

**LAW
OF THE REPUBLIC OF UZBEKISTAN**

**«ON THE AUTHORIZED PERSON OF THE OLIY MAJLIS OF THE
REPUBLIC OF UZBEKISTAN FOR HUMAN RIGHTS (OMBUDSMAN)»**

(amended)

The present Law shall foresee rights, duties, basic directions and guarantees of activity of the Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights (Ombudsman).

**Article 1. The Authorized Person of the Oliy Majlis of
the Republic of Uzbekistan for Human Rights (Ombudsman)**

The Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights (Ombudsman) (hereafter referred as AP) shall be the official with the authorities to conduct parliamentary control over observance of human rights laws by state agencies, enterprises, institutions, organizations and officials (hereafter referred as organizations and officials).

Institution of the Authorized Person for Human Rights of the Republic of Uzbekistan supplements the existing forms of protection of human rights and freedoms. The AP shall promote the improvement of the legislation of the Republic of Uzbekistan on human rights and putting it in accordance with the norms of international law as well as promote international cooperation in human rights protection and facilitate public comprehension and awareness in the area of human rights.

Article 2. Legal Bases of Activity of the AP

In his/her activities the AP shall be guided by the Constitution of the Republic Uzbekistan, laws, other legislative acts, international treaties of the Republic of Uzbekistan and generally accepted human rights principles and norms of international law.

The AP in implementing his duties is independent from other state agencies and officials, and reports to the Oliy Majlis of the Republic Uzbekistan.

Article 3. Election of the AP

The AP shall be elected by the Legislative Chamber and the Senate of the Oliy Majlis of the Republic of Uzbekistan for a term of five years.

The candidature for the post of AP shall be nominated by the President of the Republic of Uzbekistan to the chambers of the Oliy Majlis of the Republic Uzbekistan.

The decision of the Legislative Chamber and the Senate of the Oliy Majlis of the Republic of Uzbekistan on election of the AP shall be adopted by the majority vote of the general number of deputies of the Legislative Chamber and members of the Senate of the Oliy Majlis of the Republic of Uzbekistan at their sessions.

After consideration of the candidature of the AP at sessions of chambers of the Oliy Majlis of the Republic of Uzbekistan, adopted final decree on election of the AP shall be sent to the President of the Republic of Uzbekistan in accordance with established legal procedure.

The AP shall consider complaints submitted by the third persons, including not-state noncommercial organizations, on violations of rights, freedom and legitimate interests of the person or group of persons at the consent thereof.

The AP does not consider the matters under the competency of court.

Article 11. Terms of Consideration of Complaints by the AP

The AP shall consider the complaints filed within one year from the moment when applicant becomes aware of the violation of his/her rights, freedoms and legitimate interests, or adoption of the last decision on his/her complaint if the applicant has exhausted other remedies of protection of his/her rights, freedom and legitimate interests and dissatisfied with the decisions made thereon.

Article 12. Contents of Complaints

The complaint submitted to the AP shall contain the name, surname and father's name of the complainant, his/her address, name of organization, the name, surname and father's name of official, which actions/inactions are appealed, nature of actions/inactions which have supposedly violated rights, freedoms and legitimate interests of the applicant.

The complaint filed to the AP shall not be subject to state fee.

Article 13. Rights of the AP

The AP, shall be entitled to:

- consider a complaint;
- show the complainant ways and methods how he could protect his rights, freedom and legitimate interests;
- forward the complaint to organization or official who is competent to settle the issue;
- provide the complainant with the access to documents, decisions and other materials relating to his rights and legitimate interests;
- reject a complaint/application and indicate reasons;
- take other measures, according to the legislation.

Article 14. Rights of the AP while Considering Complaints

The AP, while considering complaints or at examinations of cases of violation of rights, freedoms and legal interests on his/her own initiative, shall be entitled to:

- seek assistance from state agencies/institutions/officials in investigation of circumstances to be clarified;
- invite officials and representatives of organizations to investigate the circumstances to be clarified. The investigation may not be assigned to the agency whose actions/inactions shall be in question;
- visit freely organizations and officials;
- request and receive from organizations and officials documents, materials, and other information;
- receive explanations from officials;
- charge organizations and experts with preparation of conclusions on matters to be clarified;
- participate in examinations carried out by organizations and officials on issues dealing with rights, freedom and legal interests of citizens;
- meet and interview detained and convicted persons

After expiration of his/her term of office, the AP proceeds to execute duties till election of the new AP.

Article 4. Requirements to Candidate to Post of the AP

A citizen of the Republic of Uzbekistan, who has reached the age of twenty five years at the date of election, permanently living on the territory of the Republic of Uzbekistan not less than five years, may be elected as the AP.

Article 5. Deputy of the AP

The AP shall have his Deputy to be elected by chambers of the Oliy Majlis in accordance with established legal procedure.

In case of the dismissal of the AP, the Deputy of the AP shall execute his/her duties till election of the new AP, and at this period he/she shall enjoy all the guarantees established for the AP.

Article 6. Main Principles of Activity of the AP

Main principles for the AP's activities shall be legality, justice, democracy, humanism, openness, accessibility for everyone.

Article 7. Report of the AP

The report of the AP shall be annually heard at sessions of Chambers of the Oliy Majlis of the Republic of Uzbekistan in accordance with the legislation.

The annual report of the AP shall be published in accordance with established procedure.

The AP participates in preparation of annual reports of the Republic of Uzbekistan on implementation of international treaties in the field of human rights and freedoms.

Article 8. Activity Incompatible with Post of the AP

The AP shall be obliged to suspend or stop his/her membership in a political party for the term of his/her authorities. The AP cannot be engaged in other kinds of paid activity, except for scientific and pedagogical ones.

Article 9. Dismissal of the AP

The AP shall be dismissed by Chambers of the Oliy Majlis of the Republic of Uzbekistan in the instance of, as follows:

written application for abdication;

due to steady decrease in health conditions, confirmed by certificate of health;

coming into legal force of the sentence of conviction rendered by the court;

election or assignment for the post incompatible with the activity of the AP according to the law.

Article 10. Consideration of Complaints by the AP

The AP shall consider complaints of citizens of the Republic of Uzbekistan, foreign citizens and stateless persons on actions/inactions of organizations or officials violating their rights, freedoms and legitimate interests and has the right to start his own investigation.

- enter to corresponding bodies with application on instituting proceeding against persons, whose actions violated rights and freedom of citizens.

Information on private life of applicant and other persons, received at check-up of cases on violation of rights, freedom and legitimate interests of persons shall not be subject of divulging without the consent thereof.

Article 15. Assistance to Activity of the AP

Officials shall be obliged to provide the AP with requested documents, materials and other information, related to violation of rights, freedom and legitimate interests of citizens.

The AP shall use the right of undelayable reception by heads and other officials of state bodies, enterprises, institutions, organizations on matters dealing with his/her activity.

Order of AP's visits of enterprises, institutions and organizations, activity of which is related to state or other protected by law secret, shall be carried out in accordance with legislation of the Republic of Uzbekistan.

Any impediment to performance of charges of the AP shall be subject to responsibility in accordance with established procedure.

Article 16. Duties of the AP on Results of Examination of Complaint

On results of examination of complaint the AP shall be obliged to:

- make the complainant aware of the results of consideration;
- forward a conclusion with recommendations on restoration of violated rights to organization or official whose activities/inactivity violate rights, freedom and legitimate interests of citizens. The organization or official, who has received a conclusion of the AP, shall consider and give motivated answer to it within a month.

Article 17. Conclusion of the AP

The AP's conclusion may contain recommendations that:

- the case must be finalized by the organization/official;
- the decision of the organization/official shall be changed or cancelled;
- the decision of the organization/official shall be justified;
- an additional decision shall be made by the organization/official.

The conclusion may contain other recommendations.

Article 18. Inviolability of the AP

The AP shall enjoy inviolability and cannot be instituted criminal proceedings, arrested, imprisoned or subject to an administrative case without the consent of Chambers of the Oliy Majlis of the Republic of Uzbekistan.

Criminal procedure against the AP shall be initiated by the Prosecutor General only.

Forcible appearance, detainment, and as well as inspection of personal belongings, luggage, transport, residential or office accommodation of the AP shall be prohibited.

Article 19. Guarantees of Protection of Human Rights at Consideration of Complaints by the AP.

The complainant appealed to the AP as well as persons, who are commissioned by the AP to conduct the collection and analysis of information or expert's assessment, may not be subject to persecution or other limitation of his/their rights for his/their appropriate actions.

**Article 20. Commission on Observance of Constitutional
Human Rights and Freedoms**

To assist the AP in his activities, the Commission on observance of constitutional human rights and freedoms, chaired by the AP, is set up by the Kengashs of Chambers of the Oliy Majlis of the Republic of Uzbekistan.

The Commission is guided by Regulations approved by the Kengashs of Chambers of the Oliy Majlis of the Republic of Uzbekistan.

The AP may assign a member of the Commission as his representative.

Article 21. Secretariat and Logistical Support of Activity of the AP

To support the activities of the AP, the Secretariat shall be established, with its Statute approved by the AP. The Secretariat shall be juridical person.

The AP shall have the seal with the image of the State Emblem of the Republic of Uzbekistan.

Logistical support to activity of the AP shall be covered by the State budget of the Republic of Uzbekistan.

Article 22. Liability for Violation of the Legislation on the AP

Persons found guilty for violation of the legislation on the AP, shall be liable in accordance with the established procedure.

**LAW
OF THE REPUBLIC OF UZBEKISTAN**

**On Changes in and Amendments to
the Law of the Republic of Uzbekistan "On the Authorized Person of the Oliy Majlis
for Human Rights (Ombudsman)"**

To make changes in and amendments to the Law of the Republic of Uzbekistan "On the Authorized Person of the Oliy Majlis for Human Rights (Ombudsman)" of the of April 24, 1997 (Bulletin of the Oliy Majlis of the Republic of Uzbekistan, 1997, No. 4-5, Art. 102) by approving its new edition (attached).

The President of the
Republic of Uzbekistan

I. Karimov

Tashkent city,
August 27, 2004
№ 669 - II

The Degree of the Oliy Majlis of the Republic of Uzbekistan

**On giving effect to the Law of the Republic of Uzbekistan "On the Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights (Ombudsman)"
in new edition**

The Oliy Majlis of the Republic of Uzbekistan Decrees to:

1. Give effect to the Law of the Republic of Uzbekistan "On the Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights (Ombudsman)" in new edition as a result of election to the Legislative Chamber and formation of the Senate of the Oliy Majlis of the Republic of Uzbekistan.

Determine that the Authorized Person of the Oliy Majlis for Human Rights (Ombudsman) elected according to the Law of the Republic of Uzbekistan "On the Authorized Person of the Oliy Majlis for Human Rights (Ombudsman)" of the of April 24, 1997, proceeds to execute his/her duties upon to election of the new Authorized Person.

2. Bring the Decisions of the Government of the Republic of Uzbekistan (Sh. Mirziyoev) to conformity with the Law of the Republic of Uzbekistan "On the Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights (Ombudsman)" in new edition, ensure reconsideration and cancellation of standard acts of ministries, state committees and departments which are discordant to the Law.

The Chairman of the Oliy Majlis
of the Republic of Uzbekistan

E.Khalilov

Tashkent city,
August 27, 2004
№ 670 – II