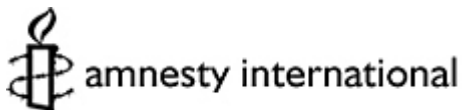


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## Amnesty International Report 2009 - Uzbekistan

Head of state: Islam Karimov  
Head of government: Shavkat Mirzioiev  
Death penalty: abolitionist  
Population: 27.8 million  
Life expectancy: 66.8 years  
Under-5 mortality (m/f): 71/60 per 1,000  
Adult literacy: 99.4 per cent

Conditional releases from prison of some human rights defenders, a number of legislative and judicial reforms, and increased dialogue on human rights between the government and the international community failed to lead to genuine and wide-reaching systemic reforms. The authorities persisted in their refusal to allow an independent, international investigation into mass killings in Andizhan in 2005.

There was little improvement in freedom of expression and assembly. Human rights defenders, activists and independent journalists continued to be targeted for their work. Widespread torture or other ill-treatment of detainees and prisoners, including human rights defenders and government critics, continued to be reported. The authorities failed to investigate such allegations effectively.

Several thousand people convicted of involvement with banned Islamist organizations continued to serve long prison terms in conditions that amounted to cruel, inhuman and degrading treatment. The authorities continued to actively seek the extradition of members or suspected members of banned Islamist parties or movements.

The death penalty was abolished.

### Background

The harshest winter to hit Central Asia in several decades saw rare public demonstrations scattered throughout Uzbekistan protesting over cuts to domestic power supplies of gas and electricity.

A sustained campaign against the use of child labour in cotton fields by a coalition of international and Uzbekistani NGOs and activists successfully targeted major international clothing retailers. Several banned the sale of textiles made with Uzbekistani cotton or the use of such in their merchandise. In September, the Prime Minister enacted a National Action Plan to address concerns about the use of child labour after the government ratified the International Labour Organization's Worst Form of Child Labour Convention and its Minimum Age Convention in June and April respectively. Uzbekistan is one of the world's largest raw cotton exporters and income from cotton exports represents around 60 per cent of the state's hard currency earnings. School children had traditionally been used to help farmers meet strict collection quotas during the harvest season. They missed school, worked under harsh conditions and received little remuneration.

### **International scrutiny**

Three years after the killing of hundreds of people in Andizhan, when security forces fired on mainly peaceful demonstrators, the authorities continued to refuse to allow an independent, international investigation into these events. They asserted that two rounds of expert talks held with representatives of the EU in December 2006 and April 2007 had addressed all the relevant issues. However, there was concern that these talks did not meet international standards for an effective, independent and impartial investigation and could not be substituted for them, and should therefore not be accepted by the EU as such.

The failure of the Uzbekistani authorities to allow an international independent investigation into these mass killings was the reason behind the original imposition of sanctions by the EU in 2005 – a visa ban on 12 officials, an arms embargo and a partial suspension of the Partnership and Co-operation Agreement. Following deliberations at the General Affairs and External Relations Council (GAERC) meeting in April, foreign ministers decided to continue the suspension of the visa ban started in November 2007 for another six months, with a review of the human rights situation in three months. Although certain benchmarks were included in the final April GAERC Conclusions, there was no mention of Andizhan or the demand for an international independent investigation.

In October the GAERC decided to lift the visa ban fully. The GAERC cited certain positive developments which had influenced its decision, including Uzbekistan's willingness to host an EU-Uzbekistan seminar on media freedom in Tashkent. However, no independent media from Uzbekistan or foreign journalists were allowed to attend the meeting. International NGOs which had participated at the invitation of the EU issued a joint public statement condemning the seminar as "a decoy designed to extract concessions at no cost to the authorities" which "should not be considered as evidence of any improvement in the country's 17-year policy of suppressing freedom of speech".

In March, a spokesperson for the International Committee of the Red Cross (ICRC) confirmed that an agreement had been reached with the government for the ICRC to resume prison visits under its mandate, for a trial period of six months.

In December the UN Human Rights Council reviewed Uzbekistan's human rights situation under the Universal Periodic Review mechanism.

### **Human rights defenders**

The situation for human rights defenders and independent journalists continued to deteriorate despite assertions by the authorities that freedoms of expression and association were not restricted and that independent NGOs and civil society activists could function freely.

Some of the imprisoned human rights defenders were released under the terms of two

separate amnesties; their releases were conditional. Among those released in October was prisoner of conscience Dilmurod Mukhiddinov. However, at least 10 human rights defenders remained in prison in cruel, inhuman and degrading conditions, having been sentenced to long prison terms after unfair trials. They had limited access to relatives and legal representatives, and reportedly they had been tortured or otherwise ill-treated. Some were reported to be gravely ill in prison. At least two human rights activists were sentenced to long prison terms in October on charges they claimed were fabricated in order to punish them for their human rights activities. One of them, Akzam Turgunov, a member of the banned secular opposition party Erk, claimed that he was tortured in pre-trial detention.

Other human rights activists and journalists continued to be routinely monitored by uniformed or plain-clothed law enforcement officers, including by being summoned for police questioning or placed under house arrest. Human rights defenders and journalists reported being beaten and detained by law enforcement officers, or beaten by people suspected of working for the security forces. Relatives also reported being threatened and harassed by security forces.

- In June, human rights defender Mutabar Tadzhibaeva was unexpectedly released from prison on health grounds. However, her release was conditional; her eight-year sentence imposed in March 2006 was commuted to a three-year suspended sentence. In May, Mutabar Tadzhibaeva was awarded the Martin Ennals Award for human rights defenders. She was granted permission to travel abroad in September and was able to attend the award ceremony in Switzerland in November.
- In February prisoner of conscience Saidzhakhon Zainabidinov was unexpectedly released under the terms of the December 2007 presidential amnesty. He was quoted in some news reports as saying that he had not expected to be released and that he had been treated well in prison. He later explained that he did not want to discuss his time in prison in order not to jeopardize the potential release under the amnesty of other human rights defenders. Saidzhakhon Zainabidinov had been sentenced in January 2006 to seven years' imprisonment for his alleged participation in the Andizhan events.
- Salidzhon Abdurakhmanov, a human rights activist and journalist writing for the independent Germany-based website [uznews.net](http://uznews.net), was detained in June on suspicion of possessing illegal narcotics. Traffic police who stopped his car reportedly for a routine inspection claimed to have found opium and marijuana hidden in the boot. Salidzhon Abdurakhmanov categorically denied ever being in possession of narcotics or having used illegal substances. His brother, who was also acting as his legal representative, and supporters claimed that the charges were fabricated in order to punish Salidzhon Abdurakhmanov for his human rights and journalistic activities. The police conducted a search of Salidzhon Abdurakhmanov's home and office and confiscated his computer and technical equipment as well as books and papers and written materials. Medical tests ordered by the police investigating his arrest confirmed that Salidzhon Abdurakhmanov was not a user of narcotics. Examination of the journalist's electronic computer and hard copy files yielded no evidence of illegal activities or criminal links. However, in September Salidzhon Abdurakhmanov was sentenced to 10 years' imprisonment for possession of narcotics with intent to sell. An appeal court upheld his sentence in November. A further appeal to the Supreme Court of Uzbekistan was pending.

### Freedom of expression

Pressure on international media and NGOs continued despite assertions to the contrary by the authorities. In May the authorities refused to register the work permit of the country director of Human Rights Watch. In June, a TV station denounced Uzbekistani staff of the international media organization Radio Liberty/Radio Free Europe as traitors

to their country. The programme also gave personal details, including names and addresses, of local correspondents.

### **Freedom of religion**

Protestant groups and Jehovah's Witnesses were also targeted in similar television programmes and newspaper articles, which depicted them as "destructive sects".

International organizations expressed concern about the government's violations of the right to religious freedom, not only of Christian Evangelical groups but also of Muslims worshipping in mosques outside state control.

### **Torture and other ill-treatment**

Persistent allegations of widespread torture or other ill-treatment of detainees and prisoners continued. These reports stemmed not just from people suspected of membership of banned Islamic groups or of having committed terrorist offences but also from other groups, including human rights activists, journalists and former – often high-profile – members of the government and security forces. The failure by the relevant authorities to properly investigate such allegations remained a serious concern. In January, judicial supervision of arrest was introduced, transferring the power to sanction arrest from the prosecutor's office to the courts. These court procedures did not conform to fair trial standards and failed to give detainees the right to challenge their arrest or complain of any torture or other ill-treatment.

- In August the daughter of imprisoned poet and regime critic Yusuf Dzhuma claimed that her father was routinely tortured and ill-treated in Yaslik prison camp. He said he was being singled out for beatings and ill-treatment because he was considered an enemy of the President by prison staff, and that he had been locked up in quarantined cells with prisoners suffering from tuberculosis.

### **Counter-terrorism and security**

In the name of national security and the fight against terrorism, the Uzbekistani authorities continued to actively seek the extradition of members or suspected members of banned Islamic movements or Islamist parties, such as Hizb-ut-Tahrir and Akramia, from neighbouring countries as well as the Russian Federation. Most of the men forcibly returned to Uzbekistan were held incommunicado, thus increasing their risk of being tortured or otherwise ill-treated.

- Authorities in the Russian Federation continued to ignore decisions by the European Court of Human Rights to halt deportations of Uzbekistani asylum-seekers pending examinations of their applications to the Court. In one such case, Abdugani Kamaliev was forcibly deported to Uzbekistan in November 2007 just days after being detained in the Russian Federation. In February, Abdugani Kamaliev's relatives reported that upon his return to Uzbekistan he was subjected to torture or other ill-treatment in the Namangan regional pre-trial detention facility. By March, he had been sentenced to 11 years' imprisonment.
- In April the European Court of Human Rights ruled that the extradition of 12 refugees from Russia to Uzbekistan "would give rise to a violation of Article 3 [prohibition of torture] as they would face a serious risk of being subjected to torture or inhuman or degrading treatment there." The Court also stated that it was "not convinced by the Government's argument that they had an obligation under international law to co-operate in fighting terrorism and had a duty to extradite the applicants who were accused of terrorist activities, irrespective of a threat of ill-treatment in the receiving country." The Court also was "not persuaded that the assurances from the Uzbek authorities offered a reliable

guarantee against the risk of ill-treatment" in this case. The 12 Uzbek men had been sought for their alleged participation in the Andizhan events.

### Death penalty

A law replacing the death penalty with life imprisonment came into effect on 1 January, marking the formal abolition of the death penalty. On 23 December Uzbekistan acceded to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty. However, by the end of the year authorities had still not published statistics on the death penalty for previous years, including the number of sentences, executions and commutations. There was no list published of the total number of men on death row who had their sentences automatically commuted to life imprisonment. There was no progress on allowing relatives access to information on burial sites of executed prisoners. Also, there was no indication that old cases would be investigated where the accused or his relatives had alleged the use of torture in order to force a confession, nor was there any mention of possible compensation. The Supreme Court started reviewing death sentences pending at the time of abolition, and by mid-April it had commuted at least 17 death sentences to long prison terms of either 20 or 25 years.

### Amnesty International reports

- Central Asia: Summary of Human Rights Concerns, March 2007-March 2008 (9 April 2008)
- Uzbekistan: Submission to the UN Universal Periodic Review (21 July 2008)

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