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2008 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 28.2 million. The constitution provides for a presidential system with separation of powers between the executive, legislative, and judicial branches. In practice, however, President Islam Karimov and the centralized executive branch dominated political life and exercised nearly complete control over the other branches. The two-chamber Oliy Majlis (parliament) consisted almost entirely of officials appointed by the president and members of parties that supported him. In December 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. Civilian authorities generally maintained effective control over the security forces.

Citizens did not have the right in practice to change their government through peaceful and democratic means. Reports continued of security forces torturing, beating, and otherwise mistreating detainees under interrogation to obtain confessions or incriminating information. Human rights activists and journalists who criticized the government were subject to harassment, arbitrary arrest, politically motivated prosecution, forced psychiatric treatment, and physical attack. The government generally did not take steps to investigate or punish the most egregious cases of abuse, although it prosecuted many officials for corruption and prosecuted at least a few for more serious offenses, including killings, and undertook legal reforms aimed at preventing abuses. Despite some improvements, prison conditions remained poor. Outside monitors regained access to places of detention. In many cases those arrested were held incommunicado for extended periods without access to family or attorneys. Criminal defendants were sometimes deprived of legal counsel. Guilty verdicts were almost universal and generally based upon defendants' confessions and witnesses' testimony obtained through coercion. The government tightly controlled the mass media and suppressed any criticism. The government did not observe citizens' right to free assembly or association. Police regularly detained citizens to prevent public demonstrations and forestalled contact with foreign diplomats. Authorities sought to control nongovernmental organization (NGO) activity. The government made access for international observers at trials difficult, although it allowed foreign diplomats to attend some hearings. The government restricted religious activity, treating virtually all religious observance outside state-sanctioned structures as a crime. The government's campaign against unauthorized Islamic groups suspected of extremist sentiments or activities appeared to have slowed, but some alleged members continued to be arrested and sentenced to lengthy jail terms. The government also harassed several religious minority groups and imprisoned some of their members. The government pressured other countries to return forcibly Uzbek refugees who were under the protection of the

Office of the UN High Commissioner for Refugees (UNHCR) and continued to pressure Afghan refugees to return home. There was a widespread public perception of corruption. While the government took continued steps to combat trafficking in persons, it remained a problem. The use of child labor in cotton harvesting continued in several regions of the country.

RESPECT FOR HUMAN RIGHTS

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

a. Arbitrary or Unlawful Deprivation of Life

There were no confirmed reports of political killings by the government or its agents.

The government continued to refuse to authorize an independent international investigation of the alleged killing of numerous unarmed civilians and others during the violent disturbances of May 12 and 13, 2005. Peaceful demonstrators had assembled in front of Andijon's courthouse in the weeks before in support of 23 local Islamic businessmen on trial, charged by the government with involvement in an extremist group. On the evening of May 12, an unknown number of individuals attacked a police garrison, seized weapons, broke into a nearby prison, and released several hundred inmates, including the 23 businessmen. Several witnesses claimed that, on May 13, military vehicles drove into the main square, where several thousand civilians had gathered peacefully, and fired repeatedly into the crowd without warning. The government claimed, based on its own 2005 investigation, that armed individuals initiated the violence by firing on government forces. The estimated number of dead varied between the government's total of 187 and eyewitnesses' reports of several hundred. While an international investigation did not take place, the government claimed to have conducted internal investigations into the May 2005 events. It discussed investigation techniques and results with diplomats and other international representatives in 2006 and 2007.

Human rights activists claimed the number of deaths in custody was higher than reported, but this could not be measured accurately due to the lack of comprehensive independent prison monitoring.

b. Disappearance

There were no reports during the year of politically motivated disappearances. There were still numerous unconfirmed reports of disappearances in 2005 of persons who were present at the violent disturbances in Andijon. The welfare and whereabouts of several of the refugees who were forcibly returned to the country during the year remained unknown.

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. Torture and abuse were common in prisons, pretrial facilities, and local police and security service precincts. Informants reported several cases of medical abuse, including forced psychiatric treatment.

November 2007 reports by Human Rights Watch (HRW) and the UN Committee Against Torture (CAT) concluded that torture and abuse were systemic throughout the investigative process and had not improved since a 2003 UN Special Rapporteur on torture report drew the same conclusions. The CAT report stated that despite an amendment to Article 235 of the criminal code addressing elements of the definition of torture, punishment for violations was rare and did not reflect the severity of the crimes.

Authorities occasionally convicted and punished Ministry of Internal Affairs (MOI)

officials for wrongdoing. During the year a court in Tashkent Province ordered the reinvestigation of a murder case after dismissing the coerced confessions of five suspects. Charges against the five original suspects were later dropped, and a court convicted the deputy chief of police in Angren of suppression of evidence. In September a court in the Mubarek district of Kashkadarya province reportedly sentenced an MOI official to 23 years' imprisonment for murder and robbery. In November a court in Tashkent convicted six former police officers of kidnapping a local businessman and sentenced them each to 16 years' imprisonment. On December 12, the Tashkent provincial Criminal Court sentenced four police officers to between eight and 17 years' imprisonment for beating to death Angren resident Muzaffar Tuychiev. Authorities fired more than 10 police officers after the incident, including the heads of the Angren police department and its investigation unit. The MOI reported on its Web site that 1,622 police officers were disciplined for abuse of power during the year and 185 of them were fired.

Authorities reportedly treated more harshly than ordinary criminals some individuals suspected of extreme Islamist political sympathies, notably pretrial detainees who were alleged members of banned extremist political organization Hizb ut-Tahrir (HT). Local human rights workers reported that authorities often paid or otherwise induced common criminals to beat suspected extremists and others who opposed the government.

On May 4, prisoner Odil Azizov died in a prison hospital in Tashkent after being transferred from Jaslyk prison in Karakalpakstan. His family reported that his body showed signs of torture, including bruising on his chest and swollen feet. Accounts differed whether Azizov died of torture or bronchitis due to the harsh winter conditions. Azizov was serving a 15-year sentence on charges of religious extremism.

On July 14, a police investigator reportedly poured boiling water on human rights activist Akzam Turgunov's back while he was in pretrial detention in an attempt to elicit a confession. Authorities detained Turgunov, a lawyer who had investigated local rule of law and corruption cases, on extortion charges on July 11 in the town of Mangit in Karakalpakstan. Human rights activists suspected that the charges against him were politically motivated. The judge suspended Turgunov's trial pending an investigation of the boiling water incident, but later said the investigation showed that Turgunov had not been tortured. The court convicted Turgunov on October 23 and sentenced him to 10 years in prison. On December 11, the Karakalpakstan Supreme Court rejected Turgunov's appeal of his conviction. Authorities reprimanded and demoted the police investigator for violating the MOI's instructions for "protecting and escorting suspects," though they also denied that any investigator poured boiling water on Turgunov.

There were confirmed instances of politically motivated medical abuse. Victims could request through legal counsel that their cases be reviewed by an expert medical board. In practice, however, such bodies generally supported the decisions of law enforcement authorities.

Jamshid Karimov, a journalist, human rights activist, and nephew of President Karimov, has remained under forcible detention at Samarkand Psychiatric Hospital since 2006. The government released him for five days this year to attend his mother's funeral. The condition of his health was unknown, as independent monitors had no access to him.

There were no updates in the cases of Fitrat Salkhiddinoy, Takhir Nurmukhammedov, and two other unnamed prisoners, all of whom were convicted of membership in HT and reportedly died after being tortured in prison in November and December 2007.

In September relatives reported that Ezgulik human rights group member Abdurasul Khudoynazarov, who was sentenced to nine years' imprisonment in 2005 on politically motivated charges of blackmail and fraud, reportedly attempted suicide at prison 64/1 in Angren after enduring frequent harassment at the hands of prison guards. At year's end his condition was reportedly stable.

Family members of Azam Farmonov reported in September that authorities charged him

with violating internal prison regulations, making him ineligible for consideration for amnesty. In November relatives of Alisher Karamatov reported that he was seriously ill with tuberculosis he had contracted while in prison, and had been transferred from prison 64/49 in Qarshi to the Sangorod prison hospital in Tashkent for treatment. On December 25, a court in Syrdarya province rejected an appeal submitted by his lawyer to release Karamatov on medical grounds.

On November 3, relatives reported that the health of human rights activist Norboy Kholjigitov, who was sentenced to ten years' imprisonment on politically motivated charges in 2005, was deteriorating at prison 64/49 in Qarshi. Kholjigitov, who is in his sixties, reportedly suffers from diabetes and high blood pressure.

Prison and Detention Center Conditions

According to prison officials, the government held approximately 34,000 inmates at 53 detention facilities. Prison conditions remained poor and in some cases life threatening. There continued to be reports of severe abuse, overcrowding, and shortages of food and medicine. Tuberculosis (TB) and hepatitis were endemic in the prisons, making even short periods of incarceration potentially life-threatening. Prison officials stated that approximately 1,000 inmates were infected with TB. This number could not be confirmed by international health and other organizations. Family members frequently reported that officials stole food and medicine that they tried to deliver to prisoners. There were reports of inmates working in harsh circumstances. Still, several knowledgeable sources reported that authorities had made some progress in the past two years in improving prison conditions, notably in combating the spread of TB.

Sources reported that authorities in some prisons continued to hold political prisoners and those convicted of membership in banned religious extremist organizations in specially demarcated sections of prisons and subjected these prisoners to harsher conditions and treatment than other prisoners. However, there were reports that authorities at several prisons across the country reintegrated religious prisoners with the mainstream population. There were reports that authorities did not release prisoners, especially those convicted of religious extremism, at the end of their terms. Instead, prison authorities frequently contrived to extend inmates' terms by accusing them of additional crimes or claiming that the prisoners represent a continuing danger to society. These accusations were not subject to judicial review.

Following long negotiations with the government, on March 11, the International Committee of the Red Cross (ICRC) resumed visits to detention facilities under the responsibility of the GUIN (penitentiary system under the authority of the Ministry of Internal Affairs) for a six-month trial period. Prison monitoring had been suspended since December 2004. The trial period ended in September, and the ICRC has since submitted a report with its conclusions and recommendations to the government for its consideration. The government also permitted representatives from the German Konrad Adenauer Foundation and the Bukhara-based Medical-Legal Center NGO to undertake limited monitoring visits to prisons this year.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention. However, these practices continued to take place.

Role of the Police and Security Apparatus

The MOI controls the police, which are responsible for law enforcement and maintenance of order. The National Security Service (NSS), headed by a chairman who is answerable directly to the president, deals with a broad range of national security questions, including corruption, organized crime, and narcotics. Corruption among law enforcement personnel remained a problem. Police routinely and arbitrarily detained citizens to extort bribes. Impunity was a problem, and the government rarely punished officials responsible for abuses. The MOI's main investigations directorate has procedures

to investigate abuse internally and discipline officers accused of rights violations and has done so in a few cases. The MOI created a new human rights department that has taken positive actions in some police brutality cases. The human rights ombudsman's office, affiliated with the parliament, also has the power to investigate such cases. However, there was no independent body charged with investigating such allegations on a systematic basis.

The MOI's main investigations directorate incorporated human rights training into officers' career development.

In October a contingent of eight mid-level law enforcement officers from the Ministry of Internal Affairs and NSS participated in a two-month leadership course at the International Law Enforcement Academy in Hungary that included human rights training.

Arrest and Detention

On January 1, habeas corpus-related amendments to criminal law went into effect. Under the new law all decisions to arrest accused individuals or suspects must be reviewed by a judge, and defendants have the right to legal counsel from the time of arrest. The amendments state that the judge conducting the arrest hearing is not allowed to sit on the panel of judges during the individual's trial and that detainees have the right to request a hearing with a judge to determine whether they should remain incarcerated or be released. The law requires that within 24 hours of a person being taken into custody the arresting authority notify a relative or close friend, and question the detainee, whether he is considered a suspect or accused. Suspects have the right to remain silent. Detention without formal charges is limited to 72 hours, although a prosecutor may extend it for an additional seven days, at which time the person must either be charged or released. In practice authorities continued to hold suspects after the allowable period through various means. There were several cases in which authorities detained individuals initially as witnesses and later falsely charged them with a crime. Concerns remained that the 72 hour period begins only once a suspect is brought to the police station, which could lead to abuse of the spirit of the law. Senior officials publicly acknowledged that the law is not perfect and expressed willingness to work with international organizations and experts to develop improvements.

Once charges are filed, a suspect may be held in pretrial detention for up to three months during an investigation, and the law permits extension of that period 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.

A Supreme Court decree provides for a defendant's right to counsel from the moment of detention. In practice authorities often denied or delayed access to counsel and denied communication with their families. Investigators often pressured defendants to sign statements refusing the services of private attorneys whom family members had hired. In their place authorities appointed state attorneys who did not provide effective defense.

On December 5, parliament adopted a new law on defense attorneys, which codifies defendants' right to remain silent, to call an attorney or relative after their arrest, and to meet with their lawyer whenever they wish. For the first time, the law specifies that witnesses in criminal cases may be represented by legal counsel. The law grants defense attorneys and attorneys defending witnesses the same procedural rights as prosecutors. The new law abolishes private defense attorney organizations, including the independent Association of Advocates of Uzbekistan and the Tashkent Bar Association, replacing them with a state-controlled Chamber of Lawyers. The law also requires that all defense attorneys become licensed members of the chamber. While the government claimed that the provisions were aimed at improving the professionalism of defense attorneys, some critics contend that the measures were aimed at reducing their

independence.

There were reports that police arrested persons on false charges such as extortion 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, or association with banned religious groups, although the number of such cases appeared to decline. Local human rights activists reported that police and security service officers, acting under pressure to break up HT cells, frequently detained and mistreated family members and close associates of suspected members. Coerced confessions and testimony in such cases were commonplace.

Police harassed and sometimes arbitrarily detained members of the opposition Birlík, Free Farmers, Erk, and Birdamlik parties.

During the year pretrial detention typically ranged from one to three months. Prison officials estimated that the government held approximately 3,400 persons in pretrial detention at any one time.

In general prosecutors exercised discretion over most aspects of criminal procedure, including pretrial detention. Detainees had no access to a court to challenge the length or validity of pretrial detention. Even when no charges were filed, police and prosecutors sought to evade restrictions on the duration a person could be held without charges by holding persons as witnesses rather than as suspects.

In November Supreme Court Chairman Boritosh Mustafoyev reported that the government was promoting arbitration and "out-of-court settlements" to resolve criminal cases, especially those involving minors, women, and the elderly.

Local police regularly employed house arrest to stifle dissent. In most cases police surrounded the homes of human rights activists and government critics to prevent them from participating in public demonstrations or other activities.

Legislation abolishing the death penalty took effect on January 1 and replaced it with prison terms ranging from 20 years to life. The legislation contains a provision mandating that prisoners sentenced to life must serve 20 years before petitioning for release and limits lifetime imprisonment to those convicted of premeditated murder and terrorism. Between January and April the Supreme Court reviewed more than 40 death penalty cases, commuting approximately 12 sentences to life imprisonment and the remainder to 25 years' imprisonment. Human rights activists criticized the lack of transparency in the Supreme Court's review of the cases. There were no known executions during the year. On December 12, President Karimov signed legislation on joining the Second Optional Protocol to the International Covenant on Civil and Political Rights on Abolishing the Death Penalty.

Amnesty

On January 2, President Karimov issued a presidential amnesty in honor of the 15th anniversary of the constitution. Prison authorities reportedly released approximately 3,500 individuals under the amnesty and reduced the sentences of a much larger (but indeterminate) number of individuals.

On February 2, the government amnestied and released Ikhtiyor Hamroyev, the son of well-known human rights defender Bakhtiyor Hamroyev and a member of the Human Rights Society of Uzbekistan (HRSU). Authorities had sentenced Hamroyev to three years' imprisonment in 2006 on politically-motivated charges of hooliganism. On February 2, the government also amnestied and released Andijon-based human rights activist Saidjahon Zaynabiddinov, who was sentenced to seven years' imprisonment in 2006 by the Tashkent Province Criminal Court for extremist activity in connection with the 2005

Andijon events.

On February 4-5, the government amnestied and released three political prisoners: Bahodir Mukhtarov, Bobomurod Mavlanov, and Ulugbek Kattabekov. In February the government also amnestied and lifted the three-year suspended sentence of former HRW staffer and journalist Umida Niyazova and the six-year suspended sentence of Andijon-based human rights activist and forensic pathologist Gulbahor Turayeva.

In honor of the country's Independence Day on September 1, the government announced another general amnesty. According to state-controlled media, those eligible under this amnesty included women, the disabled, foreigners, minors, men over the age of 60, and individuals who "do not pose a danger to the public order." The government has not released any official figures yet from the September amnesty, but it appears from reporting by local papers in the country's provinces that at least several hundred individuals were released by year's end. In October the government amnestied and released two political prisoners, Dilmurod Mukhiddinov and Mamarajab Nazarov.

As in previous amnesties, authorities reportedly forced prisoners to sign letters of repentance as a condition of release. There were allegations that authorities physically mistreated some prisoners who refused to sign such letters, and there were accounts of authorities not releasing many inmates, even after they had signed such letters. Local prison authorities had considerable discretion in determining who was reviewed for amnesty, despite established conditions allowing release. As in previous years, there were reports of corruption.

e. Denial of Fair Public Trial

While the constitution provides for an independent judiciary, the judicial branch took its direction from the executive branch, particularly the general prosecutor's office, and exercised little independence in practice.

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

The Karakalpakstan Supreme Court has jurisdiction over the Karakalpakstan Autonomous Republic. Decisions of district and provincial courts may be appealed to the next level within 10 days of a ruling. In addition, a constitutional court reviews 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

Most trials are officially open to the public, although access was sometimes restricted in practice. Trials may be closed 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. Permission was difficult and time-consuming to obtain, but international observers, including foreign diplomats, were granted access to some hearings.

Authorities generally announced trials, including those of alleged religious extremists, only at the court in which the trial was to take place and only a day or two before the trial began.

Generally, a panel of one professional judge and two lay assessors, selected either by committees of worker collectives or neighborhood committees, presided over trials. The lay judges rarely spoke, and the professional judge usually deferred to the recommendations of the prosecutor on legal and other matters. There are no jury trials.

Defendants have the right to attend court proceedings, confront witnesses, and present evidence. These rights were generally observed, including in high-profile human rights and political cases. In the vast majority of criminal cases that prosecutors brought to court, however, the verdict was guilty. Defendants have the right to hire an attorney, and the government provides legal counsel without charge when necessary. However, state-appointed defense attorneys routinely acted in the interest of the government rather than of their clients. Authorities often violated the right to an attorney during pretrial detention, and judges in some cases denied defendants the right to an attorney of choice. There were several reports that investigators pressured defendants to refuse legal counsel. Defense counsel was often unqualified and, in some cases, the role of defense counsel was limited to submitting confessions and pleas for mercy.

During the year the government reportedly established a system of 24-hour on-call defense attorneys, resulting in some improved access to qualified defense counsel for the accused. Several private law firms provided qualified pro bono defense counsel, some financed through international donors.

Government prosecutors order arrests, direct investigations, prepare criminal cases, and recommend sentences. Defendants do not enjoy a presumption of innocence. If a judge's sentence does not correspond with the prosecutor's recommendation, the prosecutor has a right to appeal the sentence to a higher court. Verdicts are often based solely on confessions and witness testimony, which is often reportedly extracted through torture, threats to family members or other means of coercion. Legal protections against double jeopardy are not applied in practice.

On February 7, human rights lawyer Rusluddin Khamilov met with his client, dissident poet Yusuf Jumaev. Prison officials observed the entire meeting despite the law's stipulation that defendants have the right to meet privately with their lawyers, threatened Khamilov, and confiscated a letter reportedly detailing abuses suffered by Jumaev in prison. On April 15, a Bukhara court found Jumaev guilty of discrediting government authorities, resisting arrest, and harming a police officer. The court sentenced Jumaev to five years in prison.

The law provides a right of appeal to defendants. In political cases appeals did not result in convictions being reversed, but in some other cases appeals resulted in reduced or suspended sentences.

Defense attorneys had limited access in some cases to government-held evidence relevant to their clients' cases. However, in most cases prosecution was based solely upon defendants' confessions or incriminating testimony from state witnesses, particularly in cases involving suspected HT members. Lawyers may, and occasionally did, call on judges to reject confessions and to investigate claims of torture. Judges usually ignored such claims or dismissed them as groundless.

Political Prisoners and Detainees

The government denied that there were any political prisoners, and it was impossible to determine the actual number of prisoners or detainees held on political grounds. Lists of political prisoners maintained by foreign embassies and international human rights organizations ranged from approximately 11 to 23 individuals. While several political prisoners were released during the year, other individuals were imprisoned on politically motivated charges. Most persons convicted of political crimes were charged with the crime for which they were arrested, such as unconstitutional activity, involvement in illegal organizations, or preparation or distribution of material threatening public security. However, courts convicted several human rights activists and journalists on politically-motivated charges for crimes such as extortion and hooliganism. Unlike the previous year, the government allowed independent monitoring groups – including the ICRC – to visit political prisoners or detainees.

On May 8, the UN Working Group on Arbitrary Detention issued an opinion on the case of Erkin Musaev, a former Ministry of Defense official who was convicted on politically-

motivated charges of corruption and espionage in three separate trials in 2006 and 2007. The opinion noted serious irregularities during Musaev's trial and concluded that his continued detention was arbitrary and contravened several articles of the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. The government has not yet responded to the Working Group's opinion, despite requests to do so.

In September authorities granted human rights activist Mutabar Tojiboyeva an exit visa to receive medical treatment abroad for an unspecified condition. On June 2, the government released Tojiboyeva from prison on health grounds but did not amnesty her; she remained subject to the terms of a three-year suspended sentence, which included travel restrictions. In 2006 a court sentenced her to eight years in prison on politically motivated charges.

Family members of Sanjar Umarov, a cofounder of the opposition Sunshine Coalition sentenced to 10 years' imprisonment in 2006 on politically motivated charges of tax evasion and illegal commodities trading, reported that his health deteriorated sharply during the year and that his body showed signs of mistreatment. The family also reported difficulties locating Umarov, whom authorities transferred from a prison in Navoi region to the Tavaksay prison in Tashkent region. Credible reports indicate that the government has begun to take some steps to address Umarov's poor health.

Civil courts operate on the city or district level, as well as the interdistrict and provincial levels. Criminal courts operate on the city or district level. There are also supreme civil courts with jurisdiction over the Karakalpakstan Autonomous Republic.

Economic courts with jurisdiction over the individual provinces, the City of Tashkent, and the Karakalpakstan Autonomous Republic handle commercial disputes between legal entities. Decisions of these courts may be appealed to the Supreme Economic Court.

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. There were reported cases in which courts decided in favor of plaintiffs in such cases. However, there were also many reports that bribes to judges influenced decisions in civil court cases.

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

The constitution and law prohibit arbitrary interference with privacy, family, home, or correspondence; however, in practice authorities did not respect these prohibitions. The law requires a search warrant for electronic surveillance by the prosecutor, but there is no provision for a judicial review of such warrants. Citizens generally assumed that security agencies routinely monitored telephone calls and employed surveillance and wiretaps of persons involved in opposition political activities.

There were numerous reports during the year of police and other security forces entering homes of human rights activists and religious figures without a warrant authorization from a representative of an independent judiciary. Members of Protestant churches who held worship services in private homes reported that on numerous occasions armed security officers raided worship services and detained church members on suspicion of illegal religious activity. During the year there were reports of government authorities harassing Andijon refugees' relatives who remained in Uzbekistan.

The government continued to use an estimated 12,000 local mahalla committees 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 much more influential

than those in cities. Each committee assigned a "posbon" (neighborhood guardian) whose job was to ensure public order and maintain a proper moral climate in the neighborhood. Neighborhood committees also frequently identified for police those residents who appeared suspicious and, working with local MOI and NSS representatives, reportedly paid particular attention to recently amnestied prisoners and the families of individuals jailed for alleged extremism. During the year there were also several reports that neighborhood committees, on orders from the NSS, monitored individual religious practices and discouraged residents from associating with unregistered Christian churches.

There were credible reports that police, employers, and neighborhood committees harassed family members of human rights activists.

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, and freedom of expression was severely curtailed.

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 articles that incite religious confrontation and ethnic discord or advocate subverting or overthrowing the constitutional order.

A January 2007 law holds all foreign and domestic media organizations accountable for the "objectivity" of their reporting, bans foreign journalists from working in the country without official accreditation, and requires that foreign media outlets operating in the country be subject to mass media laws. It also 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 reportedly arrested some individuals for possessing literature of the banned religious extremist, anti-Semitic, and anti-Western group HT.

The Uzbekistan National News Agency (UzA) is charged with cooperating closely with presidential staff to prepare and distribute all officially sanctioned news and information. In November UzA reported that over 1,100 newspapers, magazines, news agencies, electronic media outlets, and Web sites have been registered with the Uzbek Agency for Press and Information, which is responsible for monitoring all media. 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), owns or controls 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 official Internet sites including UzA.uz, operated by the National News Agency of Uzbekistan, and Jahon.mfa.uz, operated by the Ministry of Foreign Affairs (MFA). A few Web sites, most notably Press-uz.info, Gazeta.uz, and C-Asia.org, purported to be independent, yet their reporting reflected the government's viewpoint. In mid-May Sawda Press, an independent newspaper in Karakalpakstan, resumed publication after a government-ordered suspension in March 2007 due to alleged violations of its own charter.

There are 1,300 printing houses in the country. Government-owned printing houses

printed the majority of newspapers. The government allowed publication of a few private newspapers with limited circulation containing advertising, horoscopes, and similar features and some substantive local news, including stories critical of government socio-economic policies. Three private national Russian-language newspapers – Novosti Uzbekistana, Noviy Vek, and Biznes Vestnik Vostoka – carried news and editorials favorable to the government, as did two Uzbek-language newspapers, Hurriyat (owned by the Journalists' Association) and Mohiyat (owned by Turkiston-Press, a nongovernmental information agency loyal to the state). Russian newspapers and a variety of Russian tabloids and lifestyle publications were available, and a modest selection of foreign periodicals was available in Tashkent.

The four state-run channels, all fully supporting the government, dominated television broadcasting. There were 24 privately owned regional television stations and 14 privately owned radio stations. 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 actual black-pen censorship. Government officials also have allegedly given verbal directives not to cover certain events sponsored by foreign embassies. Nevertheless, there were also reports that regional television media outlets were able to broadcast some moderately critical stories on local issues.

In October government officials participated in a Tashkent conference on media freedom sponsored by the European Union (EU), part of an annual discussion of human rights issues. Although credible human rights organizations from abroad participated and strongly criticized the government, authorities refused to allow local independent journalists and human rights activists to participate in the event. The EU tried to hold a similar event in June, but the government did not allow international human rights organizations or domestic independent journalists to participate.

The government continued to refuse Radio Free Europe/Radio Liberty (RFE/RL) and BBC World Service permission to broadcast from within the country. It also refused to accredit foreign journalists for those or other Western media. In July the government denied accreditation to several longtime local stringers for Western news agencies, forcing them to seek work outside the country. A stringer for Agence France-Presse (AFP) remained accredited in Uzbekistan, as did reporters from Russian, Chinese, and other international news agencies.

In June state television aired an hour-long program that attacked RFE/RL reporters and denounced them as traitors. The program singled out nine RFE/RL journalists by name and released personal information about them and their extended families, including their home addresses and places of work.

Harassment against journalists continued during the year. Police and security services subjected print and broadcast journalists to arrest, harassment, intimidation, and violence, as well as bureaucratic restrictions on their activity.

On August 5, a group of women in Samarkand allegedly attacked two journalists of the Ovozi Tojik (Tajik Voice) newspaper, Pardakul Turakulov and Zokir Hasan-zade, and human rights activist Komil Ashurov, as the three were investigating complaints about the reconstruction of the city's Siab market. Despite being the alleged victims, police launched a criminal case on hooliganism charges against the three. At year's end, the criminal investigation against them was ongoing.

On October 10, a court convicted independent journalist Salijon Abdurahmanov in Nukus, Karakalpakstan, of possessing narcotics with intent to distribute and sentenced him to 10 years' imprisonment. On November 19, Abdurakhmanov's appeal of his sentence was rejected without explanation. On June 7, government authorities detained Abdurahmanov after allegedly discovering drugs during a search of his vehicle. Abdurahmanov's arrest came soon after an increase in critical reporting on Karakalpak corruption and human rights abuses on uznews.net and in Western newspapers. Human rights activists claimed the drugs were planted and the charges were politically

motivated.

During the year there were reports that the government harassed journalists from state-run media outlets in retaliation for their contacts with foreign diplomats. Some journalists lost their jobs after traveling to Europe on foreign-embassy-sponsored professional exchange programs, while others reported increased scrutiny after returning from such international exchange programs. While pressure from the government continued, more journalists were able to participate this year at foreign embassy events in Tashkent.

The National Association of Electronic Mass Media (NAESMI) reportedly used its directors' close relations with the government to persuade local television stations to join the association and occasionally broadcast prescribed government-produced programming. The government subjected stations that resisted joining NAESMI to tax inspections and, in some cases, forfeiture of broadcast licenses.

Government security services and other offices regularly gave publishers articles and letters to publish under fictitious bylines, as well as 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. There was little independent investigative reporting. The number of critical newspaper articles remained low and their scope narrow. In contrast to previous years, however, state-controlled media outlets in the past year ran numerous programs and articles regarding human trafficking, with several of them admitting that it was a problem and warning citizens not to become victims.

Provisions of 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 government.

Internet Freedom

The government allowed access to the Internet and reported in November that the number of Internet users in the country is rising and has reached more than 2 million. However, Internet service providers, at the government's request, routinely blocked access to Web sites the government considered objectionable. The government blocked several domestic and international news Web sites and those operated by opposition political parties; some remained available through proxy servers, while a few remained unblocked.

January 2007 amendments to the media law define Web sites as media outlets, so they fall under legislation requiring all local and foreign media to register with the authorities and to inform them of the names of their founder, chief editor, and staff members. They also must provide the authorities with copies of each publication. According to local journalists, since the amended law came into force, Internet providers started blocking access to blogs that discuss any aspect of the country.

In 2006 the Cabinet of Ministers passed a decree requiring that all Web sites seeking a ".uz" domain 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.

In January the government ceased blocking the Web sites of ZdravPlus, the National Democratic Institute, the Open Dialogue Project, Bearing Point, and other organizations. In September the government ceased blocking the Internet video Web site youtube.com.

Academic Freedom and Cultural Events

The government continued to limit academic freedom, although it appeared more open to interaction with foreign institutions than in the past. Authorities sometimes 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 "Karimov studies" devoted to books and speeches by the president and that missing any of these seminars constituted grounds for expulsion. Although a decree prohibited cooperation between higher educational institutions and foreign entities without explicit prior approval by the government, foreign institutions were often able to obtain such approval by working with the MFA, especially for foreign language projects. Some school and university administrations continued to pressure teachers and students not to participate in conferences sponsored by diplomatic missions. There were a few instances of individuals choosing not to participate in international exchange programs after being threatened with the loss of their jobs, but there were no reports of individuals losing their jobs after participating in such programs. There were fewer reports this year that government officials pressured local nationals to prevent them from participating in cultural events sponsored by foreign diplomatic missions.

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 on security grounds. The government did not routinely 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 used a variety of tactics to prevent or stop peaceful protests. In February authorities in Jizzakh Province initiated a campaign of threats and pressure against human rights activist Saida Kurbanova, who staged protests in Jizzakh in January and February demanding a solution to regional heating and electricity problems.

On March 13, approximately 20 individuals physically assaulted members of the Human Rights Alliance during the latter's weekly protest outside the general prosecutor's office in Tashkent. Police reportedly observed the assault but did not intervene. An unidentified group assaulted the activists again the following week. Authorities arrested the protesters when they summoned the police for assistance, and several reportedly received administrative fines for "resisting arrest" and "disobeying a law enforcement officer." After the incidents, the Human Rights Alliance abandoned its weekly protest, which it had been holding since December 2007.

In several other cases, however, human rights activists reported that local residents protested economic conditions, and human rights activists themselves occasionally held small protests, unmolested 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, often citing the role played by internationally-funded NGOs in promoting so-called "color revolutions" that allegedly toppled governments in other former Soviet states, as well as concerns about Islamic fundamentalist groups. The law broadly limits the types of groups that may form and 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, during which time they are classified officially as "initiative groups." Several NGOs continued to function as initiative groups for periods longer than six months. The government allowed nonpolitical associations and social organizations to register, but complicated rules and a cumbersome government

bureaucracy made the process difficult and allowed many opportunities for government obstruction. The government compelled most local NGOs to register with a government-controlled NGO association, the purpose of which was to control all funding and activities.

On December 17, President Karimov signed legislation appropriating money for a 2.1 billion soum (approximately \$1.5 million) government fund to support NGOs and other civil society institutions. The fund is to be managed by a parliamentary commission consisting of deputies of both houses, experts from relevant ministries and departments, and representatives from NGOs and the media. Some observers argued that the government actions are aimed at increasing the dependence of NGOs upon the state. However, some sources have reported that independent organizations will be able to apply for funding. In January 2007 President Karimov signed legislation guaranteeing certain rights and freedoms to NGOs, including the right to conduct "any type of activity not prohibited by law and in line with the purposes set by their charters." The legislation also prohibits interfering with the activities of such organizations, provides for property rights and the rights of NGOs to "to seek, receive, research, disseminate, use, and keep information in accordance with legislation."

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 were forcibly 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 not approved in advance by the government. The government enforced the 2004 banking decree that, although ostensibly designed to combat money laundering, complicated efforts by registered and unregistered NGOs to receive outside funding. There were reports that individuals receiving money from organizations in other countries were required to identify the source and the reason for the money transfer to the bank.

The law criminalizes membership in organizations the government deems extremist, including Tablighi Jamaat and other groups branded with the general term "Wahhabi". The law also banned the extremist Islamist political organization Hizb-ut Tahrir (HT) for promoting hate and praising acts of terrorism. Although HT maintained that it was committed to nonviolence, the party's virulently anti-Semitic and anti-Western literature called for the overthrow of secular governments, including those in Central Asia, to be replaced with a worldwide Islamic government.

The government has pressured and prosecuted members of the Islamic group Akromiya (Akromiylar) since 1997. 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, to overthrow the government through armed rebellion in the 2005 Andijon demonstrations.

In February government authorities registered the Friedrich Naumann Foundation, an NGO affiliated with Germany's Free Democratic Party that has engaged in human rights work in other countries. It joined two similar foundations affiliated with German political parties already registered and operating in the country.

For the first time since the 2005 Andijon events, authorities registered two U. S.-based international NGOs. On July 4, the MOJ announced the formal registration of the NGO Institute for New Democracies (IND), permitting the organization to operate for an unlimited time. During the year IND held several workshops and trainings involving high-level government officials and international experts on religious freedom and on implementation of habeas corpus legislation. The government-supported Foundation for Regional Policy and Institute of Civil Society Studies, as well as the Ministry of Justice and Eastern Kentucky University, co-sponsored some events. IND also conducted regional trainings on the habeas corpus law in November in Nukus, Andijon, and Samarkand. IND had previously operated in the country without formal registration.

On December 29, authorities registered the U. S.-based National Democratic Institute (NDI). While registration was pending, NDI's office in Tashkent had conducted trainings for political parties and others throughout the year.

In July the government banned the HRW country director, Igor Vorontsov, from re-entering the country. On May 8, the MOJ rejected his application for accreditation, forcing the departure of Vorontsov, who had only arrived on February 6. HRW retained its registration, but its office had been effectively closed since July 2007 when the government refused to renew the accreditation of the last foreign staff member in the country at the time.

On December 1, the MOJ re-registered the American Jewish Joint Distribution Committee (JDC), which distributes humanitarian aid to those in need. In April a Ministry official publicly accused the JDC of violating Uzbek law and threatened to de-register the organization.

None of the 17 or more foreign-funded organizations closed temporarily or permanently by court decisions in 2006 and 2007 reopened during the year. A knowledgeable observer reported that the government closed more than 300 local NGOs in the last four years. During the year at least eight local NGOs have closed, although it is unclear whether they voluntarily disbanded or were forced to close. There are at least 300 independent NGOs remaining in Uzbekistan, as well as approximately 290 government-controlled NGOs ("GONGOs") and 240 sport and professional organizations.

The government followed a policy of auditing all international NGOs. Generally following an audit, the MOJ sent each audited NGO a letter outlining the violations discovered during the process, with a 30-day time limit to resolve the violations.

The government insisted 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. NGOs under the auspices of the government-controlled Institute for the Study of Civil Society successfully conducted their events.

c. Freedom of Religion

The constitution provides for freedom of religion and separation of church and state. In practice, however, the government and laws restricted religious activity, especially for unregistered groups.

The government sought to promote what it considered a moderate version of Islam through the control and financing of the Muftiate, which in turn controlled the Islamic hierarchy and the content of imams' sermons, and published Islamic materials. The Committee for Religious Affairs (CRA), under the Cabinet of Ministers, oversaw registered religious activity and approved all religious literature. The government allowed a small number of unofficial, independent mosques to operate under the watch of government-sanctioned imams.

The country's 1998 Religion Law requires all religious groups and congregations to register and provides strict and burdensome registration criteria, including that each group present to the MOJ a list of at least 100 national citizen members and that a congregation already have a valid legal address. These and numerous other provisions enabled the government to cite technical grounds for denying a group's registration petition, such as grammatical errors in a group's charter. These provisions mostly affected small, unregistered congregations, especially those who are viewed as being engaged in missionary activity, which is illegal. In contrast, registered minority congregations faced fewer restrictions on their activities.

Numerous small Protestant churches remained unregistered, including churches in Tashkent, Chirchiq, Samarkand, Nukus, Gulistan, Andijon, and Gazalkent. Most did not

apply because they did not expect local officials to register them, or because they had too few members to qualify for registration. Often they were afraid to give the authorities a list of their members, especially ethnic Uzbeks. Some Protestant churches attempted to register this past year and either were denied registration or received no response from authorities. No Baptist church has registered successfully since 1999. No Protestant churches are registered in Karakalpakstan. Jehovah's Witnesses applied for registration at local, regional, and national levels and received either denials or no official answer. Only one Jehovah's Witnesses congregation is registered. In contrast, authorities agreed to register and allow construction of a new Orthodox church in Khorezm province this year.

Any religious service conducted by an unregistered religious organization is illegal. Police frequently broke up meetings of unregistered groups, which were generally held in private homes, occasionally detaining and beating members of these groups.

Proselytizing is a crime, as is the teaching of religion without state approval. These provisions resulted in several prosecutions. Jehovah's Witnesses came under particular scrutiny and faced arbitrary fines, arrest, and imprisonment on charges of proselytizing or illegally teaching religion.

Christian congregations that included members of traditionally Muslim ethnic groups often faced official harassment, legal action, or, in some cases, mistreatment.

On July 8, a Navoi court fined Jehovah's Witnesses Guldara Artykova and Tursuna Yuldasheva for allegedly refusing to testify at court. On May 30, police in Navoi came to Artykova's home and detained her and Yuldasheva, after seizing religious literature. The women were brought to a police station, where officers beat Yuldasheva, reportedly causing numerous bruises and a concussion. Police released the women the following morning after authorities confiscated their passports.

On July 23, authorities sentenced two Jehovah's Witnesses from Margilan, Abdubanob Ahmedov and Sergei Ivanov, to four years and three and one-half years' imprisonment respectively for allegedly teaching religion illegally. Courts also gave three-year suspended sentences to three other Margilan-based Jehovah's Witnesses, Raya Litvinenko, Svetlana Shevchenko and Aziza Usmanova. Two other Jehovah's Witnesses from Samarkand remained in prison: Irfan Hamidov, sentenced in May 2007 to two years in a labor camp on criminal charges of illegally teaching religion, and Olim Turayev, sentenced on April 25, to four years' imprisonment on criminal charges of illegally teaching religion and organizing an illegal religious group.

On September 26, authorities released Aitmurat Khayburahmanov from custody after a judge in Karakalpakstan dismissed the religious extremism charges against him. Authorities also granted him amnesty on the charge of teaching religion illegally. On June 14, authorities arrested and beat Khayburahmanov, a Protestant from Nukus.

At year's end Pastor Dmitry Shestakov – leader of a registered Full Gospel Pentecostal congregation – remained in a Navoi labor camp serving a four-year sentence for his March 2007 convictions on charges of organizing an illegal religious group, inciting religious hatred, and distributing religious extremist literature. The government refused to extend the January amnesty to Shestakov on allegations that he violated internal prison regulations.

Most Muslims arrested on political charges were tried for anticonstitutional activity and participating in "religious extremist, separatist, fundamentalist, or other banned organizations," a charge that encompasses both political and religious extremism. The overwhelming majority of those arrested on this charge were accused of HT membership. The government also arrested members of other groups that it broadly labeled Wahhabi.

The government continued to commit serious abuses in its campaign against extremist organizations such as HT. However, knowledgeable observers note that the government

may have recognized that the limits it placed on other avenues of religious fulfillment correlate directly with the success of extremist organizations in attracting membership. Even as mosque attendance and open religiosity increased, the number of known cases of arrest, detention, or conviction based on alleged membership in religious extremist organizations appeared to decline for the second consecutive year.

Authorities severely mistreated persons arrested on suspicion of extremism. While there were several reports of prison conditions improving for those convicted of religious extremism, abuses continued. Most defendants received sentences ranging from three to 14 years; some received sentences of 16-20 years.

Prison authorities reportedly denied many prisoners suspected of Islamic extremism the right to practice their religion freely and, in some circumstances, did not allow them to possess a Koran. Authorities reportedly punished with solitary confinement and beatings inmates who attempted to fulfill their religious obligations despite prison rules, or who protested the rules themselves.

In September authorities extended the sentence for religious extremism of Habibullah Madmarov, son of Margilan-based human rights activist Akhmadjan Madmarov, by an additional 16½ years after convicting him of forming an extremist conspiracy while in prison in Navoi province. Authorities reportedly also convicted 36 other inmates at the same prison and extended their sentences by between 16 and 20 years each. In April authorities arbitrarily lengthened Habibullah's sentence by three-and-a-half years on the grounds that he remained a danger to society. Habibullah completed his original sentence in February. On June 26, authorities released another of Madmarov's sons on parole after he completed a seven-year sentence, but one other son and two nephews of Akhmadjan Madmarov remained in prison; all were charged with religious extremism.

There were no updates in the numerous cases of individuals convicted of membership in HT and other extremist organizations in 2007 and 2006.

The law limits religious instruction to officially-sanctioned religious schools and state-approved instructors and does not permit private instruction or the teaching of religion to minors without parental consent. While the country has several functioning institutions that train clergy, there are very few options for those wishing to learn about their faith without pursuing a career in a religious institution.

In December officials held meetings at schools and universities in several regions on the alleged danger posed to the country by "missionary and extremist movements." The officials reportedly discussed how it was "necessary to fully root out missionary activities, which are rapidly spreading across the world, as well as warn young people of the negative effects of missionary activities."

The government controlled the publication, importation, and distribution of religious literature, discouraging and occasionally blocking the production or importation of literature that religious censors deemed objectionable. The government required a statement in every domestic publication indicating the source of its publication authority. Possession of literature deemed extremist could lead to arrest and prosecution. Illegal production, storage, importation, or distribution of religious materials could result in fines of 100 to 200 times the minimum monthly wage or "corrective labor" of up to three years. The government confiscated and destroyed religious literature imported illegally. The government continued to impound thousands of religious books and brochures that the Uzbekistan Bible Society attempted to import into the country in May, claiming that the Society had failed to notify authorities properly about the shipment. Other criminal and administrative codes punish the production and distribution of "literature promoting racial and religious hatred."

There were no reports of arrests or harassment of Muslim believers based on outward expressions of their religious belief such as beards, veils, or mosque attendance. The law prohibits wearing "cult robes" (religious clothing) in public except by those serving in religious organizations. In practice, this provision did not appear to be enforced. Many

sources reported an improved atmosphere in the Muslim community, with many mosques overflowing for lack of space during Friday prayer. Observant Muslims appeared to be able to display their faith in public more freely.

Societal Abuses and Discrimination

Society is generally tolerant of religious diversity but not of proselytizing. In particular, Muslim, Russian Orthodox, Roman Catholic, and Jewish leaders reported high levels of acceptance in society. Other minority religious groups, especially churches with ethnic Uzbek converts, encountered difficulties stemming from social prejudices. There were persistent reports of discrimination against and harassment of ethnic Uzbek Muslims who converted to Christianity. State-controlled media in some cases encouraged societal prejudice against certain minority religious groups. On May 17, Uzbek TV's First Channel broadcast an Uzbek-language documentary that condemned several churches for their missionary activity. The program also cited instances in which missionaries allegedly had used psychotropic drugs and hypnosis to attract recruits and alleged that missionaries targeted youth and the mentally handicapped for recruitment. Articles in the state-controlled print media at the time echoed these attacks.

There were no reports of anti-Semitic acts or patterns of discrimination against Jews. There were eight registered Jewish congregations, and observers estimated the Jewish population to be approximately 15,000-20,000 persons, concentrated mostly in Tashkent, Samarkand, and Bukhara. Their numbers were declining due to emigration, largely for economic reasons. There were no reports during the year of HT members distributing anti-Semitic fliers.

For a more detailed discussion, see the [2008 International Religious Freedom Report](#).

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

The constitution and law provide for free movement within the country and across its borders, although the government limited this right in practice. Permission from local authorities is required to move to a new city. The government rarely granted permission to move to Tashkent, and local observers reported that persons had to pay bribes of up to 100,000 soum (approximately \$72) to obtain registration documents required to move.

The government required citizens to obtain exit visas for foreign travel or emigration, and while it generally granted the visas, local officials often demanded a small bribe. There were reports during the year of the government's withholding exit visas from human rights activists to prevent their travel abroad. The government also limited activists' freedom of movement within the country. A government registration system required citizens to obtain a special stamp from local authorities in their place of residence to leave the country. Citizens generally continued to be able to travel to neighboring states, and the stamp requirement was not uniformly enforced. Land travel to Afghanistan, however, remained difficult, as the government maintained travel restrictions on large parts of Surkhandarya Province bordering Afghanistan, including the border city of Termez. Citizens needed permission from the NSS to cross the border, while Afghans did not need permission, aside from a visa, to enter the country to trade.

Foreigners with valid visas generally could move within the country without restriction, but visitors required special permission to travel to Surkhandarya Province. During the year there were reports of authorities refusing entry to the country to foreigners with valid visas. On May 19, the government issued a decree that toughened regulations for foreigners staying in the country and made it easier for the government to deport them.

On August 10, authorities forcibly deported Birlik opposition party leader and Uzbek citizen Pulat Akhunov to Kyrgyzstan, reportedly abducting Akhunov, driving him across the border, and dropping him off outside Bishkek without money or identification. He had traveled to Andijon from Sweden in March 2007 to apply for a new passport, as regulations require citizens to renew their passports at 25 and 45 years of age.

Authorities refused to renew the passport, rendering Akhunov unable to return to Sweden. Before his deportation, government authorities frequently detained Akhunov when he attempted to leave Andijon Province. He has since returned to Sweden.

The law does not explicitly prohibit forced exile, but the government did not employ it. At year's end several opposition political figures and human rights activists remained in voluntary exile.

Emigration and repatriation were restricted in that the law does not provide for dual citizenship. In practice returning citizens had to prove to authorities that they did not acquire foreign citizenship while abroad, or face prosecution. In practice citizens often possessed dual citizenship and traveled without issue.

Protection of Refugees

The law does not provide for the granting of asylum or refugee status in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol, 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. As in the previous year, there were reported cases of the government forcibly removing Afghan refugees from the country. In practice the government did not cooperate with the UN High Commissioner for Refugees (UNHCR) in allowing it to provide assistance to refugees and asylum seekers.

During the year the UN Development Program (UNDP) continued to assist with monitoring and resettlement of the approximately 870 Afghan refugees who remained in the country. UNDP also performed some of UNHCR's humanitarian functions, as it has done since the government forced the UNHCR office to close in 2006. UNHCR assisted Uzbek refugees who had fled into Kyrgyzstan following the 2005 unrest in Andijon.

During the year the harassment of Afghan refugees continued, with reports that several of them were forcibly returned to Afghanistan. In March 2007 the MFA informed UNDP that UNHCR mandate certificates would not be considered 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 Afghan and Tajik refugee populations economic migrants and subjected them to harassment and bribery. Most Tajik refugees were ethnic Uzbeks; unlike their Afghan counterparts, Tajik refugees were able to integrate into and were supported by the local population. Although most Tajik refugees did not face societal discrimination, many of them were officially stateless or faced the possibility of becoming officially stateless, as many carried only old Soviet passports rather than Tajik or Uzbek passports.

UNHCR reported that Afghan refugees had no access to the legal labor force and, therefore, had limited means to earn a livelihood.

During the year the government pressured several other countries to return forcibly citizens who were under UNHCR protection abroad. On May 14 Kyrgyzstan extradited Uzbek asylum-seeker Erkin Holikov to the country under pressure from the government. Holikov was serving a four-year prison sentence in Kyrgyzstan on charges of illegal border crossing and failing to report a crime. Holikov faces charges of anticonstitutional activity and religious extremism.

In March a court in Namangan Province sentenced Abdugani Kamaliev to 11 years' imprisonment for religious extremism. Russian authorities had deported Kamaliev from the country in December 2007 despite objections from the European Court of Human Rights (ECHR) that he might be subjected to torture.

On November 10, the ordered Russia not to extradite two Uzbek refugees – Abdullajon Isakov and Abdumutallib Karimov – arguing that they potentially faced persecution for

their religious convictions, torture, and arbitrarily long prison terms. Russian prosecutors issued extradition orders for Isakov on August 13 and Karimov on September 18. Russian authorities detained Isakov in Tyumen in March and Karimov in Yoshkar-Ola in June after the Uzbek government issued warrants for their arrest.

On December 9, a court in Kyiv ruled that Uzbek citizen Abdumalik Bakayev could not be extradited. The Ukrainian court cited an April 24 decision by the ECHR (*Ismoilov and Others vs. Russia*) that the extradition of individuals to Uzbekistan violated Article 3 of the European Convention for the Protection of Human Rights and Fundamental Freedoms due to the routine occurrence of police brutality. Bakayev reportedly asked the Ukrainian migration service to grant him refugee status in November, claiming that he was previously convicted twice for HT membership and tortured in Uzbekistan.

On December 12, the ECHR ruled that Russian authorities had violated the rights of an Uzbek citizen, Rustam Mominov, by extraditing him to Uzbekistan, where he was convicted of HT membership and is now imprisoned, while his appeal was still pending at the ECHR. Under ECHR regulations, individuals who have appealed to the Court cannot be extradited from a country without prior warning.

On December 15 the ECHR ruled in favor of the "Ivanovo Uzbeks," a group of 13 ethnic Uzbeks who fled from Uzbekistan in 2005 after their arrest in connection with violent unrest in Andijon in May 2005. The ECHR ordered authorities to allow the Ivanovo Uzbeks to go to Sweden, and also ordered the government to pay each man 15,000 euros in restitution. The Russian government had not complied at year's end.

There were no developments in the following refoulement cases: the June 2007 detention and transfer to Russian authorities for deportation of Uzbek asylum-seeker Mukhamadsolikh Abutov by apparent Uzbek NSS members outside Moscow; and the August 2007 order of a Moscow district court for extradition of Yashin Dzhurayev, who claimed that he had been persecuted for religious reasons in the country.

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. 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 of government appointments, most of the economy, and the security forces.

Elections and Political Participation

On January 16, President Karimov swore himself in for a third term as president after being reelected in December 2007 in a process that fell short of international democratic norms. The OSCE limited election observation mission (LEOM) noted that there were more candidates than in previous elections – four, including a female candidate and a nonpartisan candidate nominated by an initiative group – but all candidates publicly endorsed the incumbent's policies. In addition, there was no competition of political views, administrative hurdles kept other potential candidates off the ballot, and the government tightly controlled the media. The LEOM noted procedural problems and irregularities in vote tabulation.

The constitution prohibits presidents from seeking a third term in office, an apparent contradiction never publicly addressed by the government. The OSCE declined to monitor the 2000 election in which President Karimov was reelected to a second term, determining 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.

In August 2007 President Karimov announced that the next parliamentary elections

would be held in 2009. The OSCE found that the 2004 elections for the lower house of the parliament fell significantly short of international standards for democratic elections, resulting in the majority of seats being held by progovernment political parties.

The total number of registered political parties decreased from five to four in June after the Milliy Tiklanish ("National Rebirth") party absorbed the Fidokorlar ("Selfless") party. The three remaining registered parties are the People's Democratic Party of Uzbekistan (PDPU), the Adolat ("Justice") Social-Democratic Party, and the Liberal Democratic Party of Uzbekistan. The government controlled all registered political parties and provided funding.

The law allows independent political parties, but it also gives the Ministry of Justice (MOJ) broad powers to interfere with parties and to withhold financial and legal support to those 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 up to six months without a court order. The government also exercised control over established parties by controlling their financing.

On December 29, President Karimov signed legislation that abolished provisions allowing independent initiative groups to nominate candidates for parliamentary and presidential elections. Only registered political parties may now nominate candidates. The law also expanded the number of deputies in parliament's lower house (the Oliy Majlis) from 120 to 150, with half of the new seats reserved for members of the new "Ecological Movement of Uzbekistan."

The law prohibits judges, public prosecutors, NSS officials, servicemen, foreign citizens, and stateless persons from joining political parties. The law prohibits parties based on religion or ethnicity; those that oppose the sovereignty, integrity, and 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 Birlik opposition political party has applied to the MOJ for registration several times in previous years, but it has never received a response. Birlik members were among those arrested and detained in connection with the 2005 Andijon events. The leaders of three of the five main unregistered opposition political parties – Mohammed Solikh of Erk (convicted on terrorism charges in absentia in 1999), Abdurakhim Polat of Birlik, and Babur Malikov of the Free Farmers Party – remained in voluntary exile. The leader of a fourth opposition party – Bokhodir Choriyev of Birdamlik – also resides abroad. One of the cofounders of the fifth unregistered opposition party – Sanjar Umarov of the Sunshine Coalition – remains in prison.

Before the number of deputies was expanded in late December, there were 21 women in the 120-member lower chamber of the parliament and 15 women in the 100-member senate. There was one woman in the 28-member cabinet.

There were nine members of ethnic minorities in the lower house of parliament and 15 minorities in the senate. The number of members of ethnic minorities in the cabinet was unknown.

On October 15-16, government officials, including representatives from the registered political parties, attended a conference on democratic elections co-hosted by a government-supported NGO, the Foundation for Regional Policy, and international organizations promoting democratization.

Government Corruption and Transparency

The law provides criminal penalties for official corruption. In October, the MOJ reported that 48 government officials were convicted of criminal charges, including corruption, and 793 officials were convicted of administrative offences during the first nine months of the year. In addition, disciplinary charges were reportedly brought against 4,863 officials, and 327 officials were removed from their posts.

Even so, the government did not always implement anticorruption legislation effectively, and officials frequently engaged in corrupt practices with impunity. It was generally accepted that applicants could buy admission to prestigious educational institutions with bribes. Likewise, corruption was a severe problem in the law and traffic enforcement systems, and there were several reports that bribes to judges influenced the outcomes of civil suits. However, there were several reports of authorities removing local administrative or police officials from office in response to charges of corruption.

On July 7, President Karimov signed a law to ratify 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. In practice the government seldom respected these rights. The public generally did not have access to government information, and information normally considered in the public domain was seldom reported.

4. 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 they were hampered by a fear of official retaliation. The government frequently harassed, arrested, and prosecuted human rights activists.

Two domestic human rights NGOs – Ezgulik and the Independent Human Rights Organization of Uzbekistan – were registered with the government. Others were unable to register but continued to function at both the national and local levels. Organizations that attempted to register in previous years and remain unregistered include the HRSU, Mazlum ("Oppressed"), and Mothers against the Death Penalty and Torture. The government denied registration for a variety of reasons, including grammatical errors in applications. These organizations did not exist as legal entities but continued to function, although they had difficulty renting offices or conducting financial transactions and could not open bank accounts, making it virtually impossible to receive funds legally. Operating an unregistered group was technically subject to government prosecution.

Government officials occasionally met with domestic human rights defenders, some of whom noted that they were able to resolve some cases of abuse through direct engagement with authorities. A foreign NGO continued to provide a forum for domestic human rights defenders to meet with members of the police, prison directorate, and security services. The government increased cooperation with this NGO the year.

On November 28, the independent Ezgulik human rights group held a conference, attended by approximately 40 activists and a government official, which evaluated the government's recent legal reforms and their implementation. One participant observed this was the first such conference an independent human rights group had conducted in Tashkent since the 2005 Andijon events. The National Human Rights Center also assisted an independent human rights activist to conduct human rights trainings at several schools in Tashkent province during the fall.

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, and occasionally police and other government authorities ordered activists to cease contact with foreigners. Unknown assailants attacked human rights activists.

Authorities regularly detained or arrested human rights activists and subjected them to house arrest, occasional involuntary psychiatric treatment, or false criminal charges. Additionally, government officials publicly accused specific activists of conspiring with international journalists to discredit the government.

On October 2, a MOI officer in Gulistan arbitrarily detained human rights activist Karim Bozorbaev for over an hour after he met with foreign diplomats who were monitoring child labor in the cotton fields. The MOI officer accused Bozorbaev of being a "traitor" for meeting with the foreign diplomats and threatened to fabricate criminal charges against him. The officer hit Bozorbaev, knocking out one of his teeth. In November 2007 Bozorbaev had received a sentence of three and a half years' imprisonment on politically-motivated charges of fraud, but he was released under the January presidential amnesty.

Since the 2005 Andijon events, the government severely restricted the activities of international human rights NGOs and subjected their employees to frequent harassment and intimidation. Government officials and the government-controlled press frequently accused international NGOs of participating in an international "information war" against the country.

The government continued to restrict the work of international bodies and foreign diplomatic missions and severely criticized their human rights monitoring activities and policies. During the year the government criticized some diplomats for meeting with human rights activists and members of unregistered organizations, especially those outside of Tashkent, and threatened their expulsion from the country.

The government has not agreed to expand the OSCE office, whose mission it forced to reorganize in 2006, with a substantially reduced emphasis on human rights programming. However, OSCE representatives reported that cooperation has improved this year, with the government approving several proposed OSCE projects, including in the Human Dimension. For the first time in three years, the government sent a minister-level delegation to the OSCE ministerial in Helsinki, Finland in December.

In 2006 and 2007 the EU and the government held several limited formal discussions of the Andijon events and other human rights abuses, including a May 2007 discussion under the auspices of the Joint EU/Uzbekistan Consultative Council's Subcommittee on Justice, Interior, and Human Rights. Government officials also have discussed the Andijon events with other foreign senior officials, to whom they have characterized the events as a "tragedy." However, the government continued to ignore earlier demands by foreign governments, the UN, the OSCE, the EU, and other international organizations for an independent international investigation into the 2005 Andijon unrest. A 2005 UNHCR report on the Andijon violence concluded that "consistent, credible eyewitness testimony strongly suggests that grave human rights violations ... were committed by Uzbek military and security forces.... It is not excluded ... that the incidents amounted to a mass killing."

The human rights ombudsman, affiliated with parliament, had the stated goals of promoting observance and public awareness of fundamental human rights, assisting in shaping legislation to bring it into accord with international human rights norms, and resolving cases of alleged abuse. The ombudsman's office could mediate disputes between citizens who contacted it and the government and could make recommendations to modify or uphold decisions of government agencies, but its recommendations were not binding. The ombudsman had offices in all provinces of the country, as well as in the Karakalpakstan Autonomous Republic and Tashkent. During the year the office registered more than 9,000 complaints and handled hundreds of cases, a majority of which dealt with abuse of power and various labor and social welfare issues. The ombudsman published reports identifying the most serious violations of human rights by government officials; the majority of these involved procedural violations and claims of abuse of power by police and local officials.

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. In February the ombudsman visited Jizzakh Province and in April Kashkadarya Province for discussions with regional leaders on human rights issues. In May the office held a seminar in Bukhara on legal and judicial reforms, including this year's habeas corpus amendments. In August the office and OSCE cosponsored a conference on the new habeas corpus law and how to increase cooperation among the ombudsman's office and law enforcement and judicial bodies.

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 the government complies with its international obligations to provide human rights information. During the year the center prepared a national report to the UN Human Rights Council for its Universal Periodic Review. International organizations reported cooperation with the center in raising awareness of recent legal reforms among government officials, including the adoption of a new antitrafficking law and International Labor Organization anti-child labor conventions.

5. Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination on the basis of race, gender, disability, language, or social status. The constitution prohibits discrimination on the basis of race, gender, and language, but does not specifically prohibit discrimination on the basis of disability. 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 there were no cases known to have been tried in court. Cultural norms discouraged women and their families from speaking openly about rape, and instances were almost never reported in the press.

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 husbands, and abusers were rarely taken from their homes or jailed. Wife beating was considered a personal affair rather than a criminal act. Such cases were usually handled by family members or elders within the neighborhood committee and rarely came to court. Local authorities emphasized reconciling husband and wife, rather than addressing the abuse. NGOs working on domestic violence reported that local government officials cooperated on education programs, with a number of initiatives to increase cooperation with neighborhood committees. Some police and religious leaders participated in NGO training.

As in past years, there were many reported cases in which women attempted or committed suicide as a result of domestic violence. Information indicates that most 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 exercised complete control over a young bride, as the usual reason for suicide. NGOs assisting survivors of suicide attempts reported inconsistent cooperation from officials and neighborhood committees.

The law prohibits prostitution; however, it remained a problem, particularly among ethnic minorities. Police enforced the laws against prostitution unevenly; some police officers harassed and threatened prostitutes with prosecution to extort money.

The law does not prohibit sexual harassment. Social norms and the lack of legal recourse made it difficult to assess the scope of the problem.

The law prohibits discrimination against women. In practice, traditional, cultural, and religious practices limited their role in society. Although women were underrepresented

in high-level positions and in the industrial sector, in January, Dilorom Toshmuhamedova – 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 Oliy Majlis (lower house of parliament), the highest government rank ever held by a woman in the country. The government charged a deputy prime minister at the cabinet level with furthering the role of women in society and heading the National Women's Committee.

UNDP works with the Women's Committee of Uzbekistan on the joint national project "Legislative and Institutional Capacity for Women's Empowerment in Uzbekistan." Under this project, on May 14, government and NGO representatives participated in a workshop on promotion of gender equality and implementation of the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). The country presented its latest report to CEDAW in August.

Children

The government was generally committed to children's rights and welfare. In January the government adopted a wide-ranging law "On the Guarantees of the Rights of the Child" that clarifies protections for children against forced labor and includes language for the establishment of an official Ombudsman for Children.

The law provides for children's rights and for free compulsory education for 12 years through basic and secondary school. In practice shortages and budget difficulties meant that many families had to pay education expenses. Teachers earned extremely low salaries and routinely expected regular payments from students and their parents.

In accordance with a 2007 four-year national action plan on securing child welfare, the government continued implementation of a transition from 9-year to 12-year mandatory free secondary education, including vocational education. The government has constructed numerous new three-year vocational schools, colleges, and lyceums in all regions of the country. Currently there are approximately 100 lyceums and 900 vocational schools offering courses to about a million students. Another 300,000 students attend the country's 65 higher education institutions.

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 Soviet era 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.

Child abuse was generally considered an internal family matter, and government officials were reluctant to discuss the issue openly with international organizations. In 2007 the World Health Organization (WHO) worked with the government to develop a national Strategy for Child and Adolescent Health, which includes "Child Trauma" as a priority area and "bullying" and "family violence" as subtopics to be addressed. 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 local community. There were no government-led campaigns against child abuse, although a government-led campaign against trafficking in persons included minors as a target audience.

Child marriage was not prevalent, although in some rural areas girls as young as 15 were sometimes married in religious ceremonies not officially recognized by the state. The number of women married before the age of 18 appears to have declined over time. According to a 2006 report endorsed by the UN Children's Fund (UNICEF) and the Uzbek State Statistical Committee, 5 percent of women aged 15 to 19 were married. The same report also found that 12.5 percent of women currently aged 20 to 49 were married before they turned 18.

There were reports that girls were trafficked from the country for the purpose of sexual

exploitation and that girls were engaged in forced prostitution.

During the cotton harvest, many school children, particularly in rural areas, were forced to work in the cotton fields.

The government declared 2008 the "Year of Youth," during which it increased educational expenditures and job training for young people and undertook other measures to protect the rights and interests of youth.

On December 11, President Karimov signed legislation on Uzbekistan adopting the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution, and child pornography. On December 12, President Karimov signed legislation on Uzbekistan adopting the Optional Protocol to the Convention of the Rights of the Child on the Involvement of Children in Armed Conflict.

Trafficking in Persons

The law prohibits all forms of trafficking in persons. The government does not fully comply with the minimum standards for the elimination of trafficking, but it made considerable efforts to do so.

On July 8, the government adopted a national action plan, which included creation of a national interagency commission of high-level officials. The commission must meet at least quarterly to address trafficking issues and oversee implementation of national and regional activities to raise awareness, protect victims, and modify legislation. The plan followed President Karimov's April 17 signing of antitrafficking legislation that strengthened victim protections, required the government to provide victims with assistance, and criminalized severe forms of human trafficking, including trafficking into forced labor. In June the government adopted the UN Protocol on Trafficking in Persons.

In September the government amended the Criminal Code to strengthen penalties against convicted traffickers. The amendments created a new version of Criminal Code Article 135. Officially titled "Trafficking in Persons," it formally defines and criminalizes all severe forms of human trafficking. The base punishment for first-time offenders is now three to five years in prison. The punishment is increased to eight to 12 years in prison for instances of trafficking two or more people, using force or threat, recidivism, group conspiracy, abuse of official position, and cases involving the death of trafficking victims. Unlike under the previous code, amnesty is generally not granted to individuals who receive prison sentences of 10 years or more.

The country was primarily a source and, to a much lesser extent, a transit country for the trafficking of women and girls for the purpose of commercial sexual exploitation and men for labor exploitation. From 2002-07 there were only two documented transit cases in Uzbekistan. There were no reliable statistics on the extent of the problem, although NGOs and the government reported labor trafficking was much more prevalent than trafficking for sexual exploitation and was likely rising due to poor economic conditions. While most reported cases of trafficking over the past five years have involved women, the number of men trafficked is especially difficult to enumerate.

During the year there were credible reports that women were trafficked to the United Arab Emirates (UAE), China, India, Russia, Kazakhstan, Thailand, Turkey, and Ukraine. There were also reports of victims transiting Kyrgyzstan, Kazakhstan, Georgia, and Azerbaijan for other destinations. According to a local antitrafficking NGO, most Uzbek female trafficking victims were sent to UAE and Turkey via Azerbaijan and Kazakhstan. Labor trafficking victims, mostly male, were typically trafficked to Kazakhstan and Russia to work in the construction, agricultural, and service sectors. Some transit of trafficked persons also may have taken place from neighboring countries and to or from countries for which the country was a transportation hub – Thailand, Malaysia, Indonesia, India, South Korea, and the UAE. Women between the ages of 17 and 30 were vulnerable to sexual exploitation, and men of all ages were targets for labor trafficking. A local antitrafficking NGO registered a total of 529 cases of human trafficking during

the year involving 343 female victims and 186 male victims, on par with the 527 registered cases in 2006 and a decrease from the 874 cases registered in 2005.

Traffickers operating within nightclubs, restaurants, or prostitution rings solicited women, many of whom engaged in prostitution. In large cities such as Tashkent and Samarkand, traffickers used newspaper advertisements for marriage and fraudulent work opportunities abroad to lure victims. Travel agencies promising tour packages and work in Turkey, Thailand, and the UAE were also used to recruit victims. In most cases traffickers confiscated travel documents once the women reached the destination country. Victims of labor trafficking were typically recruited in local regions and driven to Kazakhstan or Russia where they were often sold to "employers." Traffickers held victims in a form of debt bondage, particularly in the case of those trafficked for sexual exploitation.

Recruiters tended to live in the same neighborhood as the potential victim and often may have known the victim. These recruiters introduced future victims to the traffickers, who provided transportation, airline tickets, visas, and instructions about meeting a contact in the destination country. There were also reports of former victims being used to recruit new victims.

All law enforcement agencies are charged with upholding the antitrafficking provisions of the criminal code. Enforcement appeared to improve during the year.

The number of trafficking-related convictions continued to rise. According to a report released by the Ministry of Justice on October 17, during the first nine months of the year authorities opened 436 criminal cases against suspected traffickers, resulting in 339 convictions (293 men and 136 women). The report further noted that a total of 1,449 citizens were trafficked during the same period, of whom 1,283 (88.5 percent) were men and 166 (11.5 percent) were women. Of the victims, 28 were reportedly minors. In 2007 authorities investigated 303 suspects on human trafficking charges, resulting in 185 persons being convicted.

State-controlled media have reported the convictions of several alleged traffickers under the new criminal code amendments. For example, a Tashkent court in October convicted an Uzbek man and three female accomplices of trafficking women from Uzbekistan to Kazakhstan and sentenced each to between 10-14 years' imprisonment.

The MFA, MOI, and local contacts indicated that convicted traffickers are increasingly serving time in jail. An independent activist also noted that individuals convicted of human trafficking were now among those groups of prisoners who were generally not considered for amnesty.

Government offices with responsibility for fighting trafficking included the MOI's Office for Combating Trafficking, Crime Prevention Department, and Department of Entry-Exit and Citizenship; the NSS's office for Fighting Organized Crime, Terrorism, and Drugs; the Office of the Prosecutor General; the Ministry of Labor; the Consular Department of the Ministry of Foreign Affairs; and the State Women's Committee. A government Inter-Agency Commission on Combating Trafficking in Persons meets quarterly and consists of representatives from the government entities listed above.

There was at least one reported investigation of a corrupt official involved in trafficking. In March Matlyuba Burkhanova, a member of the lower house of parliament, resigned under pressure over allegations of human trafficking. There were no updates on the outcome of a criminal investigation into charges that Burkhanova arranged to send women to work as prostitutes overseas.

There were no reports that the government prosecuted victims of trafficking for illegal migration in the course of being trafficked. Knowledgeable sources reported that authorities turned a blind eye to immigration violations of returning trafficking victims. Unlike in previous years, there were no reports of government law enforcement officials involved in trafficking-related bribery and fraud.

Repatriated victims often faced societal and familial problems upon return. At year's end internationally supported NGOs operated two shelters in Tashkent and Bukhara to help victims reintegrate into society. There were no reports of local police harassing shelter residents. The NGO implementer has reported a steadily improving working relationship with authorities, who now often contact the shelter with new referrals. During the reporting period, NGOs reported assisting 308 victims (245 female and 53 male) trafficked for sexual and labor exploitation.

On November 5, President Karimov signed a decree instructing the Ministry of Labor to open a national rehabilitation center in Tashkent to assist and protect human trafficking victims.

The government cooperated with the International Organization for Migration (IOM) to provide assistance to repatriated trafficking victims. IOM also reported that police, consular officials, and border guards referred women returning from abroad who appeared to be trafficking victims to the organization for services. The government routinely allowed IOM to assist groups of returning women at the airport, help them through entry processing, and participate in the preliminary statements the victims gave to the MOI.

In several different regions, antitrafficking NGOs, with the participation of law enforcement and local government officials, conducted seminars for orphanages, secondary schools, and higher education institutions; placed antitrafficking notices in local newspapers; and developed informational brochures and educational manuals for teachers and students. These NGOs also worked with Uzbekistan's mahallas to raise awareness about trafficking, especially in rural areas, and conducted antitrafficking summer camps for youth.

During the year the government continued to focus on trafficking prevention. A specialized antitrafficking unit in the MOI continued to cooperate with NGOs on antitrafficking training for law enforcement and consular officials. The unit also supported victims who testified against traffickers and organized public awareness campaigns.

The government-controlled media routinely carried targeted articles and programs raising awareness about the dangers of trafficking for both sexual and labor exploitation. There was a large increase in the total number of such articles compared to previous years. Government-owned television stations worked with local NGOs to broadcast antitrafficking messages and to publicize the regional NGO hot lines that counseled actual and potential victims. The government allowed NGOs to place posters on trafficking hazards on public buses, in passport offices, and in consular offices abroad.

See also the State Department's [2008 Trafficking in Persons Report](#).

Persons with Disabilities

The law prohibits discrimination against persons with disabilities in the workplace and in education; however, the law does not specifically prohibit such discrimination in housing or in access to state services. There was some societal discrimination against persons with disabilities. The government provided care for persons with mental disabilities in special homes.

In August the Ministry of Labor signed an agreement to participate in a two-year ACCESS (Accessibility, Civic Consciousness, Employment, and Society Support for Persons with Disabilities) project with several international partners, including UNDP, UNICEF, the UN Educational, Scientific and Cultural Organization (UNESCO), and the UN Population Fund (UNFPA). The purpose of the project is to combat societal discrimination against persons with disabilities and expand social integration, employment, and inclusive educational opportunities for them. As part of the project, the government opened six pilot "inclusive education kindergartens and schools – which educate children with and without disabilities – in Navoi, Termez, Qarshi, Jizzakh, Samarkand, and Kokand. Under

the ACCESS project, UNDP in December also conducted a training course on employing persons with disabilities for staff of employment centers administered by the Ministry of Labor.

In June the government amended the 1991 law "On the Social Protection of Disabled Persons in the Republic of Uzbekistan" to include provisions imposing fines of up to 70 times the monthly minimum wage against facilities deemed inaccessible to disabled persons, although there are no reports of facilities being fined. While 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. During the year, human rights activists reported that a number of persons with mental or physical disabilities were 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.

National/Racial/Ethnic Minorities

The constitution provides for the right of all citizens to work and to choose their occupation. The law prohibits employment discrimination on the basis of ethnicity or national origin. However, ethnic Russians and other minorities frequently complained about limited job opportunities. Senior positions in the government bureaucracy and business generally were reserved for ethnic Uzbeks, although there were numerous exceptions.

The law does not require Uzbek language ability to obtain citizenship, but language remained 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 was spoken widely in the main cities, and Tajik was spoken widely in Samarkand and Bukhara.

Other Societal Abuses and Discrimination

There was 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. Recruits in the armed services found to be HIV-positive were summarily expelled. The MOI's Department of Corrections continued efforts to raise awareness about the realities of HIV/AIDS in its training for prison staff. 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.

During the year the government began a large-scale public awareness campaign under the slogan "We Will Stop AIDS!" to raise awareness regarding how HIV/AIDS is spread, caring for HIV/AIDS sufferers, and eliminating discrimination against them. As part of the campaign, the Ministry of Health broadcast television and radio programs and held charity events to raise funds for HIV-positive children.

Homosexual activity is punishable by up to three years' imprisonment. Some homosexuals reportedly left the country due to the restrictive environment.

6. Worker Rights

a. The Right of Association

The law provides workers the right to form and join unions of their choice; however, workers were unable to exercise this right in practice. 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. All regional and industrial trade unions at the local level were state-

owned. 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.

b. The Right to Organize and Bargain Collectively

Unions and their leaders were not free to conduct activities without interference from the government. The law provides the right to organize and to bargain collectively; in practice the government did not respect these rights. Unions were government-organized institutions that had little power, although they did have some influence on health and work safety issues.

The law states that unions may conclude agreements with enterprises, but because unions were heavily influenced by the state, 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 (CFTU), 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 neither provides for nor prohibits the right to strike. The law gives unions oversight for individual and collective labor disputes.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The constitution and law prohibit forced or compulsory labor, including by children, except as legal punishment such as for robbery, fraud or tax evasion, or as specified by law; however, there were reports that such practices occurred, particularly during the cotton harvest, when authorities reportedly compelled medical workers, government personnel and others to pick cotton.

d. Prohibition of Child Labor and Minimum Age for Employment

The government did not effectively implement laws and policies to protect children from exploitation in the workplace. The national labor code establishes the minimum working age at 16 and provides that work must not interfere with the studies of those under 18. The law establishes a right to a part-time job beginning at age 14, 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. Children between the ages of 16 and 18 may work 36 hours per week while school is not in session and 18 hours per week while school is in session. Children as young as seven or eight worked in family businesses in cities during school holidays and vacations, and children also worked in street vending, services, construction, building materials manufacturing, and transportation.

Uzbekistan adopted legal measures to end child labor during the annual cotton harvest. In April the government voted to adopt International Labor Organization (ILO) Conventions 182 (On the Worst Forms of Child Labor) and 138 (On the Minimum Age of Employment). The ILO has so far recognized Uzbekistan's adoption of Convention 182, but not of Convention 138.

In September the government adopted a national action plan on implementation of the ILO Conventions, which called for abolishing the mobilization of children for the annual cotton harvest. The Prime Minister reportedly warned regional governors not to mobilize children "under any circumstances," and the Ministry of Labor also delivered a letter to Ministry of Public Education and the Association of Farmers on the illegality of mobilizing children for the cotton harvest. A 2001 government decree already prohibited those under age 18 from engaging in manual cotton harvesting and other jobs with

unhealthy working conditions.

During the cotton harvest, the large-scale compulsory mobilization of students under 18 years of age continued in many rural areas. Such labor was poorly paid and living conditions were often poor. Unlike in previous years, authorities initially appeared to have made a concerted effort to prevent students under the age of 16 at schools from being mobilized. Field observations by international organizations indicated that early in the harvesting season there were fewer schoolchildren picking cotton than in previous years; however, schoolchildren were ultimately mobilized in several regions of the country. The age of children picking cotton and conditions varied widely by region. The vast majority of children were older than 11, but children as young as nine were observed picking cotton in some areas. College and university students, including those between the ages of 16 and 18, were also mobilized for the cotton harvest in most regions of the country.

There are no reliable figures and few dependable sources of information regarding the true extent of child labor in the country. The latest available statistics from 2006 on the percentage of children involved in labor ranged from 2-19 percent. Some children observed picking cotton were doing so alongside their parents. Most children picking cotton in southern Kazakhstan were Uzbek children who traveled there with their parents.

Current legislation does not explicitly provide jurisdiction for inspectors from the Ministry of Labor and Social Protection to focus on child labor enforcement. Enforcement of child labor laws is under the jurisdiction of the Ministry of Labor, the prosecutor general, and the MOI and its general criminal investigators. An Interagency Working Group on Child Labor, launched in 2006 with help from the ILO, serves as a national forum for addressing child labor issues.

The law provides both criminal and administrative sanctions against violators, but authorities did not punish violations related to the cotton harvest, and there were no reports of inspections resulting in prosecutions or administrative sanctions. Enforcement was lacking due in part to long-standing societal acceptance of child labor as a method of cotton harvesting.

e. Acceptable Conditions of Work

The Ministry of Labor and Social Protection, in consultation with the CFTU, sets and enforces the minimum wage. The minimum wage was approximately 25,040 soum (approximately \$18) per month, which 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 was rarely paid in practice.

The Ministry of Labor and Social Protection establishes and enforces occupational health and safety standards in consultation with unions. Reports suggested that enforcement was not effective. The press occasionally published complaints over the failure of unions and the government to promote worker safety. While regulations provide for safeguards, workers in hazardous jobs often lacked protective clothing and equipment. Workers legally may remove themselves from hazardous work without jeopardizing their employment, although few workers, if any, attempted to exercise this right, as it was not effectively enforced. In July 2007 the country signed bilateral labor migration agreements with Russia to increase protections on a range of labor rights for the country's labor migrants. Under the new agreement, Uzbek citizens can apply through the Agency on External Labor Migration to receive permits to work legally in Russia. As of September over 1,000 persons have taken advantage of the program to work in Russia's agriculture and construction sectors. However, this is just a small fraction of the estimated more than one million Uzbek citizens already working in Russia, mostly illegally. The Agency also has enabled over 3,000 Uzbek citizens to legally work in South Korea. In addition, the Tashkent Employment Bureau reportedly has established ties

with Poland enabling Uzbek citizens to travel there legally to work in construction.
