

**Annual Activities Report**

**of the Ombudsman of the Republic of Uzbekistan for 2017**

**Tashkent – 2018**

*For internal use*

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**Introduction**

The year of 2017 was, with no exaggeration, defining and of historical significance for the country. Every day was filled with a special content and deep meaning. The verified, good and creative, in many respects unprecedented and cardinal decisions adopted by the President of the Republic of Uzbekistan Sh.M. Mirziyoyev instilled confidence in citizens, strengthened their confidence in government bodies, contributed to the effective realization of human rights and freedoms, ensured the active participation of the general population in the process of public administration.

The Action Strategy on the Five Priority Areas of the Development of the Republic of Uzbekistan for 2017–2021 adopted by the nationwide discussion (hereinafter referred to as the Action Strategy) consolidated the society towards the construction of a democratic state of rule of law and fair civil society. The proclamation of 2017 as “The Year of Dialogue with the People and Human Interests” created the conditions for open discussion of issues of the socio-political and socio-economic life of the country. During the year, 29 laws and more than 900 other legal acts were adopted in the country, the essence and content of which purposefully developed the following principles of the ongoing transformations: “The human interests are primary”, “Not the people should serve the state bodies, but the state bodies should serve the people” as well as the well-known truth “The richer the people, the stronger the state”.

The landmark results of a direct dialogue with citizens were the introduction of free conversion of national currency and biometric international passports, strengthening the system of social protection of the population, ensuring the independence of the judiciary and the media, the rule of law in the implementation of judicial and investigative measures. Along with these, it is worth of mentioning some state decisions that are no less important for specific circle of individuals, including the acts of the President on granting citizenship of the Republic of Uzbekistan to 1,128 individuals and pardoning 2,700 people.

The focus of the state and society was on further improving the system of state protection of human rights and freedoms. In 2017, the Law of the Republic of Uzbekistan “On introduction of amendments and changes to the Law of the Republic of Uzbekistan “On the Authorized Person of the Oliy Majlis of the Republic of Uzbekistan on Human Rights (Ombudsman)” was adopted. The law gave the Ombudsman additional powers and mechanisms to implement effective protection of human rights in accordance with the UN Paris Principles. Also, the Joint Resolution of the Councils of both Chambers of the Oliy Majlis of the Republic of Uzbekistan approved the provisions “On the Commission for the Observance of Constitutional Rights and Human Freedoms under the Ombudsman of the Republic of Uzbekistan” and “On the Ombudsman of the Republic of Uzbekistan in the Republic of Karakalpakstan, regions and the city of Tashkent”.

The Decree of the President of the Republic of Uzbekistan “On additional measures to strengthen the guarantees of the rights and freedoms of citizens in judicial and investigative activities” and the “Action Plan (“Road Map”) for Promoting the Initiatives of the Republic of Uzbekistan put forward at the 72nd UNGA session as well as the implementation of the agreements reached as a result of discussions with Zeid Ra’ad Al Hussein, UN High Commissioner for Human Rights, on September 18-20, 2017 in New York City” were of fundamental importance for the development of the system of ensuring human rights in the country. According to the documents, government decisions were issued for the implementation of the National Mechanism for the Prevention of Torture under the Ombudsman and its exercising of parliamentary control over the observance of the rights and freedoms of persons serving sentences in penitentiary institutions, detainees, and those under administrative arrest.

In the framework of the implementation of these decisions, the Ombudsman, together with the Chambers of the Oliy Majlis of the Republic of Uzbekistan, developed and approved the “Schedule for conducting the monitoring of measures to prevent torture and other cruel, inhuman or degrading treatment or punishment”.

In 2017, the dialogue with international and foreign human rights institutions was actively developed. The UN Secretary-General, the UN High Commissioner for Human Rights, the UN Special Rapporteur on Human Rights on Freedom of Religion or Belief, the Secretary-General of the Organization for Security and Cooperation in Europe, representatives of the Human Rights Watch and other organizations visited Uzbekistan. The Resolution of the President of the Republic of Uzbekistan “On measures for further strengthening and developing cooperation of the Republic of Uzbekistan with the UN and its structures, international financial institutions and other foreign policy partners” and approved by the Joint Resolution of the Councils of both chambers of the Oliy Majlis “An action plan to further develop cooperation with the Office of the United Nations High Commissioner for Human Rights” served as the basis for strengthening this constructive dialogue.

This annual report includes materials on the development of the state policy in the field of human rights and freedoms, and all activities of the Ombudsman conducted in 2017 with regards to the implementation of the State Program for the implementation of the Action Strategy in the “Year of Dialogue with the People and Human Interests”, improving the legislation, considering the appeals of physical and legal entities, monitoring the observance of human rights and freedoms, improving the legal culture of citizens, strengthening cooperation with civil society organizations, international and foreign human rights institutions, informing the public on the implementation of international treaties on human rights and freedoms by the Republic of Uzbekistan. The report also contains information on the activities of the Commission on the observance of constitutional human rights and freedoms under the Ombudsman and its representatives in the regions of the country.

The Ombudsman thanks the Institute for Monitoring the Current Legislation under the President of the Republic of Uzbekistan, the Commissioner under the President of the Republic of Uzbekistan for the Protection of the Rights and Legitimate Interests of Business Entities, the National Human Rights Center of the Republic of Uzbekistan, “Ijtimoiy Fikr” Public Opinion Research Center, General Prosecutor’s Office, Supreme Court, Ministry of Internal Affairs, Ministry of Justice, other ministries and departments, the Women’s Committee of Uzbekistan, the Youth Union of Uzbekistan, the “Mahalla” and “Nuroniy” foundations, and the Council of Ministers of the Republic of Karakalpakstan, Khokimiyats of regions and Tashkent city for their assistance in the preparation of this Report.

**I. Development of state policy in the field of human rights and freedoms**

The Action Strategy on the Five Priority Areas of the Development of the Republic of Uzbekistan for 2017–2021, adopted at the initiative of President Sh. M. Mirziyoyev, has brought the processes of democratic development of the country to a qualitatively new level. As part of the practical implementation of the program document, 29 laws and over 900 bylaws were adopted in 2017. These decisions contributed to the further improvement of the system of ensuring personal, political, economic and social rights and freedoms of a person and a citizen.

***In the area of personal rights and freedoms of a person and a citizen:***

*- strengthening the independence of the judiciary and improving access to justice.* The Supreme Judicial Council was established, which is tasked to form the judiciary, ensure the immunity of judges and non-interference to their activities, organize the training of candidates and judges. A mechanism has been introduced for the appointment (election) of judges for the initial five-year and next ten-year terms, subsequently for an indefinite period of tenure. The procedure for the return of criminal cases by the courts to an additional investigation has been abolished. A simplified procedure for pre-trial and trial proceedings has been introduced for “crimes that do not represent a great public danger”. The institute of the return of criminal cases for additional investigation by the court has been liquidated.

310.5 thousand (33.3 percent) cases in courts were considered during the field sessions, acquittals were issued against 215 persons;

*- improving the system of ensuring the rights to liberty and personal integrity, protection from encroachments on honor and dignity.* Criminal punishment in the form of arrest in favor of using non-custodial types of punishment has been abolished; terms of detention of suspected perpetrators of crime have been reduced from 72 to 48 hours; application of preventive measures in the form of detention, house arrest, preliminary investigation - from 1 year to 7 months; additional organizational and legal measures have been taken to strengthen the guarantees of the rights and freedoms of citizens in judicial and investigative activities, a separate criminal liability for the falsification of evidence has been introduced; investigation isolators and temporary detention isolators will be equipped with video surveillance equipment.

The Parliamentary Ombudsman, in accordance with the Paris Principles, is vested with additional powers to perform the functions of the national preventive mechanism.

According to the Decree on Amnesty in Connection with the 24th Anniversary of the Adoption of the Constitution of the Republic of Uzbekistan dated October 12, 2016, 39,748 persons were exempted from criminal liability and criminal punishment; as well as in accordance with the Decree of the President of the Republic of Uzbekistan, 2,700 persons convicted by a court decision were pardoned, including 956 persons were released from penal institutions.

During the period, more than 3.5 thousand criminal cases were terminated, under the guarantee of the citizens’ self-governing bodies or public organizations, 63 persons were released from custody in the courtroom, 11 were discharged, a softer punishment was applied to 97 persons, the crime rate decreased by 14 percent.

*- development of the system of ensuring the right to freedom of movement.* A decision was made to cancel the procedure for issuing a sticker permitting the citizens to exit the border of the Republic of Uzbekistan;

***In the sphere of political rights and freedoms of a person and a citizen:***

*- improving the system of ensuring the rights of citizens to participate in public administration,* and exercising public control over the activities of state bodies. A mechanism for a broad discussion of draft laws and adopted legal acts and government programs was introduced on the Single portal of interactive government services. The Agency of Public Services was established, which involves the implementation of 58 different types of services. The concept of administrative reform and the decision to revise the activities of more than 100 executive authorities have been adopted. The Law of the Republic of Uzbekistan “On Countering Corruption” came into force, and a comprehensive program has been developed and is being implemented to prevent this phenomenon. A procedure has been established for the chambers of the Parliament to semi-annually hear the information of the Ministers of the Interior, Foreign Affairs and Health. Similarly, local representative bodies and citizens’ self-governing bodies hear information and reports of the chiefs of state bodies, territorial divisions of ministries and authorities on the sites;

*- developing the system for ensuring rights to appeal to state bodies.* The activities of the Virtual Reception Office of the President of the Republic of Uzbekistan (more than 1.4 million appeals received) were organized, “People’s Receptions of the President of the Republic of Uzbekistan” were established in each territorial-administrative unit of the country, “People’s Receptions” were created in the state authorities and in their territorial branches. The procedure for citizens to appeal to state bodies has been drastically simplified, the responsibility of officials of state bodies for the timely and high-quality consideration of complaints has been determined.

***In the field of economic rights and freedoms of a person and a citizen:***

*- Strengthening the system of protection of private property, the development of entrepreneurial and investment activity.* The institution of the Ombudsman for protecting the rights and legitimate interests of business entities under the President of the Republic of Uzbekistan and the Ministry of Innovation Development of the Republic of Uzbekistan were established, the transition to free conversion of national currency was carried out, the rules of foreign trade activities for business entities was substantially liberalized, 11 free economic and 75 industrial zones were created, state programs were adopted on the development of economic sectors, effective system of benefits to pay tax s and customs payments and preferences were introduced for cases when credit resources for business development are used.

649 investment projects worth a total of $40 billion are being implemented, interstate agreements on the development of trade and economic cooperation with China, Russia, the Republic of Korea, Turkey, Kazakhstan and Kyrgyzstan totaling more than $55 billion have been concluded.

*- improving the employment system and ensuring fair working conditions.* A Parliamentary Commission and territorial commissions under local representative bodies have been established to ensure guaranteed labor rights of citizens. Their tasks include monitoring the implementation of legislation and international treaties to ensure guaranteed labor rights of citizens, preventing the use of forced labor.

***In the sphere of social rights and freedoms of a person and a citizen:***

*- improving the system of ensuring the rights to qualified medical care.* The Program of measures for the further development of specialized medical care for the population for 2017–2021 is being implemented, directed to updating the legal framework aimed at expanding the population’s access to high-quality and effective specialized medical services. The system of emergency medical care will be improved. A price regulation mechanism has been introduced for socially important medicines and medical products.

Over this period, about 800 family policlinics and more than 400 ambulance points were created, ambulance services were provided by 1,260 emergency vehicles, the amount of budget allocations to health care institutions to purchase drugs and medical products increased by 3.5 times;

*- strengthening the system of state support for low-income groups of the population.* Measures have been taken to fundamentally improve the system of state support for persons with disabilities, territorial targeted programs are being implemented, providing specific quantitative indicators in the context of each district (city) for issuing microcredits at a preferential interest rate, providing free assistance in housing repairs, purchasing new affordable housing and household appliances, payment for medical services, not taxable jobs have been created for them, the amount of budget allocations for payment special and material assistance has been increased to 2 times.

This year, 19.6 thousand units of low-cost houses were built in rural areas, agreements were signed on the allocation of homes to more than 1.2 thousand low-income citizens in need of housing; 22 billion soums were allocated to compensate their mortgage down payments; material assistance was provided to support and provide rehabilitation services for 55 thousand of disabled people and people of retirement age; 35 thousand free vouchers to medical and preventive treatment facilities were issued; 10 thousand prosthetic and orthopedic devices, 6500 wheelchairs and 1600 hearing devices were granted; sewing machines were provided free of charge for 972 disabled women with limited employment opportunities to support them in organizing their home businesses;

*- improving the system for ensuring the right to education and cultural development.* Actions have been taken to ensure full coverage of children with pre-school education, the Ministry of Pre-School Education has been created, and a network of state and non-state specialized institutions is being developed. Agreements have been reached on opening branches of the Russian National University of Technological Research and Webster University in the country. A program of comprehensive measures has been launched to develop a system for publishing and distributing books and improving the reading culture. To study the contribution of great compatriots to the development of religion and world science, the Center of Islamic Civilization was created.

The Committee on Interethnic Relations and Friendly Relations with Foreign Countries under the Cabinet of Ministers was established, which is tasked to assist in preserving and developing distinctive national traditions, customs and rituals of representatives of various nations and nationalities living in the country, strengthening interethnic harmony and tolerance in society .

In general, the measures taken in the country reflect the determination of the state to maintain and protect human rights and freedoms, develop democratic values, principles of justice and the “rule of law”, institutions of civil society, maintain a dialogue with international and foreign human rights institutions.

This year, the President of the Republic of Uzbekistan held meetings in this area with the UN Secretary General Mr. Guterres, his Deputy Mr. Fedotov, Assistant Secretary-General for Political Affairs Miroslav Jenča, UN High Commissioner for Human Rights Mr. Al Hussein, Special Rapporteur of the UN Human Rights Council on Freedom of Religion or Belief Mr. Shaheed, Secretary General of the Organization for Security and Cooperation in Europe Mr. Greminger, the representatives of Human Rights Watch and other organizations.

**Participation in the implementation of the State Program on the Action Strategy in the «Year of Dialogue with the People and Human Interests»**

According to the State Program for the Implementation of the Action Strategy in the “Year of Dialogue with the People and Human Interests”, the Ombudsman, as a responsible executive body, took part in the implementation of the activities provided in paragraphs 1, 3, 94 and 95. These activities are aimed at implementing the priority areas of the Action Strategy for improving the system of public administration, as well as ensuring the rule of law and further reforming the judicial system.

In accordance with paragraphs 1 and 3 of the State Program, the work has been done to provide information and analytical support for the adoption of regulations on amendments and changes to the Laws of the Republic of Uzbekistan “On parliamentary control” and “On the Authorized Person of the Oliy Majlis of the Republic of Uzbekistan on Human Rights (Ombudsman)”. These regulations came into force on June 13, 2017 and August 30, 2017 respectively.

As part of the practical implementation of the measures stipulated by paragraphs 94 and 95 of the State Program, a series of events were organized in citizens' self-governing bodies, educational institutions, public and other organizations aimed at improving the legal culture and legal awareness of the population, discussing the issues of public life, communicating the essence and significance of the adopted legislation. 22 events were organized in the capital city and in the regions, 56 presentations were conducted during conferences, round tables and seminars were held by state and public organizations.

The activity of the Virtual and People’s Receptions of the President of the Republic of Uzbekistan had great importance in the effective implementation of the State Program. They changed, in a conceptual way, the system of work of state bodies with appeals of physical and legal entities, gained genuine people's trust and formed a reliable basis for the effective participation of citizens in the process of developing state decisions, managing the affairs of the state and society, realizing their socio-political and socio-economic rights and freedoms.

Effective participation in this large-scale activities was of particular importance for the Ombudsman. During the year, the Ombudsman took part in visiting events organized by the People’s Receptions, organized for residents of 144 districts (cities) of the republic, as well as in monitoring activities to study the implementation of programs for the socio-economic development of regions in Tashkent, Namangan and Andijan regions.

People’s Reception Offices and the Ombudsman consistently developed channels of “feedback” with citizens. According to the results of generalization of appeals of individuals and legal entities being submitted to the Virtual and People’s Receptions of the President of the Republic of Uzbekistan and the Ombudsman, areas for further improvement of the legal culture of the population and prevention of violations of the law in the area of ​​ensuring the rights and freedoms of citizens were identified. The findings of the conducted researches were discussed during a jointly organized series of regional seminars entitled “High legal culture - a guarantee of effective protection of human rights and freedoms” with the representatives of citizens’ self-governing bodies, NGOs, and the mass media to conduct explanatory work among broad sections of the population.

Along with these activities, based on the essence and spirit of the State Program, the Ombudsman took additional measures to strengthen the dialogue with the people, introduce into practice new means and mechanisms to protect the rights, freedoms and legitimate interests of a person and citizen.

Among them:

***Firstly.*** Raising public awareness about the operation of the Virtual Reception on the website [www.ombudsman.uz](http://www.ombudsman.uz) and hotlines “10-96” for receiving appeals and providing legal advice to citizens. This measure is important in the implementation of the principle of openness of state bodies and the availability of state-guaranteed means and mechanisms for the protection of human rights.

According to the results of the work carried out during the year, the number of calls through the specified communication channels increased by 1.9 times compared to 2016 and amounted to 2,429 units;

***Secondly.*** Strengthening direct dialogue with citizens and conducting the visiting receptions of the Ombudsman on a systemic basis. The openness of events - informing citizens in advance about the date, venue and time of personal reception by posting materials on the Internet, local press, TV and radio channels – had fundamental importance in this work. In 2017, according to this principle, visiting receptions were organized in the cities of Andijan, Namangan, Fergana, Termez, Karshi, Samarkand, Jizzakhh and Gulistan.

In addition, personal receptions are held on an ongoing basis at the administrative building of the Secretariat of the Ombudsman in Tashkent. According to the results of the measures taken, the number of citizens who submitted their appeals in person increased by 1.2 times compared to the previous period and amounted to 1,774 units;

**Thirdly.** Providing social support to vulnerable groups of the population, lonely citizens of old age, persons with disabilities and low-income families. In connection with the adoption of the Decree of the President of the Republic of Uzbekistan #PP-3182 “On Priority Measures of Ensuring Accelerated Socio-Economic Development of Regions” dated August 8, 2017, an inventory of citizens' appeals regarding the identification of individuals and families in need of additional state and public support was conducted.

According to the results of the inventory, information about specific citizens and families was sent to the Council of Ministers of the Republic of Karakalpakstan, hokimiyats of the regions and the city of Tashkent, as well as public organizations - the Women's Committee of Uzbekistan, the “Mahalla” and “Nuroniy” foundations. Currently, targeted work is being carried out to provide social support to 411 citizens and families. Further, it is planned to compile similar information and send it to local government bodies and public organizations on a quarterly basis;

**Fourthly.** Strengthening parliamentary control over ensuring the rights and freedoms of persons held in custody. This year, the activities of 7 relevant institutions were monitored in the Tashkent and Navoi regions, as well as in the Republic of Karakalpakstan and the city of Tashkent; collective and individual meetings were organized with more than 900 persons held in custody. Consistent work in this area contributes to strengthening public confidence in the state bodies, the implementation of the principles of the rule of law, humanism and justice. In 2017, the number of complaints from persons held in custody increased by 2.7 times compared to the previous period and amounted to 565 units;

In the framework of the practical implementation of the Decree of the President of the Republic of Uzbekistan # UP-5268 “On additional measures to strengthen the guarantees of the rights and freedoms of citizens in judicial-investigative activities” dated November 30, 2017, both Chambers of Parliament on December 29, 2017 jointly approved the Schedule for the organization and monitoring of activities to prevent torture and other cruel, inhuman or degrading treatment or punishment. It enables to jointly discuss the outcomes of the consideration of appeals, hear information from law enforcement officials in this matter, conduct monitoring of activities, etc.;

**Fifthly.** Conducting the systematic monitoring of the implementation of legislation in the field of human rights and freedoms, international treaties of the Republic of Uzbekistan.

The Ombudsman participates in the activities of the Republican Interdepartmental Commission on Combating Corruption, the Republican Interdepartmental Commission on Countering Trafficking in Persons and the Parliamentary Commission on Ensuring Guaranteed Labor Rights of Citizens. A procedure has been introduced for special recording and reviewing facts of appeals of individuals and legal entities in the specified areas of human rights. During the year, 83 appeals were sent to the competent authorities in this regard.

**Sixthly.** Strengthening the interaction with national human rights institutions and non-governmental non-profit organizations in the implementation of monitoring activities, consideration of appeals of individuals and legal entities, organization of work to improve the legal culture and awareness of the population about democratic reforms in the country.

In 2017, memoranda of cooperation were concluded with the Ombudsman for protecting the rights and legitimate interests of business entities, the “Action Strategy” Center and the National Association of NGOs of Uzbekistan.

**Seventhly.** Developing the cooperation with relevant international and foreign institutions. During the reporting period, cooperation agreements were signed with Ombudsmen of Japan and Thailand, and agreements were reached with Ombudsmen of Kazakhstan, Kyrgyzstan, Tajikistan and Turkmenistan on cooperation in protecting the rights and freedoms of citizens.

The areas of cooperation have been expanded with the Office of the United Nations High Commissioner for Human Rights, its regional office in Central Asia, as well as the Organization for Security and Cooperation in Europe Office for Democratic Institutions and Human Rights, the UNDP Uzbekistan office and the OSCE Project Coordinator in Uzbekistan.

**III. Activities in the field of improving legislation and legal documents in the field of human rights**

In accordance with the legislation, the Ombudsman has the right to submit for consideration of subjects of law the legislative initiative proposals for the development and adoption of laws, amendments and additions to laws, as well as on the participation of the Republic of Uzbekistan in international treaties. The Ombudsman can participate in the work of working groups to prepare draft laws and other regulatory acts, conduct their legal expertise, as well as participate in meetings of chambers of the Oliy Majlis of the Republic of Uzbekistan and make suggestions and comments on the draft laws under discussion.

In 2017, the Ombudsman took part in the work of 40 meetings of the Legislative Chamber and 5 meetings of the Senate of Oliy Majlis. In meetings of the lower house of Parliament, 147 draft laws were discussed, of which 45 laws were passed, including 9 consolidated laws on introducing amendments and additions to 78 previously adopted laws. Laws adopted by the Legislative Chamber were reviewed in the Senate of the Oliy Majlis in the prescribed manner.

***Improvement of legislation and organizational-legal acts in the field of human rights***

According to paragraph 1 of the State Program for the implementation of the Action Strategy in the “Year of Dialogue with the People and Human Interests”, the Ombudsman participated in the development of the draft Law of the Republic of Uzbekistan “On Amendments and Modifications to the Law of the Republic of Uzbekistan “On Parliamentary Control””. The Ombudsman, within the working group formed by the Legislative Chamber of the Oliy Majlis, prepared materials on foreign experience in exercising parliamentary control. These materials, as well as the proposals of the Ombudsman for the further improvement of the institution of parliamentary control, have been submitted to the Committee of the lower house of Parliament on democratic institutions, non-governmental organizations and citizens' self-governing bodies.

In addition, the Ombudsman submitted to the Legislative Chamber of the Oliy Majlis proposals for other laws under consideration, including the laws “On Appeals of Physical and Legal Entities” (in the new edition), “On the Commissioner under the President of the Republic of Uzbekistan for Protecting the Rights and Legitimate Interests of Businesses”, “On Dissemination of Legal Information and Ensuring Access to It”, “On Protecting Children from Information Harmful to Their Health”, “On Administrative Procedures”, etc.

Interaction of the Ombudsman in the development of legislation in the field of human rights is carried out at the departmental level either. Thus, during the year, proposals were sent to improve the regulatory and legal acts to:

*- General Prosecutor’s Office.* Proposals to make additions and changes to Article 235 of the Criminal Code of the Republic of Uzbekistan, as well as to the draft Decree of the President of the Republic of Uzbekistan “On Additional Measures to Strengthen the Guarantees of Citizens’ Rights and Freedoms in Judicial-Investigative Activities” and the Resolution of the President of the Republic of Uzbekistan “On Measures to Further Improve the Systems of Crime Prevention and Crime Control”;

*- Ministry of Interior.* Proposals for draft laws envisaging the introduction of amendments and changes to the laws of the Republic of Uzbekistan “On Administrative Supervision of the Internal Affairs Bodies Over Persons Released from the Punishment Execution Institutions” and “On Custody of the Criminal Proceedings”;

*- Ministry of Justice.* Proposals to the draft Law of the Republic of Uzbekistan “On Amendments and Modifications to the Labour Code of the Republic of Uzbekistan”;

*- Supreme Court.* Proposals to the decisions of the Plenum of the Supreme Court of the Republic of Uzbekistan “On Judicial Practice in Criminal Cases Related to Illicit Trafficking in Narcotic drugs and Psychotropic Substances”, “On some Issues of the Application of the Civil Procedure Code and the Economic Procedure Code of the Republic of Uzbekistan”, “On Judicial Practice in Fraud Cases”, and “On Some Issues of Judicial Practice in Bribery Cases”.

The active participation of the Ombudsman in the process of developing and implementing legislation in the field of human rights and freedoms was promoted by its work in the framework of interdepartmental bodies established in 2017, including:

- The Republican Interdepartmental Commission on Countering Corruption (*established in accordance with the Decree of the President of the Republic of Uzbekistan # PP-2752 dated February 2, 2017);*

- The Republican Interdepartmental Commission on Counteracting Trafficking in Persons *(established in accordance with the Decree of the President of the Republic of Uzbekistan # PP-2833 dated March 14, 2017);*

- The Coordination Group for the Implementation of the Action Plan (“Road Map”) for Promoting the Initiatives of the Republic of Uzbekistan put forward at the 72nd UNGA session as well as the implementation of the agreements reached as a result of discussions with Zeid Ra’ad Al Hussein, UN High Commissioner for Human Rights, on September 18-20, 2017 in New York City *(the composition was approved by the Decree of the President of the Republic of Uzbekistan # PP-3293 dated September 27, 2017);*

- Parliamentary Commission on Ensuring the Guaranteed Labour Rights of Citizens *(established in accordance with the Decree of the Senate of the Oliy Majlis of the Republic of Uzbekistan dated October 4, 2017)*.

In general, during 2017, the Ombudsman drafted 1 Law of the Republic of Uzbekistan and 2 by-laws, made proposals for making additions and changes to drafts of 16 regulatory and departmental documents. The Ombudsman participates in the activities of 9 interdepartmental bodies and working groups.

***Development of the organizational and legal basis for Ombudsman activities***

According to the State Program for the implementation of the Action Strategy on the Five Priority Areas of Development of the Republic of Uzbekistan in 2017–2021 in the “Year of Dialogue with the People and Human Interests”, on August 29, 2017, the Law of the Republic of Uzbekistan # ZRU-441 “On Amendments to the Law of the Republic of Uzbekistan “On the Authorized Person of the Oliy Majlis of the Republic of Uzbekistan on Human Rights (Ombudsman)””.

With the purpose of providing information and analytical support for the activities of the chambers of the Parliament related to the adoption of the law, as well as exercising its relevant functions, on May 17, 2017, the Ombudsman submitted the followings to the Legislative Chamber and the Senate of the Oliy Majlis for their consideration:

- Draft Law of the Republic of Uzbekistan “On Amending the Law of the Republic of Uzbekistan “On the Authorized Person of the Oliy Majlis of the Republic of Uzbekistan on Human Rights (Ombudsman)””;

- explanatory note to the draft law, including research paper on study of national legislation, international legal acts and experience of 44 foreign countries *(EU - 15 countries, CIS - 7, Asian Pacific Area - 7, etc.)* in this field;

- a comparative table reflecting the texts of the current and proposed editions, as well as comments and justification of proposals to the additions and amendments of the Articles of the Law.

In connection with the preparation of the draft law, a Working Group consisting of members of the lower chamber of the Parliament, representatives of the Institute for Monitoring Current Legislation under the President of the Republic of Uzbekistan, the General Prosecutor’s Office, the Supreme Court, the Ministry of Justice, the Ministry of Finance, National Human Rights Center, Chamber of Commerce and Industry and Ombudsman was established.

According to the results of the review of the draft law in the “first reading” to attract the general public, international, foreign and domestic experts and analytical circles into discussions, the Ombudsman organized a series of events, including:

- posting of the draft law on the official website of the Ombudsman ([www.ombudsman.uz](http://www.ombudsman.uz)) on August 1, publication of articles in the “Narodnoye Slovo” and “Xalq So’zi” newspapers on August 2, as well as an interview to the Uzbekistan 24 national television channel on August 7 explaining the purpose of developing the draft law, its content and major innovations, as well as opportunities for citizens in participating in its discussion;

- organization of the discussion of the draft law in the premises of the “Action Strategy” Center on August 4, as well as 8 regional round tables on August 5-17 with the participation of the members of local Kengashes of People’s Deputies and representatives of citizens’ self-governing bodies;

- translation of the draft law into English and sending it to international and foreign organizations and experts for obtaining their expert opinions;

Thus, in the period from August 1 to August 17, 10 events were held, 3 articles were published in the national press and 8 - in local, 4 interviews were broadcasted on national media and 10 – on regional. During this period, 247 proposals were received, including 52 - to the Ombudsman’s e-mail, 46 – to hotline phone, and 149 - during the events.

Proposals for the draft law were also made by Academician S.Rashidova (Ombudsman, 1995-2015), Dr. Siegele (Secretary General of the European Institute of Ombudsman), Ambassador John MacGregor (OSCE Project Coordinator in Uzbekistan), Mr. Buhler (expert of the K. Adenauer Foundation) and others.

Following a summary of the proposals received, a final round table was organized in cooperation with the Office of the OSCE Project Coordinator in Uzbekistan on August 18 to develop recommendations for further improving the draft Law. The event was attended by over 70 scientists, specialists and experts. The materials of a series of events were passed to a Working Group of the Legislative Chamber of the Oliy Majlis for consideration in adopting the Law.

In general, 9 new articles were introduced into the Law of the Republic of Uzbekistan “On the Authorized Person of the Oliy Majlis of the Republic of Uzbekistan on Human Rights (Ombudsman)”, 3 articles were set out in the new edition, 5 articles were added, 5 articles were amended. Without exaggeration, the adopted Law has a historical and deep institutional significance. It gave to the Ombudsman new modern and effective mechanisms to ensure the protection of human rights and freedoms, including:

- the right to submit questions to the Constitutional Court, participate in its sessions and present its position during these events;

- the right to appeal to the courts with applications and claims in the interests of citizens without paying the fee;

- the right to submit to the chambers of the Oliy Majlis separate reports on various issues of ensuring human rights and freedoms, as well as to its committees, proposals for hearing reports from representatives of government bodies;

- the right to submit to the heads of state bodies and other organizations recommendations on the elimination of the revealed violations of legislation in the field of human rights and freedoms, the reasons and conditions that contribute to them;

- the right to submit to the relevant authorities recommendations on the elimination of the revealed violations of the law in the field of human rights and freedoms, the reasons and conditions that contribute to them;

- the right to organize the protection of the rights and freedoms of persons held in custody, including unimpeded visits to relevant institutions to study conditions of detention, hold confidential meetings and conversations with them, receive appeals from them that are not subject to censorship and are not limited in number;

- strengthening the status of regional representatives of the Ombudsman, introducing the procedure for annually informing them, respectively, Zhokargy Kenes of the Republic of Karakalpakstan, Kengashes of People’s Deputies of the regions and the city of Tashkent on work in the field of protecting human rights and freedoms;

- securing the norm on the implementation of material and other support for the activities of the Ombudsman at the expense of the State budget and reflecting these funds in it as a separate line;

- determining the participation of representatives of executive bodies in the activities of the Commission for the Observance of Constitutional Rights and Freedoms of Persons under the Ombudsman with the right of an advisory vote, etc.;

Comparing the organizational and legal basis of the Ombudsman’s activities with similar norms of foreign countries, we can unequivocally state that the set of tools and instruments entrusted to the Ombudsman for the implementation of measures to protect human rights and freedoms inherent in the so-called “strong ombudsmen”. To which, the international community considers the country – Sweden, an ancestor of the ombudsman institution, and other countries that have deep democratic roots and high principles of humanism, such as Denmark, the Netherlands, Norway and others.

The adopted law harmonizes the norms of national legislation and the international legal framework available in this area, brings legislative and practical support for the activities of the Ombudsman in accordance with the “Principles relating to the status of national institutions involved in the promotion and protection of human rights” (Paris Principles), approved by the resolution of UN General Assembly 48/134 from December 20, 1993.

The political and legal significance of the document characterizes the social progress achieved by a democratic state in the observance of human rights, and its meaning and content being in line with the goal and objectives of the “Year of Dialogue with the People and Human Interests” declared in the country, are a true reflection of the state’s attention to the citizen, formation of decent conditions for its prosperous life. Dr. Josef Siegel, Secretary General of the European Institute of the Ombudsman, who presented an expert legal opinion on the legislative act, called it *“a promising and far-sighted decision of the Republic of Uzbekistan”*.

According to the Law, as well as to form a set of by-laws, the Ombudsman drafted and in October 2017 submitted to the chambers of parliament draft provisions on the followings:

- “On the Commission for the Observance of Constitutional Rights and Human Freedoms under the Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights (Ombudsman)”, defining the main tasks, rights, duties, the procedure for forming the Commission, and guaranteeing the rights of its members;

- “On the representative of the Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights (Ombudsman) in the Republic of Karakalpakstan, regions and city of Tashkent”, regulating the procedure for appointment, tasks, rights and responsibilities, guarantees of the activities of the regional representative of the Ombudsman, issues of their interaction with local government authorities and civil society institutions.

Based on the results of consideration of these provisions, they were approved by a joint resolution of the 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 “On measures to further improve the organizational and legal framework of the Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights (Ombudsman)” #1398-III/PC-282-III dated December 29, 2017.

**IV. Activities on consideration of appeals, protection of human rights and freedoms**

In 2017, the Ombudsman received **9,074** appeals from citizens of the Republic of Uzbekistan, citizens of foreign countries, stateless persons, public organizations and other legal entities. In particular: **1,774** appeals were filed during personal receptions, including **288** received at visiting personal receptions; **4,770** appeals were received via postal and telegraph communications; the number of verbal appeals via “hot line” amounted **1,515** units; **913** appeals - through the Virtual Reception of the Ombudsman, and **102** appeals – through the Virtual Reception of the President of the Republic of Uzbekistan.

Of the total number of complaints, 196 did not meet the requirements of the legislation on their proper execution and were recognized as anonymous.

Individuals filed **8,248** appeals in a personalized manner, including 50.9% of them were women; the number of collective appeals was **459**, **116** appeals were sent by legal entities, **55** appeals were made by human rights institutions of foreign countries.

**36.8** percent of the received appeals related to the issue of ensuring social rights and freedoms of a person and a citizen, including **34.2** percent of them – on personal issues, **24.4** percent - on economic, **4.3** percent – on political, and **0.2** percent – on environmental.

The number of applications received in the form of:

- complaints, amounted to **6,345** units, including those related to the activities of judicial bodies - **1,449**, internal affairs bodies - **1,422**, other law enforcement agencies - **629**, public authorities in places - **848**, detention agencies - **280**, health care institutions - **211** and education - **152**, employment agencies – **146**, and others;

- applications, amounted to **2,395** units, including **1,551** - for receiving legal advice on the implementation of personal, political and socio-economic rights and freedoms of a person, **601** – for allocation of living space, **243** - for pardoning, and other issues;

- proposals, amounted to **138** units, including 98 - related to draft law on improving the legal framework of the Ombudsman’s activity, **40** – related to legislative acts, state and industry programs.

In the regions, the largest number of appeals was sent by residents of the city of Tashkent - **2,008**, Tashkent region – **1,203** and Kashkadarya region – **1,123**, the smallest number - by residents of the Republic of Karakalpakstan - **206** and Syrdarya region - **199** appeals.

In accordance with the legislation, the Ombudsman examines complaints filed within one year from the moment when the applicant became aware of a violation of his/her rights, freedoms and legitimate interests, or made the last decision on a complaint, if the applicant used other means of protecting his/her rights and freedoms and is not satisfied decisions taken.

After studying the content of the appeals, the Ombudsman provided detailed verbal and written recommendations on further measures to implement human rights and freedoms of **2,917** applicants, sent **3,835** appeals to the state authorities for their consideration.

As a subject of parliamentary control, the Ombudsman accepted **2,126** complaints for consideration and sent **2,576** appeals to state and public organizations. For a detailed and comprehensive study of the circumstances, arguments and facts set forth by the applicants, in **450** cases of the complaint, the Ombudsman sent appeals to two or more organizations, and in **132** cases regional Ombudsman representatives were additionally invited to examine them on site.

The results of the consideration of applications received for processing showed that **714** complaints about the decisions of organizations, the action or inaction of their officials were justified, in **117** cases the arguments of the petitioners were not confirmed, in **871** cases the decisions of the organizations and their officials complied with the law and did not violate the rights, freedoms and interests of the applicants. Out of all accepted appeals, **424** complaints are still in the process of consideration, including **69** - in connection with the conduct of forensic investigations, **51** - for sending additional requests from the Ombudsman to clarify certain circumstances.

The number of repeated requests received during the reporting year was **813** units.

As results of considering individual complaints by the competent authorities:

- **25** criminal cases, **27** administrative and **44** disciplinary proceedings were instituted, **26** official investigations were carried out, **24** officers of the internal affairs bodies, **15** educators, **8** health workers, and **12** employees of other organizations were brought to justice;

- in the interests of the applicants, **6** protests against the decisions of the courts and **2** against the decisions of the khokims were made, **24** decisions to refuse to initiate criminal proceedings were canceled;

- 4 lawsuits were filed to the judicial bodies for the payment of wages totaling **44.7** million soums, provided to other **11** citizens, **23** people were employed, **11** citizens were reinstated, health benefits were paid totalling **11.5** million soums;

- low-income families were provided with **2** apartments in multi-storey buildings and **6** land plots for the construction of individual housing, assistance was rendered to **2** families in housing repair, one-time financial assistance was provided to **30** families, childcare benefits were paid to **10** families, transfers to pre-school institutions were granted to **3** applicants, the alimony payments in favor of **55** applicants for the total amount of **83.5** million soums were collected;

- warrants were issued for hospitalization of **15** citizens, specialized medical assistance was provided to **15** citizens, disability status was established for **3** citizens, wheelchairs were issued for **6** citizens;

- assistance was provided in processing a loan to **3** applicants for a total amount of **133.0** million soums, and the land for the development of farm was allocated to **2** applicants;

- **2,319.0** million soums were recovered to the state’s income, **63.2** million soums were in favor of the applicants, property totaling **736.7** million soums was put up for auction, **104.8** million soums were paid as compensation for demolition of individual housing, as well as other measures taken to restore the rights, freedoms and legitimate interests of citizens.

Analysis of the trends associated with the receipt and consideration of appeals allowed us to note the followings:

**Firstly,** the activities of the Virtual and People’s Reception Office of the President of the Republic of Uzbekistan contributed to strengthening the confidence of citizens in government and administration, solving the urgent issues of concern to the population. Since their establishment, the average monthly number of appeals to the Ombudsman in 2017 has increased 1.8 times.

**Secondly,** the measures taken as a result of a direct dialogue with the population to strengthen the responsibility of state authorities over the implementation of legislation and state programs affected the number of complaints received. Their number compared with the previous period decreased by 1.2 times.

**Thirdly,** the increase in the number of applications received in the form of applications - by **3.2** times and proposals – by **2.6** times provides the evidence of the effectiveness of work to ensure the openness of reforms, wide participation of citizens in the development of legislation, offers.

The Ombudsman continued conducting sociological research among the applicants. The individual data of **1,486** people who visited the personal reception of the Ombudsman in 2017 were studied. Thus, the number of visits to the reception office from the regions of the country amounted to **54.4** percent of the total number of visits, citizens of other states and stateless persons - **1.7** percent, citizens over 31 years old - **78.1** percent, women - **60.9** percent, citizens with higher education - **35.5** percent; applicants without a permanent job - **49.0** percent; retirees - **31.8** percent and citizens with a disability - **6.1** percent.

***Personal rights and freedoms***

The Constitution of the Republic of Uzbekistan defines the category of personal rights and freedoms of an individual as the right to life, liberty and security of person, judicial protection, protection from encroachment on honor and dignity, interference with private life, freedom of conscience, movement, thought, word and belief, for familiarization with documents, decisions and other materials affecting the rights and interests of a person and a citizen.

The country’s legislation does not allow the use of torture, violence, other cruel or degrading treatment of a person.

In 2017, the Ombudsman received **3,035** appeals on the implementation of personal rights and freedoms of the person (34.2 percent of total number of all appeals), including **2,666** complaints, **757** applications and **12** proposals. As regards to exercising the right to life, liberty and security of the person, protection from encroachments on honor and dignity, law enforcement agencies conducting operational search activities and work on the prevention of offenses, **1,785** appeals were received, in particular, 563 – related to ensuring judicial protection of personal rights and freedoms, 231 - freedom of movement, 206 - familiarization with documents, decisions and other materials affecting the rights and interests of a person and a citizen, 243 - pardoning, 7 appeals - other rights and freedoms. As a subject of parliamentary control, the Ombudsman considered **609** complaints or **27** percent of the total.

During the consideration of appeals, 18 criminal cases, 19 administrative and 23 disciplinary proceedings were initiated, 22 office investigations were conducted, 24 officers of the internal affairs bodies and 12 employees of other organizations were brought to responsibility. Also, in the interests of the applicants, 24 decisions to refuse to initiate a criminal case were canceled, 4 protests against decisions of courts in criminal cases and 1 protest against decisions of an administrative court were made.

In the sphere of effectiveness of the judicial-investigative process, **513** complaints were examined. Their analysis and synthesis allowed to note the following main points:

**- the responsibility of the judiciary for the establishment of truth and other circumstances relevant to the proper resolution of the case, as well as the adoption of a lawful, reasonable and fair decision.**

Despite the results of the investigation of the deliberate murder of citizen I., where the accused pushed a person out of a motor vehicle, hit the body three times with fatal impact, the Tashkent City Criminal Court, during the trial, re-qualified the act as “causing death by negligence” and, in connection with the application of the act of amnesty, exempts the guilty from proportionate responsibility.

On this fact, the Ombudsman sent two appeals to the General Prosecutor’s Office: in the first case, an appeal was submitted by the Tashkent prosecutor’s office, but the court left the sentence unchanged; in the second case, the Prosecutor General’s Office submitted a protest to the Judicial Collegium for Criminal Cases of the Supreme Court, which granted the protest, cancelled the decisions of the first and appeal instances, and sent the case for a new trial.

In addition, during the reporting year, at the request of the Ombudsman, the General Prosecutor’s Office submitted a protest to the Judicial Board on Criminal Cases of the Supreme Court on the verdict of the court of first instance and the determination of the Tashkent City Criminal Court in connection with the sentencing of convict A. exceeding the amount of responsibility provided by law.

**- respect for the honor and dignity of the individual in the production of inquiries and preliminary investigations, ensuring objectivity in the collection, consolidation, verification and evaluation of evidence in the process of investigation and consideration of criminal cases.**

According to the results of consideration of the appeal of citizen Y., a fact of gross violation of the requirements of the procedural rules during the collection of evidence in a criminal case by the employees of the internal affairs body was established. The above evidence formed the basis of the court’s decision, which recognized the son of an applicant who had appealed guilty of smuggling and sale of narcotic drugs. During the consideration of the cassation appeal, 17 different violations of the judicial-investigative process were revealed, among them drawing up two detention protocols with different dates and times, conducting a search at the place of residence of the accused without a corresponding sanction, searching a car outside the place of detention and others. The cassation instance forwarded the case for consideration by a different panel of judges and replaced the measure of restraint - the detention of a subscription of appropriate conduct. A clerk of the Ombudsman’s secretariat was present at the cassation court as an observer.

In the course of studying the complaint of citizen T. on the occasion of her father receiving serious injuries in a road accident, the fact of refusal to initiate a criminal case by the investigator without the appointment of an expert involved in the accident of the vehicle was established. Subsequently, the owner, having restored the vehicle, excluded the possibility of carrying out the examination as such. Following the consideration of the complaint, it was decided to cancel the decision on the refusal to initiate a criminal case and to initiate an official investigation in relation to A. Gafurov, a senior inspector of the Traffic Safety Department the Naryn district.

For similar violations of procedural rules, U. Kuchimov, a prevention inspector of Dekhkanabad district, U. Murodov, a prevention inspector of Alat district, and I. Samiev, a prevention inspector of Urgut district, A. Jumaev, a head of the investigation department, B. Nasimov and M. Farmonov, investigators of the Internal Affairs Department of Nurata district are brought to disciplinary responsibility.

**- ensuring legality, timely disclosure, comprehensive, full and objective investigation of crimes, unconditional implementation of the principle of inevitability of responsibility.**

During the consideration of the appeal in connection with the investigation of a criminal case of the discovery of the body of citizen A. with signs of violent death in 2002, it was established that the inquiry bodies did not conduct a comparison of fingerprints found at the crime scene with the information databases of fingerprint data, as well as did not conduct a full examination of the arguments of the injured party. On the appeal of the Ombudsman to the General Prosecutor’s Office, a decision was made to cancel the decision to suspend the preliminary investigation.

Also during the reporting year, the prosecutor’s offices issued decisions canceling the decision to refuse to initiate criminal cases and suspend the preliminary investigation of the death of citizen N. (Turakurgan district) in a traffic accident, causing serious bodily injuries that caused the death of citizen K. (Karshi) and citizen D. (Yunusabad district), suicide of a student of college Y. in an educational institution (Angar district), attempted rape of an underage R. (Urgench), etc.

**- compliance by the employees of the internal affairs bodies with the principle of the priority of the rights, freedoms and legitimate interests of citizens and increasing the confidence of citizens in law enforcement agencies.**

In the course of consideration of appeals, the facts of violation by individual employees of internal affairs bodies of their official duties, abuse of authority, insulting citizens, defiant and indecent behavior were identified.

Thus, the prevention inspector of the Andijan region, S. Mamirov, fabricated materials with fake signatures about alleged disorderly conduct by citizens Z. and Kh. The court decided to arrest these citizens for a period of 5 days. During the period of detention, individual operative officers of the Department of Internal Affairs of Andijan region carried out active measures to verify their involvement in cattle theft. At the request of the Ombudsman to the General Prosecutor’s Office, a protest was filed against the relevant decision of the administrative court.

Also, the following internal affairs officials were brought to disciplinary responsibility for inappropriate behavior: the head of the investigative department of Kizirik district police department A. Mamarasulov, the deputy head of the police department of Chilanzar district F. Suyarov, the prevention inspectors of the police department of Mirzo-Ulugbek district Sh. Nurmukhamedov and of Narpay district A. Kholikulov, an investigator of the Internal Affairs Department of Almalyk N. Akramov.

For the same reasons, A. Kholikulov, prevention inspector of the Internal Affairs Department Narpay district, was fired.

The adoption of the Decree of the President of the Republic of Uzbekistan “On the act of pardon in connection with the 25th anniversary of the adoption of the Constitution of the Republic of Uzbekistan” for the first time in the country's history was an important component of ensuring personal rights and freedoms of a person. In the 2016 report, the Ombudsman raised the issue of an amnesty for persons convicted of causing death and serious bodily injuries resulting from road accidents due to negligence. An example is given when in 6 out of 15 cases the perpetrators were amnestied and did not pay the amount of compensation to the injured.

In contrast to the amnesty, the act of pardon allows a comprehensive and thorough study of the identity of the convicted person, the degree of public danger, the circumstances and consequences of the acts committed by him/her, the fact of compensation for the damage, as well as the attitude of the injured party and public opinion. As the effectiveness of the adoption of the act of pardon, it should be noted that there are no complaints in 2017 in connection with the release of persons convicted for the relevant offense.

***The rights of persons in custody and the development of the National Preventive Mechanism***

According to the adopted innovations in the Law of the Republic of Uzbekistan “On the Authorized Person of the Oliy Majlis of the Republic of Uzbekistan on Human Rights (Ombudsman)”, the powers of the Ombudsman in exercising control over the implementation of legislation in the field of ensuring the rights and freedoms of persons in custody were expanded. In particular, a separate article 141 “Appeal to the Authorized Person of persons detained and imprisoned, placed under administrative arrest and sentenced to deprivation of liberty” reveals the peculiarities of conducting control measures of the Ombudsman in penitentiary institutions, places of detention and special receivers, details the procedure for handling appeals, meetings and conversations with these persons.

Thus, the article states that persons detained and imprisoned, placed under administrative arrest and sentenced to imprisonment, have the right to send written requests (letters and telegrams) to the Ombudsman without limited number. Appeals addressed to the Ombudsman are not subject to censorship. The administration of penitentiary institutions, places of detention and special receivers send to the Ombudsman appeals of persons in custody in sealed form no later than twenty-four hours, and telegrams immediately. The Ombudsman’s response is not subject to review and is immediately delivered to the applicant.

When considering complaints, as well as when inspecting on their own initiative cases of violation of the rights, freedoms and legitimate interests of citizens, the Ombudsman has the right to freely visit penal institutions, places of detention and special receivers. The administrations of these institutions are required to provide the Ombudsman with the necessary conditions for an unhindered and confidential meeting and conversation with persons in custody who are made in private in conditions that allow employees of these institutions to watch them but not hear them.

These standards are also provided in the Penal Code of the Republic of Uzbekistan, the Law of the Republic of Uzbekistan “On Detention During Criminal Proceedings” and other regulatory acts.

In accordance with legislation, in 2017 the Ombudsman monitored the implementation of international standards and the Penal Code of the Republic of Uzbekistan in the sphere of ensuring the rights and freedoms of persons held in custody. The monitoring covered the activities of 7 relevant institutions, including in the Tashkent region - educational colony for the underage # UY 64 / ZVK, colony for women # UY 64/1 and colony-settlement # UY 64/6, in Navoi region – high security colonies # UY 64/46 and UY 64 / 47, in the Republic of Karakalpakstan - high security colonies # UY 64/71 and in Tashkent # UY 64 / SI-1.

Representatives of the NHRC and the media, as well as the Women's Committee of Uzbekistan and Kamolot Youth Movement participated in the monitoring.

During the events, collective and individual meetings with convicts were held, the conditions of their detention, the effectiveness of medical care, labor organization and educational work were studied. The results of the monitoring made it possible to note that the execution of the sentence of deprivation of liberty is carried out in accordance with the requirements of international standards and the legislation of the country. In the studied institutions:

- convicts are living in illuminated, heated and ventilated common residential premises, based on the established standards of living space for a particular type of institution;

- each of the convicts is provided with an individual sleeping place, bedding, standard-grade clothing, linen and shoes, personal hygiene products, etc.;

- food is provided to convicts in accordance with established standards, depending on the state of health of convicts, their age, the nature of the work they do;

- medical departments have been created to provide medical care and inpatient treatment for convicts, carry out sanitary and anti-epidemic control, provide the convicted with medicines;

- production is organized for convicts to provide paid employment opportunities, taking into account their gender, age, health status and ability;

- secondary and vocational education is organized, conditions for physical education and sports are provided;

- library funds of fiction and popular science literature, conditions for reading periodicals, watching films and TV shows, listening to the radio are created;

- premises for short-term meetings of convicts and their long meetings with close relatives, assuming the possibility of living together, preparing and eating food, are properly equipped;

- trade in foodstuffs and basic necessities is carried out, the opportunities are created for receiving and sending letters and telegrams, etc.

Along with mentioned above, agencies are suggested to:

- enrich the library fund of institutions with artistic, popular science and legal literature published in the Uzbek language;

- strengthen interaction with civil society institutions, including with the Mahalla and Nuroniy foundations in organizing spiritual and educational work among convicts;

- provide sports facilities with appropriate equipment, including the creation of additional conditions for team sports;

- develop mechanisms for introducing the underage to traditional types of handicrafts on the “master-student” principle in the context of measures to facilitate the acquisition of production skills and professions;

- fill vacant positions of medical personnel in institutions, ensure full water supply of facilities, study the issue of their equipment with local heating systems.

During the visits to institutions, collective and individual meetings with convicts were held. About 900 convicts participated in collective meetings. All convicts were given the opportunity to personally appeal to the Ombudsman, 28 of them exercised this right.

Information on the results of monitoring of the institutions was submitted in June 2017 to the chambers of the Oliy Majlis, the executive authorities and posted on the official website [www.ombudsman.uz](http://www.ombudsman.uz).

Similar work on an ongoing basis is also being carried out by regional representatives of the Ombudsman. In 2017, they carried out 42 monitoring activities in 18 penitentiary institutions, places of detention and special receivers. During these events, collective meetings were held with more than 800 convicts and other detainees, as well as individual meetings with 57 of them.

The proposals of the Ombudsman to further strengthen the system of ensuring the rights and freedoms of persons held in custody are taken into account in the Regulations on the Chief Department for the Execution of Punishments of the Ministry of Internal Affairs of the Republic of Uzbekistan, approved by the Decree of the President of the Republic of Uzbekistan “On Measures to Fundamentally Improve the Activities of Law Enforcement Agencies in the Field of Execution of Punishments Related to the Deprivation of Liberty” # PP-3200 dated August 11, 2017 and the “Internal Regulations for the Temporary Detention Isolators of Internal Affairs Institutions of the Republic of Uzbekistan”, approved by order of the Minister of Internal Affairs of the Republic of Uzbekistan # 171 dated August 14, 2017 *(registration of the Ministry of Justice of the Republic of Uzbekistan # 2929 dated September 12, 2017)*.

In order to improve the professional knowledge of the staff of the Secretariat of the Ombudsman and its regional representatives, a seminar on the theme “International practices of national human rights institutions in monitoring the penitentiary institutions for the underage” was held on October 27-28, 2017 in Tashkent, together with the UNICEF office in Uzbekistan. During the seminar, issues of further improving the activities of the Ombudsman in monitoring relevant institutions in accordance with international legal documents of the United Nations and international best practice were discussed.

The measures taken to increase the legal culture of citizens and their knowledge in the field of mechanisms for protecting their rights and freedoms, informing persons in custody about the ongoing legal reforms and developing the activities of the Ombudsman’s institution have affected the number of complaints received from this category of persons. In 2017, the Ombudsman received **565** calls, which is 2.7 times more than in 2016, and 3.8 times more than in 2015. Of these, **536** were received in the form of complaints about the disagreement of the court verdict (*418 complaints*) and the course of investigative measures (*118 complaints*), **29** appeals were received in the form of applications asking in 6 cases for commutation of the sentence and **23** cases for assistance in solving various socio-economic issues and other rights of family members of convicts.

All received complaints and applications for commutation of the sentence were comprehensively studied and reviewed by the Ombudsman together with the Supreme Court and the General Prosecutor’s Office of the Republic of Uzbekistan. Based on the results of their consideration, appropriate procedural measures were taken, the applicants were given detailed legal advice on ensuring the effective protection of their legal rights.

The ministries of justice and internal affairs, as well as public organizations such as the Women's Committee of Uzbekistan, the Mahalla Foundation and the Chamber of Lawyers of Uzbekistan participated in the examination of applications of persons held in custody, filed in the interests of their family members. As a result of the consideration of these applications, assistance was provided to conduct the meetings of 2 convicted women with their underaged children being brought up in orphanages. Other children of the convicts received a biometric passport and birth certificate, support papers for their determination to a preschool educational institution, and employment of a spouse of one of the convicts. In addition, the Chamber of Lawyers of Uzbekistan assisted the convicted person in filing a lawsuit in a civil court related to the issue of inheritance of real estate.

The Ombudsman paid special attention to complaints about the use of unlawful measures by law enforcement officials against suspects and convicted persons. In 2017, the Ombudsman recorded 24 cases of complaints about the use of physical and psychological pressure by employees of internal affairs bodies. These complaints were reviewed by the Ombudsman together with the General Prosecutor’s Office and the Supreme Court. According to the results, it was established that in 7 cases, the bodies of internal affairs, without a full and comprehensive examination of the circumstances set forth in the appellants’ complaints, made decisions not to initiate criminal proceedings. In connection with the appeal of the Ombudsman, the General Prosecutor’s Office canceled the decisions and sent for additional investigation. In addition, according to 2 other facts, an internal investigation was also scheduled, 9 cases of complaints were sent to the courts for consideration according to procedural norms. In 6 cases, the arguments of the applicants did not find their confirmation.

In accordance with the Joint Resolution of the 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 “On the Action Plan for Further Development of Cooperation with the Office of the United Nations High Commissioner for Human Rights” № 921-IISh/PK-200-III from June 16, 2017, the Ombudsman and the Chambers of the Oliy Majlis are charged with additional responsibility for conducting monitoring and analytical actions to prevent torture and other cruel treatment with wider use of forms of parliamentary control in the framework of the law “On Parliamentary Control”.

Ensuring the implementation of these activities, Ombudsman passed to the chambers of the Parliament the followings:

- informational and analytical note “The facts of complaints about the use of torture and other cruel types of treatment, the results of their consideration *(following the results of 9 months of 2017)*”;

- proposal on hearing by the Parliament committees on legislation and judicial issues of a report from a representative of the Ministry of Internal Affairs of the Republic of Uzbekistan on the work carried out to implement the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment dated December 10, 1984, ratified by the Resolution of the Oliy Majlis of the Republic of Uzbekistan # 130-I from August 31, 1995.

In order to effectively implement the principles of justice, humanity and the rule of law, ensure comprehensive judicial and extrajudicial protection of human rights and freedoms, the Senate and the Legislative Chamber of the Oliy Majlis and the Ombudsman approved adopted the “Schedule of organization and conduct of monitoring and analytical activities to prevent torture and other cruel , inhuman or degrading treatment or punishment for 2018” on December 29, 2017. Activities include:

- the Ombudsman compiles the complaints about the use of torture and other cruel, inhuman or degrading treatment or punishment, the results of the consideration of these complaints, the development of relevant information and analytical materials and their submission to the chambers of the Oliy Majlis on semi-annual basis;

- hearing in July 2018 by the Committee of the Senate of the Oliy Majlis of a report by a representative of the Ministry of Internal Affairs regarding the implementation of the provisions of the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

- organization of joint events for monitoring the places of detention and special receivers in order to study compliance with the requirements of the law;

- conducting seminars for employees of the internal affairs bodies to raise their awareness of international legal acts, foreign experience in the implementation of measures to prevent torture and other cruel, inhuman or degrading treatment or punishment;

- participation of the Ombudsman in the prescribed manner as an observer in criminal court proceedings against persons who had previously filed complaints about torture and other cruel, inhuman or degrading treatment or punishment, the enforcement of the requirements of the courts of the Plenum of the Supreme Court “On the practice of the application by the courts of laws ensuring the suspect and the accused the right to defense” #17 dated December 19, 2003, the development of a certificate of compliance with the courts procedural standards and their submission to the Supreme Court, the Highest Judicial Council and the General Prosecutor;

- discussion of the issues of making amendments and additions to Article 235 of the Criminal Code and accession of the Republic of Uzbekistan to the Optional Protocol to the UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its submission to the Chambers of the Oliy Majlis; and other events.

According to the Decree of the President of the Republic of Uzbekistan “On additional measures to strengthen the guarantees of the rights and freedoms of citizens in forensic investigation” # UP-5268 dated November 30, 2017 and the Plan of Practical Measures (“Road Map”) Promoting the Initiatives of the Republic of Uzbekistan put forward at the 72nd UNGA session as well as the implementation of the agreements reached as a result of discussions with Zeid Ra'ad Al Hussein, UN High Commissioner for Human Rights, on September 18-20, 2017 in New York City, approved by the Decree of the President of the Republic of Uzbekistan # PP-3293 dated September 27, 2017, the Ombudsman is developing the followings:

- “Provisions on the implementation of parliamentary control over the observance of the rights and freedoms of persons serving sentences in penitentiary institutions, detainees and detainees, and administrative arrest by the Authorized Person of the Oliy Majlis of the Republic of Uzbekistan on Human Rights (Ombudsman)”;

- “Provisions on the national preventive mechanism for the prevention of torture under the Authorized Person of the Oliy Majlis of the Republic of Uzbekistan on Human Rights (Ombudsman)”.

In order to comprehensively study international legal documents and foreign experience in this field, develop and implement legal expertise of draft legislation, the Ombudsman together with the OSCE Project Co-ordinator in Uzbekistan approved the joint project “Assistance in Organizing the Work of the National Preventive Mechanism” for 2018-2019. It is also planned to prepare, jointly with the Kazakhstani representative office of the International Prison Reform in Central Asia, analytical materials on international documents and best practices of the National Preventive Mechanism.

***Countering human trafficking***

The Ombudsman is a member of the Republican Interdepartmental Commission on Counteracting Trafficking in Persons, established in accordance with the Presidential Decree “On measures to further improve the system of crime prevention and crime control” # PP-2833 dated March 14, 2017.

During the year, the Ombudsman took part in two meetings of the Commission, participated in the development of a Plan to increase the effectiveness of combating trafficking in persons for 2017–2018 and proposals to the draft Action Plan for the protection of the rights and freedoms of victims of trafficking.

According to the Action Plan, the Ombudsman with the participation of regional representatives held a series of regional seminars on the theme: “Trafficking in Persons - a Problem of the Century”. During the events, the provisions of the legislation in the field of combating human trafficking, the specifics of the Republican interdepartmental and regional commissions were revealed. A total of 76 events and speeches were held *(the total audience of more than 6 thousand people was covered)*.

For the purpose of timely detection of crimes in this area, all incoming appeals are studied in detail for the presence of signs stipulated by any relevant article of the Criminal Code of the Republic of Uzbekistan, namely related to buying and selling a person, his/her recruitment, transportation, transfer, concealment or receipt for exploitation. During the year, **36** applications from citizens were sent to law enforcement agencies. Mostly, these appeals concerned about non-payment of funds to persons for the amount of work performed by them while they were in foreign countries. The appeals indicated facts when individuals acting as employers or their representatives attract citizens to work outside the country, arrange relocation, withdraw their passports upon placement, monitor the progress of the assigned workload, and upon completion refuse to pay the amount of earnings.

According to the results of consideration by law enforcement agencies of the Ombudsman’s appeals, a criminal case was initiated by the Ministry of Internal Affairs of the Republic of Kazakhstan regarding the perpetrators in connection with the forcible detention of 5 residents of the Shakhrisabz district in the manufacturing enterprise for the production of building materials in the Chimkent region of the Republic of Kazakhstan.

In addition to this, 2 criminal cases were initiated on the appeals of citizens R., Sh. and K. in connection with the non-payment of funds for the actual amount of work under Article 168 of the Criminal Code - the seizure of another’s property or the right to other’s property by deception or abuse of trust.

In cases where there was no corpus delicti in the appeals, comprehensive legal proposalswere submitted regarding the protection of their economic rights in a civil procedure.

***Countering Corruption***

In accordance with the Decree of the President of the Republic of Uzbekistan “On Measures to Implement the Provisions of the Law of the Republic of Uzbekistan On Countering Corruption” # PP-2752 dated February 2, 2017, the Ombudsman is a member of the Republican Inter-Agency Commission on Countering Corruption.

During the year, the Ombudsman took part in two meetings of the Commission, the development of measures to prevent corruption and eliminate possible corruption components in the current legislation, proposals to the State Program on Countering Corruption for 2017-2018, as well as making changes and amendments to the Regulations and other legal acts related to the activities of the Commission, approved and implemented the Action Plan of the Ombudsman for the implementation of the relevant State program.

According to the Action Plan, a booklet was published jointly with the General Prosecutor’s Office on the theme “Countering Corruption - a Factor of Development”, with the participation of regional representatives of the Ombudsman 49 events and speeches aimed at disclosing the essence and significance of anti-corruption legislation were organized *(the total audience of more than 10 thousand people was covered)*.

As part of the work of informing foreign experts and analytical circles about transformations in this area, the Ombudsman made a presentation on: “The interaction of the Ombudsman with law enforcement agencies in countering corruption: the experience of Uzbekistan” at the 3rd Meeting of the Heads of Anti-corruption Bodies and Ombudsmen of the Member Countries of the Economic Cooperation Organization held on June 6-7, 2017 in Baku, as well as sent to the General Prosecutor’s Office information on the interim report and evaluation of the implementation of the recommendations of the Third round of monitoring of the Istanbul Action Plan for Uzbekistan.

According to the Law of the Republic of Uzbekistan “On Countering Corruption”, measures to promptly identify and stop corruption offenses, ensure the principle of inevitability of responsibility for committing corruption offenses include ensuring full, objective and timely consideration of appeals of individuals and legal entities on facts of corruption offenses. Also, Article 26 of the Law implies the need to notify law enforcement agencies about such facts of offenses.

During 2017, the Ombudsman sent **47** appeals to the General Prosecutor’s Office with information on possible manifestations of the corruption component. According to the appeal of citizen S., it was revealed that the allocation of 135 plots of land, located on the territory of the market, was made based on forged documents. According to the appeal of the Ombudsman, a criminal case was initiated against the employees of the Khokimiyat of the Turtkul district, under the articles of the Criminal Code “abuse of power or official authority” and “official forgery”. In another case, the fact of violation of the procedure for the use of centralized resources in the Children's School of Music and Creativity #16 in the Urgut District was determined. Following the audit, measures were taken to fully refund to the budget of the amount of 19.0 million soums which was over-paid to employees.

***Political rights and freedoms***

According to the Constitution of the Republic of Uzbekistan, citizens participate in managing the affairs of society and the state, through self-government, the democratic formation of state bodies, the development and improvement of public control over the activities of state bodies. The country's legislation also entitles the right of citizens to form associations in trade unions, political parties and other public associations, participate in mass movements, make statements, proposals and complaints to the competent state bodies and institutions.

In 2017, the Ombudsman received **386** applications from citizens, including **201** complaints, **87** statements and **98** proposals under the category of human and civil rights and freedoms. The applications submitted were related to the issues of obtaining and withdrawing the citizenship of the Republic of Uzbekistan, the rights of citizens to apply to state bodies and institutions, including violation of the terms of consideration of appeals – **93** complaints, the quality and content of the response from state authorities - **108** complaints, proposals regarding the development of the organizational and legal framework of the Ombudsman.

An important political event of 2017 was the organization of elections of members of local Kengashes of People’s Deputies of the city of Tashkent, conducted on December 24, 2017 in accordance with the Law of the Republic of Uzbekistan “On elections to district Kengashes of People’s Deputies of the city of Tashkent”. During the elections, 330 members of district Kengashes of People’s Deputies were elected. More than 1.27 million voters or 81.2 percent of the total number of registered voters took part in the voting. The elections were held in full compliance with national legislation, enshrined in it principles of equality, openness, transparency, alternativeness, justice and international standards for democratic elections. During the elections, a legal experiment was carried out on the use of the information system of the Unified Electronic Voter List. The system ensures the inclusion of the voter in only one list, the possibility of conducting electronic counting of voters participating in the voting. During the election campaign and the voting, there were no complaints of violations of election law addressed to the Ombudsman, including anonymous ones.

The Law of the Republic of Uzbekistan “On the status of a member of the regional, district and city Kengash of People’s Deputies” provides guarantees of the activities of the member, including the guarantee of immunity during his term of office. Thus, a member may not be held criminally liable in the relevant territory, detained, imprisoned or subjected to an administrative penalty imposed in court, without the consent of the Kengash of People’s Deputies. At the same time, the law determines that this consent is not required if the crime or administrative offense is committed by a member outside the territory of a district or city where he/she is a member of the Kengash of People’s Deputies.

Ensuring legal guarantees of the immunity of a member of district Kengashes of People’s Deputies within the city of Tashkent is complicated in cases when a member lives and is employed in different districts of the city. A similar situation may also occur in other regions and cities of the republic. To effectively ensure the generally accepted democratic principles and guarantees of the activities of a member, it is suggested to consider the issue of extending guarantees of immunity within the city of Tashkent and the regions respectively.

***Economic rights and freedoms***

The state ensures the rights of citizens to the protection of private property, decent working conditions, encourages the development of private entrepreneurship and the farming movement.

During the reporting period, the Ombudsman received **2,169** appeals related to ensuring the economic rights and freedoms of a person and a citizen, of which **1,626** were complaints, **532** were statements and **11** were proposals. In terms of categories, **824** applications were regarding property ownership, **575** - labor rights, **271** - freedom and promotion of entrepreneurship, **399** - judicial protection of economic rights and freedoms of citizens, **100** - execution of judicial decisions in the field of economic rights and freedoms of citizens. As a subject of parliamentary control, the Ombudsman reviewed **504** complaints or **31** percent of the total.

As a result of the consideration of appeals, **2** protests were filed against decisions of courts in civil and economic cases, **4** lawsuits to courts requesting the payment of salaries for a total amount of **44.7** million soums, payments were made to other **11** citizens, **11** people were restored to work, assistance was provided in registration of the loan for **3** applicants for a total amount of **133.0** million soums and allocation of land for the development of the farm for **2** applicants. Also **2,319.0** million soums were recovered to the state’s income, **63.2** million soums - were in favor of the applicants, property worth **736.7** million soums was put up for auction, **104.8** million soums were paid as compensation for demolition of individual housing, etc.

***Freedom and promotion of entrepreneurship***

A comprehensive analysis and synthesis of appeals of individuals and legal entities on the issues of freedom and promotion of entrepreneurial activity allowed to note a number of factors affecting the efficiency of development of business entities, including:

- **intervention of law enforcement and regulatory authorities, as well as local authorities in the activities of business entities.** During the consideration by the Ombudsman and the Administrative Court of the Shayhontohur District, a complaint from citizen L. revealed a gross violation of the law when a short-term audit was conducted on April 7, 2017 in the private organization by the tax administration of the city of Tashkent. In particular, employees of the tax administration did not issue a test purchase protocol, an act of acceptance and transfer of physical evidence confirming that a business entity violated the cash flow requirements, attracted the under-age person as a witness, and also made other violations of the procedure for carrying out control check. The assistant of the Ombudsman’s Secretariat attended the court sessions as an observer. By a court decision, the actions of employees of the tax administration of the city of Tashkent Z. Isamukhamedov, S. Urinbaev and V. Yusupov were declared illegal, the resolution of the Tax department of the Yakkasaray district about an administrative fine *(4.5 million soums)* was canceled;

**- using the procedure of cancellation (revision) of the decision of a Khokim on the allocation of a land plot as a form of influence on business entities and a mechanism for the redistribution of property.** The complaint of citizen V. states about the decision of the Khokim of the Yangiyul district issued on September 24, 2017 for the withdrawal of a land plot allocated on October 20, 2014 to the Ozoda Tex family enterprise. Over the period, a family enterprise invested more than 285.0 million soums on the construction of a facility on this plot of land. At the request of the Ombudsman to the General Prosecutor’s Office a protest was filed against the said decision of the Khokim.

In another case, the Khokimiyat of Zangiota district, on February 3, 2016 allocated a land plot to the Orion Max Service LLC for the construction of a roadside infrastructure facility and the provision of car repair and personal services. After the moment of that decision, the business entity invested more than 1.5 billion soums in construction and repair work. Upon completion of this stage of investment, on December 22, 2017 prosecution authorities of the Tashkent region filed a lawsuit with the court about the incorrectness of the definition of a land plot by the district office of the Department of Land Resources and State Cadastre of the Tashkent region and demolishing the constructed object at the expense of the entrepreneur. Currently, this issue is being considered by the Tashkent Regional Economic Court. An assistant of the Ombudsman’s Secretariat participates in court sessions.

**- violation by local state authorities of legislation on the withdrawal of land for state needs.** During consideration of the appeal of citizen A., it was established that the Khokimiyat of the city of Termez seized a land plot for state needs with simultaneous demolition of an object worth about 450.0 million soums in violation of legislation without paying compensation. At the request of the Ombudsman, the prosecution authorities made an order to the Khokim of the Surkhandarya region to take measures to pay this debt by the Khokimiyat of Termez in the amount exceeding 294.0 million soums.

Also, on the request of the Ombudsman, entrepreneurs were allocated land plots in return for those seized in the city of Bukhara, Altiaryk and Dangara districts.

According to the Law of the Republic of Uzbekistan “On State Authorities”, Khokims of the district (city) have the right to grant land to possess, use and lease to enterprises, institutions, organizations, dekhkan farms, citizens; to terminate the rights of ownership and use of land by these entities; as well as to withdraw land with the subsequent approval of decisions by the relevant Kengash of People’s Deputies.

In order to provide reliable guarantees of the inviolability of private property and create a favorable business environment, it is advised to consider the question when the decision to terminate the right to own land in which material investments have already been made by private owners is made only by a higher Khokim and Kengash of People’s Deputies.

***Social rights and freedoms***

The Constitution and laws of the Republic of Uzbekistan guarantee the rights of citizens to education, qualified medical care, social security and protection against unemployment.

In 2017, the Ombudsman received **3,267** appeals related to ensuring the social rights and freedoms of a person and a citizen, including **2,231** complaints, **1,019** statements and **17** proposals. In terms of categories, the number of appeals on employment was - **358**, pension provision - **101**, medical care - **228**, education - **169**, provision of social benefits and material assistance - **324**, provision of family rights, protection of paternity and maternity - **307**, provision and expansion of housing area - **601**, judicial protection - **487**, execution of court decisions - **223**, housing and public utility services - **469**. As the subject of parliamentary control, the Ombudsman considered **934** complaints or **42** per cent of the total number.

In the course of consideration of appeals, **23** citizens were employed, benefits for compensation of health damage in the amount of **11.5** million soums were paid, low-income families received **2** apartments in high-rise buildings and **6** land plots for the construction of individual housing, assistance was rendered to **2** families in housing repair, a one-time financial assistance to **30** families, payment of childcare allowance to **10** families, assignment to pre-school institutions - to **3** applicants, alimony payments were collected in favor of **55** applicants for the total amount **83.5** million soums.

Warrants for hospitalization of **15** citizens were issued, specialized medical assistance was provided to **15** citizens, disability status was established for **3** citizens, wheelchairs were issued for **6** citizens.

In addition, **15** educators and **8** health workers are brought to disciplinary responsibility.

***Medical care of the population***

Summarizing the received **228** appeals makes it possible to note the importance of further implementation of measures to improve the system of training and raising the qualifications of medical personnel, as well as their culture, spirituality and responsibility. During the reporting period, according to appeals of citizens, the following individuals were brought to disciplinary responsibility for the shortcomings in their work:

- a district doctor and a nurse of the family polyclinic #30 of Yashnabad district for breaching confidentiality about HIV infection and attempting to forcibly examine the patient’s close relatives, as well as a doctor at a drug treatment clinic in the Samarkand region for not timely informing the patient about HIV infection, his rights, duties social protection;

- a district doctor of the family polyclinic #1 in Navoi for violating the procedure for organizing patronage monitoring of women of childbearing age and individual medical workers of the family polyclinic #4 in Bukhara for the shortcomings in providing gynecological care;

- a surgeon of the Republican Perinatal Gynecological Center for admitted deficiencies during surgery, with reimbursement of funds for the surgery (4 million soums) and rehabilitation (7.3 million soums);

- individual medical workers of the multidisciplinary polyclinic of the medical association #7 of the city of Fergana for collecting money from citizens in carrying out laboratory research.

In the 2016 report, the Ombudsman raised issues of improving the procedure for providing emergency medical care to the population. In particular, proposals were made to introduce a direct communication channel for advising citizens on urgent actions in case of a threat to human life and maintaining communication until the arrival of the ambulance, as well as developing and launching social films on providing first aid in case of a threat to human health.

As results of a direct dialogue with the population, the President of the Republic of Uzbekistan adopted the Decree “On measures to further improve the emergency medical care system” # UP-4985 dated March 16, 2017 and the Decree “On measures to accelerate the improvement of the emergency medical care system” # UP-3494 dated January 28, 2018. These measures include the organization of the activities of the call centers with operational single 24/7 emergency phone number, with the involvement of qualified medical personnel capable of providing effective assistance to the population at a qualitative level, as well as organizing events in the media aimed at increasing public awareness about conducting first aid.

***Right to education***

A comprehensive analysis of **169** appeals received on ensuring citizens’ rights to education made it possible to particularly highlight the trend related to the ethical aspects of relations of the administration of educational institutions and the teaching staff with students. There have been cases of publicly discredit and expulsion from the audience of students of higher educational institutions for their parents fulfilling obligations under contracts with an educational institution, as well as insults of students of general educational and secondary special institutions. During the year, according to the results of consideration of appeals in this regard, individual teachers of educational institutions #13 of the Chirakchi district, #8 of the city of Kokand and #5 of the Yunusabad district were brought to disciplinary responsibility.

Another negative aspect of the educational process is the subjectivity of individual heads of educational institutions in the selection and placement of personnel, the efficient use of resources allocated for teaching staff and the maintenance of institutions. for admitted deficiencies in the management of educational institutions during the reporting year, the following individuals were brought to disciplinary responsibility: the Principal of secondary school #70 of Guzar district, the administrative director of the academic lyceum #4 of Chimbay district, and the head of the preschool institution #8 of Khazarasp district, the director of the sports-pedagogical college of Yangibazar district. An employment contract was terminated with the head of the information-resource center of secondary school #1 of Alat district.

In 2017, a number of fundamental reforms was implemented in the education system, including the transition of general education institutions to an 11-year teaching cycle and the introduction of effective mechanisms to ensure the transparency of admission tests to higher educational institutions. Analysis of appeals on these issues allowed to establish the fact of the lack of complaints of citizens in connection with the reform of the general education process, reduction in the number of complaints about the results of entrance examinations to higher educational institutions by **2.2** times.

As part of measures to further improve the educational process, increase the responsibility of administrations and teachers of educational institutions for the spiritual and moral education of young people, it is suggested to establish administrative responsibility for diminishing the dignity of students.

***Pension benefits***

As results of a direct dialogue with the population in 2017, a transition was organized to issue the full amount of pension funds in cash, and according to Decree of the President of the Republic of Uzbekistan # UP-5291 dated December 28, 2017, the amounts of balances as of January 1, 2018 pensions and benefits identified as a result of checks on the correctness of their accrual for citizens over 65 years of age and those assigned for the period up to 2010 were written off, as well a procedure was introduced according to which, in the case of a pensioner’s disagreement with the decision of the district (city) department of the Pension Fund under the Ministry of Finance on the withholding of overpaid pensions, the identified debt is recovered in court, but not more than three years from the date of its identification.

The report of the Ombudsman for 2016 contained proposals for organizing the payment of pensions in cash, settling the procedure for writing off overpaid funds from pensioners and increasing the responsibility of the Pension Fund employees for the accounting and technical errors.

The measures taken have contributed to a drastic reduction in the number of complaints received in connection with the appointment and payment of pension funds. Compared to 2015, the number of such complaints in 2017 decreased by **6.1** times and amounted to **101** units. Of the indicated number of complaints - **18** are associated with minor delays in the payment of pensions to citizens living in remote regions, **42** - accruing pensions and **41** - calculating preferential pensions for citizens engaged in work with unhealthy conditions.

It is necessary to emphasize the issue of calculating pensions for citizens engaged in unhealthy jobs and industries. According to the Resolution of the Cabinet of Ministers “On approval of lists of industries, institutions, works, professions, positions and indicators giving the right to a pension on preferential terms” #250 dated May 12, 1994, persons have the right to a preferential pension who are employed in industries, institutions, occupations and positions based on the certification of workplaces on working conditions. Control over the correctness of the use of lists for preferential pensions in enterprises, regardless of the form of ownership and departmental affiliation, is carried out by the Pension Fund and the Ministry of Labour. Also, according to the “Methodology for the assessment of working conditions and certification of workplaces on working conditions”, approved by the Ministry of Labour and the Ministry of Health, registered by the Ministry of Justice #247 dated May 28, 1996, it was determined that the frequency of certification is established by the enterprise itself, but at least once every 5 years. Responsibility for timely and high-quality certification rests with the head of the enterprise or organization.

This mechanism creates conditions when a citizen, having actually worked for a certain amount of time in a production hazardous to health, may not receive a privileged pension guaranteed by law for reasons beyond his/her control, i.e. as a result of non-fulfillment of official duties by the employer, specialists of the Ministry of Employment and Labor Relations and the Pension Fund. At the same time, the legislation does not establish a specific measure of responsibility for the specified persons for failure to carry out attestation of workplaces in a timely manner. In this regard, it is suggested to exclude in legislation the rules that make a citizen dependent on third parties in the process of obtaining a preferential pension and at the same time strengthen the responsibility of the employer, the Pension Fund and the Ministry of Employment and Labor Relations for the implementation of legislation in this area.

***Environmental rights***

In accordance with the law, the state provides environmental protection, informs about its condition, takes measures to prevent the negative impact of human life on the environment.

In 2017, the Ombudsman received **21** complaints on this category of citizens' rights. They concerned the organization of the production of goods and services, the conduct of construction work, the installation of mobile communication antennas in the immediate vicinity of residential buildings, preschool and general education institutions, the provision of irrigation and drinking water to the population, the formation of landfills for untreated places, etc.

During the consideration of complaints, measures were taken to restore the rights of citizens to a clean environment and to prevent the negative impact of human life on the environment. In particular, construction work on the creation of a parking lot bordering on a pre-school educational institution in Yunusabad district and the construction of a mobile communication antenna in a citizens’ assembly in Kibray district was stopped, measures have been taken to relocate individual production plants from residential areas to uninhabited areas, namely, a furniture manufacturing in Andijan district, enterprises for the production of soy vinegar in the city of Almalyk and printing equipment in Yakkasaray district. For the other 16 complaints, local authorities have taken measures to eliminate and clean up areas and drains from household waste.

As part of the practical implementation of the Memorandum of Cooperation with the Ecological Movement of Uzbekistan, a number of joint monitoring and educational events was conducted. In particular, the issues of organizing the collection, processing, disposal of household and industrial wastes, as well as ensuring the safety and neutralization of polluted effluents in municipal wastewater treatment plants in Samarkand region, the effectiveness of the implementation of the laws of the Republic of Uzbekistan “On water and water Inventories” in Andijan region.

During the joint educational events held in educational institutions and citizens’ assemblies of the city of Tashkent, Tashkent and Syrdarya regions, the essence and importance of the Action Strategy on the Five Priority Areas of the Development of the Republic of Uzbekistan for 2017–2021 in the field of environmental safety, prevention of environmental problems causing damage to the environment, health and the gene pool of the population, as well as relevant issues of increasing the ecological culture of the population in the field of air protection, water use, biodiversity conservation, etc.

**V. Activities on improving the legal culture of citizens in the field of human rights and freedoms**

Raising awareness of citizens about legislation and international treaties of the Republic of Uzbekistan, generally accepted principles and norms of international human rights law is one of the priorities of the Ombudsman.

In accordance with the Law of the Republic of Uzbekistan “On the distribution of legal information and ensuring access to it” and in connection with the entry into legal force of the Law of the Republic of Uzbekistan “On introducing amendments and changes to the Law of the Republic of Uzbekistan “On the Authorized Person of the Oliy Majlis of the Republic of Uzbekistan on Human Rights (Ombudsman)”, the Ombudsman organized activities aimed at making the broad strata of the population, specialists of state and public organizations aware of the essence and content of legislative innovations. The details of the implementation of the “Paris Principles” in national legislation are also described in detail, including:

- broadcasted on the news channel “Uzbekistan 24” - 4 interviews, “МY5” channel - 3 interviews, “Uzbekistan” radio channel - 2 interviews, published in the newspapers “Narodnoe Slovo” and “Xalq So’zi” - 3 articles of the Ombudsman and employees of its secretariat, 18 different articles published in the news sites, such as uza.uz, gazeta.uz, podrobno.uz, kun.uz, ​​daryo.uz and ru.sputniknews-uz.com;

- a series of regional seminars was held on the topic: “The role of the Ombudsman’s institution in the development of dialogue between the state and society”. The events held in the cities of Samarkand, Jizzakh, Gulistan, Termez, Karshi, Andijan, Fergana and Namangan were attended by more than 700 representatives of local government bodies, non-governmental non-profit organizations and the media;

- a series of seminars was organized for students of the Academy of Public Administration under the President of the Republic of Uzbekistan, the Higher Courses of the General Prosecutor’s Office of the Republic of Uzbekistan, the Lawyers’ Training Center under the Ministry of Justice of the Republic of Uzbekistan, the University of World Economy and Diplomacy, the Singapore Management Development Institute in Tashkent.

In the work on raising the legal culture of the population, the Ombudsman paid particular importance to teaching citizens the means, methods and mechanisms for protecting their rights, freedoms and legitimate interests. According to the results of the regular generalization of incoming appeals of citizens, a number of topical issues has been identified, due to the civil-legal nature of their occurrence, requiring the organization of consistent explanatory work among the population. These questions include marriages without state registration and their consequences for women and children born as a result of these relationships, monetary transactions between citizens, unauthorized construction, as well as the consequences of untimely or improper execution of privately-owned movable and immovable property.

In this regard, the Ombudsman, in collaboration with the People’s Receptions of the President of the Republic of Uzbekistan, organized a series of seminars on the theme: “High legal culture - a guarantee of effective protection of human rights and freedoms”. Events from October to December 2017 were held in Andijan, Namangan, Fergana, Samarkand, Surkhandarya, Syrdarya, Jizzakh and Kashkadarya regions. More than 1,5 thousand representatives of citizens’ self-governing bodies, non-state non-profit organizations and the media took part in the events. In the course of the seminars, the participants were given real life examples, the problems that citizens encountered in the appeals, and also explained in detail the norms of legislation and the rules governing the sphere of civil relations in these relevant areas. As a result, the participants in the events independently held thematic discussions in citizens assemblies and among the active members of public organizations. In their opinion, the seminars contributed to raising the legal culture of citizens, public awareness about the means of protecting human rights and freedoms, strengthening the social partnership of state bodies and civil society institutions.

The Ombudsman and its representatives took part and made presentations at conferences, round tables and seminars of the General Prosecutor’s Office, the Ministry of Internal Affairs, Ministry of Justice, the Development Strategy Center, the Milliy Tiklanish Democratic Party, the Women's Committee of Uzbekistan, the University of World Economy and diplomacy, the Tashkent State Economic University, the Council of Trade Union Federations of Uzbekistan and the Independent Institute for Monitoring the Formation of Civil Society. In the course of these events, the essence and content of the laws of the Republic of Uzbekistan “On Appeals of Physical and Legal Entities” (in the new edition), “On internal affairs bodies”, “On combating human trafficking”, “On labour protection”, as well as measures taken in the framework of the State Program for the Implementation of the Action Strategy in the “Year of Dialogue with the People and Human Interests” in terms of improving the judicial and legal sphere, increasing the socio-economic activity of women and young people, strengthening the family and protecting vulnerable population.

In general, during the reporting year, 22 events were organized in the capital city and regions, 56 speeches during conferences, round tables and seminars, 16 articles were published in print media, 44 in electronic media, 27 interviews and reports on the activities of the Ombudsman’s institute were broadcasted in the television and radio news.

**VI. Development of international cooperation in the field of human rights**

In accordance with the legislation and the Action Strategy, the Ombudsman actively participated in strengthening relations with the UN system, international and foreign human rights institutions, bringing to the world community objective information about the reforms and the implementation of international treaties by the country.

***Cooperation with national and international human rights institutions, informing the general public about the changes in the country***

In the light of the country’s course towards strengthening good neighborly relations with the countries of Central Asia (CA), in 2017, the Ombudsman held meetings with colleagues from Kazakhstan A. Shakirov, Kyrgyzstan K. Otorbaev, Tajikistan Z. Alizoda and Turkmenistan J. Gurbannazarova. They took place in the course of events held in the cities of Astana, Bishkek, Almaty and Tashkent. Important agreements between ombudsmen were reached within the framework of the Regional Consultations of National Human Rights Institutions (NHRIs) of the Central Asian countries held in Almaty on November 15-17, 2017. The “Final Document” of the Consultations adopted by the Ombudsmen reflected the parties’ intentions to cooperate in protecting the rights and freedoms of citizens, exchange information on the adopted legal acts and promote joint initiatives at international events.

The Ombudsman consistently developed the sphere of bilateral relations. In 2017, the Ombudsman signed a Memorandum of Cooperation with the Bureau of Administrative Evaluation of the Ministry of Internal Affairs and Communications (Ombudsman) of Japan and the Chief Ombudsman of the Kingdom of Thailand. The memoranda envisage the implementation of joint research activities to study international experience and advanced developments, forms and methods of work in the field of human rights protection, the organization of conferences, seminars and round tables, including at the sites/platforms of international organizations and forums.

The important events of the reporting year that contributed to the further strengthening of international relations and raising the awareness of the foreign public about the ongoing democratic reforms in the country include:

- an international conference on the theme: “Human rights in the prism of the Constitution and Action Strategy on the Five Priority Areas of Development of the Republic of Uzbekistan” organized on December 11, 2017 in connection with the celebration of the 25th anniversary of the adoption of the country’s Constitution and World Human Rights Day;

- an Uzbek-Japanese round table on the topic: “Organizational and legal conditions for effective consideration of appeals of individuals and legal entities: the experience of Uzbekistan and Japan” held on November 28, 2017.

18 foreign experts arrived in Uzbekistan to participate in these activities, among them the Secretary General of the European Ombudsman Institute E.Siegele, the Deputy Ombudsman of Japan S.Yoshikayo, the Ombudsman of Thailand V.Rajatanun, the Ombudsman of Moldova M.Cotorobai, the Commissioner for Children’s Rights in the Republic of Kazakhstan Z.Baliyeva, Director of the Kazakhstani Representative Office of the International Prison Reform Association in Central Asia A.Shambilov.

During the event, experts received detailed information on the essence, meaning and implementation of the Action Strategy in the “Year of Dialogue with the People and Human Interests”, transformations of the judicial and legal sphere, improvement of the process of considering appeals of individuals and legal entities, as well as the activities of the Virtual and People’s Receptions of the Republic of Uzbekistan on the example of work organized in Samarkand region. The above events and the visit of foreign delegations at a high organizational level were supported by the orders of the Cabinet of Ministers of the Republic of Uzbekistan adopted in this regard *(#1314-F dated November 25, 2017 and #1361-F dated December 9, 2017).*

These goals were also achieved during the following individual visits conducted by the Ombudsman during the reporting period:

- to the Republic of Turkey *(March 2-3, 2017)*. Participated in the IV International Symposium of Ombudsmen. The event was also attended by the President of Turkey R.Erdogan and ombudsmen from over 50 countries of the world. During the visit, meetings were held with the Chief Ombudsman of Turkey Sh.Melkoc, the Ombudsman of Indonesia A.Rifai, the Ombudsman of the Russian Federation T.Moskalkova and the Parliamentary Ombudsman of Lithuania S.Suskis;

- to the Republic of Korea *(May 12-19, 2017)*. Participated in the work of the Asian Ombudsman Association, as well as a meeting was held with the Chairman of the Korean Independent Commission on Combating Corruption and Civil Rights, the Ombudsman of the Republic of Korea S.Hoon, presentations were organized together with the Development Strategy Center at the Kookmin University and the Asia-Pacific Research Center at Hanyang University;

- to the Kyrgyz Republic *(September 6-8, 2017)*. Participated in the international forum “The Role of the Ombudsman in the Improvement of Normative Legal Acts in the Field of Human Rights” with a report on the topic: “The Role of the Ombudsman in monitoring election legislation: the experience of Uzbekistan”. The forum was attended by the Speaker of the Kyrgyz Parliament D.Djumabekov and 15 ombudsmen. During the visit, meetings were held with the Head of the State Inspectorate Organization of Iran, the Ombudsman of Iran N.Serage, the Ombudsman of Latvia J.Jansons.

The Ombudsman and its representatives also participated and made presentations at other international events held in the country and abroad. In particular:

- seminar “Development of National Human Rights Institutions in the Asia-Pacific Region”, held in Astana on April 19-20, 2017 *(presentation: “Experience of the Ombudsman of Uzbekistan in organizing effective protection of human rights and freedoms”);*

- round table “Problems of naturalization of citizens in the post-Soviet states”, organized in Yekaterinburg on November 15-17, 2017 *(speech: “The interaction of ombudsman institutions in ensuring human rights and freedoms”);*

- conference “Child-Friendly Kazakhstan”, held in Astana on November 20-21, 2017 *(speech: “Activities of the Ombudsman of Uzbekistan to protect the rights of the underaged”)*;

- conference “Comparative Indicators for Measuring Progress in the Field of Human Rights: International Practice and Experience of Uzbekistan”, organized by the NHRC on November 21-22, 2017 in Tashkent and Samarkand *(presentation: “Improving the legislation on the activities of the Ombudsman”);*

- conference “The role and importance of the Constitution in building a democratic state of law” held by the Constitutional Court of the Republic of Uzbekistan on December 1, 2017 in Tashkent *(speech: “The role of the Ombudsman institution in protecting the constitutional rights and freedoms of citizens”)*.

***Informing international and foreign institutions on the implementation of international treaties of the Republic of Uzbekistan in the field of human rights and freedoms***

As part of measures to bring objective information to international organizations and foreign institutions on the implementation of international treaties of the Republic of Uzbekistan in the field of human rights and freedoms, as well as the role of the Ombudsman in the transformation process, the following meetings were held with:

- R.Winter, Deputy Chairman of the United Nations (UN) Committee on the Rights of the Child *(May 1, 2017);*

- UN High Commissioner for Human Rights Z. R. Al-Hussein *(May 10, 2017);*

- Deputy Secretary General of the Organization for Security and Cooperation in Europe (OSCE), M.Peszko *(May 22, 2017);*

- Chief Adviser to the OSCE Office for Democratic Institutions and Human Rights, S.Martin *(July 3, 2017);*

- Director of Europe and Central Asia, Human Rights Watch, H.Wilson *(September 4, 2017);*

- Regional Representative of the OHCHR in Central Asia, R.Komenda *(September 6 and November 23, 2017);*

- The Special Rapporteur of the UN Human Rights Council on Freedom of Religion or Belief, A.Shaheed *(October 3, 2017);*

- Senior Advisor to the OSCE High Commissioner on National Minorities L.Hadirka *(October 20, 2017);*

- Senior Specialist of the OSCE Office for Democratic Institutions and Human Rights S.Martin *(November 23, 2017).*

In 2017, the Ombudsman took part in the work of international events dedicated to the discussion of the implementation of international documents and treaties in the field of human rights. In particular:

- The III Meeting of the leaders of the anti-corruption bodies and ombudsmen of the members-countries of the Economic Cooperation Organization, held on June 6-7, 2017 in Baku. During the meeting, the Ombudsman delivered a presentation on the topic: “The interaction of the Ombudsman with law enforcement agencies in countering corruption: the experience of Uzbekistan”;

- The OSCE annual review meeting on the implementation of human dimension commitments by the participating states, held on September 11-22, 2017 in Warsaw. In the meeting, the Ombudsman made a speech on the topic: “Cooperation of the Ombudsman with civil society institutions in the protection of human rights: the experience of Uzbekistan”.

The Ombudsman also took part in the preparation of national reports of the Republic of Uzbekistan on the implementation of international treaties in the field of human rights and freedoms and sent to the NHRC information and analytical materials on the measures taken in the country and the activities of the Ombudsman in the following areas:

- prevention of torture and other cruel, inhuman or degrading treatment or punishment in accordance with the “Questionnaire on the implementation of the Concluding Observations and Recommendations of the UN Committee against Torture”;

- ensuring freedom of conscience and religion in accordance with the “List of issues for discussion submitted by A.Shaheed, Special Rapporteur of the UN Human Rights Council on freedom of religion or belief”;

- ensuring the rights of the underaged in accordance with the “Questionnaire for the Ombudsman on the Implementation of the Concluding Observations of the UN Committee on the Rights of the Child on the combined Third and Fourth Periodic Reports of the Republic of Uzbekistan” and the “Questionnaire on the implementation by the Republic of Uzbekistan of the Optional Protocol to the UN Convention on the Rights of the Child on the Involvement of Children in Armed Conflicts ratified by the Oliy Majlis of the Republic of Uzbekistan on December 12, 2008”.

The Ombudsman participates in the activities of the Interdepartmental Working Group on the study of the state of observance of human rights and freedoms by law enforcement and other government agencies under the Ministry of Justice of the Republic of Uzbekistan, the implementation of the National Action Plan (NAP) to implement the recommendations of the Human Rights Council and international treaty bodies of the United Nations after reviewing national reports of Uzbekistan in the field of human rights and freedoms for 2014-2016, additions to the Plan in terms of the implementation of the recommendations of the Committee on Economic, Social and Cultural Rights following the consideration of the Second National Report of Uzbekistan for 2015-2017 and the UN Committee on the Elimination of Racial Discrimination following consideration of the 8th-9th national report of Uzbekistan for 2015-2018.

As part of the implementation of the NAP, 5 information and analytical notes were sent to the Ministry of Justice, the Ministry of Foreign Affairs and the NHRC with comments by the Ombudsman on the US State Department’s “Country Reports on Human Rights Practices” and “International Religious Freedom Report”, the Human Rights Watch’s “World Report 2016” and the report following the visit to Uzbekistan (dated October 25, 2017), as well as a letter from the Executive Director of the Europe and Central Asia Unit, Human Rights Watch.

In terms of the practical implementation of international treaties of the Republic of Uzbekistan, the Ombudsman participates in the implementation of the followings:

- Action Plan (“Road Map”) for Promoting the Initiatives of the Republic of Uzbekistan put forward at the 72nd UNGA session as well as the implementation of the agreements reached as a result of discussions with Zeid Ra’ad Al Hussein, UN High Commissioner for Human Rights, on September 18-20, 2017 in New York City, approved by the Decree of the President of the Republic of Uzbekistan # PP-3293 dated September 27, 2017);

- Action Plan for Further Development of Cooperation with the Office of the United Nations High Commissioner for Human Rights”, approved by the Joint Resolution of the 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 # 921-III / PP-200 -III dated June 16, 2017.

According to the program documents, the Ombudsman developed and submitted to the Chambers of the Oliy Majlis the Concept on accreditation in the Global Alliance of National Human Rights Institutions (GANHRI). This measure will contribute to strengthening the international image of the Republic of Uzbekistan, recognizing the compliance of the legal framework and practical activities of the Ombudsman with the “UN Paris Principles”.

Full participation in the activities of GANHRI will expand the scope of cooperation of the Ombudsman with OHCHR, will serve as an effective new tool for promoting international initiatives of Uzbekistan, a source of disseminated of relevant objective data on democratic reforms in the country at the treaty bodies and the UN Human Rights Council. This process is comprehensively supported by the OHCHR office for Central Asia, the UNDP Istanbul Center and the UNDP office in Uzbekistan. According to the Concept, it is planned, jointly with international partners, to issue the corresponding Statement of the Ombudsman for joining the Alliance in July 2018.

In general, during the reporting period, the Ombudsman organized **2** international events, participated in **16** events, including in **12** events with presentation, **8** of them were held in foreign countries, **15** meetings were held with ombudsmen of foreign countries, and **12** meeting with delegations of international and foreign institutions.

Regarding the development of foreign relations and the implementation of international treaties, **7** information and analytical notes were sent to the Legislative Chamber and the Senate of the Oliy Majlis, as well as to the Cabinet of Ministers of the Republic of Uzbekistan. The number of corresponding documents the Ombudsman circulated with the Ministry of Foreign Affairs (*109*), the NHRC (*76*) and the Ministry of Justice (*24*) amounted to **209** documents.

**VII. Activities of the Commission on the observance of constitutional human rights and freedoms and the representatives of the Ombudsman in the regions of the country**

In accordance with the Law of the Republic of Uzbekistan “On the Authorized Person of the Oliy Majlis of the Republic of Uzbekistan on Human Rights (Ombudsman)”, the Commission on the observance of constitutional human rights and freedoms operates under the Ombudsman. Individual members of the Commission perform on a voluntary basis the functions of a regional representative of the Ombudsman.

According to legislation, and in order to ensure the effective activities of the regional representatives of the Ombudsman, the Joint Resolution of the 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 “On measures to further improve the organizational and legal framework of the Ombudsman’s activity” #1398-III / PC-282-III dated December 29, 2017 was adopted. The Joint Decree approved the following provisions:

- “On the Commission for the Observance of Constitutional Rights and Human Freedoms under the Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights (Ombudsman)”, defining the main tasks, rights, duties, the procedure for establishing the Commission, and guaranteeing the rights of its members;

- “On the representative of the Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights (Ombudsman) in the Republic of Karakalpakstan, regions and city of Tashkent”, regulating the procedure for appointment, tasks, rights and responsibilities, guarantees of the activities of the regional representative of the Ombudsman, their interaction with local government authorities and civil society institutions.

In 2017, three meetings of the Commission were held in Tashkent. During these meetings the following issues were discussed:

*- February, 15.* The tasks of the members of the Commission and regional representatives of the Ombudsman arising from the report on its activities in 2016; implementation of the Action Plan of the Ombudsman for 2017 in connection with the adoption of the State program for the implementation of the Action Strategy in the “Year of Dialogue with the People and Human Interests”; interaction of regional representatives with local government bodies, Kengashes of People’s Deputies, civil society institutions in monitoring law enforcement practices, considering appeals and improving the legal culture of the population; in accordance with the Decree of the President of the Republic of Uzbekistan “On implementing the provisions of the Law of the Republic of Uzbekistan “On Countering Corruption”” # PP-2752 dated February 2, 2017, participation of the Ombudsman and its regional representatives in the activities of relevant inter-agency commissions on counteracting corruption; development of proposals to the draft Law of the Republic of Uzbekistan “On the introduction of amendments and changes to the Law of the Republic of Uzbekistan“ On the Authorized Person of the Oliy Majlis of the Republic of Uzbekistan on Human Rights (Ombudsman)”, etc.;

*- August 11.* The organization of works on informing the public at large about the essence and significance of the laws of the Republic of Uzbekistan “On introducing amendments and changes to the Law of the Republic of Uzbekistan “On the Authorized Person of the Oliy Majlis of the Republic of Uzbekistan on Human Rights (Ombudsman)”” and “On appeals of individuals and legal entities (in the new edition)”; the results of the work of the Ombudsman and its regional representatives on the implementation of the Action Plan in the first half of 2017; interaction of regional representatives of the Ombudsman with the People’s Receptions of the President of the Republic of Uzbekistan in conducting monitoring activities, considering citizens’ appeals and improving the legal culture of the population; the participation of the Ombudsman and its regional representatives in the activities of relevant interdepartmental commissions to combat trafficking in persons, etc.;

*- October 28.* Discussion of the draft provisions on the Commission on the observance of constitutional rights and freedoms and on the regional representative of the Ombudsman; the participation of the Ombudsman and its regional representatives in the activities of the commissions on ensuring guaranteed labor rights of citizens, established in accordance with the Decree of the Senate of the Oliy Majlis of the Republic of Uzbekistan dated October 4, 2017; tasks arising from the normative legal acts adopted in 2017 in the area of improving the judicial and legal system, as well as Presidential Decree “On the creation of a National Preventive Mechanism for the prevention of torture under the Ombudsman” # PP-3293 dated September 27, 2017; proposals to the State Program for the implementation of the Action Strategy in 2018; appointment to vacant positions of representatives of the Ombudsman in the Republic of Karakalpakstan, Jizzakh, Namangan, and Khorezm regions: G. Bazarbayeva, Head of the state legal department of Zhukorgi Kenes of the Republic of Karakalpakstan, N. Pardayev, Chairman of the Council of trade unions of Jizzakh region, M. Khojaev, Head of the Namnagan regional branch of the Mahalla Foundation, and A. Rakhimov, Director of the Khorezm regional branch of Uzbekistan Pochtasi respectively.

In 2017, the regional representatives of the Ombudsman received **1,012** appeals, including on issues of ensuring socio-economic rights - **728** appeals, personal **- 273** and political - **11** appeals.

Following the consideration of these appeals together with the competent local government authorities and public organizations, assistance was provided to **116** low-income families in receiving social benefits, **67** citizens - in employment, **21** applicants – in job reinstatement, **63** low-income families, single pensioners and the disabled - in improving living conditions, **19** – in collecting alimony for raising minor children, **20** - in receiving qualified medical care, **9** – in determining the amount of accrued pension, **5** applicants – in setting the degree of disability, and others.

As part of measures to improve the legal culture of the population, 74 events were organized by regional representatives of the Ombudsman. These events contributed to raising the awareness of citizens about the measures taken in accordance with the State Program for the implementation of the Action Strategy for the democratic renewal of society, the development of institutions for the protection of human rights and civil society institutions; the essence of the laws of the Republic of Uzbekistan “On the Authorized Person of the Oliy Majlis of the Republic of Uzbekistan on Human Rights (Ombudsman)”, “On Appeals of Individuals and Legal Entities (in the new edition)”, “Combating corruption”, “On Combating Human Trafficking”, the “Labor Code” and others.

Regional representatives of the Ombudsman also co-organized other 118 similar conferences, round tables and seminars held by state and public organizations, made presentations at 347 events, published 14 articles in regional print media and gave 32 interviews to local TV and radio channels.

The regional representatives of the Ombudsman paid special attention to the issues of ensuring the rights and freedoms of persons held in custody, compliance with the Penal Code of the Republic of Uzbekistan, increasing legal knowledge of the means and mechanisms for the protection of their rights. During 2017, the Regional Representatives of the Ombudsman carried out monitoring activities in 18 various penitentiary institutions, conducted collective conversations with more than 500 convicts, and individual meetings with 139 of them.

**Conclusions and Recommendations**

Certainly, 2017 had a special historical significance for the country. On the initiative of the President of the Republic of Uzbekistan Sh.M. Mirziyoyev, large-scale and cardinal transformations were carried out, comprehensively covering all the most important areas of government and society. The real priority and the only value of the new state policy of the country is determined by the person, his/her rights and freedoms. Broad and comprehensive civic support for the reform course allowed us to dynamically and consistently put into practice progressive solutions and innovative approaches in ensuring the strategic goal of creating the country with the right conditions for a safe life for citizens, building a democratic state and a just society.

**1. Analysis of the events of 2017 allowed to formulate the following main conclusions:**

**Firstly,** the Action Strategy on the Five Priority Areas of Development of the Republic of Uzbekistan in 2017–2021, adopted as results of a nationwide discussion, helped to define the specific scale of the country’s development tasks, develop effective mechanisms for their consistent implementation in the foreseeable future, and involve civil society institutions and the general population;

**Secondly,** the direct dialogue with the people, the activities of the Virtual and People’s Reception of the President of the Republic of Uzbekistan, revealed the shortcomings in ensuring personal, political and socio-economic human rights and freedoms and the legitimate interests of citizens, adopt and implement the organizational and legal decisions that meet the real needs of the population, the modern goals of development of the state and society;

**Thirdly,** the creation of the institution of the Authorized Person under the President of the Republic of Uzbekistan to protect the rights and legitimate interests of business entities, as well as the adopted legislative innovations to improve the activities of the Ombudsman and its regional representatives expanded citizens’ access to modern, efficient means and mechanisms of state protection of human rights and freedoms.

**Fourthly,** an open and constructive dialogue with foreign policy partners contributed to the establishment of genuinely good neighborly relations with the countries of the region, further deepening cooperation with the UN and the OSCE, as well as other international and foreign non-governmental organizations in the field of human rights, creating a favorable investment climate in the country.

**2. Summarizing the results of the activities of the Ombudsman contributed to the identification of a number of effective directions for the development of the human rights protection system.**

**Firstly.** The creation of a direct hotline telephone for receiving appeals and providing legal advice to citizens, the organization of the Virtual Reception and visiting personal receptions of the Ombudsman contributed to increasing the openness of its activities, the legal culture of the population and the knowledge of citizens in the area of protecting their rights, freedoms and legitimate interests.

**Secondly.** Cooperation with local government bodies and civil society institutions in the implementation of activities to ensure the accelerated socio-economic development of regions has allowed the development of a system for providing employment for the population, state support for low-income families, elderly citizens and people with disabilities.

**Thirdly.** The joint work with the chambers of the Parliament to strengthen parliamentary control over ensuring the rights and freedoms of persons held in custody contributed to strengthening public confidence in government, and implementing the principles of the rule of law, humanism and justice.

**3. The study of appeals of individuals and legal entities has allowed the development of a number of additional proposals for the improvement of legislation and practice in the field of human rights:**

- to bring the Article 235 of the Criminal Code of the Republic of Uzbekistan in line with the UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

- to consider the issue of strengthening the responsibility of the employees of the investigating authorities for the legality of the decision to refuse to initiate a criminal case;

- to introduce into practice the procedure for the courts to determine a single minimum proportionate amount of compensation for damage in the event of death, serious bodily injury resulting from negligent crimes;

- to improve the system of guarantees for the activities of a member of a district or city Kengash of People’s Deputies, ensuring his/her immunity within the city of Tashkent or the relevant region;

- to introduce a mechanism allowing making decision on termination of the right to own land in which private investments were made, only by higher Khokim and Kengash of People’s Deputies;

- to establish the responsibility of the employer, the Pension Fund under the Ministry of Finance and the Ministry of Employment and Labour Relations for the implementation of legislation in the field of certification of workplaces for working conditions;

- to implement mechanisms of parliamentary and public control over ensuring the rights of orphans and children left without parental care for living space and employment;

- to strengthen the financial, material and technical base of the activities of regional representatives of the Ombudsman, as well as involve them in the work of the Oliy Majlis on the study of the activities of the sectors in the integrated socio-economic development of the regions.

**ATTACHMENTS**

*Diagram 1*

**Total number of appeals received by the Ombudsman**

*Diagram 2*

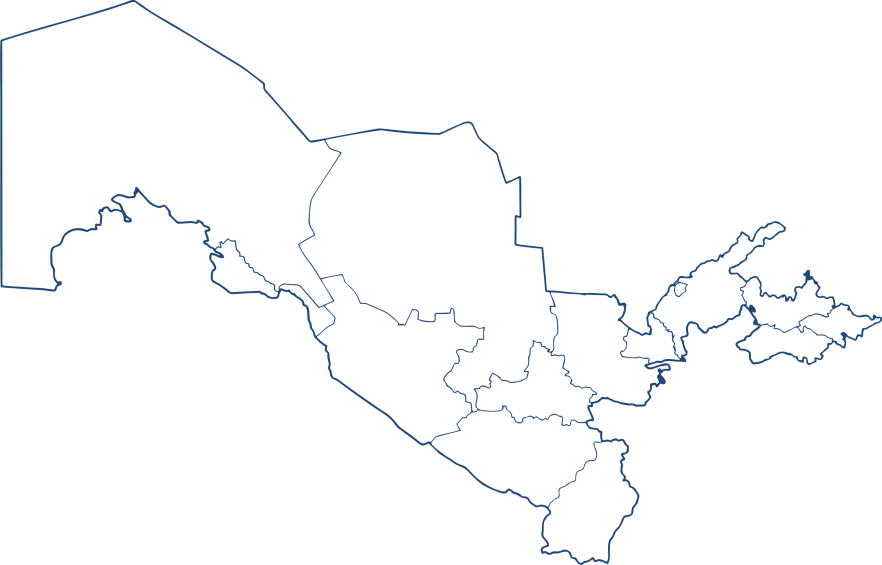
**Appeals in the context of categories of citizens’ rights, in %**

*Diagram 3*

**Number of appeals received by the Ombudsman, by region**

Republic of Karakalpakstan

**206**



Khorezm region

**325**

Bukhara region

**270**

Kashkadarya region

**1123**

Syrdarya region

**199**

Ferghana region

**509**

Namangan region

**324**

Jizzakh region

**291**

City of Tashkent

**2008**

Samarkand region

**543**

Andijan region

**347**

Tashkent region

**1203**

Navoi region

**234**

Surkhandarya region

**832**

*Diagram 4*

*Diagram 5*

**APPEALS IN THE SPHERE OF SOCIAL HUMAN RIGHTS AND FREEDOMS**

**Appeals in the context of categories of citizens' rights, in%**

*Diagram 6*

**Number of appeals by categories of citizens’ rights**

**Number of appeals by categories of citizens' rights**

Number of appeals by categories of citizens' rights

*Diagram 7*

**APPEALS IN THE AREA OF PERSONAL RIGHTS AND FREEDOMS**

**Appeals in the context of categories of citizens' rights, in%**

*Diagram 8*

**Number of appeals by categories of citizens’ rights**

*Diagram 9*

*Diagram 10*

**APPEALS IN THE SPHERE OF ECONOMIC RIGHTS AND FREEDOMS OF CITIZENS**

**Appeals in the context of categories of citizens' rights, in%**

*Diagram 11*

**Number of appeals by categories of citizens’ rights**

*Diagram 12*

**APPEALS IN THE AREA OF SECURING POLITICAL RIGHTS AND FREEDOMS OF CITIZENS**

**Number of appeals by categories of citizens' rights**

*Diagram 13*

**APPEALS IN THE SPHERE OF ENVIRONMENTAL HUMAN RIGHTS**

**Number of appeals by categories of citizens’ rights**