2010 Country Reports on Human Rights Practices - Uzbekistan

Bureau of Democracy, Human Rights, and Labor
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Uzbekistan is an authoritarian state with a population of approximately 27.6 million. The constitution provides for a presidential system with separation of powers among the executive, legislative, and judicial branches. In practice President Islam Karimov and the centralized executive branch dominated political life and exercised nearly complete control over the other branches. Of the 150 members of the lower house of parliament, 135 are elected, and the remaining 15 were reserved for the newly established Ecological Movement of Uzbekistan. Eighty-four of the 100 senators are chosen in limited elections open only to elected members of local councils, and the president appoints the remaining 16. In 2007 the country elected President Karimov to a third term in office; however, according to the limited observer mission from the Organization for Security and Cooperation in Europe (OSCE), the government deprived voters of a genuine choice. Parliamentary elections took place in December 2009. While observers reported noticeable procedural improvements in comparison to the 2004 parliamentary elections, the 2009 elections were not considered free and fair due to government restrictions on eligible candidates and government control of media and campaign financing. Security forces reported to civilian authorities.

Human rights problems included citizens' inability to change their government peacefully; tightly controlled electoral processes with limited opportunities for choice; instances of torture and mistreatment of detainees by security forces; incommunicado and prolonged detention; occasional life-threatening prison conditions; arbitrary arrest and detention; denial of due process and fair trial; restrictions on freedom of speech, press, assembly, and association; governmental control of civil society activity; restrictions on religious freedom including harassment and imprisonment of religious minority group members; restrictions on freedom of movement for citizens; violence against women; and government-compelled forced labor in cotton harvesting. Human rights activists and journalists who criticized the government were subject to physical attack, harassment, arbitrary arrest, and politically motivated prosecution and detention.

Following ethnic violence in Kyrgyzstan in June, Uzbekistan accepted more than 100,000 Kyrgyzstani refugees into its territory and worked closely with the international community to provide food, water, and shelter for those in need.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were no confirmed reports that the government or its agents committed arbitrary or unlawful killings.

The government did not authorize an independent international investigation of the alleged killing of numerous unarmed civilians during the violent disturbances in Andijan in 2005, despite ongoing calls by international organizations for the government to do so. The government stated after its 2005 investigation that armed individuals initiated violence by firing on government forces. The death toll varied between the government's report of 187 and eyewitness' reports of several hundred individuals. The government never held anyone publically accountable for the civilian casualties.

b. Disappearance

There were no reports of politically motivated disappearances. Unconfirmed reports of disappearances of persons who were present at the violent disturbances in Andijan in 2005 persisted.

There was no update to the 2009 case of an Uzbek man and his son abducted in Kyrgyzstan and reportedly returned there after a lengthy interrogation. In August 2009 masked men kidnapped Mahmud Suyunov and Zokir Hismatullin, according to family members. Later their names appeared on a list of suspects involved in an exchange of gunfire in Tashkent in August 2009 and a bombing in Andijan earlier in the year. Family members have tried unsuccessfully to locate these men in government custody.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

Although the constitution and law prohibit such practices, law enforcement and security officers routinely beat and otherwise mistreated detainees to obtain confessions or incriminating information. Sources reported that torture and abuse were common in prisons, pretrial facilities, and local police and security service precincts. Reported methods of torture included severe beatings, denial of food, sexual abuse, tying and hanging by the hands, and electric shock. Family members of prisoners reported several cases of medical abuse, and one person reportedly remained in forced psychiatric treatment. The government reported that during the first six months of the year, it opened 226 criminal cases against 285 employees of law enforcement bodies. Of these, 75 persons were accused of charges related to abuse of power, and four were charged with torture or other brutal or degrading treatment. The remaining cases were for unspecified offenses. During the first nine months of the year, the government dismissed and brought criminal charges against 186 employees of law enforcement bodies for unstated reasons.

The UN Human Rights Committee in its five-year review of the country under the International Covenant on Civil and Political Rights (ICCPR Review) expressed concerns in a March 25 publication that the country's definition of torture in the criminal code is not in conformity with Article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, to which the country is a party.

In a joint statement submitted for the ICCPR Review, the Human Rights Alliance of Uzbekistan, the Committee for the Liberation of Prisoners of Conscience, and the Uzbek-German Forum for Human Rights stated that torture and abuse by police and investigating authorities remain "systematic, unpunished, and encouraged" by senior government officials. The report noted that judges and prosecutors routinely failed to investigate allegations of torture, and that the country's leadership, including heads of law enforcement agencies, failed to condemn publicly the use of torture.

In February an independent news Web site reported that family members of prisoner

Sanjar Narmuradov, serving a 13-year sentence on extremism charges, stated he was tortured and mistreated in a Tashkent Region prison.

In March, 12 of 25 defendants charged with religious extremism reported to a Jizzakh court that they were tortured in pretrial detention facilities. The court ordered an investigation of these claims, but concluded there was no evidence of torture.

On March 29, a Bukhara court convicted Kurban Kadyrov of participation in anticonstitutional activity as a member of a religious extremist group, sentencing him to eight years in prison. The court did not address Kadyrov's complaints that he only signed a confession because he was tortured during interrogation. On April 29, a regional Bukhara court upheld his conviction and sentence on appeal.

In April the Initiative Group of Independent Human Rights Defenders of Uzbekistan (IGIHRDU) reported that prisoner Dilshodbek Amanturdiev complained to family members that during the first four months of the year fellow inmates subjected him to torture instigated by the prison administration. Amanturdiev reportedly stated that in one incident, he was beaten unconscious.

Also in April an independent news Web site reported that family members of Rustam Usmanov visited him in prison and observed extensive bruises on his body. According to the report, Usmanov told them that prison guards tortured and tried to kill him.

On May 12, Radio Free Europe/Radio Liberty published a letter signed by 121 prisoners from a Kashkadarya prison to a human rights group. The letter alleged that guards routinely raped the prisoners with a club, subjected prisoners to enemas with red pepper solutions, and beat their heels until they bled.

In June the IGIHRDU reported that a group of criminals headed by a prison guard tortured Alijon Halimov for one week during August 2009.

In December 2009 two sisters serving prison sentences alleged that officers raped and mistreated them in prison. One of the sisters subsequently gave birth to a child in prison. The Tashkent City Criminal Court initiated a criminal case and reportedly did DNA testing of several officers, but no formal charges resulted during the year.

Authorities reportedly meted out harsher than typical treatment to individuals suspected of Islamist extremism throughout the year, especially to pretrial detainees who were allegedly members of banned religious extremist political organizations or to the Nur group, which is not officially banned. Local human rights workers reported that authorities often offered payment or other inducements to inmates to beat other inmates suspected of religious extremism.

During the year there were reports of politically motivated medical abuse. Victims could request, through legal counsel, to have an expert medical board review their cases. In practice, however, such bodies generally did not conduct impartial reviews and typically supported the decisions of law enforcement authorities.

Family members of several inmates whom the international community considers political prisoners asserted that officials did not grant prisoners' requests for medical evaluation and treatment. Among these prisoners were Alisher Karamatov, Yusuf Juma, Norboy Kholjigitov, Agzam Turgunov, Habibulla Okpulatov, and journalist Dilmurod Sayid.

There was no update on the case of Jamshid Karimov, a journalist, human rights activist, and nephew of President Karimov, whom officials have forcibly detained at Samarkand Psychiatric Hospital since 2006.

Prison and Detention Center Conditions

Prison conditions were in some circumstances life threatening. Officials reported that

the prison system is filled to only 74 percent of capacity, but reports of overcrowding were common, as were reports of severe abuse and shortages of medicine. Inmates and their families reported that food and water were of poor quality but generally available. There were reports of political prisoners being held in cells without proper ventilation, and prisoners occasionally were subjected to extreme temperatures. Family members of inmates reported incidents of sexual abuse. Family members also reported that officials frequently withheld or delayed delivery of food and medicine intended for prisoners.

Relatives of prisoners reported the deaths of several prisoners serving sentences, most of whom received sentences related to religious extremism. In some cases, family members reported that the body of the prisoner showed signs of beating or other abuse, but authorities pressured the family to bury the body before examination by a medical professional. Reported cases that fit this pattern included those of Nurullo Musaev and Shavkat Alimhojaev. There were no updates to the reported cases in 2009 that fit this pattern, including the deaths of Abdulatif Ayupov, Ismat Hudoyberdiyev, Negmat Zufarov, and Golib Mullajonov.

The IGIHRDU reported that on March 20 prisoner Yiginov Farmon died in prison after being subjected to torture and on March 27, an unnamed Tashkent native died in a Bukhara prison as a result of torture.

On June 17, Sunnatillo Zaripov died in prison, where he had been serving a 15-year term. Relatives reported to the press that he died as a result of torture.

In November family members of inmates housed in the Jaslyk prison reported that several Jaslyk inmates participated in a hunger strike for three to four days after 14 fellow inmates were taken to a separate area in the prison and severely beaten.

There were no updates to the cases of Muhammad Artykov, Nozimjon Mamadaliev, and family members of Nurillo Mazsudov. The family members reportedly died after being tortured in prison in 2008.

According to family members and some NGOs, authorities failed to release prisoners, especially those convicted of religious extremism, at the end of their terms. Prison authorities often extended inmates' terms by accusing them of additional crimes or claiming the prisoners represented a continuing danger to society. For example, on July 15, Habibullo Madmarov, the son of human rights activist Akhmadjan Madmarov, had his prison term extended for getting out of bed to pray before the prison's daily wake up call, in violation of internal prison regulations. Trials for such offenses took place within the prisons, and defendants often were not given access to lawyers or relatives. Although it is technically possible for inmates to appeal such decisions, many inmates did not have the expertise to initiate an appeal.

According to 2009 statistics, the government held approximately 42,000 inmates at 58 detention facilities. Men, women, and juvenile offenders were held in separate facilities. There were reports that in some facilities inmates convicted of attempting to overturn the constitutional order were held separately, and prison officials did not allow inmates convicted under religious extremism charges to interact with other inmates. Officials also held former law enforcement officers in a separate facility.

Prison officials generally allowed family members to visit prisoners for up to four hours two to four times per month. Officials also permitted visits of one to three days duration, two to four times per year, depending on the type of prison facility. Family members of political prisoners reported that officials frequently delayed or severely shortened visits arbitrarily. The government stated that prisoners have the right to practice any religion or no religion, but prisoners frequently complained to family members that they were not able to observe religious rituals that conflicted with prison scheduling. Such rituals included engaging in traditional Islamic morning prayers. Prisoners also were not allowed access to religious materials.

According to a 2009 law, authorities at pretrial detention facilities are required to

arrange a meeting between a detainee and a representative from the Human Rights Ombudsman's Office upon a detainee's request. Officials allowed detainees in prison facilities to submit confidential complaints to the Ombudsman's Office and to the Prosecutor General's Office, and both offices were authorized to initiate investigations into complaints. In its 2009 report, the Ombudsman's Office reported it received 48 prisoner complaints during the year and considered 31 of those cases, representing an increase from the 29 complaints it considered in 2008. The Ombudsman's Office reported it was able to intervene successfully in four of the 29 cases. The Ombudsman's Office is empowered to make recommendations on behalf of prisoners, including requesting changes to sentences to make them more appropriate to nonviolent offenders.

The Ministry of Interior (MOI) performs regular inspections of all prison facilities, and representatives of other state bodies, including the parliament, the National Human Rights Center, and the Cabinet of Ministers also are allowed to access the prison system upon request.

The International Committee of the Red Cross (ICRC) monitors all facilities under the responsibility of the prison administration, assessing the conditions of detention and the treatment of detainees. ICRC does not have access to pretrial detention facilities under the authority of the National Security Service. Between January and September, the ICRC carried out 37 humanitarian visits, visiting 19,906 detainees held in 17 places of detention. During these visits, ICRC representatives monitored the cases of 647 detainees, including 117 women and 67 minors. The ICRC also facilitated the exchange of 283 Red Cross messages between detainees and their relatives. The ICRC kept its findings confidential and shared them only with the government. The government also allowed limited independent prison monitoring by a local group in Bukhara.

Prison administration officials reported that the World Health Organization has an active TB program in the prisons both to treat and stop the spread of tuberculosis, and an HIV/AIDS treatment and prevention program has been in place since 2008. Officials reported that hepatitis was not present in high numbers, and hepatitis patients are treated in existing medical facilities and programs.

On May 11 and 12, the prison administration in conjunction with the OSCE trained 50 prison administration employees on the maintenance of human rights in the prison system. On May 20, the prison administration trained 20 medical personnel on identifying physical torture or banned cruel treatment.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention; however, authorities continued to engage in such practices.

Role of the Police and Security Apparatus

The government authorizes three different organizations to investigate criminal activity. The Ministry of Internal Affairs (MIA) controls the police, who are responsible for law enforcement and maintenance of order and investigate general crime. The National Security Service (NSS), headed by a chairman who reports directly to the president, deals with a broad range of national security and intelligence issues, including terrorism, corruption, organized crime, and narcotics. Prosecutors investigate violent crimes such as murder, as well as corruption by officials and abuse of power. Where jurisdictions overlap, the agencies determine among themselves which should take the lead. The MIA's main investigations directorate maintained internal procedures to investigate abuses and discipline officers accused of human rights violations, but in practice the government rarely punished officials who committed human rights abuses. A human rights and legal education department within the Ministry of Interior investigated some police brutality cases. The Human Rights Ombudsman's Office, affiliated with the parliament, also had the power to investigate cases, although its decisions on such investigations had no binding authority.

In July the MIA trained 52 employees from various agencies and departments on fulfillment of the Convention Against Torture with respect to law enforcement bodies. In November the MIA in coordination with UNDP held seminars for police officers in two regions on "Implementation of the Convention against Torture in Police Activities," pursuant to its national action plan on implementation of the Convention.

Arrest Procedures and Treatment While in Detention

Under the law, a judge must review any decision to arrest accused individuals or suspects, and defendants have the right to legal counsel from the time of arrest, although officials do not always grant that right in practice.

According to judicial reforms made in 2008, detainees have the right to request hearings before a judge to determine whether they remain incarcerated or are released. The arresting authority is required to notify a relative of the detainee about the detention and to question the detainee within 24 hours of being taken into custody. Suspects have the right to remain silent. Detention without formal charges is limited to 72 hours, although a prosecutor can request an additional 48 hours, after which time the person must be charged or released. Implementation of these reforms has been slow. In practice judges granted arrest warrants in most cases, and authorities continued to hold suspects after the allowable period of time. The judge conducting the arrest hearing was allowed to sit on the panel of judges during the individual's trial. There were complaints that authorities tortured suspects before notifying either family members or attorneys of their arrests.

Once authorities file charges, suspects can be held in pretrial detention for as long as three months while investigations proceed. The law permits an extension of the investigation period for up to one year at the discretion of the appropriate court upon a motion by the investigating authority. A prosecutor may release a prisoner on bond pending trial, although in practice authorities frequently ignored these legal protections. Those arrested and charged with a crime may be released without bail until trial on the condition that they provide assurance that they will appear at trial and register each day at a local police station. State-appointed attorneys are available for those who do not hire private counsel.

In March 2009 the Cabinet of Ministers adopted a decree requiring that all defense attorneys pass a comprehensive relicensing examination. Several experienced and knowledgeable defense lawyers who had represented human rights activists and independent journalists lost their licenses in the process. As a result, several other activists and defendants faced difficulties in finding attorneys to represent them. Amendments to the criminal procedure code in 2008 abolished provisions that allowed unlicensed advocates to represent individuals in criminal and civil hearings; however, a court has the discretion to allow such an advocate if the advocate belongs to a registered organization.

There were reports that police arrested persons on false charges of extortion, drug possession, or tax evasion as an intimidation tactic to prevent them or their family members from exposing corruption or interfering in local criminal activities.

Authorities continued to arrest persons arbitrarily on charges of extremist sentiments or activities and association with banned religious groups. Local human rights activists reported that police and security service officers, acting under pressure to break up extremist cells, frequently detained and mistreated family members and close associates of suspected members of religious extremist groups. Coerced confessions and testimony in such cases were commonplace.

Many of the year's arrests related to religious extremism resulted from two high-profile killings, an additional homicide attempt, and one exchange of gunfire that took place in Tashkent during the summer of 2009. Between January and April, courts convicted at least 50 persons on charges of extremism in closed trials, issuing verdicts ranging from suspended sentences to 18 years in prison. There were reports that as many as 150 other

persons were convicted in related trials across the country. The families of several defendants accused authorities of using torture and coercion to obtain confessions, and many raised questions regarding due process provisions.

In general prosecutors exercised discretion over most aspects of criminal procedures, including pretrial detention. Detainees had no access to a court to challenge the length or validity of pretrial detention. Even when authorities filed no charges, police and prosecutors frequently sought to evade restrictions on the duration a person could be held without charges by holding persons as witnesses rather than as suspects. During the year pretrial detention typically ranged from one to three months. The government did not provide the number of persons held in pretrial detention centers.

Amnesty

On August 28, the senate issued an amnesty decree. According to its terms, women, minors, men over 60 years old, foreign citizens, disabled individuals, and those who had developed serious illnesses in prison could apply for amnesty. Some first-time offenders were also eligible. Amnesty actions included full exemption from further incarceration, transfer to a prison with less severe conditions, or conclusion of a criminal case at the pretrial or trial stage. The government reported that as of October 25, 84 women and 1,101 men were released from their prison sentences as a result of the amnesty decree.

Local prison authorities have considerable discretion in determining who qualifies for release as they determine whether a prisoner is "following the way of correction" or "systematically violating" the terms of incarceration. Officials often cited "violation of internal prison rules" as a reason for denying amnesty and for extending sentences. Officials often determined that political and religious prisoners were ineligible for amnesty based on these provisions. For example, family members of Alisher Karamatov, widely considered a political prisoner, reported that shortly before the amnesty decree was announced, prison officials determined that he was ineligible because of prison dress code violations. In 2009 Jehovah's Witnesses Olim Turayev, Abdubannov Akmedov, and Farrukh Zaripov, convicted in 2008 for activities related to religion, applied for amnesty, but they were found ineligible due to violations of internal prison regulations.

e. Denial of Fair Public Trial

Although the constitution provides for an independent judiciary, the judicial branch often took direction from the executive branch.

Under the law, the president appoints all judges for renewable five-year terms. Removal of Supreme Court judges must be confirmed by parliament, which in practice generally complied with the president's wishes.

The Karakalpakstan Supreme Court has jurisdiction over the Karakalpakstan Republic, a semiautonomous region of the country, and defendants may appeal decisions of district and provincial courts to it within 10 days of a ruling. In addition a constitutional court review laws, decrees and judicial decisions to ensure compliance with the constitution. Military courts handle all civil and criminal matters that occur within the military. The Supreme Court is a court of general jurisdiction that handles selected cases of national significance.

Trial Procedures

The criminal code specifies a presumption of innocence. There are no jury trials. Most trials are officially open to the public, although access was sometimes restricted in practice. Judges may close trials in exceptional cases, such as those involving state secrets or to protect victims and witnesses. Courts often demanded that international observers obtain written permission from the court chairman or from the Supreme Court before being allowed to observe proceedings. Judges granted international observers, including foreign diplomats, access to certain hearings. Authorities generally announced

trials only one or two days before they began.

Generally, a panel of one professional judge and two lay assessors, selected by either committees of worker collectives or neighborhood committees, presided over trials. The lay judges rarely spoke, and the professional judge usually accepted prosecutor recommendations on procedural rulings and sentencing.

Defendants have the right to attend court proceedings, confront witnesses, and present evidence. The government generally observed these rights, including in high-profile human rights and political cases. In the vast majority of criminal cases brought to court, the verdict was guilty.

Defendants have the right to hire an attorney, and the government improved access to attorneys after establishing a 24-hour on-call system in 2008. The government provides legal counsel without charge when necessary. According to reports, state-appointed defense attorneys acted routinely in the interest of the government rather than of their clients.

By law a prosecutor must request an arrest order from a court, but it was rare for a court to deny such a request. Prosecutors have considerable power after obtaining an arrest order; they direct investigations, prepare criminal cases, and recommend sentences. The prosecutor decides whether a suspect is released on bail or stays in pretrial detention after formal charges are filed. Although the criminal code specifies a presumption of innocence, in practice a prosecutor's recommendations generally prevail. If a judge's sentence does not correspond with the prosecutor's recommendation, the prosecutor may "protest" (appeal) the sentence to a higher court. Judges often base their verdicts solely on confessions and witness testimony, which may be extracted through torture, threats to family members, or other means of coercion. Legal protections against double jeopardy are not applied in practice.

The law provides a right of appeal to all defendants, but appeals rarely resulted in reversals of convictions. In some cases, however, appeals resulted in reduced or suspended sentences.

According to 2009 reforms to the criminal procedure code, defense attorneys may access government-held evidence relevant to their clients' cases once the initial investigation is completed and the prosecutor files formal charges. There is an exception, however, for evidence that contains information that if released could pose a threat to state security. During the year courts invoked that exception frequently, leading to complaints that its primary purpose is to allow prosecutors to avoid sharing evidence with defense attorneys. In many cases, prosecution was based solely upon defendants' confessions or incriminating testimony from state witnesses, particularly in cases involving suspected religious extremists. Lawyers may, and occasionally did, call on judges to reject confessions and investigate claims of torture. Judges often did not respond to such claims or dismissed them as groundless.

Political Prisoners and Detainees

Observers estimated that authorities held 13 to 25 individuals on political grounds. Officials released one political prisoner during the year, but at least one other individual was imprisoned on what appeared to be politically motivated charges. Family members of several political prisoners reported abuse in prison and deterioration of the prisoners' health.

On January 13, an appellate court upheld the verdict and sentencing of human rights activist Ganikhon Mamatkhanov, who was sentenced to five years in prison on what were widely believed to be false charges of extortion and attempted bribery.

On January 18, a Kashkadarya court sentenced human rights activist Gaybullo Jalilov for membership in an extremist religious group that allegedly planned terrorist attacks

against a regional airport. Jalilov, who had been active in assisting others accused of extremism, claimed officials mistreated him while he was in custody and coerced him into signing a confession. On March 9, the Kashkadarya Regional Criminal Court upheld his conviction and sentence. Jalilov reportedly came to his appellate hearing with a swollen eye and told relatives that he had been punched and kicked repeatedly in his cell. In a closed hearing on August 5, the Kashkadarya court extended his sentence by four years for conducting anticonstitutional activities in prison.

On April 30, an Andijan court sentenced Diloram Abdukadirova to 10 years in prison for illegal border crossing and threatening the constitutional order. Abdukadirova fled the country after witnessing the 2005 Andijan events. She returned to the country in January after authorities reportedly gave repeated assurances to her family that she could come home without fear of prosecution, but she was immediately detained and later charged. A family member reported that Abdukodirova had bruises on her face during her trial.

In June police charged Dmitry Tikhonov, a human rights activist from Angren, with attempted murder. His colleagues report that the charges are in retaliation for his attempts to expose local factory corruption and police collusion. The case had not been brought to trial by year's end.

On July 28, a Kashkadarya court convicted political activist Azamat Azimov, a member of the opposition Birdamlik movement, of drug possession with intent to sell and sentenced him to seven years in prison. Azimov's colleagues reported that the charges were a result of his political activities.

On September 16, a Tashkent court found human rights activist Anatoly Volkov guilty on charges of ""swindling"" money from a 90-year-old pensioner who claimed that Volkov had represented him in court and not transferred money due him from the defendant. Many believed the case was retaliation for Volkov's human rights activities. Volkov appealed the decision on September 22, but the court did not issue a decision by year's end.

On September 6, authorities arrested Matlyuba Kamilova, a human rights activist and school principal from Angren, for drug possession. Friends of Kamilova say that police planted the drugs in her purse in retaliation for her efforts to expose police corruption. At year's end, Kamilova was being held in a pretrial detention facility in Tashkent.

In September a Tashkent court charged human rights activist Tatyana Dovlatova with "hooliganism" under the criminal code. Dovlatova was particularly active defending property owners' rights, and was working on exposing the involvement of officials in a black market currency exchange operation. Her trial was ongoing at year's end.

On December 1, authorities released human rights activist Farhad Mukhtarov, who was sentenced in October 2009 to four years in prison on what many analysts believe were politically motivated charges of fraud and bribery. Under the terms of his parole, the court continued to require that he perform correctional work for another two-and-a-half years. Mukhtarov fled the country, however, because he feared government harassment.

On December 20, a Yangiyul criminal court convicted human rights activist Habibulla Ilmuradov of fraud and drug possession and sentenced him to 14 years in prison. Ilmuradov's family claimed that police planted drugs in his home in retaliation for complaints he made about alleged unlawful actions of a local prosecutor and security officials.

Civil and Judicial Procedures and Remedies

Although the constitution provides for it, the judiciary is not independent or impartial in civil matters. Citizens may file suit in civil courts, if appropriate, on cases of alleged human rights violations. While no specific cases were reported this year, there were

reports in the past that bribes to judges influenced civil court decisions.

Civil courts operate on the city, interdistrict, and regional levels. Defendants in civil cases from the Karakalpakstan Republic may appeal to the Supreme Court.

Economic courts with jurisdiction over the individual provinces, the city of Tashkent, and the Karakalpakstan Republic handle commercial disputes between legal entities. Litigants may appeal decisions of these courts to the High Economic Court.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The constitution and law forbid such actions; however, authorities did not respect these prohibitions in practice. The law requires a search warrant for electronic surveillance, but there is no provision for judicial review of such warrants.

There were reports that police and other security forces entered the homes of human rights activists and members of some religious groups without a warrant. On numerous occasions, members of Protestant churches who held worship services in private homes reported that armed security officers raided services and detained and fined church members for religious activity deemed illegal under the administrative or criminal code. On February 23, a court convicted 13 members of an unregistered Baptist church in Almalyk of unauthorized teaching of religion following a police raid on a private home and fined each defendant 3.2 million soum ($2,500). In March authorities in Kagan raided 11 houses belonging to Jehovah's Witnesses on the day that the Jehovah's Witnesses commemorate the death of Jesus Christ. Authorities convicted four persons of administrative violations and fined them accordingly.

Human rights activists and political opposition figures generally assumed that security agencies monitored their telephone calls and covertly surveilled their activities.

The government continued to use an estimated 12,000 neighborhood committees ("mahallas") as a source of information on potential extremists. Committees served varied social support functions, but they also functioned as a link among local society, government, and law enforcement. Mahalla committees in rural areas tended to be more influential than those located in cities.

There were credible reports that police, employers, and mahallah committees harassed family members of human rights activists. In September officials threatened the son of human rights group Ezgulik's chairperson, Vasila Inoyatova , with criminal charges after he was stabbed by an unknown assailant on September 7. Inoyatova claimed her son's treatment by authorities was a direct result of her human rights activities. In November an Internet news source reported that the son of Habibulla Ilmuradov, a human rights activist charged with drug possession, was fired from his job on November 1 as part of a campaign against his father.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution and law provide for freedom of speech and the press, but the government generally did not respect these rights in practice. Freedom of expression was severely limited.

The law limits criticism of the president, and public insult to the president is a crime punishable by up to five years in prison. The law specifically prohibits publication of articles that incite religious confrontation and ethnic discord or that advocate subverting or overthrowing the constitutional order.

The law holds all foreign and domestic media organizations accountable for the accuracy of their reporting, bans foreign journalists from working in the country without official

accreditation, and requires that foreign media outlets be subject to mass media laws. The government prohibits the promotion of religious extremism, separatism, and fundamentalism, as well as the instigation of ethnic and religious hatred. It bars legal entities with more than 30 percent foreign ownership from establishing media outlets in the country.

During the year police arrested individuals who possessed literature and audio-video materials from groups considered to be religious extremist groups.

The Uzbekistan National News Agency (UzA) cooperated closely with presidential staff to prepare and distribute all officially sanctioned news and information. In June the Uzbek Agency for Press and Information reported that 1,172 newspapers, magazines, news agencies, electronic media outlets, and Web sites were registered with the government. The Office of the Cabinet of Ministers owns and controls three of the country's most influential national daily newspapers, Pravda Vostoka (Russian language), Halq So'zi (Uzbek language), and Narodnoe Slovo (Russian language). The government, or government-controlled political parties or social movements, and the Tashkent municipal government and regional "hokimiyats" (administrations) own or control several other daily and weekly publications. Articles in state-controlled newspapers reflected the government's viewpoint. The main government newspaper published selected international wire stories.

The government also published news stories on the official Internet sites of various ministries. A few purportedly independent Web sites consistently reported the government's viewpoint.

The government allowed publication of a few private newspapers with limited circulation containing advertising, horoscopes, and some substantive local news, including infrequent stories critical of government socioeconomic policies. Three private national Russian-language newspapers carried news and editorials exclusively favorable to the government, as did two Uzbek-language newspapers. Russian Federation newspapers and a variety of Russian Federation tabloids and lifestyle publications were available, and a modest selection of other foreign periodicals was available in Tashkent.

The four state-run channels dominated television broadcasting. Cable and satellite television channels also were watched widely in Tashkent and other major cities. Much of the programming available via cable and satellite was from Russia. Numerous privately owned regional television stations and privately owned radio stations were influential among local audiences.

The government tightly controlled broadcast and print media. Journalists and senior editorial staff in state media organizations reported that there were officials whose responsibilities included censorship. Government officials allegedly provided verbal directives to journalists to refrain from covering certain events sponsored by foreign embassies. There were reports, however, that regional television outlets broadcast some moderately critical stories on local issues.

The government continued to refuse Radio Free Europe/Radio Liberty, Voice of America, and BBC World Service permission to broadcast from within the country. It also continued to use accreditation rules to deny foreign journalists and media outlets, as well as international NGOs, the opportunity to work in the country. Among Western media outlets, only Agence France Press (AFP) had a reporter working in the country with official accreditation, and AFP must renew the accreditation every six months. In June a few Western reporters, including from CNN and BBC, were able to enter and work in the country following the violence in Kyrgyzstan and ensuing refugee crisis. Those reporters left the country when the crisis ended.

During the year harassment of journalists increased. Police and security services subjected print and broadcast journalists to arrest, harassment, intimidation, and violence, as well as to bureaucratic restrictions on their activity.

On January 7, the Tashkent City Prosecutor's office called in for questioning six well-known journalists who worked for foreign media outlets. After presenting them with the government-compiled files on their work, prosecutors questioned them about their articles, finances, and ties to foreign governments. In some cases, prosecutors told journalists that they possessed information that could lead to their arrests. One journalist, fearing prosecution, departed the country later in the year.

On March 13, officials detained Vasily Markov, a freelance independent journalist covering the detention of a local human rights activist in the city of Parkent. Officials released him the same day. In June officials detained him again for several days in Andijan, where Markov had been covering the influx of ethnic Uzbek refugees from Kyrgyzstan. Officials did not formally charge him in either case.

On May 27, a Tashkent court sentenced Hayrulla Khamidov, a well-known sports commentator, Deputy Editor in Chief of Champion newspaper, and popular speaker on religious topics, to six years in prison for being a "jihadist" and for "illegal distribution of materials that threaten the public order." Local human rights activists claimed that the government targeted Khamidov for his public speeches and discussions involving sensitive subject matters. Khamidov did not appeal the decision.

On June 13, authorities detained independent journalist Aleksei Volosevich after he was seen filming ethnic Uzbek refugees fleeing ethnic violence in Kyrgyzstan. Officials detained him for three days before releasing him without charges.

On August 23, two employees from Yoshlar ("Youth") television station complained in a press conference that the channel was subjected to censorship and corruption. They asserted that officials had forbidden the broadcasting of reports critical of the government. A station editor later denied the accusations. The journalists held a short protest on December 6 without interference, but on December 9, the station leadership dismissed them from their positions. Both journalists have reported harassment by authorities since their August press conference.

On October 13, a Tashkent court found Russian citizen Vladimir Berezovsky guilty of libel and insult against the Uzbek people but immediately granted him amnesty from sentencing. Berezovsky was the editor of the news Web site vesti.uz and also reported for Russia's Parlamentskaya Gazeta. Berezovsky did not author several of the articles that prosecutors submitted as evidence during the trial, but posted them on the Web site. On October 29, a Tashkent city criminal court upheld the decision.

On October 15, a Tashkent court found Voice of America (VOA) journalist Abdumalik Boboev guilty of libel, insult, and distribution of materials that pose a threat to public safety, based solely on his VOA reporting. The court imposed a fine of approximately 18 million soum ($11,000), and appellate courts sustained the verdict and sentence on November 12 and December 28.

During the year there were no new developments regarding eight journalists from Yetti Iqlim newspaper and Irmoq magazine (private, Uzbek language, scientific publications) who were convicted in 2009 of membership in the banned Nur religious movement. Sentences in those cases ranged from six-and-one-half years to 12 years in prison.

Independent journalist Dilmurod Sayid appealed his 2009 conviction based on charges of extortion and bribery that were widely believed to be fabricated. On August 10, the Supreme Court upheld the conviction and the resulting 12-and-one-half year prison term. In an open letter to the United Nations Secretary General written from his prison hospital bed, Sayid stated that while in prison he had lost a significant amount of weight and continued to suffer from significant health problems.

Independent journalist Salijon Abdurahmanov from Nukus served the second year of his 10-year sentence for what were widely considered politically motivated drug charges. His family reported that his health improved after he was treated for a stomach ailment early in the year.

During the year the government harassed journalists from state-run and independent media outlets in retaliation for their contacts with foreign diplomats, specifically questioning them about such contacts. Some journalists refused to meet with foreign diplomats face-to-face because doing so in the past resulted in harassment and questioning by the NSS.

Government security services and other offices regularly directed publishers to print articles and letters under fictitious bylines and gave explicit instructions about the types of stories permitted for publication. Often there was little distinction between the editorial content of a government or privately owned newspaper. Journalists engaged in little independent investigative reporting. The number of critical newspaper articles remained low and narrow in their scope. Widely read tabloids, however, were able to publish some articles that presented mild criticism of government policies or which discussed some problems that the government considered sensitive, such as trafficking in persons.

The criminal and administrative codes impose significant fines for libel and defamation. The government used charges of libel, slander, and defamation to punish journalists, human rights activists, and others who criticized the president or the government.

On February 10, a Tashkent court found photographer Umida Ahmedova guilty of defaming the Uzbek people through a book of photography and a documentary film but immediately granted her amnesty from punishment. On March 17, an appellate court upheld both the conviction and the amnesty. In May Ahmedova appealed to the Supreme Court, but there was no response by year's end.

In February it was reported that in September 2009, a Tashkent court sentenced Maxim Popov, a psychologist and HIV/AIDS activist, to seven years in prison on charges related to an HIV/AIDS prevention booklet, as well as financial improprieties related to grant funding the NGO had received. None of the international organizations that had funded Izis, the NGO at which Popov had been Executive Director, had complained about his grant management, and it was widely believed that the government targeted him because of the sensitive nature of his work.

On September 28, a Tashkent court found for the plaintiff in a libel case against human rights defender Surat Ikramov, ordering that he pay 100,000 soum ($66) in damages and that he retract statements he made in an earlier report. Ikramov believed that the plaintiff brought the civil suit at the behest of law enforcement officials Ikramov had implicated in his reporting on the death of a popular singer. A court imposed fines of 550,000 soum ($370) against Ezgulik on libel charges related to the same case.

Internet Freedom

The government allowed access to the Internet and reported that the number of Internet users in the country during the year was more than 2.9 million, exceeding 10 percent of the population. However, Internet service providers, at the government's request, routinely blocked access to Web sites or certain pages of Web sites the government considered objectionable. The government blocked several domestic and international news Web sites and those operated by opposition political parties. On July 28, authorities blocked the Web site of the "Expert Working Group," an unregistered think tank that comments on various political and economic issues.

The media law defines Web sites as media outlets, requiring them, as is the case with all local and foreign media, to register with the authorities and provide the names of their founder, chief editor, and staff members. Web sites were not required to submit to the government hard copies of publications, as was required of traditional media outlets.

Several active online forums allowed registered users to post comments and read discussions on a range of social issues facing the country. In order to become a registered user in these forums, individuals were required to provide personally identifiable information. It is not clear whether the government attempted to collect

this information.

A decree requires that all Web sites seeking ".uz" domain must register with the state Agency for Press and Information. The decree generally affected only government-owned or government-controlled Web sites. Opposition Web sites and those operated by international NGOs or media outlets tended to have domain names registered outside the country.

Some human rights activists stated they believe their e-mail was monitored by the government, but there was no corroborating evidence to support those claims. According to a Forum 18 March 16 report, the government prevented some individuals and groups from engaging in peaceful expressions of views via the Internet by blocking access to a number of sites, especially those with religious content.

Academic Freedom and Cultural Events

The government continued to limit academic freedom and cultural events. Authorities occasionally required department head approval for university lectures or lecture notes, and university professors generally practiced self-censorship. Numerous university students reported that universities taught mandatory courses on books and speeches of the president and that missing any of these seminars constituted grounds for expulsion.

Although a decree prohibits cooperation between higher educational institutions and foreign entities without the explicit prior approval of the government, foreign institutions often were able to obtain such approval by working with the MFA, especially for foreign language projects. Some school and university administrations, however, continued to pressure teachers and students to refrain from participating in conferences sponsored by diplomatic missions.

There were a few instances of individuals choosing not to participate in international exchange programs after government officials threatened them with the loss of their jobs, but there were no reports of individuals losing their jobs after participating in such programs.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The constitution and law provide for freedom of assembly, but in practice the government often restricted this right. Authorities have the right to suspend or prohibit rallies, meetings, and demonstrations for security reasons. The government often did not grant the required permits for demonstrations. Citizens are subject to large fines for facilitating unsanctioned rallies, meetings, or demonstrations by providing space or other facilities or materials, as well as for violating procedures concerning the organizing of meetings, rallies, and demonstrations.

Authorities dispersed and sometimes detained those involved in peaceful protests, and sometimes pressed administrative charges as a result of protest actions.

On November 25, police detained and interrogated Gulshan Karaeva and Nodir Akhatov, members of the Karshi branch of the Human Rights Society of Uzbekistan (HRSU), for alleged involvement in a protest organized by a group of Muslim women over the arrest of their family members on extremism charges. On November 27, police summoned Karaeva and Akhatov to the local prosecutor's office and interrogated them for several hours about the incident.

On December 6, police arrested human rights activists Abdullo Tadjiboy-ogli, Vladimir Khusainov, Victoria Bazhenova, and Dmitry Tikhonov for protesting in Tashkent's Independence Square. A court found them guilty of holding an unsanctioned protest and imposed fines between three million and 3.5 million soum ($2,000 to $2,300). In

response, the leader of the Human Rights Alliance of Uzbekistan, Elena Urlaeva, called on authorities to adopt a law on a citizen"s right to non-violent protest. Urlaeva herself engaged in several protest actions throughout the year, and although authorities frequently detained her, they did not press charges.

In several other cases, human rights activists reported that local residents protested economic conditions, and human rights activists occasionally held small protests, without interference and apparently without prior permission of the authorities.

Freedom of Association

While the law provides for freedom of association, the government continued to restrict this right in practice. The government sought to control NGO activity and expressed concerns about internationally funded NGOs fomenting public dissent and unregulated Islamic and minority religious groups. There are strict legal restrictions on the types of groups that may be formed, and the law requires that all organizations be registered formally with the government. The law allows for a six-month grace period for new organizations to operate while awaiting registration from the Ministry of Justice (MOJ), during which time the government officially classifies them as "initiative groups." Several NGOs continued to function as initiative groups for periods longer than six months.

NGOs that intend to address sensitive issues such as HIV/AIDS or refugee issues often faced increased difficulties in obtaining registration. The government allowed nonpolitical associations and social organizations to register, but complicated rules and a cumbersome government bureaucracy made the process difficult and allowed opportunities for government obstruction. The government compelled most local NGOs to join a government-controlled NGO association that allowed the government some control over the NGOs' funding and activities. The degree to which NGOs were able to operate varied by region because some local officials were more tolerant of NGO activities.

The administrative liability code imposes large fines for violations of procedures governing NGO activity, as well as for "involving others" in illegal NGOs. The law does not specify whether "illegal NGOs" are those that the government suspended or closed or those that were simply unregistered. The administrative code also imposes penalties against international NGOs for engaging in political activities, activities inconsistent with their charters, or activities the government did not approve in advance. The government enforced the 2004 banking decree that, although ostensibly designed to combat money laundering, also complicated efforts by registered and unregistered NGOs to receive outside funding. The MOJ requires NGOs to submit detailed reports every six months on any grant funding received, events conducted, and planned events for the next period.

The government reported that in October there were more than 5,000 registered NGOs. Credible sources estimated approximately 400 independent NGOs remained following the closure of more than 300 local NGOs and 17 or more foreign-funded NGOs in the post-Andijan period. The government also reported that there were 17 professional unions and more than 100 sports associations.

In 2009, the Finance Ministry issued an order requiring all humanitarian aid and technical assistance recipients to submit information about their bank transactions, and that requirement remained in force during the year.

The law criminalizes membership in organizations the government deems extremist, including "jihadchilar" and other groups branded with the general term "Wahhabi." The law also banned the extremist Islamist political organization Hizb-ut Tahrir (HT), stating it promoted hate and condoned acts of terrorism.

Following the 2005 Andijan events, the government pressured and prosecuted members of the now-disbanded Islamic group Akromiya (Akromiylar). Independent religious experts claimed that Akromiya was an informal association promoting business along Islamic religious principles. The government claimed that it was a branch of HT and that

it attempted, together with the Islamic Movement of Uzbekistan (IMU), to overthrow the government through armed rebellion. During the year there were no reported criminal cases against Akromiya members, but family members of those who fled the country or were imprisoned following the Andijan events reported continued harassment, including police summons for interrogation and threats of confiscation of property.

c. Freedom of Religion

For a complete description of religious freedom, please see the Department of State's *2010 International Religious Freedom Report*.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The constitution and law provide for freedom of movement within the country and across its borders, although the government limited this right in practice. The government at times delayed domestic and foreign travel and emigration during the visa application process. The government allowed more than 100,000 refugees from the Kyrgyz Republic to enter the country following ethnic violence in June but closed the border after their return. Subsequently, it tightly controlled vehicular and pedestrian traffic to and from the Kyrgyz Republic, frequently closing the border for short periods with no advance notice.

On May 24, officials reportedly closed the border with Tajikistan for 10 days following several reported cases of polio in Tajikistan. Borders are sometimes closed around national holidays due to security concerns. Permission from local authorities is required to move to Tashkent City or Tashkent Region. The government rarely granted permission to move to Tashkent, and local observers reported that persons had to pay bribes of approximately 1,500,000 soum ($1,000) to obtain the registration documents required to move.

Citizens are required to have a domicile registration stamp in their passport before traveling domestically or leaving the country. The government also requires citizens to obtain exit visas for foreign travel or emigration, although it generally grants the visas. For expedited issuance, local officials often demanded bribes. There were reports during the year that the government delayed exit visas for human rights activists to prevent their travel abroad; in some cases, they were delayed for many months. Citizens generally continued to be able to travel to neighboring states. Land travel to Afghanistan remained difficult. Citizens needed permission from the NSS to cross the border.

The government requires hotels to register foreign visitors with the government on a daily basis. Foreigners who stay in private homes are required to register their location within three days of arrival. Government officials closely monitor foreigners in border areas, but foreigners generally can move within the country without restriction.

The law does not provide for dual citizenship. In theory returning citizens must prove to authorities that they did not acquire foreign citizenship while abroad or face loss of citizenship. In practice citizens who possessed dual citizenship generally traveled without impediment.

The government noted that citizens residing outside the country for more than six months can register with the country's consulates, and such registration was voluntary. Unlike in some previous years, there were no reports that failure to register rendered citizens residing abroad and children born abroad stateless.

The law does not address forced exile. In 2009, however, political opposition leader Bahodir Choriev, an Uzbek citizen with U.S. residency, was forced to leave the country after he returned and tried to organize a "founding congress" for his party. No persons were forcibly exiled during the year.

Protection of Refugees

Following an outbreak of ethnic violence in Kyrgyzstan in June, the government accepted approximately 100,000 ethnic Uzbek refugees into its territory. In cooperation with the international community, the government provided food, water, and shelter, in addition to limited medical and psychological services between June 11 and June 25. For the first time since the 2005 Andijan events, the government invited the Office of the UN High Commissioner for Refugees (UNHCR) into its territory to help meet refugee needs, and officials from UNHCR and other international organizations reported high levels of cooperation throughout the crisis.

After approximately two weeks, the government in concert with the Government of Kyrgyzstan sought to repatriate the refugees. The majority of refugees reportedly returned voluntarily, although there were some reports of coercive tactics employed by authorities from both countries to return some of the refugees to Kyrgyzstan. The government provided no resettlement options that would allow the refugees to reside in the country legally and permanently, but neither did it pressure the remaining refugees to depart its territory. There were some reports of Kyrgyzstani refugees buying property without government impediment in anticipation of permanent relocation. The government did not approve a UNHCR request to maintain a continuing presence in the country, and all UNHCR personnel were required to depart not long after the crisis ended.

The country is not a party to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol. Its laws do not provide for the granting of asylum or refugee status, and the government has not established a system for providing protection to refugees. In practice the government provided some protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened due to their race, religion, nationality, membership in a particular social group, or political opinion. In a departure from the previous two years, there were no reported cases of the government forcibly removing Afghan refugees from the country.

During the first 10 months of the year, the UN Development Program (UNDP) continued to assist with monitoring and resettlement to another country of approximately 370 refugees, most of them Afghans, who remained in the country. The UNDP also performed some of the UNHCR's humanitarian functions, as it has done since the UNHCR office closed in 2006.

Since 2007 the MFA has not considered UNHCR mandate certificates as the basis for extended legal residence, and persons carrying such certificates must apply for the appropriate visa or face possible deportation. The government considered the UNHCR mandate refugees from Afghanistan and Tajikistan to be economic migrants, and officials sometimes subjected them to harassment and bribery. Most refugees from Tajikistan were ethnic Uzbeks; and, unlike refugees from Afghanistan, those from Tajikistan were able to integrate into the local communities, and the local population supported them. Some refugees from Tajikistan were officially stateless or faced the possibility of becoming officially stateless, as many carried only old Soviet passports rather than Tajik or Uzbek passports.

The UNHCR reported that Afghan refugees had no access to legal employment and therefore had limited means to earn a livelihood. There have been reports that Afghan refugees frequently failed to seek police protection or redress through the courts because they feared harassment or retribution by officials. The government provided access to education and some basic services, but the government does not provide for durable solutions such as naturalization.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The constitution and law provide citizens with the right to change their government peacefully. In practice this was not possible through peaceful and democratic means.

The government severely restricted freedom of expression and suppressed political opposition. The government was highly centralized and ruled by President Karimov and the executive branch through sweeping decree powers, primary authority for drafting legislation, and control over government appointments, most of the economy, and the security forces.

Elections and Political Participation

In 2008 President Karimov began a third term as president as a result of elections held in 2007 that did not meet international democratic standards. The OSCE's limited election observation mission noted that while there were more candidates than in previous elections, all the candidates publicly endorsed President Karimov's policies. There was no expression of competing political views. Administrative hurdles kept some potential candidates off the ballot, and the government tightly controlled the media coverage of the election. The OSCE mission noted procedural problems and irregularities in vote tabulation.

The constitution prohibits a president from seeking a third term in office, an apparent contradiction the government has never addressed publicly. The OSCE declined to monitor the 2000 election in which President Karimov was reelected to a second term, determining that preconditions did not exist for it to be free and fair. A 2002 referendum, which multilateral organizations and foreign embassies also refused to observe, extended presidential terms from five to seven years.

The country held parliamentary elections in December 2009. Changes to election law ensured that only members of political parties (all of whom supported the president) were eligible to run for office. For the first time, however, the political parties engaged in debate and criticized each other's proposed policies. Election observers noted that the elections themselves appeared to be conducted with fewer irregularities than in previous years. Multiple voting instances were the most commonly observed problem, attributed to a tradition of "family voting," in which one person casts votes for an entire family. The OSCE's Office for Democratic Institutions and Human Rights' Election Assessment Mission acknowledged that the elections were administered "in a competent manner and according to schedule," but that the "field of candidates did not offer real political alternatives to voters," and that some "serious irregularities undermined the principle of equality of the vote and raised questions about the integrity of the elections."

Registered political parties included Milliy Tiklanish ("National Rebirth"), the People's Democratic Party of Uzbekistan, the Adolat ("Justice") Social-Democratic Party, and the Liberal Democratic Party of Uzbekistan. The government controlled all registered political parties and provided their funding.

The law allows independent political parties, but the MOJ has broad powers to interfere with parties and to withhold financial and legal support to parties that they judge as being opposed to the government.

The law makes it extremely difficult for genuinely independent political parties to organize, nominate candidates, and campaign. To register a new party requires 20,000 signatures. The procedures to register a candidate are burdensome. The law allows the MOJ to suspend parties for as long as six months without a court order. The government also exercised control over established parties by controlling their financing and media exposure.

Only registered political parties may nominate candidates. In 2008 the number of deputies in parliament's lower house (the Oliy Majlis) expanded from 120 to 150, with half of the new seats reserved for members of the new "Ecological Movement of Uzbekistan." With this change, 10 percent of the Oliy Majlis members were appointed rather than elected. All members of the senate either are appointed by the president (16 members) or chosen in limited elections open only to elected members of local councils (84 members). The executive branch can initiate legislation, and a Tashkent-

based research group reported that between 2004 and 2009, the executive branch initiated 93 percent of all legislative acts. In this year's opening session of parliament, President Karimov urged members of parliament to take a more active role in initiating and developing legislation.

The law prohibits judges, public prosecutors, NSS officials, persons serving in the armed forces, foreign citizens, and stateless persons from joining political parties. The law prohibits parties based on religion or ethnicity; those that oppose the sovereignty, integrity, security of the country, and the constitutional rights and freedoms of citizens; those that promote war or social, national, or religious hostility; and those that seek to overthrow the government.

The government banned or denied registration to several political parties following the 2005 Andijan events. Former party leaders remained in exile, and their parties struggled to remain relevant without a strong domestic base.

There were 32 women in the 150-member lower chamber of the parliament and 15 women in the 100-member senate, along with one woman in the 28-member cabinet. In 2008 Dilorom Toshmuhammedova, leader of the progovernment Adolat Social-Democratic party and one of four officially recognized presidential candidates in the December 2007 election, became the first female speaker of the lower house of parliament, the highest government position a woman has held.

There were 11 members of ethnic minorities in the lower house of parliament and 11 members of ethnic minorities in the senate.

Section 4 Official Corruption and Government Transparency

The law provides criminal penalties for official corruption; however, the government did not implement the law effectively, and officials frequently engaged in corrupt practices with impunity.

Corruption among law enforcement personnel remained a problem. Police routinely and arbitrarily detained citizens to extort bribes. There were at least 11 publicized prosecutions of law enforcement officials on corruption-related charges during the year, representing a substantial increase over previous years. In a speech on December 7 to mark Constitution Day, the president notably stated that the time has come to "stop tolerating" cases of corruption, extortion, and abuse of office.

The government reported that during the year, it convicted 6,025 government officials on corruption-related charges, including 245 representatives of law enforcement bodies. Of these, 945 were sentenced to imprisonment, 3,272 to correctional work, 1,615 to financial penalties, and four to suspended sentences. Under the amnesty decree, 1,098 persons were excused from punishment. Some of the charges against these persons were embezzlement, tax evasion, abuse of office, excessive use of power, official negligence, forgery, and bribery.

In 2008 the president signed a law ratifying the United Nations Convention Against Corruption. The law states that all government agencies must provide citizens with the opportunity to examine documents, decisions, and other materials affecting their freedoms. Implementation of the law was inconsistent; but in July the Prosecutor General's Office created a special working group to bring the legislation in line with the UN convention. That office charged the working group with developing a five-year national action plan of anti-corruption measures that will seek to address prevention and detection of corruption, as well as legal education for citizens.

The World Bank corruption indicators gave the country particularly low marks for accountability and control of corruption, with both indicators dropping over the last five years. The public generally did not have access to government information, and the government seldom reported information normally considered in the public domain.

Corruption was a severe problem in the university, law, and traffic enforcement systems. There were several reports that bribes to judges influenced the outcomes of civil suits. On January 15, a state-controlled television station broadcast a report on corruption in the education system in the Samarkand region. The report questioned the value of a corrupted education system and highlighted cases of teachers arrested and sentenced for taking bribes.

An independent Web site reported on August 16 that officials arrested the provost of the Tashkent Institute of Law for bribery. On August 14, it reported that officials also arrested two deputy mayors and the head of public education in the Jizzakh region's Zarbdor district for taking bribes. On August 4, the same Web site reported that the Tashkent region criminal court sentenced former head of the interrogation office of Parkent district to 11 years in prison for bribery.

On February 19, a state-controlled newspaper reported that the government sentenced three investigators from the Tashkent region to 15, 12, and seven years in prison for taking bribes to cover up cases of fraud and embezzlement.

On March 24, a state-controlled newspaper reported that the Kashkadarya regional court sentenced two police investigators from the Nishon district to 10.5 and 11 years in prison for extortion.

On March 31, an independent Web site reported that the government launched criminal cases against at least 10 officials in the Jizzakh region accused of taking bribes, including eight from the tax department. On May 14, the same source reported that a former deputy governor of the Samarkand region and a deputy head of the Kattakurgan region had been sentenced to 11 and eight years respectively in prison for taking bribes.

On June 27, an independent Web site reported that a Tashkent city prosecutor fired in May was arrested for abuse of office and bribery.

On July 16, a state-controlled newspaper reported that the Surkhandarya regional criminal court sentenced the mayor of the town of Termez to 11 years in prison for abuse of office and taking bribes.

On October 22, a state-controlled newspaper reported that a Surhandarya Regional court convicted Korahon Tursunov, the mayor of Termez city, of bribery, extortion, and abuse of office and sentenced him to 11 years in prison.

On December 17, the president personally removed Uktam Barnoyev from his position as the governor of the Samarkand Region, reportedly for corruption and abuse of authority.

Section 5 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic human rights groups operated in the country, although the government often hampered their activities by creating fear of official retaliation. The government frequently harassed, arrested, and prosecuted human rights activists.

The government officially acknowledged two domestic human rights NGOs – Ezgulik and the Independent Human Rights Organization of Uzbekistan. Others were unable to register but continued to function at both the national and local levels. Between January and September, the Humanitarian Legal Center in Bukhara submitted four applications for registration and each time was denied without explanation. The NGO continued to conduct activities, however, and local authorities even participated in round table discussions on certain topics.

Organizations that attempted to register in previous years and remained unregistered included the HRSU, the Expert Working Group (EWG), and Mazlum ("Oppressed"). These organizations do not exist as legal entities, but they continued to function despite

difficulty renting offices and conducting financial transactions. They could not open bank accounts, making it virtually impossible to receive funds legally. Unregistered groups were vulnerable to government prosecution. In rare cases, however, government representatives participated with unregistered groups in certain events. For example, the EWG held a half-day seminar involving migration issues that was attended by members of government-organized entities.

Government officials spoke informally with domestic human rights defenders, some of whom noted that they were able to resolve cases of human rights abuses through direct engagement with authorities.

Police and security forces continued to harass domestic human rights activists and NGOs during the year. Security forces regularly threatened and intimidated human rights activists to prevent their activities and dissuade them from meeting with foreign diplomats; occasionally police and other government authorities ordered activists to cease contact with foreigners. Unknown assailants occasionally attacked human rights activists. Authorities regularly detained or arrested human rights activists and subjected them to house arrest or false criminal charges. One activist reported being kept under house arrest on April 5 during the visit of UN Secretary General Bank Ki Moon and of being under strict control during the annual meeting of the Asian Development Bank in the first week of May. At least seven activists were effectively under house arrest on May 13, the five-year anniversary of the Andijan events. Eight activists reported being under house arrest or strict control of law enforcement officers for two days around the September 1 Independence Day holiday.

On December 17, an unknown assailant struck human rights activist Dmitriy Tikhonov in the leg with a metal bar, injuring his left knee. Tikhonov believed the assault was in retaliation for his human rights activities.

The government continued to restrict the work of international bodies and foreign diplomatic missions and severely criticized their human rights monitoring activities and policies. The government followed a standard policy of auditing all international NGOs annually.

The government required that NGOs coordinate their training sessions or seminars with government authorities. NGO managers believed this amounted to a requirement for prior official permission from the government for all NGO program activities.

Human Rights Watch (HRW) remained registered, but has not been able to obtain accreditation for an international staff person since 2008. In October the government granted a short-term visa to HRW's proposed director for its Tashkent office, who immediately applied for accreditation. The government extended the term of the visa while the proposed director waited for a decision, but on December 24, the government denied the accreditation request.

Although the OSCE has been able to do only limited work on human rights issues since 2006, the government approved several proposed OSCE projects during the year, including in the "human dimension," the human rights part of the OSCE's work.

The Human Rights Ombudsman's Office stated that its goals included promoting observance and public awareness of fundamental human rights, assisting in shaping legislation to bring it into accordance with international human rights norms, and resolving cases of alleged abuse. The Ombudsman's Office mediates disputes between citizens who contact it and makes recommendations to modify or uphold decisions of government agencies, but its recommendations are not binding. The ombudsman has offices in all provinces of the country, as well as in the Karakalpakstan Republic and Tashkent. The Ombudsman's Office reported that in 2009, it received 10,409 petitions throughout the country. The central office in Tashkent received 7,394 complaints, took action in 3,515 of those, and positively resolved 452 complaints. The majority of these complaints dealt with the rights to life, freedom, privacy, human treatment, and respect for dignity, as well as the right to a fair trial.

Throughout the year, the Ombudsman's Office hosted meetings and conferences with law enforcement, judicial representatives, and limited international NGO participation to discuss its mediation work and means of facilitating protection of human rights.

The National Human Rights Center is a government agency responsible for educating the population and officials on the principles of human rights and democracy and for ensuring that the government complies with its international obligations to provide human rights information. During the year the center's director responded to questions under the ICCPR Review, accepting some criticism but denying many of the allegations or stating that the issues involved the country's internal affairs.

Section 6 Discrimination, Societal Abuses, and Trafficking in Persons

The law and constitution prohibits discrimination on the bases of race, gender, disability, language, and social status. However, societal discrimination against women and persons with disabilities existed, and child abuse persisted.

Women

The law prohibits rape, including rape of a "close relative," but the criminal code does not specifically prohibit marital rape, and the court did not try any known cases. Cultural norms discouraged women and their families from speaking openly about rape, and the press rarely reported instances of rape.

The law does not specifically prohibit domestic violence, which remained common. While the law punishes physical assault, police often discouraged women from making complaints against abusive partners, and officials rarely removed abusers from their homes or took them into custody. Society considered the physical abuse of women to be a personal affair rather than a criminal act. Family members or elders within the mahallah usually handled such cases, and they rarely came to court. Local authorities emphasized reconciling husband and wife, rather than addressing the abuse. Although prohibited by law, polygamy still existed.

As in past years, there were reported cases in which women attempted or committed suicide as a result of domestic violence. Those active in women's issues suggested that many cases went unreported, and there were no reliable statistics on the problem's extent. Observers cited conflict with a husband or mother-in-law, who by tradition exercises complete control over a wife, as the usual reason for suicide. There were no government-run shelters or hotlines for victims of domestic abuse, and very few NGOs focused on domestic violence.

The law does not explicitly prohibit sexual harassment, but it is illegal for a man to coerce a woman who has a business or financial dependency into a sexual relationship. Social norms and the lack of legal recourse made it difficult to assess the scope of the problem.

The government generally allowed couples and individuals to decide freely and responsibly the number, spacing, and timing of their children, and it granted access to information and the means to do so free from discrimination, coercion, and violence. There were, however, several reports of involuntary sterilizations of women and allegations that the government pressured doctors to sterilize women to control the birth rate. The government's official policy is for doctors to encourage all forms of family planning including sterilization, which may not be done without the informed consent of the patient.

Contraception generally was available to both men and women. In most districts, maternity clinics were available and staffed by fully trained doctors, who gave a wide range of prenatal and postpartum care. There were reports that women in rural areas chose in greater numbers than in urban areas to give birth at home without the presence of skilled medical attendants.

Men and women generally are diagnosed and treated equally for sexually transmitted infections, including HIV.

The law prohibits discrimination based on gender, and the National Women's Committee (NWC) exists to promote the legal rights of women. Women historically have held leadership positions across all sectors of society, although not with the same prevalence as men, but cultural and religious practices limited their role. The government provided little data that could be used to determine whether women experienced discrimination in access to employment, credit, or pay equity for substantially similar work.

The NWC works with the UNDP on implementation of both the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the 2007 National Action Plan to address recommendations of the CEDAW committee.

Children

Citizenship is derived by birth within the country's territory and from one's parents. The government generally registers all births immediately.

On September 29, the president signed a new law on the prevention of child neglect and juvenile delinquency, with the stated intentions of preventing child neglect, homelessness of children, and the criminal and antisocial activities of minors, and identifying and addressing the causes and conditions contributing to such problems. The law provides for children's rights and for free compulsory education for 12 years through basic and secondary school, and does so equally for both boys and girls. In practice shortages and budget difficulties meant many families had to pay education expenses. Teachers earned extremely low salaries and often expected regular payments from students and their parents in return for good grades.

The government subsidized health care, including for children, and boys and girls enjoyed equal access. As with education, low wages for doctors and poor funding of the health sector led to a widespread system of informal payments for services; in some cases, this was a barrier to access for the poor. With some exceptions, those without an officially registered address, such as street children and children of migrant workers, did not have access to government health facilities.

Society generally considered child abuse to be an internal family matter, and government officials were reluctant to discuss the issue openly with international organizations. Elders on neighborhood committees frequently took an interest at the local level in line with the committees' responsibilities to maintain harmony and order within the community.

The law states that the minimum age for marriage is 17 years old for women and 18 years old for men, but a mayor of a district may lower the age by one year in exceptional cases. Child marriage was not prevalent, although in some rural areas girls as young as 15 occasionally were married in religious ceremonies not officially recognized by the state.

The law protects children from "all forms of exploitation," including involvement in criminal activity and prostitution. Involving a child in prostitution is punishable with a fine of 25 to 50 times the minimum monthly wage and prison time of an unspecified length.

A statutory rape law states that a child younger than 16 years old cannot legally consent to having sexual relations with an adult, and the punishment for statutory rape is 15 to 20 years of imprisonment. The production, demonstration, and distribution of child pornography (of persons younger than 21 years old) are punishable by fine or up to three years' imprisonment.

There were isolated reports of women being pressured into institutionalizing children

who were born with birth defects or other illnesses. According to these reports, this action was more likely to occur when the mother was single or had no means to care for the child.

Men are required to serve one year of military duty at the age of 18. The government offers "alternate service" to a person who has been designated by a medical commission to be physically unable to serve. The alternative usually means paying 30 percent of one's salary to the Ministry of Defense for one year. University students can defer their service, and some universities have programs that will substitute for military service. There were other options to pay a fee in lieu of service.

The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For information on international parental child abduction, please see the Department of State's annual Report on Compliance with the Hague Convention on the Civil Aspects of International Child Abduction at http://travel.state.gov/abduction/resources/congressreport/congressreport_4308.html well as country-specific information at http://travel.state.gov/abduction/country/country_3781.html.

Anti-Semitism

Jewish leaders reported high levels of acceptance in society. There were no reports of anti-Semitic acts or patterns of discrimination against Jews. The Jewish community was unable to meet the registration requirements necessary to have a centrally registered organization, but there were eight registered Jewish congregations throughout the country. Observers estimated the Jewish population to be approximately 10,000 persons, concentrated mostly in Tashkent, Samarkand, and Bukhara. Their numbers continued to decline due to emigration, largely for economic reasons.

Trafficking in Persons

For information on trafficking in persons, please see the Department of State's annual *Trafficking in Persons Report*.

Persons with Disabilities

The law prohibits discrimination against persons with disabilities. In 2009 the government signed the UN Convention on the Rights of Persons with Disabilities. The convention clarifies the rights of persons with disabilities and identifies areas where adaptations must be made to allow persons with disabilities to exercise their rights effectively. The government has not yet ratified the convention.

Between January and March, the National Center for Children's Social Adaptation held a series of trainings on inclusive education, with the intention of working toward better integration of children with disabilities into both education and society.

In April the government began a campaign to confirm the disability levels of citizens who receive government disability benefits. Ostensibly, the confirmations were conducted to ensure the legitimacy of the payments, but there were reports that some persons with disabilities had their benefits unfairly reduced in this process.

There was some societal discrimination against persons with disabilities. The government provided care for persons with mental disabilities in special homes.

The Ministry of Labor and Social Protection continued to participate in the Accessibility, Civic Consciousness, Employment, and Society Support for Persons with Disabilities (ACCESS) project with several international partners, including the UNDP. The purpose of the project is to combat societal discrimination against persons with disabilities and expand social integration, employment, and inclusive educational opportunities, in addition to improving the implementation of national legislation. In July ACCESS

coordinators held a two-day training session for professionals of the State Architecture and Construction Committee to ensure the accessibility of newly planned and constructed public buildings; a three-day training for media representatives on understanding and media coverage of disability issues; and a conference on the implementation of the UN Convention on the Rights of Persons with Disabilities. Disability activists report that accessibility remains inadequate, noting that many of the high schools constructed in the last few years have exterior ramps, but no interior modifications that would allow wheelchair accessibility.

During the year there were no reports of fines imposed for facilities being inaccessible to persons with disabilities. In 2008 the government amended the law to include provisions imposing stiff fines for such violations.

Although many public places lacked access for persons with disabilities, there was some wheelchair access throughout the country. The law does not provide effective safeguards against arbitrary or involuntary institutionalization. There were no reports this year of persons being held at psychiatric hospitals despite showing no signs of mental illness. The Ministry of Health controlled access to health care for persons with disabilities, and the Ministry of Labor and Social Protection facilitated employment of persons with disabilities. There were no reports of problems regarding accessibility of information and communications. No information was available regarding patterns of abuse in educational and mental health facilities.

National/Racial/Ethnic Minorities

The constitution states that all citizens are equal, regardless of ethnic background, and provides equal protection by the courts to all residents irrespective of national, racial, or ethnic origin. The country has significant Tajik (5 percent) and Russian (5.5 percent) minorities and smaller Kazakh and Kyrgyz minorities. There also was a small Romani population in Tashkent, estimated at less than 50,000 individuals. Complaints of societal violence or discrimination against members of these groups were rare.

The constitution also provides for the right of all citizens to work and to choose their occupations. Although the law prohibits employment discrimination on the bases of ethnicity or national origin, ethnic Russians and other minorities occasionally expressed concern about limited job opportunities. Officials reportedly reserved senior positions in the government bureaucracy and business for ethnic Uzbeks, although there were numerous exceptions.

The law does not require Uzbek language ability to obtain citizenship, but language often was a sensitive issue. Uzbek is the state language, and the constitution requires that the president speak it. The law also provides that Russian is "the language of interethnic communication." Russian is spoken widely in the main cities, and Tajik is spoken widely in Samarkand and Bukhara.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

Homosexual activity among men is punishable by up to three years' imprisonment. Although convictions under this criminal provision are rare, there were reports that police used informants to extract heavy bribes from gay men. The law does not criminalize sexual activity among women.

Homosexuality generally was a taboo subject in society, and there were no known lesbian, gay, bisexual, and transgender (LGBT) organizations. There was also no known perpetrated or condoned violence against the LGBT community. There were no known reports of official or societal discrimination based on sexual orientation in employment, housing, statelessness, or access to education or health care, but this circumstance may be attributed to the social taboo against discussing homosexual activity rather than to equality in such matters.

Other Societal Violence or Discrimination

There was a social stigma against HIV/AIDS patients. Persons living with HIV reported social isolation by neighbors, public agency workers, health personnel, law enforcement officers, landlords, and employers after their HIV status became known. The military summarily expelled recruits in the armed services found to be HIV-positive. The government's restrictions on local NGOs left only a handful of functioning NGOs to assist and protect the rights of persons with HIV/AIDS.

Section 7 Worker Rights

a. The Right of Association

The law provides workers the right to form and join unions of their choice. In practice workers generally did not exercise this right out of fear that attempts to create alternative unions would be quickly repressed. The law declares unions independent of governmental administrative and economic bodies, except where provided for by other laws; in practice unions remained centralized and dependent on the government. The state-run Board of the Trade Union Federation of Uzbekistan was the largest union, with official reports of 60 percent of employees in the country participating. Leaders of the federation are appointed by the president's office rather than elected by the union board. All regional and industrial trade unions at the local level were state-managed. There were no independent unions. The law prohibits discrimination against union members and officers, but this prohibition was irrelevant due to the unions' close relationship with the government. The law neither provides for nor prohibits the right to strike.

b. The Right to Organize and Bargain Collectively

Unions and their leaders were not free to conduct activities without interference from the employer or from government-controlled institutions. The law provides the right to organize and to bargain collectively; in practice this right was not exercised. Unions were government-organized institutions with little bargaining power aside from some influence on health and work safety issues.

The law states that unions may conclude agreements with enterprises, but because the state heavily influenced the unions, collective bargaining in any meaningful sense did not occur. The Ministry of Labor and Social Protection and the Ministry of Finance, in consultation with the Council of the Federation of Trade Unions, set wages for government employees. In the small private sector, management established wages or negotiated them individually with persons who contracted for employment. There is no state institution responsible for labor arbitration.

The law gives unions oversight for individual and collective labor disputes.

There are no special laws or exemptions from regular labor law within the free trade zone established in Navoi.

c. Prohibition of Forced or Compulsory Labor

The constitution and law prohibit forced or compulsory labor, including by children, except as legal punishment for such offenses as robbery, fraud, or tax evasion, or as specified by law. However, such practices occurred during the cotton harvest, when authorities compelled schoolchildren, university students, teachers, medical workers, government personnel, military personnel, and nonworking segments of the population to pick cotton. Credible reporting indicated the use of forced adult labor during the cotton harvest was higher than in the previous year. Local officials, under central authority, reportedly compelled the adults under threats of adverse employment actions or denial of social benefit payments. Authorities expected teachers and school administrators to participate in the harvest either as supervisors or by picking cotton

themselves; schoolteachers often bore responsibility for ensuring their students met quotas. Students and adults who did not make their quotas were sometimes subject to ridicule or abuse by local administrators or police. The loss of public sector workers during the cotton harvest adversely affected communities, as medical procedures often were deferred, essential public services delayed, and internationally funded development projects put on hold while implementing partners worked the fields.

d. Prohibition of Child Labor and Minimum Age for Employment

Laws to protect children from exploitation in the workplace provide both criminal and administrative sanctions against violators of the child labor laws; however, these laws were not effectively enforced. Children worked in family businesses in cities during school holidays and vacations, and some children worked as street vendors, often helping their parents.

Children also worked in the planting and picking of cotton. Many thousands of schoolchildren and university students worked in the cotton fields during the annual harvest as a result of government mobilization. The national labor code establishes the minimum working age at 16 years old and provides that work must not interfere with the studies of those younger than 18 years old. The law establishes a right to a part-time job beginning at age 15, and children with permission from their parents may work a maximum of 24 hours per week when school is not in session and 12 hours per week when school is in session. Amendments in 2009 abolished a provision that allowed 14-year-olds to be involved with "light work" that did not interfere with education or hinder the health or development of the child. Children between the ages of 16 and 18 years old may work 36 hours per week while school is not in session and 18 hours per week while school is in session.

The use of forced child labor in the cotton sector was widespread. During the fall harvest, local administrators throughout the country closed schools and universities for up to eight weeks and transported students to work in the cotton fields. Although the majority of students appeared to be over the age of 12 years old, 11-year-olds were not uncommon, and there were isolated reports of some students as young as 10-years-old having to work in the fields. Observers reported that older students often worked 10-hour days and frequently were housed in tents or barracks away from their families. For the second year in a row, the majority of classes remained in operation at the younger grade levels.

Students and adults made between 100 and 120 soum ($.06) per kilo (2.2 pounds) of cotton picked. Younger students were expected to pick 20 to 45 kilograms of cotton per day, while older students and adults were expected to pick 50 to 60 kilos per day. The resulting daily wage was between 2,000 and 5,400 soum ($1.30 to $3.60) for younger students and 5,000 to 7,200 soum ($3.30 and $4.80) per day for older students. Many universities reportedly threatened to expel students who did not participate in the harvest, and at least one university expelled a student for refusing to participate.

Working conditions varied greatly by region. There were some reports of inadequate food and lodging for the children; there were also reports of students without access to clean drinking water.

For additional information on forced child labor, see the Department of State's annual *Trafficking in Persons Report*.

In 2009 Ministry of Labor and Social Security (MOL) and Ministry of Health (MOH) published a joint decree prohibiting the employment of minors under 18 years old in occupations on the list of hazardous work that included the manual harvesting of cotton. A February joint decree from MOL and MOH states that the law prohibits children under 18 years old from working in any of the unfavorable conditions of work listed by the ministries. The law stipulates that public officials who violate labor legislation involving a minor are subject to stiff fines and private individuals to fines of lesser amounts.

Labor legislation does not explicitly provide jurisdiction for inspectors from the MOL to focus on child labor enforcement. Enforcement of child labor laws is under the jurisdiction of the MOL, the prosecutor general, the Ministry of Internal Affairs (MIA), and MIA general criminal investigators. It is unclear whether the MIA conducts inspections in the agricultural sector. There were no known prosecutions for using child labor during the year.

The government's 2008 National Action Plan called for an end to the worst forms of child labor, including forced labor; however, most of its goals have not been reached. The government does not allow independent organizations to assess comprehensively child labor in the cotton sector, nor does it provide figures on the use of child labor in the country.

e. Acceptable Conditions of Work

The minimum wage from December 2009 until August was 37,680 soum ($25) per month; on August 1, it was raised to 45,215 soum ($28). This wage did not provide a decent standard of living for a worker and family.

The law establishes a standard workweek of 40 hours and requires a 24-hour rest period. Overtime pay exists in theory, but it rarely was paid in practice.

The MOL establishes and enforces occupational health and safety standards in consultation with unions. Reports suggested that enforcement was not effective. Although regulations provide for safeguards, workers in hazardous jobs often lacked protective clothing and equipment. Labor inspectors conducted inspections of small- and medium-sized businesses once every four years and inspected larger enterprises once every three years. The MOL or a local governor's office can initiate a selective inspection of a business as well, and special inspections are conducted in response to accidents or complaints. In accordance with the Law on Workers' Safety, workers legally may remove themselves from hazardous work if an employer has failed to provide adequate safety measures for the job. Generally workers did not exercise this right as it was not effectively enforced, and employees feared retribution by employers. According to a 2009 law, employers are required to insure against civil liability for damage caused to the life or health of an employee in connection with a work injury, occupational disease, or other injury to health caused by the employee's performance on the job. No cases have been reported under this law to date.

The country has bilateral labor migration agreements with Russia and South Korea to increase protections on a range of labor rights for the country's labor migrants.
