eviction of not only of single mothers with underage children but also young families with children.

In order to review the arguments of the complainants, the Ombudsman followed up nearly 30% of complaints.

Right for Protection of Family	2008	Followed up	Resolved successfully
Total complaints	274	79	9

On violation of the right of the woman	135	48	6
On violation of the right of the child	23	5	1
Family and domestic affairs	116	26	2

Convict S.N. petitioned to the Authorized Person for Human Rights with the request to help in addressing her housing issues. As indicated in the complaint, after her arrest, the apartment, where she used to live with her family, was transferred to other individuals (# 4498p-9d). The complainant believed that she was refused more lenient sentence, as she did not have a home and residence registration. As indicated in the complaint, the complainant will soon be sixty years old, and she will have nowhere to go after release from the penitentiary institution. Review of the complaint of Ms. S.N. at the request of the Ombudsman showed that the authorities of Khamza district of Tashkent city, in order to keep the aforementioned apartment, provided it temporarily to a police officer. As indicated in the response from the regional representative in Tashkent city, upon release from the prison, S.N. will be provided equivalent housing by the authorities of Khamza district or she will be returned the same housing. It was indicated that no belongings was found upon seizure of the apartment.

Petition of the convict B.R., a mother of four, with the request to help in renovation of her home and financial aid for underage children, was followed up by the Ombudsman and sent to the authorities of Samarkand region (# 3894-12a). According to the reply from khokim of Toyloq district of Samarkand region, Dustlik mahalla committee of Bogizagon township filed a report of living premises of this family. Based on the findings of the review, two children of B.R. were sent to the orphanage in Samarkand city, while two other children were granted benefits and financial aid paid. A sponsor was designated for maintenance of the home of the complainant among the residents of Dustlik mahalla.

Petition of convict K.T. about illegal takeover of her apartment by Ms. I.R. and violation of the right of her underage children was forwarded by the Ombudsman for review to the Prosecutor General's office of Uzbekistan (# 533p-9d). Based on the findings of inquiry into the complaint, the prosecutor's office of Yangiyul rayon contacted the guardianship and trusteeship body under rayon khokimiat to resolve the issues of protection of personal and property-related rights and interests of underage children of the complainant. In turn, the trusteeship and guardianship body, for the interests of the underage children of Ms. K.T., filed a lawsuit to Zangiota interdistrict court for civil affairs to evict Ms. I.R. who had moved in illegally.

The Authorized Person for Human Rights received the complaint from Ms. G.G. about her discontent with the divorce ruling of the civil court. As the complainant explains, she has Grade 2 disability and has an underage child, but the court, issuing its ruling, did not take into account that she is left without

housing and sustenance. This complaint of the Ombudsman was sent to the khokimiat of Kashkadarya region and regional representative of the Ombudsman in Kashkadarya region. Based on the outcomes of the review, the complainant was registered, provided free health services and medications, provided an electric sewing machine, and were recommended to file a legal claim for the home.

Ms. I.O., a mother of five, contacted Ombudsman with the request to assist in the emerging situation, writing that at the fault of dishonest people, she was deprived of her apartment, residence registration, was left on the street in the winter without sustenance. Petitions to the respective government bodies do not resolve the problem, as they are solely trying to deprive the complainant of parental rights and transfer the children to an orphanage that she disagrees with. Having looked into the complaint of the mother with many children at the request of the Ombudsman, the khokimiat of Tashkent city located the resources to resolve housing issues for Ms. I.O., and provide financial aid and benefits for the children.

Ms. Y.S. petitioned to the Ombudsman about failure of the law enforcement bodies to take legal action against Mr. U.M., who was guilty of raping Ms. Y.G. (# 3602p-8a). As the complainant indicated on April 15, 2008, Okdaryo district prosecutor's office filed a criminal case against Mr. U.M. according to the Article 118 (1) of the Criminal Code of Uzbekistan but no action was taken by law enforcement bodies for a long time. The Authorized Person for Human Rights forwarded the complaint for review to the Prosecutor General's office of Uzbekistan. Based on the outcomes of the review, the criminal case was forwarded to the investigation unit of Okdaryo district police department. On October 12, 2008, charges were pressed against Mr. U.M., and on October 13 he was taken into custody. Furthermore, Ms. K.G. was charged according to the Article 131 (1) of the Criminal Code.

8. Right for Qualified Legal Services

To a significant extent, development of law-run governance is determined by the access of its citizens to qualified legal services.

The ability of the individual to safeguard his rights and legitimate interests by all ways and means that do not contradict the law is the essential element of lawful governance. For effectiveness of this protection, every citizen of Uzbekistan is guaranteed the right for qualified legal services.

According to the Article 9 of the *Law on the Guarantees of Legal Practices and Social Security of Attorneys*, everyone can seek legal counseling at his discretion to any lawyer to safeguard his rights, liberties, and legitimate interests.

Detainees, defendant, and convict must be provided all opportunities for confidential and unhindered meeting and counseling with the lawyer.

But the rates in the market of legal services are so high that by far not every person in need can use this aid.

To this end, there are frequent individual petitions that legal process is too complicated, while the legal aid is virtually beyond the reach for the individuals without the money.

There are complaints about the actions of defense attorneys in the criminal process. They were related to the quality of legal services. Virtually all complainants noted openly formal conduct of so-called *free* lawyers in the criminal cases.

Often individuals address the Authorized Person for Human Rights to provide legal aid and send her representative for participation in the trial.

There are increasingly frequent cases when attorneys themselves petition to the Ombudsman about infringement of their rights to provide qualified legal aid, acting as a defense attorney of the suspect, defendant or representative of the victim, civil plaintiff, and civil defendant. Inter alia, there are still violations committed by some law enforcement officers and judges such as inability of the defense attorney to meet with his client for extensive periods, making copies of essential records, gain timely access to the case records, and obtain court rulings. The defense attorneys also complain about frequent postponement of the trials, inadequate notification of the process participants about the date of trials, which negatively affects their activities in general.

Ms. T.Z., a resident of Bukhara city informed the Ombudsman about inaction against illegal actions of the attorney (# 2629p-9a). In order to review the arguments, this statement was referred to the regional representative of the Authorized Person for Human Rights in Bukhara region. After service inquiry the facts were proven, and disciplinary action was filed against the chief of legal firm in Bukhara city on July 8, 2008, and forwarded to the Qualification Commission of the Department of Justice of Bukhara region.

9. Entrepreneurs' Rights

Development of small businesses and private entrepreneurship is a priority of large-scale reforms underway in the country.

From the first days of independence, the state has provided comprehensive support to the businesses and individuals with initiatives who decided to start their own businesses and thereby make decent contribution to the socioeconomic development of Uzbekistan.

Regulatory framework, inter alia, for protection of legitimate rights and interests of entrepreneurs have been created and improved. Many procedures, which previously hindered small business development, are being streamlined. Tax and administrative burden on businesses is being consistently reduced.

Development and improvement of the activities of the farmers are related to rational employment, filling domestic consumer market with quality and competitive agricultural produce, growing exports of products and incomes, and ultimately, improved living standards of rural households.

For successful development of private farmers in Uzbekistan, additional organizational and economic measures are being undertaken to provide government support, development of infrastructure, and extension services to the farmers.

The Resolution UP-832 on *Further Development and Modernization of Farming Machinery* of the President of the Republic of Uzbekistan was issued for further development, modernization, technical and technological modernization of agricultural machinery manufacturing companies, and provide modern high-quality farm machinery, and improve their export potential.

For further increase of cattle in the homestead plots, smallholders and largeholders, and create new jobs and income of rural households, increased production of meat and dairy products and saturation of domestic consumer market, the Resolution PP-842 of the President dated April 21, 2008, ordered to make irrigated lands available to the livestock and poultry farms that are designed exclusively for sowing fodder crops and are not subject to cotton and grain crops for government needs; more microloans are being provided to personal homestead plots and dekhkan farms to buy cows.

Resolution PP-890 of the President of the Republic of Uzbekistan of June 12, 2008, approved the Programme for implementation of investment projects for further improvement of the quality drinking water and efficient use of natural gas by drawing into soft loans of international financial institutions and donor countries for 2008-2012.

According to the Resolution # PP-725 of the President of the Republic of Uzbekistan dated November 5, 2007, since 2008 funds are being earmarked in the State Budget of Uzbekistan for financial support to the farmers producing agricultural products for government needs in low-yield lands.

Announcement of Year 2009 as the *Year of Rural Development and Prosperity* by the initiative of the President Islam Karimov will facilitate development of manufacturing and services sector, creation of compact processing companies equipped by modern equipment and technologies, and employment of

rural population, particularly the youth in increasing people's income and living standards.

But despite the measures undertaken, twice as many complaints about violations of farmers' rights were received by the Ombudsman as in previous year, and the flow of complaints from entrepreneurs is increasing.

Entrepreneurs' rights	2008	2007	2006	2005
Total complaints received	230	169	60	57
Violation of entrepreneurs's rights	71	52	45	53
Issues related to access to loans	55	58	15	4
Violations of farmers' rights	104	59		

According to the statistics, the farmers from Surkhandarya, Kashkadarya, Tashkent and Khorezm regions are encountering challenges in safeguarding their rights more frequently.

The biggest number of complaints about violation of entrepreneurs' rights came from Surkhandarya and Tashkent regions, and Tashkent city. Citizens in virtually all regions of the country are encountering difficulties related to access to loans.

Regions	Total in 2008	Violation of entrepreneurs's rights	Issues related to access to loans	Violations of farmers' rights
Surkhandarya region	51	19	16	16
Kashkadarya region	35	6	9	20
Tashkent region	26	8	5	13
Khorezm region	23	5	4	14
Bukhara region	15	6	3	6
Samarkand region	13	3	2	8
Tashkent city	10	7	2	1
Ferghana region	9		1	8
Andijan region	9	2	4	3
Jizzakh region	9	3	5	1
Namangan region	9	3	2	4
Syrdarya region	8	3	2	3
Karakalpakstan	7	6		1
Navoi region	6			6
Total	230	71	55	104

The Ombudsman received the collective petition of the members of Khamidulla Sobir farm of Buka district of Tashkent region about infringements of the current legislation by the officials of the district in the bidding process (# 2521p-13b). The prosecutor's office of Buka rayon, based on the assignment of the

Ombudsman, reviewed the arguments of the complainants, which were proven. A criminal case was filed against the former manager of the Alisher Navoi farm according to the Article 228(1) of the Criminal Code of Uzbekistan.

The petition from Mr. R.Kh., manager of Saidakhmedov Abdulazkhon farm about violation of farmers' rights by G. Mamadaliev, the khokim of Rishtan district and disagreement with the economic court ruling was forwarded by the Ombudsman for review to Ferghana region economic court (# 1,715p-10b). In the course of the inquiry, it was established that the farm manager filed a lawsuit to invalidate the decision # 42 of the khokim of Rishtan district of Ferghana region dated January 23, 2008. Based on court ruling on April 10, 2008, the lawsuit was granted. Furthermore, the ruling was forwarded to the Ferghana region khokimiat. According to the reply from the khokim of Ferghana region on May 12, 2008, appropriate disciplinary measures were taken against G. Mamadaliev, his actions were discussed at the meeting of region management with the involvement of district and city khokims, and warnings were made to prevent such acts in future.

10. Complaints related to Housing and Utilities

Analysis and summarization of individual complaints show that despite the measures undertaken, the challenges related to the housing sector are primarily related to purchase of home, allotment of land plots, utility services, and home maintenance.

Complaints related to Housing and Utilities	2008	2007	2006	2005
Total complaints	568	544	479	518
Issues related to home purchase	220	216	114	148
Issues of utilities and home maintenance	132	113	98	133
Issues related to PHOC activities	30	46	107	64
Issues of land allotment	186	169	160	173

According to the statistics, more than 30% of petitions to the Ombudsman related to home purchase came from Tashkent city, residents of Surkhandarya region (14%), Kashkadarya (9.6%), and Samarkand region (9.5%), who reported problems related to obtaining land plots for home construction.

Regions	Total in 2008	Issues related to home purchase	Issues of utilities and home maintenance	Issues related to PHOC activities	Issues of land allotment
Tashkent city	172	85	52	22	13
Surkhandarya region	80	14	12	2	52
Tashkent region	55	29	14	1	14
Kashkadarya	54	8	19	-	27

region					
Samarkand region	37	7	8	1	21
Ferghana region	35	16	5	-	14
Namangan region	22	6	2	1	13
Navoi region	19	8	3	-	8
Bukhara region	17	9	1	1	6
Andijan region	16	12	2	-	2
Khorezm region	15	5	-	-	10
Jizzakh region	12	5	2	-	5
Syrdarya region	12	3	7	-	2
Karakalpakstan	10	1	5	2	2
Penitentiary institutions	8	8	-	-	-
Internet	2	2			
Anonymous	1	1			
Tajikistan	1	1			
Total	568	220	132	30	186

Collective petition of the residents of Novza mahalla of Chilanzar district about unsatisfactory performance of Komek Khizmati cooperative at the assignment of Ombudsman was reviewed by the regional representative of the Ombudsman in Tashkent city by going out to the field with the representatives of Mahalla Foundation, Association of Private Homeowner Cooperatives (PHOC) of Chilanzar district. As it was established, due to the unsatisfactory performance PHOC, preventive and major renovation works were not done at the residential building, and roofing materials and basements were in poor state. As a result of the audit, the violations of existing legislation and accounting practices were substantiated. According to the response of the khokimiat of Chilanzar district, given this situation, district prosecutor's office filed a criminal case, and pre-trial investigation by the Chilanzar district police department is underway, while the residential block 138 was included in the special programme of major overhaul of residential buildings built before 1991 for 2009-2010.

The Authorized Person for Human Rights received the repeated petition of Ms. Sh.N related to unsatisfactory performance of Suvoqova company, and as a result, residents of Toshkent Gosht township and Uzbekistan mahalla are experiencing difficulties related to cold drinking water supply (#2788p-12b). In her petition the complainant indicated that after the first complaint to the Ombudsman from stakeholder organizations, the works to remove malfunctions were started. New pumps with engines for pumping waste water, new pipes to replace broken ones, as the township is more than 30 years old and the water supply system needed maintenance. The township was supplied dirty water, which caused en-masse poisoning of residents. Although the staff of sanitary-epidemiological service claimed that residents were poisoned by water-melons. Repeated claim to the Ombudsman was referred to the khokimiat of Tashkent

region and regional representative of the Ombudsman in Tashkent region for thorough review by traveling to the site. According to the audit findings, the facts were proven. Absence of water supply in the township was caused by the breakage of water pipes. Based on the findings of the inquiry, steps were taken to fix the pipes and provide continuous supply of drinking water to the residents of Uzbekistan mahalla.

Petition of Mr. T.U. the disabled soldier with the request for assistance in the maintenance of roof of their apartment block was reviewed at the request of the Ombudsman by the Association of Private Homeowners of Tashkent city. As a result of the measures taken, Yangi khayot birinchi PHOC, the soft roof cover was repaired.

11. Rights of Military Servicemen and Their Families

Promoting security and stability, combating terrorism, extremism, and illicit distribution of narcotics is an area of government policy of Uzbekistan. To safeguard own sovereignty and promote domestic stability, any nation needs armed forces.

The Article 52 of the Constitution of Uzbekistan determined that *Protection of Uzbekistan is a duty of every citizen of Uzbekistan*. Citizens shall be obliged to serve in military or alternative service according to the procedures determined by law.

With special focus on the servicemen of the Armed Forces and improvement of defense capabilities of the country, Uzbekistan is working consistently to create legal framework and improve legislative basis in this area. There are laws on *Defense, Universal Military Service, and Service in the Armed Forces of Uzbekistan*.

In 2008 Uzbekistan joined main documents in the framework of the *Collective Security Treaty* of May 15, 1992, Agreement between the Nations-Members of Shanghai Cooperation Organization on Regional Anti-terrorist Structure. The national parliament made amendments in the Article 29 of the *Law on Universal Conscription and Military Service*.

Uzbekistan created certain environment to promote compliance with major rights and liberties of servicemen reflecting their status, which is described by the need for compliance with the rights of an individual serviceman, and special requirements of military service, on the other hand. The fundamental principle is the guarantee to the servicemen of any rank all freedoms and rights that other citizens have, as the serviceman remains to be the citizen but a citizen in military uniform. His main rights may be limited within the framework of the laws to the extent required by military service.

But the analysis of the complaints received by the Ombudsman indicates that the rights of the servicemen laid down in the legislation are not always met.

In the reporting year substantial number of complaints was related to the issues related to safeguarding housing rights of the servicemen and their families as well as discontent with the court rulings to evict from agency homes those citizens who had worked in the Ministry of Defense for long time and retired.

Petitions to facilitate obtaining citizenship of Uzbekistan by the members of servicemen's families, issuing them passports and I.D.s, assistance in employment and training constitute another group.

There cases of charging and convicting soldiers for theft and military fatalities due to the incompetence and negligence of health workers as well as indifferent attitudes of some unit commanders. There are complaints expressing discontent about dismissal from the Armed Forces of Uzbekistan.

Of all complaints related to the infringement of servicemen's rights, every second one was followed-up and forwarded to the respective bodies for resolution.

Complaint of Mr. B.M. on failure to provide material aid after the loss of breadwinner was followed-up by the Ombudsman (# 3281p-1z). It was established that at approximately 10.00 am, Kh.Kh. and R.N., the privates of Tashkent military garrison took the son of the complainant – the new recruit to the barracks and inflicted heavy bodily injuries in the abdomen, neck, and chest, which led to the death of complainant's son. As per this case, the Military Prosecutor's office of Uzbekistan filed criminal charges according to the Article 285 (3) of the Criminal Code based on the findings of investigation. According to the sentence of Tashkent military district court on June 23, 2008, servicemen Kh.Kh. and R.N. were convicted and sentenced to 14 years in prison. According to the ruling of appellate body of the Military Court of Uzbekistan dated July 31, 2008, moral damages in the amount of 5 mln. soums were collected from the commandant's office of Tashkent military garrison for Mr. B.M.

Notably the facts in the complaints on this theme are not always confirmed. In most cases answers to the inquiries of the Ombudsman contain explanations, which do not enable to identify the causes of infringement of various categories of servicemen's rights.

To this end, it would be appropriate, jointly with the Ministry of Defense of Uzbekistan, organize monitoring of compliance with rights of servicemen and their families, and strengthen information and awareness-raising activities related to human rights and freedoms, including servicemen's rights.

12. Human Rights for Comfortable Life and Environmental Security

The subject of violations of environmental rights as well as infringements of legitimate interests of citizens for comfortable life are being raised in the reports of the Authorized Person for Human Rights in the last two years.

Although the percentage of complaints to the Ombudsman on these issues is not that large, the practice shows that the individual complaints are mostly grounded and fair.

Based on the inquiry of the Ombudsman, the State Sanitary and Epidemiological Control of Tashkent city reviewed collective complaint of the residents of Mirob Bogbon SVT of Bektemir district about their discontent with started construction of the company for manufacturing asphalt and plastic pipes a few meters away from residential buildings. According to the inquiry, the arguments in the complaints were substantiated. Residential buildings are located behind the fence of the industrial site owned by SMNK-100 LLC, which is the violation of SanPiN # 0246 on Sanitary Norms and Regulations for Air Protection in the Residential Areas in Uzbekistan. The buffer zone between the asphalt and concrete manufacturing site and residential buildings must be at least 500 meters, and 100 meters for manufacturing plastics. To this end, Yu.M. Dyugai, the director of SMNK-100 LLC was instructed to halt construction, and prosecutor's office, mayor, and deputy mayor of Bektemir district were notified of these offences. After follow-up inquiry it was established that construction is suspended, while oversight of this issue was delegated to the State Sanitary and Epidemiological Control Center of Bektemir district.

Complaint of the residents of Sergeli district about illegal construction of the concrete-mixing facility was forwarded by the Ombudsman for review to the khokimiat of Tashkent city. In the course of the inquiry it was established that this construction was started by the Bridge Team # 67 of Koprikqurilish trust company without appropriate permits. Thus, Main Department of Architecture and Construction of Tashkent city ordered the contractor to suspend construction works.

The Authorized Person for Human Rights received a collective complaint from the residents of Yangi Kamolon community about their discontent with the construction of trading compound (3637p-12b). This complaint was followed-up and forwarded to the Tashkent city prosecutor's office. The review showed that a subsidiary of Agroinvest was issued a permit by the khokims of Shaykhontohur district to build a fruit and vegetable kiosk with the size not exceeding 36 sq.m. adjacent to the House # 7 of Yangi Kamolon community. But Mr. N.J. started unauthorized construction of 117sq.m. trade compound with the contract # 23 with Agroinvest dated April 10, 2008.

Based on the findings of the review, the Main Department of Construction and Architecture of Tashkent city filed administrative charges against Mr. N.J. according to the Article 160 of the Code on Administrative Liability of Uzbekistan, which was forwarded to the Shaykhontohur district criminal court. The court imposed a fine in the amount of 62,595 soums on Mr. N.J. with its ruling on July 4, 2008. At the same time, the prosecutor's office of Shaykhontohur district filed a lawsuit to the interdistrict civil court to rule the unauthorized building as illegal.

On October 15, 2008, Shaykhontohur district prosecutor's office also filed a protest to annul the minutes of the meeting of the Yangi Kamolon mahalla on December 17, 2007 to grant additional land plot to Mr. N.J.

13. Issues related to the Activities of Local Government Bodies, Private Farms, and Civil Self-governance Bodies

The number of complaints on the issues related to the activities of the local authorities, farmers, civil self-governance institutions, and officials is increasing by each year. As Ombudsman received 180 complaints in 2005, 310 were received in 2008.

Discontent of the individuals with the decisions and actions of officials of ministries, authorities, and municipalities in the reporting year doubled and amounted to 72.2% of all complaints in this theme, and the number of complaints related to the decisions and actions of self-governance institutions nearly tripled.

Issues related to the activities of local authorities, farmers, and civil self-governance bodies	2008	2007	2006	2005
Total complaints received	310	272	207	180
On discontent with the decisions and actions of the officials of the ministries, management bodies, and khokimiats	224	174	122	103
On discontent with the actions of the farm managers	23	43	41	53
On discontent with the decisions and actions of civil self-governance institutions	63	55	44	24

20.3% of complaints were addressed to the Ombudsman from the residents of Tashkent city, 12.2% came from Kashkadarya region, and 11.2% of complaints came from Tashkent and Surkhandarya region each.

Regions	Total in 2008	On discontent with the decisions and actions of the officials of the ministries, management bodies, and khokimiats	On discontent with the actions of the farm managers	On discontent with the decisions and actions of civil self-governance institutions
Tashkent city	63	52	0	11
Kashkadarya region	38	21	5	12
Tashkent region	35	21	2	12
Surkhandarya region	35	19	7	9
Samarkand region	34	23	3	8
Navoi region	16	12	1	3
Bukhara region	15	15	-	-
Ferghana region	14	12	-	2
Andijan region	14	12	1	1
Jizzakh region	10	5	1	4
Namangan region	10	8	-	2
Khorezm region	9	6	-	3
Syrdarya region	8	6	1	1
Karakalpakstan	7	5	2	-
Kazakhstan	1	1	-	-
Germany	1	1	0	
Total	310	219	23	68

In their complaints the citizens indicated that the complaints are primarily related not to the violations of current legislation by the officials but by their indecent behavior and rudeness to the applicants.

Of total number of complaints related to this theme, the Ombudsman followed up 131 complaints, of which the arguments of the complainants were proven in 33 cases.

Issues related to the activities of local authorities, farmers, and civil self-governance bodies	2008	Followed-up	Resolved successfully
Total complaints received	310	131	33
On discontent with the decisions and actions of the officials of the ministries, management bodies, and khokimiats	224	104	17
On discontent with the actions of the farm managers	23	4	3
On discontent with the decisions and actions of civil self-governance institutions	63	23	13

Ms. A.L. complained to the Authorized Person for Human Rights on the issues related to the illegal actions of the energy supply (# 3494p-13a). As the complainant reported, the workers of Tashkent city Power Distribution Company installed an electronic meter on March 1, 2007. As the electricity control boxes in the staircase were not locked, the meter was broken, and she informed the power supply company about this in writing. She paid for electricity for 18 months based on average estimate. In the audits of apartment blocks on June 16, 2008, the power distribution company workers filed claims that she had accumulated debt in the amount of 153,000 soums for the period of 1.5 years, and demanded to re-install electronic meter at her expense. They behaved rudely, insulted her, threatening to disconnect her, unless she meets their demands.

The Ombudsman followed-up this complaint and forwarded for review to the authorities of Tashkent city. According to the answer, the arguments were proven and the workers checking the meters, against whom Ms. A.L. complained, were fired.

Collective complaint by Mr. A.B. and others about the actions of Mr. G.M., the administrator of the multi-profile polyclinic of Qibray district, who, as the owner of a canteen, used the labor of hired workers, illegally seized their passports, and delayed the payment of the wages, was reviewed by the Tashkent region prosecutor's office at the request of the Ombudsman (# 4846p-3v). After review of these circumstances of the case, the complainants were returned their documents. As per this fact, Qibray prosecutor's office pressed administrative charges against Mr. G.M. according to the Article 223 (4) of the Code of Administrative Liability of Uzbekistan. Meanwhile, the arguments in the complaint about non-payment of wages were not proven.

The residents of the Shurbozor of Chirakchi district of Kashkadarya region (# 287p-13b) reported the illegal actions of J. Astanov, the cashier of Xalq banki, in their collective complaint. At Ombudsman's request, this inquiry was reviewed by the region office of Mahalla foundation. Based on the findings of the field inquiry, the cases of arrears of pensions and child benefits were confirmed. Cashier J. Astanov was dismissed and the prosecutor's office of Chirakchi district pressed criminal charges against him.

Only thanks to the intervention of the Authorized Person for Human Rights, housing rights of the family of Ms. Pl., Grade 2 disabled, who complained to the Ombudsman twice about the inaction of the officials of Karshi city khokimiats to resolve their her problem (# 1150p-13a), were safeguarded. As the complainant reported, she and her children are Grade 1 and Grade 2 disabled, and do not have their own housing. They temporarily live in the home of her mother with 11 other residents.

On February 21, 2007, the official of the city khokimiat examined the living premises of this family, and issued a report that the family needs a land plot. But the issue remains open for a long time, while numerous complaints by Ms. P.I. to the municipality of Karshi city were futile. The first complaint # 07/5076p- by Ms. P.I. on December 24, 2007, was forwarded by the Ombudsman to the Kashkadarya region khokimiat but the housing issues of the complainant were not resolved. Repeated complaint of the complainant to the Ombudsman was followed-up, and the regional representative of the Ombudsman in Kashkadarya region was assigned to the look into this situation. Based on the outcomes of review, the khokim of the Karshi city allotted 600 sq.m. land plot for home construction in the Yoshlik area to 2 sons of Ms. P.I. with his order #X-183/4.

The collective complaint against the actions of the chairman of Navruz mahalla committee of Oltinsoy village of Oltinsoy district of Surkhandarya region was forwarded by the Authorized Person for Human Rights to the Mahalla Republican Fund (# 903p-13b). The inquiry found the performance of this civil self-governance body to be inadequate, identified the cases of inappropriate management, ungrounded refusal to grant benefits for poor families and financial aid to those in need. The chairman, secretary, and counselor of the mahalla committee were dismissed from their positions.

Ms. Sh. reported her discontent about the actions of the workers of city gas supply company of Kokand city, who refused to re-calculate the natural gas fees after the death of her mother. The Authorized Person for Human Rights requested the Kokand branch of the Uztransgas Company to review this complaint. Field examination confirmed the arguments in the complaint. The offences were redressed and complainant's demands satisfied.

Only the intervention by the Ombudsman helped to resolve the problems of M.L., the resident of Samarkand city (# 2944p-13a). According to the response from the khokimiat of Samarkand region, in the works to remove earth hill dangerously close to the adjacent home at the demand of Samarkand city Emergency Department, part of the buildings owned by the complainant were also demolished to remove the earth and open temporary access. To reconstruct the demolished parts of the building, the khokimiats of Samarkand city instructed the Construction materials combinat LLC to provide construction materials and brick wall was erected but due to the lack of funds reconstruction of non-residential premises was temporarily suspended. Subsequently, Samarkand city municipality assigned Kamilla, a construction and manufacturing firm to build auxiliary premises at complainant's home. Ms. M.L was offered apologies due to the temporary inconvenience caused.

Collective complaint of the residents of Guzar mahalla about illegitimate actions of Kh. Khojayev, the chairman of the civil-self governance body, at the request of the Ombudsman, was reviewed by the prosecutor's office of Tashkent

city (#3070d-13a). As a result, it was established that Kh. Khojaev indeed worked at two PHOCs in violation of the current legislation, and criminal charges were pressed against him according to the Article 207 (1) of the Criminal Code of Uzbekistan.

Residents of several apartment buildings in the 2-kvartal of Chilanzar district complained to the Authorized Person for Human Rights with the request to facilitate annulment of the illegal order to demolish garages and install garbage cans and take measures against K. Bekkulov, the chairman of the mahalla committee, and M. Samiev, chairman of the Sanjar PHOC (# 3320P-13b). At the request of the Ombudsman this complaint was reviewed on field trip, where the arguments were confirmed in the meeting with the residents. Based on the results of the discussion, K. Bekkulov was warned of strict compliance with legislation on individual complaints with regard to provision of answers to the verbal application of mahalla residents and timely information on decisions to be made. The issue of keeping M. Samiev in his position will be decided at the general meeting of the community residents.

Systemic analysis of the complaints received by the Ombudsman in 2008 indicates that preventive efforts to eliminate reasons, which lead to violations of human rights and freedoms, will be effective in case of:

- ***Enhancement of all forms parliamentary oversight including legal mechanisms of the implementation of international standards of human rights into domestic legislation in law enforcement activities of government officials, including the judiciary;***
- ***Overcome the issues of inadequate legal support for the civil society institutions in public oversight of the activities of government bodies including courts and law enforcement bodies;***
- ***Enhance liability and requirements for officials for violation of the legislation on the Ombudsman and individual petitions;***
- ***Timely and professional resolution of the issues raised by the complainants and enhance agency oversight to review individual complaints;***
- ***Ensure coordination of the activities of government bodies and public sector for raising the awareness of citizens and development of comprehensive legal education system for all population groups.***

III. Activities of the Regional Representatives of the Authorized Person for Human Rights of the Oliy Majlis of the Republic of Uzbekistan

The experience demonstrates that the institution of the regional representative of the Ombudsman, being an important element of people's proximity and access

to the resolution of their essential interests is a unique instrument to promote civil rights and liberties.

In the reporting period the institution of the regional representative of the Authorized Person for Human Rights of the Oliy Majlis of Uzbekistan continued to improve and strengthen, beefing up its interaction based on the principles of consolidation to promote social justice and rule of law with region institutions of national partners of the Authorized Person for Human Rights of the Oliy Majlis of Uzbekistan, local self-governance institutions, media, and other civil society institutions. Along with traditional methods of promoting legitimate interests – addressing individual complaints, human rights monitoring, awareness-raising work in the broad population groups, new methods and techniques for implementation of human rights policies of Uzbekistan have also emerged. Notably entire work of the representatives had preventive nature focused both on prevention of infringements of human freedoms by officials as well as improve legal awareness of citizens.

In 2008 the regional representatives received **1,146** petitions both through post and personal meetings including the meetings with miscellaneous population groups. Some of the petitions received locally and forwarded from the central office for review have been resolved, and detailed explanations have been provided on the means and ways to safeguard own rights. As in the previous years, regional representatives of the Ombudsman in Tashkent city, Navoi and Samarkand regions received consistently many complaints.

Individual Complaints received by the Ombudsman’s Regional Representatives

№	Regions	2008	2007	2006	2005
1	Tashkent city	255	249	259	203
2	Andijan region	84	87	69	65
3	Bukhara region	76	67	60	55
4	Jizzakh region	59	45	15	72
5	Kashkadarya region	84	102	80	86
6	Navoi region	140	208	264	143
7	Namangan region	27	20	27	31
8	Samarkand region	162	174	270	275
9	Syrdarya region	42	67	44	29
10	Surkhandarya region	20	65	47	47
11	Tashkent region	59	47	59	20
12	Ferghana region	45	31	33	38
13	Khorezm region	65	60	136	202
14	Karakalpakstan	28	22	14	25
	TOTAL	1146	1244	1377	1291

In the reporting year the trends of increasing number of individual petitions related to socioeconomic issues sent to the local institutions of the Ombudsman

were retained. At the same time, the number of complaints related to civil litigations, property rights, optimization of the governance and management, and work in the elected civil self-governance bodies have substantially increased.

Complaints received by the Ombudsman's Regional Representatives disaggregated by categories

№	Categories of Human Rights	Number of complaints received
1.	Right for life, freedom, privacy, humane treatment, and respect for dignity	111
	Discontent with arrest and detention	17
	Discontent about criminal charges pressed	16
	Regarding transfer of the convicts and detainees to other penitentiary institutions	4
	The issues of amnesty and pardon act	8
	Health services for convicts	3
	Illegitimate actions of the staff of the penitentiary services	2
	Disagreement with the actions of the law enforcement bodies	42
	Discontent with the process of investigation	16
	Replacement of arrest with other preventive measures	3
	Extradition	
2.	Right for fair trial	181
	Disagreement with criminal court sentence	62
	Disagreement with ruling of civil court	83
	Disagreement with ruling of economic court	11
	Non-enforcement of court order	17
	Red tape in trials	8
3	Right to work	103
	Disagreement with dismissal (downsizing) and transfer to another job	43
	Disagreement with actions of management of an institution, organization, and a company	19
	Wage arrears	36
	Obtaining certificates or other records	3
	Labor migration affairs	
	Access to jobs	2
4	Right for Education	20
	Disagreement with the actions of the staff or management of educational institutions	18
	Disagreement with test results	2
	Nostrification of diplomas or graduation certificates	
5	Welfare rights	60
	Complaints about the amount of pension	19
	Pension arrears	

	Retirement upon attainment of minimum age or by nature of occupation	8
	Access to financial assistance and benefits	25
	Access to benefits	8
6	Right for freedom of movement	34
	Residence permit	13
	Naturalization	4
	Deportation	1
	Obtaining passports and other identification documents	16
7	Right for health services and disability benefits	87
	Public healthcare	53
	Disagreement with actions of health workers	13
	Disagreement with diagnosis	11
	Protection of the rights of the disabled	10
8	Family welfare rights	43
	Violation of women's rights	11
	Violation of child's rights	8
	Family and domestic issues	24
9.	Legal services	25
	Disagreement with lawyer's actions	2
	Disagreement with the actions of notary offices	1
	Disagreement with the actions of non-government human rights organizations	6
	Damage compensation	5
	Ownership and inheritance rights	11
10.	Entrepreneur's rights	74
	Violation of entrepreneurs' rights	38
	Access to loans	11
	Violation of farmer's rights	25
11.	Rights of military servicemen, law enforcement bodies, and courts	4
12.	Housing and Utilities	194
	Utilities and Home maintenance	61
	Activities of Private Homeowner Cooperatives	14
	Land allotment	41
13.	Issues related to activities of local authorities, collective farms, and civil self-governance bodies:	88
	Disagreement about decisions and actions of local authorities	64
	Disagreement about decisions and actions of collective farm officials	11
	Disagreement about decisions and actions of civil self-governance bodies	13
14.	Rights of foreign nationals	4
15.	Environmental rights	9
16.	Indexation of funds in bank deposits	2
17.	Freedom of conscience	3
	Discontent about the activities of religious organizations and actions of the clergy	3
	Discontent about limitations of the freedom of conscience	
18.	Improvement of legislation	
19.	Proposals	1

20.	Other matters	103
	TOTAL	1,146

Nature of the complaints to Ombudsman's regional representatives may be divided by the following examples:

Blind disabled (Sh. A and others) residents one of the dormitories in Mirabad district of Tashkent city petitioned to Sh. Shoabdurakhimov, the regional representative of the Ombudsman to facilitate improvement of their living premises. Jointly with district khokimiat, Republican Society of the Blind, and dormitory administration, after comprehensive review of the inquiry of the disabled, the complainants were provided separate living premises, and essential maintenance works were undertaken.

N.S., a resident of Tashkent complained to the regional representative in Tashkent city about the illegal actions of the police. The police officers stopped her vehicle for violation of traffic regulations and used inadequate physical measures, having inflicted damage complainant's vehicle. The regional representative, having reviewed the case, found the arguments of the complainant to be grounded and forwarded the materials to the prosecutor's office. Currently prosecutor's office of Yakkasaray district of Tashkent city is investigating this case.

Ms. Kh.M, a resident of Saykhunobod district of Syrdarya region, a Grade 2 disabled complained to the regional representative after numerous and futile efforts to obtain a landplot to improve living environment of her family. R. Turdiev, the representative of the Ombudsman, took the request very seriously, and after active consultations with the local authorities, the district khokimiats decided to grant a landplot for construction to the complainant.

Ms. G.G., a resident of Shahrisabz, who lost the ability to work, contacted the regional office of the Authorized Person for Human Rights to improve her financial status and provide essential health services. Ombudsman's representative M. Normurodov, after review of the problem, jointly with the khokimiats and healthcare bodies, raised resources to grant an electronic sewing machine for home-based work and health services to the complainant.

Ms. I.M., a resident of Uygur village of Pop district complained to A. Nuritdinov, the regional representative in Namangan region. Taking into account the financial status of complainant's family, the region department of Mahalla foundation provided a carpet, district unit of the Red Crescent – humanitarian aid and medications. In addition, complainant's daughter was given the opportunity of gaining work tenure for providing care to Ms. I.M.

The rights of the group of entrepreneurs (A.I., etc.) were reinstated as a result of complaint to J. Shilmanov, the regional representative in Karakalpakstan,

regarding rehabilitation of Nukus dekhqon bozori disregarding the interests, views, and wishes of the sellers and buyers. After thorough work with the khokimiat officials and design bureau, the changes were made in the initial reconstruction plan enabling 31 stalls to continue their business.

After futile attempts and visits to miscellaneous authorities, Mr. E.S., a resident of Jizzakh city, complained about long wage arrears by local heat company. O. Dosmatov, the regional representative, helped to file legal claims of the complainant to the employer, and as a result, the court ordered the employer to pay the debt and other fees.

I.J., a resident of Jizzakh region reported the offences by the staff of social security office of Jizzakh and Zarbdor districts in their work to the regional representative. After joint review of the cases in the complaint with the number of bodies and organizations, disciplinary charges were pressed against 4 social security officers, and one was subsequently dismissed.

In Andijan region a group of health workers complained to the M. Khujamberdiev, Ombudsman's representative about the abuses by the administration of Markhamat district hospital and dental polyclinic, where 4 rooms were rented out for other purposes despite the acute need to provide surgical and X-ray services to safeguard patients' rights. Based on the findings of the review by the working group of the regional representative and region health department in the framework of Collaboration Agreement between the Ombudsman and Ministry of Health of the Republic of Uzbekistan, A. Shermatov, chief medical officer of central district hospital was sacked.

Monitoring of the compliance with miscellaneous categories of human rights jointly with broad involvement of partner organizations and civil society institutions remains to be an effective form of activities of every regional representative of the Ombudsman. The information and materials based on its findings were forwarded to the headquarters, local authorities, and discussed with broad public involvement.

In the reporting year regional representatives conducted monitoring of the compliance with farmers' rights by engaging the wide circle of government bodies and social institutions involved in addressing the priority issues, which was reaffirmed by declaration of Year 2009 as the *Year of Rural Development and Prosperity*. This review was designed both to safeguard government interests in the agricultural sector and protect land users' rights. Working groups in Syrdarya and Khorezm regions were particularly active in this dimension. Workshops on safeguarding workers' rights and employers' responsibilities were held in the region center and each district.

Notably the report earlier prepared about the findings of monitoring studies was thoroughly reviewed, and based on its findings, recommendations were issued to the local authorities to support regional representative in the monitoring nationwide in Uzbekistan.

In 2008 the regional representatives of the *Authorized Person for Human Rights of Oliy Majlis* of the Republic of Uzbekistan were involved in the working groups on implementation of the amnesty act. The Senate of the Oliy Majlis of Uzbekistan issued the Resolution # 530-1 on *Procedures for Implementation of the Amnesty Act on the Eve of the Seventeenth Anniversary of the Independence of Uzbekistan*. The upper chamber of the parliament determined the procedures for implementation of the resolution on amnesty, where the procedures envisage the involvement of Ombudsman's regional representatives in the public oversight and promoting transparency in application of this humane act. Virtually all regional representatives were involved in the campaign. For instance, the representative of the Ombudsman in Tashkent not only participated in the preparation and conducting orientation workshop but also actively worked in the joint groups at the penitentiary institutions in the Tashkent region. J. Shilmanov, the regional representative in Karakalpakstan conducted monitoring at the detention center of the Main Penitentiary Department of the Ministry of Internal Affairs of Uzbekistan in Nukus, and personally attended the hearings to grant amnesty to 10 persons convicted earlier.

Growing role of the Ombudsman's institution amid building a civil society, the trust of the government and the public determined the inclusion of the Ombudsman in the *Republican Interagency Commission for Human Trafficking Control* for implementation of the Law on *Human Trafficking Control* dated April 17, 2008, and the Resolution # PP-911 on the *Measures to Enhance the Effectiveness of Human Trafficking Control* of the President Republic of Uzbekistan dated July 9, 2008. Regional representatives were also included in the respective interagency commission for human trafficking control in the administrative units, and conducted the range of activities for awareness-raising to prevent these acts that harm human dignity. Furthermore, the representatives were required to inform regularly of the work performed and assistance in the activities of analytical working group. The regional representatives in Andijan and Ferghana regions were most active in the aforementioned period.

The Decree of the President of the Republic of Uzbekistan on the *Programme of Activities dedicated to the 60th Anniversary of the Universal Declaration of Human Rights* enabled the parliamentary Ombudsman to expand the arsenal of measures to influence the officials and expand the means for public oversight on national and regional levels. According to the Article 7 of this Decree of the President, all regional institutions of the Ombudsman and the Institute for Civil Society Studies as well as the staff of the National Center for Human Rights and Institute for Monitoring Current Legislation under the President of Uzbekistan

were actively involved in critical review of the activities of human rights institutions established at territorial units of Prosecutor General's office, Ministry of Justice, and Ministry of Internal Affairs. The regional representatives of the Ombudsman and members of their expert groups were directly involved in the working groups.

Notably a wide range of activities of miscellaneous format and scale were conducted in the year of 60th anniversary of the Universal Declaration of Human Rights. Notably most of them were held in the Year of the Youth in close collaboration with the regional units of partner institutions of the *Authorized Person for Human Rights*, whereas the youth audience prevailed among the participants of the event.

Virtually all regional representatives of the Ombudsman attended the *over-the-intercom* meeting dedicated to the 60th anniversary of the Universal Declaration of Human Rights held by the Ministry of Justice in collaboration with the judiciary and region khokimiats, when a hotline was launched for the populace to call with legal questions. At the initiative of the regional representative in Karakalpakstan, a conference and a roundtable titled *Universal Declaration of Human Rights and Protecting Human Rights in Uzbekistan* were held at the Berdakh State University and Nukus branch of the Tashkent Pediatric Institute. At the initiative of the regional representative, classes on human rights were held at all secondary special academic institutions of Syrdarya region, while a workshop on *Significance of the Universal Declaration of Human Rights* was held at Gulistan State University jointly with the justice department, where the students and the faculty were provided detailed information about the competencies and outcomes of Ombudsman's activities.

The representative in Tashkent city held series of roundtables to improve legal awareness of the youth in all districts of Tashkent jointly with Kamolot Youth Movement, Mahalla Foundation, and *Manaviyat and Marifat* center. N. Khujakulov, the regional representative in Navoi region, jointly with the management of the mining combine, organized a tour for the group of active and well-performing students of the mining college to Tashkent, where meetings in the parliament and with the Ombudsman, cultural programme and tours were organized.

Current practice of interaction between the regional representatives of the Ombudsman with the committees of the parliamentary chambers in the period of oversight activities and review of the issues locally was continued in the reporting period. The Ombudsman's regional representatives were most frequently invited to join these efforts in the regions by the Senate Committee for Foreign Policy Affairs and the Committee on Democratic Institutions, Non-government Organizations, and Civil Self-governance Institutions of the Legislative Chamber of Oliy Majlis. The members of the Legislative Chamber of the Oliy Majlis often

use the resources of the Ombudsman's regional representatives at the meetings in their districts. The members of the lower chamber of the parliament, Akmal Saidov, Yu. Nishonov, R. Tillaboev, and others were actively involved in the activities of the regional representatives in Andijan, Namangan, Kashkadarya, Ferghana, and Khorezm regions. On their side, the regional representatives were involved in the work of the local councils and resolutions of the issues faced by the deputies of the region, city, and district councils.

The Ombudsman, members of the Commission for Compliance with Constitutional Rights and Freedoms and the Expert Council, staff members of the Secretariat shared practical experience not only with the regional representatives and members of their expert groups but the activist and volunteers. in the course of business trips and activities for implementation of the Presidential Decree on Programme of Activities dedicated to the 60th anniversary of Universal Declaration of Human Rights, and conferences and workshops on the subjects such as *Relevant issues of Collaboration of the Ombudsman with Government Bodies and Non-government Organizations for Compliance and Protection of Human Rights, Collaboration of the Ombudsman with the Law Enforcement Bodies and Judiciary, Improvement of Penitentiary System for Oversight and Compliance with Inmates' Rights, Collaboration of the Ombudsman with the Courts and Law Enforcement Bodies for Implementation of Habeas Corpus Mechanism in the framework of the Judicial and Legal Reforms* co-hosted with the national partners in the framework of Cooperation Agreements and the representative offices of OSCE and Konrad Adenauer Foundation.

German MPs, judges and other experts, who attended the aforementioned activities, could directly talk to the regional representatives and members of their expert groups, receiving diverse information on their activities.

Information on regional representatives was placed in the updated website of Ombudsman, yet there is still the acute issue of creation of integrated complaints database of the *Authorized Person for Human Rights*, which will enable to optimize and intensify the activities of regional representatives, inter alia, the Ombudsman institution in general.

All regional representatives have been developing special relations with the media both on region, city, and district levels. Managers, their deputies or correspondents of the provincial media are present virtually in all expert groups. This enables to provide accessible, timely, and comprehensive coverage of the issues of protection and promotion of human and civil rights. All regional representatives and members of their expert groups make monthly statements and publish materials in the local press and electronic media. There are more materials on miscellaneous aspects of the activities of the Ombudsman's representatives on national TV, radio and magazines, and miscellaneous websites. At the same time, some Ombudsman's regional representatives have their permanent columns in

local newspapers and TV programs, while the reports of the Ombudsman's regional representatives to the local councils are published as executive summaries. Enhancement of collaboration of the regional representatives with the media will enable to enhance public awareness on a higher level.

In order to obtain information directly from foreign partners of the Ombudsman, the regional representatives and members of their expert groups were invited to the capital city for roundtables on "*Ombudsman's Activities for Protection of Human Rights: Experience of Uzbekistan and Spain*" and *Activities of the Ombudsman and Its Regional Representative in Protecting Civil Rights: Experience of Uzbekistan and Spain*, and for training at the Summer School on *Improvement of the Activities of the Ombudsman Institution: International Standards*, where the Ombudsman of Hungary delivered a lecture.

In order to promote national policies to uphold human rights and freedoms and share experience with the foreign partners, three regional representatives of the Ombudsman for Andijan, Bukhara, and Ferghana regions went on foreign visits in the delegation of the Ombudsman of Uzbekistan to France to share experience with the French Mediator and attend the work of International Conference of the Ombudsmen in Azerbaijan. As a result of active collaboration with a number of foreign ombudsmen in the European and CIS countries with structures at territorial administrative units, the latter expressed interest in setting up treaty-based relations between them and regional representatives of the Ombudsman of Uzbekistan.

Considering the effective activities and accessibility of the populace, positive assessment of the experience of Ombudsman's regional representatives by the foreign colleagues, in order to provide real support to the regional representatives of the parliamentary Ombudsman, implementation of the work for coordination of the collaboration with local authorities and self-governance bodies, legal awareness-raising, including the officials on various levels, consolidation of efforts with the civil society institutions for implementation of government policies for promoting and protecting constitutional human rights and liberties, it is essential to:

- Approve the current membership of the regional representatives and Statute of the Commission for compliance with constitutional human rights and liberties under the Authorized Person for Human Rights of Oliy Majlis of Uzbekistan at the Kengash (Council) of the parliamentary chambers;
- Address the issue of comprehensive resource-based support on the level of regulatory acts of the Government with active mobilization of regional capabilities;
- Senate members and MPs on all levels, local authorities actively collaborate with the regional representatives, take actions based on the outcomes of the reports heard at the Local Councils, review the petitions

to the Ombudsman's representatives about the actions of the officials for more complete protection of citizens' interests;

- Provide broader coverage of the activities of regional representatives in the local media, giving opportunities for open and complete presentation of the cases of violations of civil rights and freedoms.

IV. Awareness-Raising Activities related to Human Rights

Human rights-related education is an important instrument in creation of law-run governance, and is a guarantee of appropriate implementation of civil rights and freedoms. Legal awareness-raising is a prerequisite for emergence of legal culture of a man and a citizen, and crime prevention.

The system of continuous education and awareness-raising on human rights has been created in Uzbekistan. More than twenty special journals and newspapers of human rights-related subjects are being published in many thousands of copies and the legal platform for protection of human rights are being studied at all schools, vocational colleges, high schools, higher educational institutions.

Recently many new regulations were adopted and amendments were made in the Constitution and current legislation of Uzbekistan. Large-scale reforms are underway in the government, judicial, legal, and socioeconomic domains with the ultimate goal of building a genuinely social and legal government. To this end, awareness-raising activities are amongst the objectives of the Authorized Person for Human Rights of Oliy Majlis of Uzbekistan.

The Decree of the President of the Republic of Uzbekistan # UP-3994 on *Action Programmes dedicated to the 60th Anniversary of the Universal Declaration of Human Rights* dated May 1, 2008 envisages the following measures in this area: introduction to the special course on Human Rights at all universities nationwide; introduction to the practices of service and combat training of the personnel of the Ministry of Internal Affairs and Prosecutor's Office, particularly, young specialists, systematic trainings, classes on protection of human rights; inclusion of a mandatory discipline on international human rights treaties ratified by Uzbekistan to the curricula of the law schools, judge and lawyer training institutions, law enforcement officer and government official training programs. Implementation of special academic programs inter alia, review of domestic and international experience of involvement of the media in protection of human rights in the background of the Universal Declaration of Human Rights to the curricula of higher educational institutions for training and retraining journalists.

The prioritized activities of Ombudsman's institution include the issues of legal education of households and officials, which are implemented by organization and involvement in the awareness-raising activities, publication of human rights-related literature, and media statements.

For implementation of the Decree of the President and support to the legal awareness-raising related to human rights, the Ombudsman implemented a number of activities of educational, organizational, and information nature (*Annex 3*).

In the framework of celebration of the 60th anniversary of the Universal Declaration of Human Rights, the institution of the Ombudsman conducted 4 international conferences, 20 conferences, workshops, roundtables in all regions of the country, published human rights-related materials in the national and local media, and Internet. In the reporting year the Ombudsman institution conducted more than 100 meetings at the educational institutions, workplaces, civil self-governance institutions, to explain legal underpinnings of the socioeconomic and political reforms focused on human rights.

Final conference on the subject *Relevant Issues of Ombudsman's Collaboration with the Government Bodies and Non-government Organizations to Promote Compliance and Protection of Human Rights* was held on January 10-11, 2008, where the results of the field conferences held in all regions in 2 years were discussed. Cooperation Agreement between the Ombudsman and the Association of Judges of Uzbekistan was signed in the course of the conference.

In order to explain the provisions of the new laws on abolition of death penalty and introduction of the Habeas Corpus institution, which took effect since January 1, 2008, the Ombudsman jointly with the OSCE Project Coordinator in Uzbekistan held the series of workshops for the judiciary and law enforcement bodies titled *Collaboration of the Ombudsman with the Law Enforcement and Judicial Bodies* in Urgench, Andijan, Tashkent, Navoi, Karshi, and Jizzakh. In the course of discussions, the workshop participants discussed the improvement of the mechanisms of collaboration of Ombudsman's institution with the judiciary and law enforcement bodies, and the anthology *The Ombudsmen of the World* was presented.

In the reporting year the Ombudsman attached great importance to improvement of law enforcement practices of the judiciary and law enforcement bodies considering introduction of new institutions (long-term and life imprisonment, habeas corpus). To this end, jointly with the Representative Office of the Konrad Adenauer Foundation, conferences titled *Collaboration of the Ombudsman with the Judiciary and Law Enforcement Bodies for Implementation of the Habeas Corpus Mechanism under the Judicial and Legal Reform* (Tashkent, Bukhara, Namangan, Nukus, and Termez cities) and *Improvement of the Penitentiary System for Oversight and Compliance with the Inmates' Rights* (Jizzakh, Karshi, Gulistan, Ferghana, and Samarkand) were held, and the book titled *Protection of Human Rights in Uzbekistan* was distributed. Meetings were held at the penitentiary institutions, discussions were arranged with the staff of the

khokimiats and agricultural workers, the students of higher and secondary special institutions, public organizations, and civil self-governance institutions.

In April 2008 amid celebration of the 60th anniversary of the Universal Declaration of Human Rights, an international conference on *Ombudsman's Activities for Protection of Civil Rights: Experience of Uzbekistan and Spain* was held with involvement of the delegation of the Ombudsman of the Kingdom of Spain headed by Enrique Mugika Herzog, the People's Defender. The participants of the conference were interested in the experience of the Spanish Ombudsman entitled to participate in the Habeas Corpus procedures. Proposals to improve law enforcement practices of the courts and law enforcement bodies for implementation of the new institution of Habeas Corpus were voiced in the course of the conference along with discussion of the issues of bilateral cooperation with the institution of the Ombudsman.

An international conference on *Ombudsman's Activities for Protection of Civil Rights: Experience of Uzbekistan and France* took place on June 3, 2008. Jean-Paul Delevoir, the French Mediator attended the conference and informed of the French experience in the area of compliance and protection of human rights. Members of the parliament and senators, Prosecutor General, Minister for Internal Affairs, heads of the judicial bodies, ministries and agencies, regional representatives of the Ombudsman attended in the conference. The participants learned about the experience of the French Mediator and its local representatives. The need for further experience sharing including the area of activities of the French Ombudsman at the penitentiary institutions was noted.

Considering that professional training of the staff must comply with the requirements of time and processes, the Ombudsman focuses on improving the qualifications of regional representatives, the staff of the Secretariat, and the members of the Expert Council. For implementation of the provisions of the Decree of the President of the Republic of Uzbekistan on *Programme of Activities dedicated to the 60th Anniversary of the adoption of the Universal Declaration of Human Rights* issued on May 1, 2008, a summer school on *Improvement of the Activities of the Ombudsman Institution: International Standards*, organized by the Authorized Person for Human Rights of Oliy Majlis of Uzbekistan jointly with the OSCE Project Coordinator in Uzbekistan. Professor Mate Szabo, the Hungarian Parliamentary Ombudsman for Civil Rights attended as an international expert.

The objectives of the summer school were determined as introduction to the international experiences of ombudsmen's activities, development of practical recommendations to improve the activities related to individual petitions, conduct in-house investigation and preparation of reports as well as preparing recommendations to enhance the effectiveness of the activities of Ombudsman's regional representatives. Regional representatives and members of the commission under the Ombudsman, the staff of the Ombudsman's central office, members of

the Ombudsman's expert groups and its regional representatives, officials of the Ministry of Justice, Ministry of Internal Affairs, Association of Judges, and NTT public television company attended the summer school.

On November 20-21, 2008, the Ombudsman, jointly with the Ministry of Health and Representative Office of the World Health Organization in Tashkent conducted a conference on *Protecting Human Rights and Health* with involvement of the managers of health institutions, health institutions, courts and law enforcement bodies, and medical community. Naygren-Kruk, a WHO expert spoke on international experiences in protection of patients' rights. The conference participants noted the need to improve the legal framework related to patients' rights, strengthened coordination in this area, improved system for expert training, and implementation of international standards. Agreement was reached to conduct a cycle of analogous activities in all regions nationwide.

Ombudsman's institution attended more than 60 conferences, workshops, roundtables, dedicated to the 60th anniversary of the Universal Declaration of Human Rights and organized by the committees of the parliamentary chambers, ministries and agencies, courts and law enforcement bodies, national human rights institutions, non-government non-profit organizations, and academic institutions (Annex 4).

For broad public awareness-raising about the activities of the Ombudsman for protection of civil rights, a video clip in Uzbek, Russian, and English was developed with support of the Representative office of the Konrad Adenauer Foundation. The clip was dedicated to the Ombudsman's activities for protection of civil rights; inter alia, practical work of the Ombudsman and its regional representatives.

For broad awareness-raising for the populace and officials on the functions and objectives of the Ombudsman, the text of the Law on Authorized Person for Human Rights of Oliy Majlis of Uzbekistan and Ombudsman's report for 2007 in Uzbek, Russian, and English were published in the reporting year. These publications were distributed among the government institutions, non-government non-profit organizations, and academic institutions.

Periodical legal publications have an important role in enhancement of the legal culture and provision of broad access to legal information and discussion of the relevant issues of improving governance and judicial system. The Ombudsman was involved in drafting thematic editions of the *Democratization and Human Rights* journal dedicated to the 60th anniversary of the Universal Declaration of Human Rights in the reporting year. The journal includes the articles on Ombudsman's activities, involvement in the international fora on human rights, and the report for 2007.

With the support of the Uzbek Agency for Information and Communications and OSCE Project Coordinator in Uzbekistan, the website of the Authorized Person for Human Rights of the Oliy Majlis of Uzbekistan was updated (www.ombudsman.uz). The website is available in Uzbek, Russian, and English, and informs of the practical activities of the Ombudsman, and contains information on practical activities of Ombudsman's institution, provides introduction to the website visitors with the procedure of petitions to the Ombudsman and its regional representatives, regulations, publications, and Ombudsman's reports.

Currently Uzbekistan is implementing the *National Action Plan for Human Trafficking Control for 2008-2010*. The Ombudsman and its regional representatives are actively involved in the work of the Interagency Commission for Human Trafficking Control. The Ombudsman, the staff of his Secretariat and regional representatives is regularly making presentations on human trafficking control at the conferences and workshops, at schools, lyceums, colleges, universities, and educational institutions, companies, organizations, workers unions, and civil self-governance bodies. Inter alia, Ombudsman's regional representatives in Karakalpakstan, Andijan, Ferghana, Kashkadarya, Syrdarya, Surkhandarya regions and Tashkent city attended and made presentations at the roundtables and practical workshops held locally.

On December 10, 2008, the staff of the Ombudsman's Secretariat and its regional representatives attended the nationwide lesson dedicated to the 60th anniversary of the Universal Declaration of Human Rights, held, inter alia, the National University of Uzbekistan, University of World Economy and Diplomacy, Tashkent State Institute of Law, Andijan State Medical Institute, Jizzakh Pedagogical Institute, Karshi Engineering and Economics Institute, Ferghana Polytechnic Institute, Tashkent University of Agriculture, Gulistan University, Samarkand branch of Tashkent University of Information Technologies, high schools and colleges, schools, and educational centers.

In 2008 in the framework of the cooperation agreement, special courses on *National Human Rights Mechanism* were introduced at the Law Training Centre of the Ministry of Justice by the proposal of the Ombudsman along with introduction of the postgraduate course on *National Human Rights Institutions* at the University of World Economy and Diplomacy. Practical sessions were regularly held at the Higher Academic Courses of the Prosecutor General's Office, Republican Lawyer Training Center of the Ministry of Justice, National University of Uzbekistan, training center of the Council of Federation of the Trade Unions of Uzbekistan, Manaviyat and Marifat center of Tashkent city, where information on the activities of the Ombudsman, parliament, and other human rights institutions were provided.

Master classes on human rights were held for the students of the Academy of State and Public Construction under the President of Uzbekistan, students of the

Tashkent State Law Institute, University of World Economy and Diplomacy, and Navoi Mining College at Ombudsman's Secretariat.

In the framework of implementation of the Memorandum of Cooperation with the Ministry of Justice, 3 roundtables were held for the trainees of the Republican Lawyer Training Center, where anthologies titled *Ombudsmen of the World and Protection of Human Rights in Uzbekistan* were distributed in 2008.

On December 11, 2008, sessions on human rights were organized for the students of the faculty on *Foundation and Principles of Market Economy* of the Academy of State and Public Construction, where the participants were briefed on the activities of the Ombudsman for protection of individual rights, collaboration with the parliamentary committees for improvement of human rights-related legislation,

In the framework of implementation of the cooperation agreement with the University of World Economy and Diplomacy, in 2008 the Ombudsman held 4 master-classes on practical activities for protection of civil rights, and roundtables were conducted with the involvement of the Public Defender of Spain and French Mediator.

Efforts for explanation of the provisions of the Universal Declaration of Human Rights by the university ombudsmen at the National University of Uzbekistan, Tashkent State Agricultural University, Samarkand State University, and Samarkand State Medical Institute have been enhanced. Inter alia, a roundtable dedicated to the 60th anniversary of the Universal Declaration of Human Rights was held at the National University. In the reporting year the university ombudsmen conducted activities focused on legal training of teachers, students, and staff of academic institutions. The regular efforts to review the complaints of the university students and the faculty were started, and reports on the activities were submitted to the Academic Councils of the aforementioned universities.

Greater number of undergraduate and graduate theses of university students is being dedicated to the functioning and activities of the Ombudsman. Students from the University of World Economy and Diplomacy and Tashkent State Law Institute went through internship at the Secretariat of the Ombudsman. Furthermore, in order to support the studies on relevant issues of compliance and protection of human rights, the Ombudsman issued reviews of 1 doctoral and 5 candidacy dissertations.

There is a library containing publications on human rights, reports of the foreign ombudsmen, and other legal publications at the Secretariat of the Ombudsman. Students, doctoral students and research fellows, teachers and scholars, civil servants and workers of public organizations have referred to the Secretariat of the Ombudsman for information and research assistance.

The second edition of the *Ombudsmen of the World* was prepared for publication, which includes the materials on the activities of the foreign and Uzbek ombudsmen, and articles of foreign and domestic scholars and human rights experts. There are plans to distribute this anthology among academic and research institutions, libraries, courts and law enforcement bodies, national and foreign partners of the Ombudsman, and at the meetings with the populace and visits to the penitentiary institutions.

Ombudsman's activities for legal awareness raising were implemented in various forms. Notably the media play an important role in this dimension. With the help of the media, the Authorized Person for Human Rights informs about the institution of the ombudsman, main dimensions of his activities, shedding light to the human rights violations, drawing the attention of the authorities and their officials.

In 2008 the Ombudsman further developed its cooperation with the media. In its work with the media the Ombudsman uses the forms of activities such as distribution of press-releases, production of TV-shows, interviews, and invitation of journalists to the Ombudsman's activities.

More than 200 materials about the activities of the Ombudsman and her interviews were aired and published in the newspapers, national, regional, and district radio and TV stations, *Xalq so'zi*, *Narodnoe slovo*, *Pravda Vostoka*, *Uzbekistan Today*, *Toshkent oqshomi*, *Vecherniy Tashkent*, *Novosti Uzbekistana*, *Inson va qonun*, *Huquq*, *Postda*, *Na postu*, regional and local press; *Democratizatsiya I prava cheloveka*, *Vestnik Konstitutsionnogo suda Respubliki Uzbekistan*, *Huquq va burch*, *Fuqarolik jamiyati*, *Advokat*, websites of information agencies such as UZA, Jahon, Uzreport; aired in the TV programs such as Axborot, Davr, Tahlilnoma, Poytaxt, Parlament soati, Hudud, local TV and radio companies. Information on Ombudsman's activities for protection of human rights was regularly placed in the Internet in the reporting period.

Reports and presentations of the Ombudsman at the international conferences, workshops, roundtables, inter alia, in the publications of the Tashkent State Law Institute, Constitutional Court, Prosecutor General's office, Ministry of Justice, and Ministry of Internal Affairs were published in the publications of the government bodies and higher educational institutions.

The Authorized Person for Human Rights is confident that for further successful efforts in legal awareness raising, it is essential to actively expand the areas of awareness-raising and develop new forms. The Ombudsman determined the following priorities for improvement of awareness-raising activities for 2009:

- Active public awareness-raising on Ombudsman's activities for protection of human rights and freedoms with consideration of the International Year of Human Rights education;
- Improved awareness-raising efforts among population to combat human trafficking, provide information to the victims of human trafficking information on their rights and legitimate interests;
- Expand information-related work with Ombudsman's regional representatives including the meetings with the residents and workers of organizations in the rural areas, and statements in the local media;
- Enhance cooperation with the government bodies, particularly courts and law enforcement bodies, non-government non-profit bodies for awareness-raising on human rights;
- Publication of the series of banners and notes focused on disseminating knowledge of the Ombudsman, its competencies and the procedures.

V. International Cooperation in the Area of Human Rights

In 2008 the activities of the Authorized Person for Human Rights of the Oliy Majlis of Uzbekistan in the area of development of international cooperation were focused on raising the awareness of international community on the processes of enhancement of democratic reforms in Uzbekistan, development of bilateral and multilateral contacts with the Ombudsmen and foreign human rights institutions (*Annex 5*).

In development of international cooperation, the Ombudsman set the following areas:

- Disseminating information on implementation of government policies for human rights and Ombudsman's activities for protection of human rights in Uzbekistan among international community;
- Enhanced cooperation with international organizations, international ombudsman and human rights institutions;
- Expansion and improvement of bilateral contacts with the foreign ombudsmen;
- Monitoring of compliance with international human rights commitments of Uzbekistan.

In the reporting year the Ombudsman met with more than **20** official delegations, representatives of foreign governments and international organizations, international non-government and human rights organizations. Throughout the year the Ombudsman met with the delegations of the European Parliament, State Department, and U.S. Congress, Ministry of Foreign Affairs of

Netherlands, German Bundestag, and the Ombudsmen of Spain, France, and Hungary, ambassadors of Germany, France, and China in Uzbekistan, OSCE Project Coordinator in Uzbekistan, head of WHO office in Uzbekistan. In order to strengthen the cooperation with international human rights organizations and foreign non-government organizations, the Ombudsman organized meetings with the delegations of the Human Rights Watch, Konrad Adenauer Foundation (Germany), and Institute of New Democracies (U.S.).

In the framework of the activities of the International Ombudsman Institution and European Ombudsman Institution, the Authorized Person for Human Rights exchanged information, published the materials of its activities, participated in election of the management bodies, and human rights related activities, and the activities of the Ombudsmen.

Publication of the article on the Uzbek Ombudsman in the anthology *European Ombudsman Institutions* prepared by the Vienna University with the assistance of IOI and EOI is an example of successful collaboration of the Authorized Person with international ombudsman institutions.

Attaching great importance to collaboration with the ombudsmen and Asian human rights institutions, the Authorized Person for Human Rights of Oliy Majlis of Uzbekistan filed an application to be admitted to the Asian Association of Ombudsmen (AAO) as a full-fledged member. This application was reviewed on April 24- 25, 2008, at the meeting of the AAO Board of Directors and the decision was made to include this issue at the next meeting of the General Assembly in 2009. Membership of the Ombudsman in AAO will facilitate improvement of its international standing among the Asian ombudsmen and enhancement of the multilateral contacts, effective implementation of the objectives to expand human rights capabilities of the ombudsman in international cooperation. Information on the process of the review of the application of the Uzbek Ombudsman was published in the December issue of the AOA News Bulletin.

The Ombudsman participated in the seventh meeting of *Uzbekistan – European Union*, the Committee of Parliamentary Cooperation, which was held on November 4-5, 2008 in Brussels. Inter alia, the agenda includes the emergence of democratic institutions and compliance with human rights based on which the Ombudsman provided the information and broad exchange of opinions. The Ombudsman also informed the members of the Committee on the contacts being expanded with the ombudsmen of the EU member-countries.

M. Usmanov, the representative of the Ombudsman, administrator of the Secretariat attended the Fifth meeting of the Uzbekistan – European Union Subcommittee on Justice, Internal Affairs, Human Rights, and adjacent issues held on June 4-5, 2008, in Brussels. The regular dialogue on human rights between the EU and Uzbekistan, based on the principles of equal rights, mutual respect, and

non-interference to the domestic affairs, were continued in the framework of the Sub-Committee. Information on Ombudsman's activities including the events under the 60th anniversary of the Universal Declaration of Human Rights was provided in the course of the meeting of the Sub-Committee and briefing at the Uzbek Embassy in Belgium.

Cooperation with foreign ombudsmen and human rights institutions were determined as the priority of Ombudsman's activities in the reporting year.

Delegations of the Spanish, French, Hungarian ombudsmen visited Uzbekistan in the reporting year.

The delegation of the Spanish ombudsman headed by E. Mugika Herzog, the People's Defender visited Uzbekistan in April 2008. Meetings took place at the Legislative Chamber and the Senate of the parliament, Ministry of Foreign Affairs, Ministry of Internal Affairs, and the Ministry of Justice. This visit was implemented in the framework of the Cooperation Agreement with the Ombudsmen of Uzbekistan and Spain. The delegation of Spanish Ombudsman also visited University of World Economy and Diplomacy.

In June 2008 the delegation of the French Ombudsman headed by the Mediator Jean-Paul Delevoir visited Uzbekistan. The French mediator met with Islam Karimov, the President of Uzbekistan. He also held meetings at the Legislative Chamber and the Senate of Oliy Majlis, Ministry of Foreign Affairs, Ministry of Health, Ministry of Justice, Ministry of Internal Affairs, and the Female Prison in Tashkent city.

Cooperation Agreement between the French and Uzbek ombudsmen were signed in the course of the visit. This Agreement consists of the Preamble and 7 articles. The Agreement envisages broad avenues for cooperation including information sharing, human rights-related legislative acts, arrangement of visits, conferences, and trainings, mutual assistance in safeguarding civil rights and liberties of two nations (Annex 6).

In October 2008 the delegation of the Uzbek Ombudsman reciprocated by visiting France, holding meetings at the National Assembly and the Senate, Ministry of Justice, municipality of Bapom city, along with the visit to a penitentiary institution. The issues related to implementation of the Cooperation Agreement were discussed at the meeting with the French mediator, and an agreement was reached on further development of bilateral contacts including sharing the experience related to the activities of the representatives of the Mediator at the departments and penitentiary institutions.

The Hungarian Parliamentary Ombudsman Mate Szabo visited Uzbekistan in July 2008 in the framework of the project of the OSCE Project Coordinator in Uzbekistan. He held meetings at the Legislative Chamber and the Senate of the

parliament, National Center for Human Rights, the Institute for Monitoring Current Legislation. The Hungarian Ombudsman also attended the Summer school for the regional representatives of the Authorized Person for Human Rights of the Oliy Majlis of Uzbekistan.

At the invitation of the Bulgarian ombudsman, the Authorized Person for Human Rights of the Oliy Majlis attended the international conference on *Human Rights – not only the Platform for Legitimacy but also Justice* in Sofia dedicated to the 60th anniversary of the Universal Declaration of Human Rights. Cooperation Agreement between the Ombudsmen of Uzbekistan and Bulgaria was signed on this visit. The subject of this Agreement is establishment of friendly relations for sharing the experience related to human rights and development of long-term cooperation plans between the ombudsmen of two countries (Annex 7).

Ombudsman's involvement at international conferences and fora is an important aspect human rights-related international cooperation. In the course of the campaign to celebrate the 60th anniversary of the Universal Declaration of Human Rights, the institution of the Uzbek Ombudsman participated in a number of international activities with the reports and presentations.

On April 13-15, 2008, an international conference titled *Contemporary Challenges to the Human Rights and Freedoms* dedicated to the 10th anniversary of establishment of the Ombudsman of the Supreme Rada of Ukraine was held in Kiev. The ombudsmen of more than 40 countries attended the conference. In her presentation the Parliamentary Ombudswoman of Uzbekistan informed the participants of the conference on the activities for celebration of the 60th anniversary of the Universal Declaration of Human Rights in Uzbekistan. In the course of the conference, the Ombudsman held bilateral meetings with the ombudsmen of Sweden, Poland, Azerbaijan, France, Czech Republic, Armenia, and regional ombudsmen of Russia, where the issues of cooperation and information sharing were discussed.

On May 15, 2008, an international conference dedicated to the 20th anniversary of establishment of the institution of the Polish Ombudsman was held in Warsaw. More than 50 overseas partners of the Polish Ombudsman attended the conference including the president of the European Ombudsman Institution, the members of the International Ombudsman institution as well as government bodies and public institutions, OSCE, international human rights organizations. M. Usmanov, the representative of the Ombudsman, and chief of the Secretariat informed the participants of the Conference on the activities of the Ombudsman institution of Uzbekistan including implementation of the provisions the *Presidential Decree on the Programme of Activities dedicated to the 60th Anniversary of the Universal Declaration of Human Rights*.

The 6th international conference of the Ombudsmen on the theme *Human Rights in the Globalized World* organized by the Ombudsman of Azerbaijan with the support of UNESCO was held on June 18-19, 2008 in Baku. More than 50 ombudsmen and their representatives from the European and CIS countries including the U.K., Germany, Netherlands, Czech Republic, Poland, Russia, Ukraine, Georgia, Kazakhstan and Uzbekistan as well as the diplomatic corps, government bodies, non-government organizations and Azeri media attended the conference. Ilkhom Aliev, the president of Azerbaijan hosted a reception for the foreign guests of the conference.

R. Tajiev, the regional representative of the Ombudsman in Ferghana region, in his presentation, reported on the measures implemented in Uzbekistan for protection of human rights, inter alia, adoption of the Decree on Programme of Activities dedicated to the 60th Anniversary of the Universal Declaration of Human Rights, abolition of capital punishment, and introduction of habeas corpus, the activities of the Ombudsman and his regional representatives for protection of civil rights.

From September 29 to October 3, 2008, annual *Conference on Human Dimension* took place in Warsaw attended by the delegation of the Republic of Uzbekistan. The representatives of the official bodies and NGOs of the OSCE member-states, a number of international human rights organizations attended the conference. M. Usmanov, the representative of the Ombudsman, head of the Secretariat spoke at the meeting of the number of sessions of the Conference (on the issues related to the national institutions of human rights and fundamental rights, freedom of congregation and association, gender issues, human rights-related education), where information on practical activities of the Ombudsman to safeguard civil rights was provided.

On October 19 – 24, 2008, M. Tillabaev, the representative of the Ombudsman and a senior referent, attended the 9th international conference of the national human rights institutions in Nairobi (Kenya). International Coordination Committee of the National Human Rights Institutions, UN Higher Commissioner for Human Rights, and National Commission for Human Rights of Kenya with support of the Swedish Agency for International Development (SIDA), Organization of Francophone countries, United Nations Development Programme co-hosted the conference.

On October 19-20 Ombudsman's office also attended the roundtable titled *Role of National Human Rights Institutions and Universal Periodic Report*. The goal of the workshop was discussion of the role of national institutions in the new instrument of the Human Rights Council – Universal Periodic Report, activities of the treaty committees and special procedures, introduction to the practices of the

number of countries, development of proposals to improve the interaction with this body and UN procedures for protection of human rights. Information on submission of Uzbekistan's report to the UN Human Rights Council in the framework of the UPR, its broad discussion among the government bodies, national human rights institutions, and civil society organizations was provided at this discussion.

9th international conference of the national human rights institutions on *National Human Rights Institutions and Justice* was held on October 21-24. The representatives of the national human rights institutions of more than 70 countries, international organizations, international and national non-government organizations as well as Kenyan government bodies attended the conference. R. Odinga, Kenyan Prime minister, Kyuung-Va Kang, deputy UN Higher Commissioner for Human Rights, M. Uhomoibhi, chairman of the UN Higher Commissioner for Human Rights, Council D. Lentry, chairman of ICC of NHRI and other officials attended the opening ceremony.

In the session on *National Human Rights Institutions, Justice, and Dignity of Detainees*, information on the work for celebration of Universal Declaration of Human Rights and the Week of Detainee Rights announced by the initiative of UNHCHR was provided the representatives of national human rights. Also the information of Ombudsman's representative was heard in this session, where the human rights-related activities, inter alia, implementation of the Decree on the *Programme of Activities dedicated to the 60th anniversary of the Universal Declaration of Human Rights*, publication of special literature and texts of international treaties in Uzbek, introduction of special courses at the training centers of the Prosecutor General's office, Ministry of Justice, MIA, the course on *National Human Rights Institutions* at the University of World Economy and Diplomacy were covered.

International session dedicated to the 60th anniversary of adoption of the Universal Declaration of Human Rights was held on December 4-5, 2008. The session was organized by the Representative for Civil Rights of Poland jointly with the Israeli ombudsman, ministries of foreign affairs, culture, and national heritage of Poland and the State museum of Auschwitz-Birkenau. Representatives of the ombudsman institutions of more than 30 countries of the world including D. Muratova, the representative of the Uzbek Ombudsman and senior referent attended the international session. The participants of the international session visited Nazi concentration camp in Auschwitz-Birkenau.

In December 2008 the Ombudsman participated in the 3rd session of the Working Group of UN Human Rights Council in Geneva as a member of Uzbek delegation. Uzbekistan's national report in the framework of Universal Periodic Review was reviewed in the session. The delegation submitted the report to the UN Human Rights Council on implementation of democratic reforms underway in

Uzbekistan, realization of the Programme of Activities dedicated to the 60th Anniversary of the Universal Declaration of Human Rights, and the activities of human rights institutions

Information on broad discussion of the national report by the government bodies, national human rights institutions, and civil society organizations was provided in the course of the discussions. The Council members were informed of the work of national human rights institutions including the measures to improve the legislation as well as the resources and infrastructure of the Ombudsman, measures for establishment of penitentiary ombudsmen, and Child Ombudsman. The delegation of Uzbekistan also attended the jubilee summit of the UN Human Rights Council dedicated to the 60th Anniversary of the Universal Declaration of Human Rights.

Close cooperation of the Ombudsman with the UN Higher Commissioner for Human Rights, UN's special procedural and treaty bodies, UNDP, WHO offices and OSCE Project Coordinator in Uzbekistan were continued in the reporting year.

According to the Article 7 of the Law on Authorized Person for Human Rights of Oliy Majlis of the Republic of Uzbekistan, the Ombudsman is involved in preparation of the national reports of Uzbekistan for implementation of international treaties related to human rights and freedoms. In 2008 the Ombudsman's institution submitted the materials for the Third report on implementation of International Covenant on Civil and Political Rights and the Fourth report on implementation of the Convention on Elimination of All Forms of Discrimination against Women.

The representative of the Ombudsman attended the Interagency Working Group to promote compliance of the law enforcement bodies with human rights, which is designed to monitor implementation of the recommendations of UN treaty bodies. In 2008 the measures for implementation of the recommendations of the UN Human Rights Committee and Torture Committee were discussed, and the activities of law enforcement bodies to safeguard and promote human rights were analyzed.

Notably the concept of comprehensive reforms and liberalization of the judicial and legal system as the most important component of the law-run government is being gradually implemented in Uzbekistan. In 2008 the capital punishment was replaced by life sentence or long imprisonment, which is issued only for 2 crimes: aggravated murder and terrorism in Uzbekistan. This punishment cannot be applied to women and persons under 18 and above 60. Uzbekistan ratified the Second Protocol to the International Covenant on Civil and Political Rights, having once again expressed its firm standing on this issue, and supported the UN Resolution on global moratorium on death penalty in the 62nd session of the UN General Assembly.

Introduction of Habeas Corpus in 2008 is designed to strengthen the liability of investigators and prosecutorial officers in applying the preventive action such as imprisonment, and enhance the authority and independence of the judiciary.

The government of Uzbekistan adopted the Resolution # 207 on the *Measures for Implementation of the Convention of Minimum Age for Employment* on September 12, 2008 and the *Convention on Prohibition and Immediate measures for Elimination of the Worst Forms of Child Labor*, which approved the National Action Plan. Prosecutor General's office, Ministry of Labor and Public Welfare, Ministry of Internal Affairs, region khokimiats are delegated the oversight of prevention of forced labor of children by companies, organizations, and individuals as well as compliance with the norms and conditions of the work of underage citizens according to the legislation. Also monitoring of the prevention of the forcible labor of the school students in cotton picking is envisaged. To this end, working groups consisting of the representatives of the Ministry of Public Education, Ministry of Labor and Public Welfare, Ministry of Foreign Economic Relations, and other agencies are established. Ombudsman's regional representatives also conduct ongoing monitoring of this issue.

In 2008 for protection of the rights and legitimate interests of Uzbek citizens abroad, the parliamentary Ombudsman filed a number of inquiries to the Ministry of Foreign Affairs and Prosecutor General's office of Uzbekistan, and implementing the cooperation agreements with foreign colleagues, contacted the ombudsmen of Russia, Kazakhstan, Kyrgyzstan, and regional ombudsman of the Russian Federation.

In the reporting year the Ombudsman received **207** complaints from foreign nationals and inquiries of foreign colleagues to facilitate redress of infringed human rights and liberties including from the Ombudsman in Russian Federation, regional representatives for human rights in Moscow, Penza, Saratov, Sverdlovsk regions, Altai, and the Ombudsmen of Armenia and Kyrgyzstan.

The examples of successful cooperation and practical assistance of the Uzbek Ombudsman are reflected in the reports and materials of the foreign ombudsmen, inter alia, information on collaboration with the Uzbek parliamentary ombudsman are placed in the annual reports and information bulletins of the People's Defender of Spain, the French Mediator, the Russian Ombudsman, and the Ombudsman of Azerbaijan.

In 2008 the Ombudsman's regional representatives participated in the activities for development of international cooperation, inter alia, they met with the Ombudsmen of Spain, France, and Hungary, who visited Uzbekistan, and held meetings with the representatives of the international and foreign organizations who visited the regions of the country. Ombudsman's regional representative in

Ferghana region attended the international conference in Baku, and regional representatives for Andijan and Bukhara regions traveled to France on a study tour.

The project on *Further Support to the Development of the Ombudsman Institution in Uzbekistan* of the OSCE Project Coordinator in Uzbekistan has been implemented for three consecutive years where workshops and trainings for regional representatives of the Ombudsman and members of expert groups were held, and materials were collected for the second book, namely *The Ombudsmen of the World*. Ombudsman's website is being updated along with the study tour and attendance of the number of international human rights conferences.

Collaboration with the regional Representative office of Konrad Adenauer Foundation in conducting conferences and seminars involving foreign experts were continued in the reporting period.

In order to provide timely information for the international community on the activities of the parliamentary Ombudsman of Uzbekistan, efforts to upload information and materials on the websites of information agencies, human rights institutions, newsletters of ombudsmen organizations were continued. Inter alia, more than 20 pieces of information on the activities of the Authorized Person for Human Rights of the Oliy Majlis of Uzbekistan were placed in the websites and newsletters of the Forum of National Human Rights Institutions, Forum of the Ombudsmen of the Countries-Members of the European Union, Asian Association of Ombudsmen, and Association of the U.S. Ombudsmen.

In the reporting period the Ombudsman's library received the materials from the Office of the UN High Commissioner for Human Rights, International Ombudsman Institute, European Ombudsman Institute, Ombudsman of the European Union, from the offices of the ombudsmen and human rights institutions of Austria, Azerbaijan, Hungary, Greece, Spain, Korea, Netherlands, Portugal, Russia, Czech Republic, France, Finland, Estonia, and other countries.

In 2008 the international human rights-related cooperation of the Ombudsman featured more active bilateral contacts with foreign ombudsmen and enhanced collaboration with international organizations including the involvement in the international human rights forums and conferences. These activities facilitated the dissemination of objective information on protection of human rights in Uzbekistan and Ombudsman's activities in the international community.

In order to strengthen international contacts of the Ombudsman, priorities in international cooperation for 2008 are as follows:

- Conduct human rights-related activities among government bodies, civil society institutions, and broad population groups in the framework of the International Year of Human Rights Education – 2009;

- Cooperation with UN institutions including the mechanism of Universal Periodic Review of the Human Rights Council, treaty committees, and special procedures;
- Review prospects of the inclusion of the national human rights institutions to the International Coordination Committee for enhancement of collaboration with international community of human rights institutions and UN human rights bodies;
- Active implementation of the agreements of cooperation with foreign ombudsmen and strengthening contacts with the International Ombudsman Institute, European Ombudsman Institute including involvement in the celebration of the 200th anniversary of the establishment of the first ombudsman in Sweden;
- In collaboration with the OSCE Project Coordinator in Uzbekistan, UNDP in Uzbekistan, Konrad Adenauer Foundation, organize an international conference and a series of workshops in the regions dedicated to the 15th anniversary of establishment of the Ombudsman in Uzbekistan;
- Review of the prospects of Uzbekistan joining the Optional Protocol of the UN Convention against Torture including the practices of foreign nations, which created the national mechanism for torture prevention based on Ombudsman's activities;
- Review signing and ratification of the UN Convention on the Rights of the Disabled and Optional Protocol with consideration of the Law on *Social Security of the Disabled in Uzbekistan* in new revision in 2008.

Conclusion

As illustrated, entire multilateral activities of the Authorized Person for Human Rights of the Oliy Majlis of the Republic of Uzbekistan in 2008 based on involvement in the public administration reforms implemented via effective collaboration with the government bodies, civil society institutions including political parties and the media as well as international organizations and human rights watchdogs was focused and concentrated on active promotion of government policies to uphold and safeguard the rights and legitimate interests of all members of the society, and enhance processes of evolution of democratic governance with rule of law (Annexes 8, 9).

Without overstatement one can conclude that Year 2008 became the landmark year for the Authorized Person for Human Rights of Oliy Majlis of Uzbekistan and decisive in realization of practical objectives for implementation and concentration of the efforts of the government and entire society on protection of civil and human rights and freedoms nationwide.

Based on the provisions of the Universal Declaration of Human Rights, international standards, universal principles of human rights, national legislation, priorities of own activities as well as objectives and expectations delegated by the government and the society, the Ombudsman of Uzbekistan determined the following actions as foremost for 2009 and medium-run:

1) Further all-out support to the improvement of domestic legislation and effective law enforcement practices of the government bodies and civil self-governance institutions for developing and safeguarding constitutional rights and legitimate interests of Uzbek citizens considering that Year 2009 was declared as the *Year of Rural Development and Prosperity* and given the processes of stronger public monitoring of nation-building process;

2) Enhancement and expansion of human rights-related cooperation with national and foreign partners and civil society institutions in the context of 200th anniversary of the Ombudsman institute as a genuinely democratic body for protection of human rights and liberties.

3) Strengthening the legal status and promoting effective activities of the regional institutions of the Authorized Person for Human Rights of Oliy Majlis and specialized ombudsmen for continuous and complete implementation of all categories of the rights of socially vulnerable groups of the society on national and local level.

Annex 1

Draft Laws involving the Authorized Person for Human Rights of the Oliy Majlis of the Republic of Uzbekistan in the improvement process

№	Draft Law	Parliamentary committees, ministries, agencies, which submitted the draft laws	Date
1.	On Changes and Amendments in the Certain Legislative Acts of the Republic of Uzbekistan for streamlined application of the customs benefits for the property imported by the foreign investors to Uzbekistan for own needs (first reading)	Committee on Budget and Economic Reforms of the Legislative Chamber	January 2008
2.	Rescue service and status of the rescuer	Committee on Defense and Security of the Legislative Chamber	February 2008
3.	Amendments to the Article 109 of the Customs Code of the Republic of Uzbekistan» (first reading)	Committee on Budget and Economic Reforms of the Legislative Chamber	February 2008
4.	Report of the Chamber of Accounts for 2007	Committee on Budget and Economic Reforms of the Legislative Chamber	March 2008
5.	On Changes and Amendments in the Certain Legislative Acts of the Republic of Uzbekistan»	Committee on Legislative and Judicial and Legal Affairs of the Legislative Chamber	April 2008

6.	On Changes and Amendments in the Certain Legislative Acts of the Republic of Uzbekistan due to improvement of the activities of the Ombudsman of the Republic of Uzbekistan	Ministry of Justice of the Republic of Uzbekistan	April 2008
7.	Draft resolution on Qualification of Delinquency in Multiple Offences of the Plenum of the Supreme Court of the Republic of Uzbekistan	Supreme Court of the Republic of Uzbekistan	April 2008
8.	Draft Resolutions of the Plenum of the Supreme Court of the Republic of Uzbekistan on the <i>Practices of the Review of the Criminal Cases on Oversight Level, Practices of Review of the Criminal Cases on Cassational Level, and Qualification of Offences in case of Multiple Crimes.</i>	Supreme Court of the Republic of Uzbekistan	May 2008
9.	Materials on Implementation of the State Budget of Uzbekistan for 2007	Committee on Budget and Economic Reforms of the Legislative Chamber	May 2008
10.	On Investigative Operations (second reading)	Senate Committee on Defense and Security	June 2008
11.	On Changes and Amendments in the Law on Assessment Practices of the Republic of Uzbekistan (first reading)	Committee on Budget and Economic Reforms of the Legislative Chamber	June 2008
12.	On Changes and Amendments in the Criminal Code of the Republic of Uzbekistan due to adoption of the Law on Human Trafficking Control	Committee on Legislative and Judicial and Legal Affairs of the Legislative Chamber	June 2008
13.	On Changes and Amendments in the Law on Insurance Activities in the Republic of Uzbekistan (first reading)	Committee on Budget and Economic Reforms of the Legislative Chamber	July 2008
14.	Draft Resolution on <i>Application of the Universally Recognized Principles and Norms of International Law and International Treaties of Republic of Uzbekistan</i> issued by the Plenum of the Supreme Court of the Republic of Uzbekistan and the Plenum of Higher Economic Court of the Republic of Uzbekistan.	Supreme Court of the Republic of Uzbekistan	August 2008
15.	On Collector Practice (first reading), on Amendments to the Civil Code of the Republic of Uzbekistan and Law on Bank Secrets of the Republic of Uzbekistan due to adoption of Law of the Republic of Uzbekistan on <i>Collection Agency</i> practices (first reading)	Committee on Budget and Economic Reforms of the Legislative Chamber	September 2008
16.	On the Authorized Person for the Rights of the Child of Uzbekistan (Child Ombudsman), On Changes and Amendments in the Certain Legislative Acts of the Republic of Uzbekistan due to adoption of the Law <i>on the Authorized Person for the Rights of the Child (Child Ombudsman)</i> of the Republic of Uzbekistan	Cabinet of Ministers of the Republic of Uzbekistan	October, November 2008
17.	Resolution of the Plenum of the Supreme Court of the Republic of Uzbekistan on <i>Certain Issues of Judicial Practices emerging in Ordering and Undertaking Forensic Examination and Assessment of Examination in Civil Cases</i>	Supreme Court of the Republic of Uzbekistan	October 2008

18.	On Improvement of the activities of the Secretariat of the Authorized Person for Human Rights of Oliy Majlis of Uzbekistan (Ombudsman)	Ministry of Justice of the Republic of Uzbekistan	October 2008
19.	On Changes and Amendments in Tax Code of the Republic of Uzbekistan	Committee on Budget and Economic Reforms of the Legislative Chamber	November 2008
20.	On Changes and Amendments in the Certain Legislative Acts of the Republic of Uzbekistan due to Improvement of the Authorized Person for Human Rights of Oliy Majlis of Uzbekistan (Ombudsman)	Committee on Democratic Institutions, Non-Government Institutions, and Civil Self-governance Institutions of the Legislative Chamber	November 2008
21	Materials on <i>Outcomes of Implementation of the State Budget of the Republic of Uzbekistan in 9 months of 2008</i>	Committee on Budget and Economic Reforms of the Legislative Chamber	November 2008
22.	On Amendments in the Article 10 of the Law on the Guarantees of Protection of Individual Bank Deposits	Committee on Budget and Economic Reforms of the Legislative Chamber	December 2008

Annex 2

Complaints received by the Ombudsman in 2008 and forwarded for review to Miscellaneous Organizations and Resolved Positively

№ п/п	Organizations	Followed-up	Resolved positively
1.	Committee of the Legislative Chamber of the Oliy Majlis of the Republic of Uzbekistan	2	-
2.	Constitutional Court of the Republic of Uzbekistan	2	-
3.	Supreme Court of the Republic of Uzbekistan	57	4
4.	Region criminal courts	10	3
	<i>Kashkadarya region criminal court</i>	1	-
	<i>Syrdarya region criminal court</i>	1	
	<i>Tashkent city criminal court</i>	5	2
	<i>Tashkent region criminal court</i>	2	
	<i>Ferghana region criminal court</i>	1	1
5.	Region and Interdistrict Civil Courts	76	5
	<i>Andijan region civil court</i>	1	
	<i>Bukhara region civil court</i>	5	1
	<i>Jizzakh region civil court</i>	4	
	<i>Kashkadarya region civil court</i>	4	
	<i>Navoi region civil court</i>	3	
	<i>Samarkand region civil court</i>	9	1
	<i>Surkhandarya region civil court</i>	5	
	<i>Syrdarya region civil court</i>	2	
	<i>Tashkent city civil court</i>	31	2
	<i>Tashkent region civil court</i>	4	1

	<i>Ferghana region civil court</i>	3	
	<i>Khorezm region civil court</i>	3	
	<i>Kumkurgan interdistrict civil court</i>	1	
	<i>Mirzo-Ulugbek interdistrict economic court</i>	1	
6.	Military Court of the Republic of Uzbekistan	1	1
7.	Higher Economic Court of the Republic of Uzbekistan	8	-
8.	Region economic courts	1	1
	<i>Ferghana region economic court</i>	<i>1</i>	<i>1</i>
9.	Prosecutor General's Office of the Republic of Uzbekistan	182	25
10.	Region and rayon prosecutor's office	501	64
	<i>Andijan region prosecutor's office</i>	22	4
	<i>Bukhara region prosecutor's office</i>	13	1
	<i>Jizzakh region prosecutor's office</i>	28	4
	<i>Kashkadarya region prosecutor's office</i>	54	6
	<i>Navoi region prosecutor's office</i>	23	
	<i>Namangan region prosecutor's office</i>	15	
	<i>Prosecutor's office of Karakalpakstan</i>	20	2
	<i>Samarkand region prosecutor's office</i>	49	8
	<i>Surkhandarya region prosecutor's office</i>	52	7
	<i>Syrdarya region prosecutor's office</i>	6	1
	<i>Tashkent city prosecutor's office</i>	130	16
	<i>Tashkent region prosecutor's office</i>	50	10
	<i>Ferghana region prosecutor's office</i>	18	1
	<i>Khorezm region prosecutor's office</i>	12	1
	<i>Shaykhontohur rayon prosecutor's office of Tashkent city</i>	2	
	<i>Yunusabad rayon prosecutor's office of Tashkent city</i>	1	
	<i>Yakkasaroy rayon prosecutor's office of Tashkent city</i>	1	1
	<i>Zangiota rayon prosecutor's office Tашкентской region</i>	1	
	<i>Dekhqonobod rayon prosecutor's office Kashkadarya region</i>	2	1
	<i>Shurchi rayon prosecutor's office Surkhandarya region</i>	1	
	<i>Buka rayon prosecutor's office Tашкентской region</i>	1	1
11.	Military Prosecutor's Office of the Republic of Uzbekistan	25	2
12.	Transport Prosecutor's Office	1	-
13.	Ministry of Justice of the Republic of Uzbekistan	5	-
14.	Region justice department	28	2
	<i>Andijan region justice department</i>	2	
	<i>Kashkadarya region justice department</i>	6	
	<i>Navoi region justice department</i>	2	
	<i>Namangan region justice department</i>	2	1
	<i>Samarkand region justice department</i>	3	
	<i>Surkhandarya region justice department</i>	4	
	<i>Tashkent city justice department</i>	1	
	<i>Tashkent region justice department</i>	2	
	<i>Ferghana region justice department</i>	1	1
	<i>Khorezm region justice department</i>	5	

15.	Department for Enforcement of Court Orders under the Ministry of Justice of the Republic of Uzbekistan	35	10
16.	<i>Territorial departments for enforcement of court orders</i>	47	2
	<i>Andijan region department</i>	3	-
	<i>Bukhara region department</i>	1	1
	<i>Jizzakh region department</i>	5	-
	<i>Kashkadarya region department</i>	9	-
	<i>Namangan region department</i>	2	-
	<i>Samarkand region department</i>	2	-
	<i>Surkhandarya region department</i>	6	-
	<i>Syrdarya region department</i>	3	-
	<i>Tashkent city department</i>	3	1
	<i>Tashkent region department</i>	9	-
	<i>Ferghana region department</i>	1	-
	<i>Khorezm region department</i>	3	-
17.	Ministry of Internal Affairs of Uzbekistan	43	8
18.	<i>Region Departments of Internal Affairs</i>	30	4
	<i>Andijan region police department</i>	2	
	<i>Jizzakh region police department</i>	1	
	<i>Kashkadarya region police department</i>	3	
	<i>Navoi region police department</i>	2	1
	<i>Namangan region police department</i>	1	
	<i>Samarkand region police department</i>	2	1
	<i>Surkhandarya region police department</i>	3	1
	<i>Tashkent city police department</i>	8	
	<i>Tashkent region police department</i>	5	
	<i>Khorezm region police department</i>	2	
	<i>Sergeli district police department of Tashkent city</i>	1	1
19.	Main Penitentiary Department of the Ministry of Internal Affairs of the Republic of Uzbekistan	24	2
20.	Department of Entry, Exit, and Naturalization of the Ministry of Internal Affairs of the Republic of Uzbekistan	35	3
21.	Department of Entry, Exit, and Naturalization of Tashkent city	1	1
22.	Ministry of Labor and Social Security of the Republic of Uzbekistan	25	7
23.	<i>Region departments for labor and social security</i>	13	7
	<i>Andijan region department</i>	1	1
	<i>Bukhara region department</i>	2	2
	<i>Jizzakh region department</i>	1	
	<i>Kashkadarya region department</i>	2	2
	<i>Samarkand region department</i>	1	
	<i>Surkhandarya region department</i>	3	1
	<i>Tashkent city department</i>	2	
	<i>Tashkent region department</i>	1	1
24.	Ministry of Health of the Republic of Uzbekistan	28	10
25.	<i>Region and district health departments</i>	11	7
	<i>Jizzakh region health department</i>	1	1
	<i>Kashkadarya region health department</i>	1	1

	<i>Samarkand region health department</i>	2	1
	<i>Surkhandarya region health department</i>	3	2
	<i>Tashkent city health department</i>	1	1
	<i>Ferghana region health department</i>	1	1
	<i>Khorezm region health department</i>	1	
	<i>Territorial health unit of Almalyk city</i>	1	
26.	Ministry of Defense of the Republic of Uzbekistan	7	-
27.	Ministry of Public Education of the Republic of Uzbekistan	11	2
28.	<i>Region educational department</i>	11	1
	<i>Bukhara region educational department</i>	1	
	<i>Kashkadarya region educational department</i>	5	
	<i>Surkhandarya region educational department</i>	3	
	<i>Tashkent city educational department</i>	1	
	<i>Tashkent region educational department</i>	1	1
29.	Ministry of Higher and Secondary Special Education of the Republic of Uzbekistan	12	-
30.	<i>Region department of secondary special and vocational education</i>	1	1
	<i>Surkhandarya region department of secondary special and vocational education</i>	1	1
31.	Ministry of Foreign Affairs of the Republic of Uzbekistan	4	1
32.	Ministry of Emergencies of the Republic of Uzbekistan	1	1
33.	Ministry of Finance of the Republic of Uzbekistan	2	-
34.	Cabinet of Ministers of the Republic of Uzbekistan	15	-
35.	Women's Committee of Uzbekistan	3	-
36.	<i>Region units of Women's Committees</i>	2	-
	<i>Bukhara region unit</i>	1	
	<i>Tashkent city unit</i>	1	
37.	Council of Ministers of Karakalpakstan	2	1
38.	Supreme Council of Karakalpakstan	3	-
39.	Committee for Religious Affairs under the Cabinet of Ministers of the Republic of Uzbekistan	12	-
40.	President's Office of the Republic of Uzbekistan	-	-
41.	Pardon Commission under the President of Uzbekistan	1	-
42.	Commission for Naturalization Affairs under the President of Uzbekistan	-	-
43.	State Tax Committee of the Republic of Uzbekistan	3	-
	<i>Region tax departments</i>	1	-
	<i>Surkhandarya region tax department</i>	1	-
44.	State Customs Committee of the Republic of Uzbekistan	11	-
45.	Banks of the Republic of Uzbekistan	10	-
	<i>Pakhtabank</i>	2	-
	<i>Hamkorbank</i>	1	-
	<i>Ipoteka Bank</i>	1	
	<i>National Bank for Foreign Economic Activities</i>	1	
	<i>Gallabank</i>	1	
	<i>Xalq banki</i>	4	
46.	Region and district khokimiats	352	84
	<i>Andijan region khokimiat</i>	9	2
	<i>Bukhara region khokimiat</i>	8	2
	<i>Jizzakh region khokimiat</i>	13	4

	<i>Kashkadarya region khokimiat</i>	41	12
	<i>Navoi region khokimiat</i>	11	
	<i>Namangan region khokimiat</i>	10	1
	<i>Samarkand region khokimiat</i>	32	8
	<i>Surkhandarya region khokimiat</i>	51	10
	<i>Syrdarya region khokimiat</i>	5	
	<i>Tashkent city khokimiat</i>	87	13
	<i>Tashkent region khokimiat</i>	39	16
	<i>Ferghana region khokimiat</i>	12	1
	<i>Khorezm region khokimiat</i>	7	
	<i>Mirzo-Ulugbek rayon khokimiat of Tashkent city</i>	2	2
	<i>Bektemir rayon khokimiat of Tashkent city</i>	1	1
	<i>Mirabad rayon khokimiat of Tashkent city</i>	2	1
	<i>Sergeli rayon khokimiat of Tashkent city</i>	1	1
	<i>Sobir Rakhimov rayon khokimiat of Tashkent city</i>	1	1
	<i>Chilanzar rayon khokimiat of Tashkent city</i>	1	
	<i>Shaykhontokhur rayon khokimiat of Tashkent city</i>	1	1
	<i>Yakkasaray rayon khokimiat of Tashkent city</i>	1	1
	<i>Khokimiat of Chirchik city of Tashkent region</i>	3	2
	<i>Khokimiat of Almalyk city of Tashkent region</i>	2	2
	<i>Khokimiat of Yangiyul city of Tashkent region</i>	2	1
	<i>Yuqori-Chirchik district khokimiat Tashkent region</i>	2	
	<i>Gijduvan rayon khokimiat of Bukhara region</i>	1	
	<i>Denau rayon khokimiat of Surkhandarya region</i>	2	1
	<i>Jarqurghon district khokimiat of Surkhandarya region</i>	1	1
	<i>Chiroqchi rayon khokimiat Kashkadarya region</i>	1	
	<i>Kitob rayon khokimiat Kashkadarya region</i>	1	
	<i>Koson rayon khokimiat Kashkadarya region</i>	1	
	<i>Ferghana rayon khokimiat Ferghana region</i>	1	
47.	Mahalla Foundation	4	1
48.	Region units of Mahalla Foundation	31	7
	<i>Bukhara region unit</i>	1	
	<i>Jizzakh region unit</i>	2	1
	<i>Kashkadarya region unit</i>	6	2
	<i>Navoi region unit</i>	2	
	<i>Unit in Karakalpakstan</i>	1	1
	<i>Samarkand region unit</i>	2	1
	<i>Surkhandarya region unit</i>	6	
	<i>Tashkent city unit</i>	7	
	<i>Tashkent region unit</i>	2	1
	<i>Khorezm region unit</i>	1	
	<i>Chilanzar district unit of Tashkent city</i>	1	1
49.	Council of Federation of Trade Unions of Uzbekistan	10	-
50.	Region units of the Federation of Trade Unions of Uzbekistan	5	-
	<i>Kashkadarya region unit</i>	2	-
	<i>Tashkent city unit</i>	1	-
	<i>Tashkent region unit</i>	2	
51.	Ombudsmen of other countries		
	<i>Ombudsman of Kyrgyzstan</i>	1	-

	<i>Ombudsman of Kazakhstan</i>	<i>1</i>	<i>-</i>
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Annex 3

Activities of the Authorized Person for Human Rights of Oliy Majlis of the Republic of Uzbekistan in 2008

№	Date	Activity	Organizers
1	10-11 January	International conference on <i>Relevant Issues of Collaboration of the Ombudsman with the Government Bodies and Non-government Organizations for Compliance and Protection of Human Rights</i> , Tashkent city	Ombudsman, Representative office of Konrad Adenauer Foundation
2	8 February	Expanded meeting of the Commission for Compliance with Constitutional Human Rights and Liberties for discussion of the draft report of the Ombudsman for 2007	Ombudsman
3	15 February	Master class on Ombudsman's activities for human rights monitoring for the students of the University of World Economy and Diplomacy	Ombudsman, University of World Economy and Diplomacy
4	28-29 February	Workshop on <i>Improvement of the Penitentiary System for Oversight and Compliance with Convicts' Rights</i> , Jizzakh city	Ombudsman, Main Penitentiary Department of MIA, Representative office of Konrad Adenauer Foundation
5	3-4 April	International conference on <i>Interaction of the Ombudsman with the Law Enforcement Bodies for implementation of Habeas Corpus mechanism</i> in the framework of the Judicial and Legal Reforms, Tashkent city	Ombudsman, Representative office of Konrad Adenauer Foundation
6	18 April	International conference on Ombudsman's Activities for protection of Civil Rights: Spanish and Uzbek experience with the delegation of the Ombudsman of the Spanish kingdom headed by Enrique Mugika Herzog, People's Defender	Ombudsman, People's Defender of Spain
7	24-25 April	Workshop on Improvement of the Penitentiary System for Oversight and Compliance with Inmates' Rights, Karshi city	Ombudsman, Main Penitentiary Department of MIA, Representative office of Konrad Adenauer Foundation
8	29-30 May	Workshop on Interaction of the Ombudsman with the Judiciary and Law Enforcement Bodies for implementation of Habeas Corpus mechanism in the framework of Judicial and Legal Reforms, Bukhara	Ombudsman, Representative office of Konrad Adenauer Foundation
9	3 June	International conference on Activities of the Ombudsman and its Regional Representatives in Safeguarding Civil Rights: Experience of France	Ombudsman, French Mediator

		and Uzbekistan with involvement of the delegation of the French Ombudsman headed by Mediator Jean-Paul Delevoir	
10	11-12 June	Workshop on Interaction of the Ombudsman with the Judiciary and Law Enforcement Bodies for implementation of Habeas Corpus Mechanism, Khiva city	Ombudsman, OSCE Project Coordinator in Uzbekistan
11	26-27 June	Workshop on Improvement of the Improvement of the Penitentiary System for Oversight and Compliance with Inmates' Rights, Gulistan city	Ombudsman, Main Penitentiary Department of MIA, Representative office of Konrad Adenauer Foundation
12	8-9 July	Workshop on Interaction of the Ombudsman with the Judiciary and Law Enforcement Bodies for implementation of Habeas Corpus Mechanism, Andijan city	Ombudsman, OSCE Project Coordinator in Uzbekistan
13	23-24 July	Summer school on <i>Improvement of Ombudsman institution: International Standards</i> for regional representatives and specialized ombudsmen with involvement of Mate Szabo, the Hungarian Ombudsman	Ombudsman, OSCE Project Coordinator in Uzbekistan
14	24-25 July	Workshop on Interaction of the Ombudsman with the Judiciary and Law Enforcement Bodies for implementation of Habeas Corpus mechanism in the framework of Judicial and Legal Reforms, Namangan city	Ombudsman, Representative office of Konrad Adenauer Foundation
15	12-13 August	Workshop on Interaction of the Ombudsman with the Judiciary and Law Enforcement Bodies for implementation of Habeas Corpus mechanism in Tashkent region	Ombudsman, OSCE Project Coordinator in Uzbekistan
16	21-22 August	Workshop on Improvement of the Improvement of the Penitentiary System for Oversight and Compliance with Inmates' Rights, Ferghana city	Ombudsman, Main Penitentiary Department of MIA, Representative office of Konrad Adenauer Foundation
16	4-5 September	Workshop on <i>Interaction of the Ombudsman with the Judiciary and Law Enforcement Bodies for implementation of Habeas Corpus Mechanism</i> , Navoi city	Ombudsman, OSCE Project Coordinator in Uzbekistan
17	19 September	Roundtable with trainees of the Republican Lawyer Training Center	Ombudsman
18	23 September	Roundtable with trainees of the Republican Lawyer Training Center	Ombudsman
19	7 October	Master class on <i>Parliament and Human Rights for the students of the University of World Economy and Diplomacy</i>	Ombudsman, University of World Economy and Diplomacy

20	27-28 October	Workshop on <i>Improvement of the Improvement of the Penitentiary System for Oversight and Compliance with Inmates' Rights</i> , Samarkand city	Ombudsman, Main Penitentiary Department of MIA, Representative Office of Konrad Adenauer Foundation
21	11-12 November	Workshop on Interaction of the Ombudsman with the Judiciary and Law Enforcement Bodies for implementation of Habeas Corpus Mechanism, Karshi city	Ombudsman, OSCE Project Coordinator in Uzbekistan
22	15 November	Master class on Activities of the Ombudsman of the Republic of Uzbekistan for the students of the University of World Economy and Diplomacy	Ombudsman, University of World Economy and Diplomacy
23	17-18 November	Workshop on Interaction of the Ombudsman with the Judiciary and Law Enforcement Bodies for implementation of Habeas Corpus mechanism in the framework of Judicial and Legal Reforms, Nukus city	Ombudsman, Representative office of Konrad Adenauer Foundation
24	20-21 November	Conference on Protection of Human Rights and Health	Ombudsman, Ministry of Health, Representative office of WHO, Europe House
25	27-28 November	Workshop on Interaction of the Ombudsman with the Judiciary and Law Enforcement Bodies for implementation of Habeas Corpus mechanism in the framework of Judicial and Legal Reforms, Termez city	Ombudsman, Representative Office of Konrad Adenauer Foundation
26	25 November	Meeting with students of Navoi Mining College	Ombudsman
27	1-2 December	Workshop on Interaction of the Ombudsman with the Judiciary and Law Enforcement Bodies for implementation of Habeas Corpus Mechanism, Jizzakh city	Ombudsman, OSCE Project Coordinator in Uzbekistan
28	10	Classes on the Universal Declaration of Human Rights at higher academic institutions, colleges, lyceums, schools	Ombudsman, regional representatives
29	11 December	Meeting with the trainees of the Academy of State and Social Construction under the President of Uzbekistan	Ombudsman
30	25 December	Roundtable with trainees of the Republican Lawyer Training Center	Ombudsman

Annex 4

Participation of the Authorized Person for Human Rights of Oliy Majlis of the Republic of Uzbekistan at Miscellaneous Events in 2008

№	Date	Activity	Organizers
1	8 February	Conference on <i>National System of Human Rights</i>	National Center for Human

		<i>Safeguards in Uzbekistan: Current State and Prospects</i>	Rights, UNDP
2	12 February	Workshop on Links of MPs of the Legislative Chamber with the Voters: Legal Platform and Practices	Committee for Legislative and Judicial and Legal Affairs of the Legislative Chamber of the Oliy Majlis
3	15 February	Conference on <i>International Standards in Criminal Execution Legislation and its Application in Uzbekistan</i>	Committee for Foreign Policy Affairs of the Senate of the Oliy Majlis
4	22 February	International conference on Development of Legal Platform of Government Service: German and Uzbek Experience	Constitutional Court, National Center for Human Rights, Friedrich Ebert Foundation (Germany)
5	23 February	Roundtable on Prevention of Youth Offences: Experience in Germany and Uzbekistan	National Center for Human Rights, Ijtimoiy Fikr - Center for Review of Public Opinion, Kamolot – Public Youth Movement of Uzbekistan, Friedrich Ebert Stiftung (Germany)
6	5-6 March	International Conference on Abolition of Death Penalty and Transfer of Power to issue Arrest Warrant to the Courts – an Important Stage in Liberalization of Judicial and Legal Reforms	Regional Policy Foundation, Institute of New Democracies (U.S.), University of East Kentucky (U.S.)
7	13 March	Presentation of the anthology on Main ILO Conventions and Recommendations and publications of the Interparliamentary Union on Child Labor (in Uzbek)	National Center for Human Rights, IPEC project, International Labor Organization
8	14 March	Roundtable on Forms of Cooperation between the Ombudsman and Prosecutor's Office in Protection of Human Rights	Higher Training Courses of Prosecutor General's Office
9	14 March	Expanded meeting of the committee dedicated to the review of implementation of UN Convention against Torture	Senate Committee for Foreign Policy Affairs, Ombudsman
10	18 March	Workshop in Enhancement of Political and Social Activeness of Women in Society's Renewal and Reform	Movement of Entrepreneurs and Businessmen – Liberal Democratic Party of Uzbekistan
11	28 March	Conference on Relevant Issues of Modern International Law: Theory and Practice	University of World Economy and Diplomacy
12	28 March	Conference on Relevant Issues of Implementation of the Convention on the Rights of the Child into the Legislation of the Republic of Uzbekistan	Committee for International and Interparliamentary Affairs, Committee on Democratic Institutions, Non-Government

			Institutions, and Civil Self-governance Institutions of the Legislative Chamber of the Oliy Majlis
13	28 April	Presentation of the book on the Senate of the Oliy Majlis of the Republic of Uzbekistan	The Senate of the Oliy Majlis
14	12 May	Roundtable on Legal Support to the Reform of Bar in Uzbekistan	Committee for Legislative and Judicial and Legal Affairs of the Legislative Chamber of the Oliy Majlis
15	13 May	Conference on Law on the Guarantees of the Rights of the Child and the Mechanism of its Implementation of the Republic of Uzbekistan	Committee on Democratic Institutions, Non-Government Institutions, and Civil Self-governance Institutions of the Legislative Chamber of the Oliy Majlis
16	24 May	Roundtable on 60 th Anniversary of the Universal Declaration of Human Rights	Department for Control of Tax and Currency related Crimes and Money Laundering under Prosecutor General's Office of the Republic of Uzbekistan
17	27 May	Job Fair for Graduates	University of World Economy and Diplomacy
18	28-29 May	International conference on Promoting Security and Stability in Central Asia in the context of Political and Economic Modernization	Institute of Strategic and Interregional Studies under the President of Uzbekistan
19	3 June	Roundtable on Public Control over the Activities of Law Enforcement Bodies	Institute for Civil Society Studies, Ombudsman, Institute for Monitoring of Current Legislation under the President of Uzbekistan, National Center for Human Rights of Uzbekistan
20	5 June	Exhibition of the human rights related publications of the 60 th anniversary of the Universal Declaration of Human Rights	Ministry of Justice, Tashkent State Law Institute
21	11 June	International roundtable on Universal Declaration of Human Rights and Implementation of Freedom of Speech in Uzbekistan	National Center for Human Rights of Uzbekistan, Regional Policy Foundation
22	13 June	Conference on Liability of Government Bodies for Protection of Civil Rights in Samarkand	Higher Training Courses of Prosecutor General's Office, Ombudsman, Institute of Philosophy and Law, Tashkent State Law Institute
23	17 June	International conference on	Ministry of Justice, Supreme

		on Habeas Corpus - Ultimate Guarantee of Human Rights in Criminal Justice	Court, National Center for Human Rights, Friedrich Ebert Foundation (Germany)
24	19 June	Roundtable on Right for Life and Legal Guarantees of Personal Immunity	Institute for Monitoring of Current Legislation under the President of Uzbekistan
25	2 July	Conference on Process of Improvement of Human Right Legislation in Uzbekistan	Higher Training Courses of Prosecutor General's Office, Institute for Monitoring of Current Legislation under the President of Uzbekistan, National Center for Human Rights of Uzbekistan
26	10-11 July	Workshop on Implementation of the Provisions on Transfer of the Power to Issue Arrest Warrant to the Courts (Implementation of Habeas Corpus) in Uzbekistan	Institute for Civil Society Studies, Ministry of Justice, Representative office of Institute of New Democracies (U.S.)
27	23 July	Meeting of the Republican Interagency Commission for Human Trafficking Control	Republican Interagency Commission for Human Trafficking Control
28	25 July	Meeting on Preparation of the National Report of Uzbekistan under Universal Periodic Review	National Center for Human Rights of Uzbekistan
29	19 August	Roundtable on Human Trafficking Control and Rehabilitation of its Victims	Women's Committee of Uzbekistan
30	5 September	Conference on Universal Declaration of Human Rights and Domestic Legislation: Implementation Practices	Ministry of Justice of the Republic of Uzbekistan
31	8 September	Meeting of the Committee on <i>Improvement of Legal Underpinnings of Publishing Activities</i>	Committee on Information and Communication Technologies of the Legislative Chamber of the Oliy Majlis
32	12 September	Roundtable on Safeguarding Human Rights in Penitentiary Institutions	Police Academy
33	17 September	Expanded meeting of the Collegium of the Ministry of Justice, dedicated to the findings of the critical analysis of the activities of the justice bodies on the issues of human rights	Ministry of Justice
34	24 September	Presentation of the booklet on Universal Declaration of Human Rights in Uzbek	National Center for Human Rights of Uzbekistan
35	25 September	Roundtable on <i>Interaction of the Police with Other Law Enforcement and Government Bodies, National Institutions, and Non-Government Organizations in the Domain of Human Rights</i>	Ministry of Internal Affairs of Uzbekistan, OSCE Project Coordinator in Uzbekistan
36	25 September	Conference on <i>Establishment of Research Center – Important Stage of Democratization and Liberalization of Judicial Legislation and</i>	Supreme Court of the Republic of Uzbekistan

		<i>Promoting Independence of Judiciary of Uzbekistan</i>	
37	19-20 September	Training workshop on the <i>Role of Media in Development of Democratic Processes</i> in the Country	Institute for Civil Society Studies
38	15 October	Meeting of the Constitutional Court dedicated to interpretation of Article 3(2) of the Civil Code of the Republic of Uzbekistan	Constitutional Court of the Republic of Uzbekistan
39	20 October	Workshop on Significance of Universal Declaration of Human Rights	Tashkent region justice department
40	21 October	Roundtable on Implementation of the Convention on Elimination of All Forms of Discrimination against Women in the Legislation of the Republic of Uzbekistan	Women's Committee of Uzbekistan
41	23 October	Roundtable on the findings of the monitoring of the Law on Insurance of the Republic of Uzbekistan	Institute for Monitoring of Current Legislation under the President of Uzbekistan
42	24 October	Conference on Protection of Human Rights in the Judicial and Legal Reforms in Nukus city	Higher Training Courses of Prosecutor General's Office, Ombudsman, Institute of Philosophy and Law, Tashkent State Law Institute
43	27 October	Conference on 60 th anniversary of Universal Declaration of Human Rights	Supreme Court of the Republic of Uzbekistan, National Center for Human Rights of Uzbekistan
44	28 October	Roundtable on <i>Development and Improvement of the System of Pro-bono Legal Services to Certain Categories of Individuals: International and National Aspects</i>	National Center for Human Rights of Uzbekistan, Bar Chamber of Uzbekistan, UNDP
45	30-31 October	Roundtable on <i>Interaction of the Police with Other Law Enforcement and Government Bodies, National Institutions, and Non-Government Organizations in the Domain of Human Rights</i> , Ferghana city	Ministry of Internal Affairs of Uzbekistan, OSCE Project Coordinator in Uzbekistan
46	14 November	Expanded meeting of the Collegium of the Ministry of Internal Affairs dedicated to the findings of the critical analysis of the activities of the police for protection of human rights	Ministry of Internal Affairs of Uzbekistan
47	19 November	Roundtable on Collaboration of the Civil Society Institutions and Law Enforcement Bodies in Protection of Civil Rights	Institute for Civil Society Studies, Higher Training Courses of Prosecutor General's Office
48	21 November	Conference on Protection of Human Rights – Main Goal of Judicial and Legal Reforms	Higher Economic Court of the Republic of Uzbekistan
49	21 November	Conference on Relevant Issues of Family: Development Priorities and Prospects	Women's Committee of Uzbekistan,

			Oila (Family) Center
50	25 November	Conference on International Day of Combating Violence against Women	Ministry of Justice of the Republic of Uzbekistan
51	25-26 November	International Conference on Relevant Legal Issues of Democratization of Society and Promoting Human Rights – Experience of Uzbekistan	Ministry of Justice of the Republic of Uzbekistan, National Center for Human Rights of Uzbekistan, Institute for Civil Society Studies
52	27 November	Conference on Constitutional and Legal Guarantees of Human Rights and Liberties	Ministry of Justice of the Republic of Uzbekistan
53	27 November	Roundtable on Safeguarding Human Rights and Judicial and Legal Reforms	Republican Lawyer Training Center, National Center for Human Rights of Uzbekistan, Supreme Court of the Republic of Uzbekistan
54	2 December	Conference on Responsibility of Government Bodies and Officials in Promoting Civil Rights and Liberties	Constitutional Court of the Republic of Uzbekistan, Prosecutor General's Office of the Republic of Uzbekistan
55	9 December	International workshop on Prioritized Dimensions of Monitoring of Civil Society Institutions in Promoting Human Rights, Liberties, and Legitimate Interests	Institute for Civil Society Studies, National Association of Electronic Media, National Center for Human Rights of Uzbekistan, Creative Union of Journalists, Institute of New Democracies (U.S.)
56	9 December	Media forum: Government – media – society: enhancement of civil orientation of media communications	National Association of Electronic Media, Institute for Civil Society Studies, National Center for Human Rights of Uzbekistan, Creative Union of Journalists
57	10 December	Roundtable on the Constitution of the Republic of Uzbekistan for Protection of Human Rights and Freedoms	National University of Uzbekistan
58	10 December	Roundtable on Universal Declaration of Human Rights – Key Legal Document	University of World Economy and Diplomacy
59	10 December	Roundtable on Freedom of Speech – Supreme Value	Committee on Information and Communication Technologies of the Legislative Chamber of the Oliy Majlis, National Center for Human Rights of Uzbekistan
60	10 December	Conference on Universal Declaration of Human Rights: Implementation of International Standards in Domestic Legislation	Tashkent State Law Institute
61	11-12 December	Roundtable on <i>Interaction of the Police with Other Law Enforcement and Government Bodies, National Institutions, and Non-Government Organizations in the Domain of Human Rights,</i>	Ministry of Internal Affairs of Uzbekistan, OSCE Project Coordinator in Uzbekistan

		Khiva	
62	18-19 December	Roundtable on <i>Interaction of the Police with Other Law Enforcement and Government Bodies, National Institutions, and Non-Government Organizations in the Domain of Human Rights, in Samarkand</i>	Ministry of Internal Affairs of Uzbekistan, OSCE Project Coordinator in Uzbekistan
63	24 December	Workshop on <i>Social Security of Children: Prospects, Approaches, and Practical Measures</i>	Republican Center for Social Adaptation of Children, Prosecutor General's Office of the Republic of Uzbekistan, Ministry of Labor and Public Welfare of the Republic of Uzbekistan
64	25 December	Meeting of the Republican Interagency Commission for Human Trafficking Control	Republican Interagency Commission for Human Trafficking Control

Annex 5

The Chronology of International Cooperation of the Authorized Person for Human Rights (Ombudsman) of the Oliy Majlis of the Republic of Uzbekistan in 2008

№	Date	Activity
1	19 February	Meeting with Istvan Ventsel, OSCE Project Coordinator in Uzbekistan
2	19 February	Meeting with Dr. Michele Tailhades, head of WHO representative office in Uzbekistan
3	26 February	Meeting with Kh. Vegener and K.G. Wellmann, the MPs of German Bundestag
4	11 March	Meeting with M. Bek, the member of the German Bundestag, the member of the Committee on Foreign Affairs
5	25 March	Meeting with the delegation of the MFA of Netherlands headed by Special Envoy A. Hamburger
6	16-21 April	Visit of the delegation of the Ombudsman of the Kingdom of Spain headed by Enrique Mugika Herzog, Spanish People's Defender
7	22 April	Meeting with K. Ivkoff, the 2 nd Secretary of the Canadian Embassy in Uzbekistan
8	15 May	Participation of the Ombudsman's representative at the international conference dedicated to the 20 th anniversary of the establishment of the Representative for Civil Rights of the Polish Republic in Warsaw
9	20 May	Meeting with K. Le. Rigoler, the counselor of the Embassy of the French Republic in Uzbekistan
10	1-5 June	Visit of the delegation of the Ombudsman of the French Republic headed by the French Mediator J.P. Delevoir to Uzbekistan

11	3 June	Making Cooperation Agreement with the Mediator of the French Republic in Tashkent city
12	4-5 June	Participation of the representative of the Ombudsman at the Fifth meeting of the Subcommittee Uzbekistan – European Union on justice, internal affairs, human rights, and other adjacent issues in Brussels (Belgium)
13	10 June	Meeting with the German parliamentary delegation headed by Kh. Vegener, the chairman of the Bundestag group on Germany – Central Asia.
14	16 June	Meeting with K.P. Khill, the manager of the Konrad Adenauer Foundation programme for Asian countries
15	18-19 June	Participation of R. Tajiev, the regional representative of the Ombudsman in Ferghana region at the International conference of the ombudsmen on Human Rights in the Globalized World, Baku city (Azerbaijan)
16	4 July	Meeting with the delegation of Human Rights Watch headed by K. Roth, executive director
17	21 July	Meeting with Mate Szabo, the Parliamentary Ombudsman for Civil Rights
18	29 July	Meeting with Marija Sever, the Director of the branch of the Institute for New Democracies (U.S.)
19	19 August	Meeting with Michele Tailhades, the head of WHO office in Uzbekistan
20	22 September	Meeting with R. Waldstein, the official of the Office for Democracy, Human Rights, and Labor of the State Department
21	29 September – 3 October	Participation of the representative of the Ombudsman in the Annual meeting of the OSCE on Human Dimension in Warsaw (Poland)
22	10 October	Meeting with S. Friedrich, Director of the Department for Cooperation with Asian countries of Konrad Adenauer Foundation (Germany)
23	14-21 October	Visit of the delegation of the Uzbek Ombudsman to France for sharing experience with the French Mediator
24	20-24 October	Participation of the representative of the Ombudsman at the 9 th international conference on <i>National Human Rights Institutions and Justice</i> in Nairobi (Kenya)
25	31 October	Meeting with E. Yeggle, MP of European Parliament
26	4-5 November	Participation of the Ombudsman at the 7 th meeting of the Committee for Parliamentary Cooperation Uzbekistan – European Union in Brussels (Belgium), meeting with the federal ombudsman of Belgium
27	17 November	Making cooperation agreement with the Ombudsman of Bulgaria, Sofia
28	17 November	Participation of the Ombudsman at the international conference on Human Rights – Platform for not only Legitimacy but also Justice in Sofia, Bulgaria
29	4-5 December	Participation of the representative of the Ombudsman at the International session on Human Rights dedicated to the 60 th anniversary of Universal

		Declaration of Human Rights, Krakow, Poland
30	8-15 December	Participation of the Ombudsman in the delegation of the Uzbekistan in the work of the 3 rd session of the Working group of the UN Council for Human Rights, Geneva (Switzerland)
31	16 December	Meeting with the staff of the Committee on Foreign Affairs of the House of Representatives of the U.S. Congress
32	23 December	Meeting with M. Mayer, the Ambassador Extraordinary and Plenipotentiary of Germany
33	24 December	Meeting with Yuy Khunztuyan, the Ambassador Extraordinary and Plenipotentiary of the People's Republic of China

Annex 6



COOPERATION AGREEMENT
between the Authorized Person for Human Rights of the Oliy Majlis
(Ombudsman) of the Republic of Uzbekistan and the Mediator of the French
Republic

COOPERATION AGREEMENT
between the Authorized Person for Human Rights of the Oliy Majlis
(Ombudsman) of the Republic of Uzbekistan and the Mediator of the French
Republic

The Authorized Person for Human Rights of the Oliy Majlis (Ombudsman) of the Republic of Uzbekistan and the Mediator of the French Republic (hereinafter - Parties),

Guided by the generally recognized principles and the norms of international law and domestic legislation of the countries represented by the Contractual Parties,

Striving to establish contacts and collaboration within their competency,

Based on the need to improve the mechanism for protection of human rights and strengthening democratic foundation in own countries;

Considering the importance of establishment of friendly collaboration focused on sharing experience related to safeguarding human rights in the countries and discussion of the activities implemented by both institutions,

Have agreed as follows:

Article 1

Parties shall cooperate in the following areas:

- Sharing information related to safeguarding human rights and liberties;
- Sharing legislative acts related to organization, competence and activities of the Parties, and other human rights acts;
- Providing mutual information on important decisions of the government bodies related to the activities of the Parties;
- Arranging visits, conferences, and trainings;
- Providing mutual assistance in safeguarding the rights and liberties of the citizens of the States-parties;
- Establishing contacts related to the membership of the Parties in international organizations for safeguarding human rights and liberties;
- Joint publications.

Article 2

Each of the Parties may accept and fulfill the request of another Party to provide information. In case the submission of information infringes the legislation, public safety and public order, Parties can reject the request.

Article 3

Parties shall facilitate adoption of joint measures to expand cooperation with international ombudsman institutions and other international organizations and inform each other about the activities in progress.

Article 4

The Parties can develop and implement programs of visits, internships, and other training activities for training of the staff of both Parties, facilitating interagency cooperation on national and international level, and conduct mutual meetings to exchange experience and provide mutual practical assistance.

Financial and organizational issues of cooperation are agreed on by the Parties in each specific case.

Article 5

Parties or their authorized representatives will, in coordination, conduct meetings to summarize implementation of this Agreement and determine the new dimensions of cooperation.

Article 6

Communication and the information provided will be in the state languages of the Parties with translation into English and Russian.

Article 7

This Agreement takes effect on the day of signing. The agreement is made for 5 years and will be valid for subsequent five years unless one of the Parties will inform the other Party about its intention to terminate it at least 3 months before expiry of the appropriate period.

Made in the city of Tashkent on June 3, 2008, in two copies in Uzbek and French, and both texts shall be equally authentic.

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

The Mediator of the

Sayora Rashidova

J.P. Delevoir

COOPERATION AGREEMENT
between the Authorized Person for Human Rights of the Oliy Majlis
(Ombudsman) of the Republic of Uzbekistan and the Ombudsman of the
Republic of Bulgaria

The Authorized Person for Human Rights of the Oliy Majlis of the Republic of Uzbekistan and the Ombudsman of Bulgaria (hereinafter-Parties), having recognized the importance of establishment of friendly cooperation focused on sharing experience related to protection of human rights in their countries and discussion of the activities of both institutions,

Agreed on the following:

Article 1

Parties shall cooperate in the following areas:

- Sharing information related to safeguarding human rights and liberties;
- Sharing information and best practices related to good governance and activities of central and local bodies to safeguard human rights and liberties;
- Sharing legislative acts related to organization, competencies, and activities of the Parties, and other human rights acts;
- Providing mutual information on important decisions of the government bodies related to the activities of the Parties;
- Arranging visits, conferences, and trainings;
- Providing mutual assistance in safeguarding the rights and liberties of the citizens of the States-parties;
- Establishing contacts related to the membership of the Parties in international organizations for safeguarding human rights and liberties;
- Cooperation for establishment and development of contacts among the bodies for protection of civil rights established at the universities in the home countries of the Parties;
- Joint publications.

Article 2

Each of the Parties may accept and fulfill the request of another Party to provide information. In case the submission of information infringes the legislation, interests of public safety and public order, Parties can reject the request.

Article 3

Parties or their authorized representatives will hold meetings upon agreement to summarize the outcomes of implementation of this Agreement and determine new areas of cooperation.

Article 4

Parties shall exchange experts based on the agreed plan.

Article 5

Parties shall agree on financial and organizational issues of cooperation in each individual case.

Article 6

Communication and information sharing shall be in the state languages of the Parties with translation into English and Russian.

Article 7

This Agreement takes effect on the day of signing. The agreement is made for 5 years and will be extended for subsequent five years unless one of the Parties will inform the other Party about its intention to terminate it at least 3 months before expiry of the appropriate period.

Made in the city of Sofia on November 17, 2008, in two copies in Uzbek, Bulgarian, and English, and all texts shall be equally authentic.

**Authorized Person for Human Rights
of the Oliy Majlis
of the Republic of Uzbekistan
S. Rashidova**

**Ombudsman
of the Republic of Bulgaria
G. Ganev**

COOPERATION AGREEMENT
for promotion and protection of Human Rights and Liberties
between Prosecutor's General office of the Republic of Uzbekistan and
the Authorized Person for Human Rights of the Oliy Majlis (Ombudsman) of
the Republic of Uzbekistan

26 December 2008

City of Tashkent

Prosecutor General's Office of the Republic of Uzbekistan (hereinafter – Prosecutor General's office) acting in accordance with the Law on *Prosecutor's Office* of the Republic of Uzbekistan, and the Authorized Person for Human Rights of the Oliy Majlis of the Republic of Uzbekistan (hereinafter - Ombudsman), acting in accordance with the Law on *the Authorized Person for Human Rights of the Oliy Majlis (Ombudsman) of the Republic of Uzbekistan*, hereinafter named Parties,

- supporting systemic and consistent transformation in Uzbekistan focused on building democratic governance with rule of law and strong civil society centered on individual, his rights and freedoms;
 - intending to enhance collaboration for protection of human rights and freedoms;
- agreed as follows:

I. Forms of Collaboration

1. For collaboration in the framework of this Agreement, the Parties shall:

exchange information on the violations of human rights and liberties every six months.

Prosecutor General's office shall inform the Ombudsman on the findings of the oversight of compliance with human rights and liberties and the measures taken to defend them;

Ombudsman shall provide information on the petitions received, the nature and trends of infringements human rights and liberties;

- Undertake joint reviews including field trips based on the reports and complaints on most appalling violations of human rights and freedoms;
- Review the outcomes of the efforts for protection of the basic human rights and freedoms and develop plans of joint activities to enhance interaction in this area;

- Invite the representatives of the Parties to the activities and the meetings of the collegiums to discuss human rights and freedoms;
 - Conduct consultations for prevention of the human rights and freedoms and redress of violated rights;
 - Implement joint projects focused on promoting human rights and liberties;
 - Develop proposals for further improvement of the regulatory framework and mechanisms to safeguard human rights and interests;
 - Organize and conduct roundtables, workshops, conferences;
 - Conduct joint activities to shed light on the issues of safeguarding human rights and freedoms in the media;
 - Facilitate involvement of the public and non-government non-profit organizations to improve law enforcement practices to safeguard human rights and liberties;
 - Implement cooperation in other forms.
2. In the framework of cooperation, the Parties jointly review the causes of most frequent offences of human rights and liberties, discuss them and develop measures to eliminate them at the joint meetings.
 3. To improve the work with individual petitions and ensure centralized record-keeping:
 - The Ombudsman shall forward individual complaints and applications to be verified by the prosecutor's bodies directly to the Prosecutor General's office;
 - Prosecutor's office maintains centralized records of these complaints and informs the Ombudsman about the outcomes of the review by legally established deadlines.
 4. The Parties shall establish permanent working groups consisting of their representatives to achieve the objectives of this Agreement.
 5. Collaboration between region prosecutor's offices and equivalent prosecutorial bodies and Ombudsman's regional representatives shall also be in the framework of this Agreement.

II. Term of this Agreement

6. This Agreement shall take effect from the day of signing.
7. The parties can make essential changes and amendments in this Agreement, which are recorded in the respective minutes and constitute inherent part of this Agreement.
8. This Agreement can be terminated at the consent of the Parties or by initiative of one Party. One Party must inform the other Party about termination of this Agreement at its own initiative at least 6 months before termination.

9. This Agreement is made in two copies in Uzbek and Russian, both equally authentic. One copy is kept at Prosecutor General's Office, another at the Authorized Person for Human Rights.
10. The Agreement on Collaboration for Protection of Human Rights and Freedoms between the Prosecutor's Office of the Republic of Uzbekistan and the Authorized Person for Human Rights of the Oliy Majlis of the Republic of Uzbekistan made on April 20, 2000, shall be considered expired.

**Prosecutor General
of the Republic of Uzbekistan**

R. Kh. Kadirov

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

Sayora Rashidova

COOPERATION AGREEMENT
for Promotion and Protection of Human Rights and Freedoms
between the Authorized Person for Human Rights of the Oliy Majlis
(Ombudsman) of the Republic of Uzbekistan and the Association of Uzbek
Judges

The Authorized Person for Human Rights of the Oliy Majlis of the Republic of Uzbekistan and the Association of Uzbek Judges (hereinafter-Parties),

Acting within the authority granted in the framework of the legislation of the Republic of Uzbekistan,

Guided by the Constitution, laws and international treaties of the Republic of Uzbekistan as well as generally recognized principles and standards of international law in the area of human rights;

Striving to establish mutually beneficial collaboration in the framework of their competence;

Considering the interest in joint resolution of the problems emerging in the justice related to human rights without interfering to the court affairs;

Agreed as follows:

Article 1

The subject of this Agreement shall be collaboration of the Parties to promote human rights and liberties, and developing measures to prevent human rights offences in the judicial system and taking actions to redress them.

Article 2

The Parties shall collaborate in the following areas:

- Joint monitoring of the compliance with the legislation on human rights and liberties of the Republic of Uzbekistan;
- Joint analysis of the individual complaints related to violations of their rights and freedoms by the action (inaction) of the court officials;
- Joint summarization and analysis of the situation to promote compliance with human rights and freedoms in the judicial process and enforcement of court rulings;
- Regular exchange of information on the activities of the Parties to protect human rights and liberties.
- Joint involvement in the meetings, workshops, and trainings conducted by each of the Parties on the issues related to the protection and compliance with human rights;

- Interaction in the area of information and awareness-raising activities related to human rights focused on enhancement of legal culture among the judiciary and households;
- Coordination of international cooperation activities;
- Parties making joint proposals related to compliance and protection of human rights and freedoms to the government bodies;
- Joint statements in the media including on *Huquqshunos* journal on compliance and protection of human rights.

Article 3

The Parties shall set up permanent working groups on national and regional levels consisting of the representatives of the parties for effective collaboration.

Article 4

Based on mutual consent of the Parties, changes and amendments can be made in this Agreement and recorded in separate minutes, which shall be inseparable elements of this Agreement.

Article 5

Parties shall conduct regular bilateral consultations for oversight of the implementation of this Agreement and coordination of further cooperation.

Article 6

The Parties shall continuously provide mutual assistance and support in addressing the objectives and implementation of the areas of cooperation determined in this Agreement.

Article 7

All disputes and differences for application and interpretation of the provisions of this Agreement are resolved by negotiations and consultations among the Parties.

Article 8

This Agreement takes effect on the day of signing. The agreement is made for indefinite period and may be denounced by any Party. The Agreement shall expire three months after receipt of the notice by one Party from another Party to terminate.

Made in Tashkent city on January 11, 2008, in two copies in the state language.

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

**Chairman, Association of Uzbek
Judges**

S. Rashidova

Z. Khudoyqulov

The text of the report of the Authorized Person for Human Rights of the Oliy Majlis (Ombudsman) of the Republic of Uzbekistan for 2008 is available at the following website: www.ombudsman.uz.