



Human Rights and Democracy Report - Uzbekistan

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Overall, there was little change in Uzbekistan's human rights situation during 2014. We continued to have significant concerns, including on the lack of freedom of expression, constraints on the ability to exercise civil and political rights, allegations of the use of torture by law enforcement officials, and limitations placed on freedom of religion or belief.

Such violations continued to be reported by human rights organisations in 2014. Human rights defenders (HRDs) and journalists were subject to pressure and mistreatment, and a significant number remain imprisoned. No UN Special Rapporteur has been able to visit Uzbekistan since 2002; there are currently 11 outstanding requests for invitations.

There were, however, positive developments on the issues of child and forced labour, and some limited steps to improve transparency and accountability within government.

One of our key objectives for 2014 was to encourage the development and implementation of a National Action Plan on Human Rights (NAP), which we see as a potentially useful tool to help address a range of serious human rights challenges. This is something on which the National Human Rights Centre of Uzbekistan committed to work with the UN Development Programme (UNDP) in Tashkent and international partners in 2013. This will form a programme of action designed to implement the 121 recommendations that Uzbekistan accepted at its Universal Periodic Review (UPR) in 2013. A final text of the NAP, approved within the Uzbek government, is still awaited. It is hoped that once it is issued, a Memorandum of Understanding will be signed between UNDP and the Uzbek government on cooperation in its implementation. In addition, during 2014, we continued to share UK expertise and best practice in a number of areas, particularly in combating torture and mistreatment in detention. Human rights concerns were raised during a visit to Uzbekistan in April by former Foreign & Commonwealth Office (FCO) Minister for Human Rights, Baroness Warsi, and, more recently by FCO Minister for Central Asia, Tobias Ellwood, in a meeting with Uzbekistan's Ambassador to the UK.

The Uzbek government's official approach to human rights continues to be guided by the "Concept for the Further Deepening of Democratic Reforms and Establishment of Civil Society" adopted in 2010, and we expect this to be an important theme for 2015. Legislative changes were made at the end of 2013 and during 2014 that were presented as furthering the aims of the "Concept". These include the law on "social partnerships", designed to facilitate interaction between the state and non-governmental organisations (NGOs), and a law on the "transparency of government bodies", designed to improve communication between civil society and government authorities. The latter

piece of legislation appears to be a positive step, the implementation of which we are supporting with FCO programme funds. Furthermore, following parliamentary elections of December, 2015 will see the formation of a new government and presidential elections, under amended constitutional arrangements which have been presented as a move towards greater democracy. In addition, in 2015 we will continue to support the implementation of the NAP, and work with the Uzbek authorities on torture prevention issues.

Elections

Parliamentary elections were held on 21 December. A limited election observation mission of the Organisation for Security and Cooperation in Europe (OSCE) Office for Democratic Institutions and Human Rights (ODIHR) judged in its Statement of Preliminary Findings and Conclusions that the elections were competently administered, but lacked genuine electoral competition and debate. Four parties were registered to contest the elections, all of them supportive of and supported by the government. ODIHR noted that recent legislative amendments, in combination with minor administrative improvements and the nomination of younger candidates by all political parties, were presented as steps towards strengthening the role of parliament, and creating a more competitive political environment. They did not, however, address concerns with regard to the fundamental freedoms that are critical for elections to fully meet international commitments and standards, in particular freedom of expression and association. ODIHR also noted a widespread practice of proxy voting on behalf of several voters.

Under legislation passed in early 2014, the majority party will, for the first time, have the right to nominate a candidate for the post of the Prime Minister, and the new government will be required to present its plans to parliament for approval.

Freedom of Expression and Assembly

The constitution provides for freedom of speech and media. However, legislation prohibits the publication or broadcast of materials that may be perceived by the authorities, under broad criteria, to subvert constitutional or social order. In practice, the state continues to control much of the print media and domestic news agencies. Any online opposition or criticism of the government is carried on websites that operate outside the country. In its 2014 press freedom index, Reporters Without Borders placed Uzbekistan at 166 out of the 179 countries it covers, down from 164 in 2013. In August, the Senate approved revisions to the "law on informatization" which obliges bloggers to report only verified information and to remove, on demand from the authorities, any non-compliant material. The OSCE stated that these amendments contravene international standards on freedom of expression. There remains minimal opportunity for Uzbek citizen to exercise their right to peaceful assembly due to laws that prevent large gatherings.

Human Rights Defenders

We continued to call for the release of all imprisoned HRDs, political prisoners and independent journalists, both bilaterally and through the EU. We requested that a number of individual cases be considered for amnesty on humanitarian grounds on Constitution Day, due to reports of their continuing ill health. They were Said Ashurov, Salijon Abdurakhmanov, Akzam Turgunov, Erkin Musaev, Azamjon Formonov, and Murad Juraev, who was sentenced in 1995 to 12 years' imprisonment, but has since received four additional sentences. As part of the amnesty in 2014,

Khasan Choriev (the father of the founder of the independent Birdamlik movement), and HRDs Nematjon Siddikov and Turaboy Djurabaev were released from prison in January. Khasan Choriev subsequently died in March.

In November, representatives from Human Rights Watch (HRW) made their first visit to Uzbekistan since the closure of their office in Tashkent in 2011. The Embassy met HRW representatives during their visit, which followed the publication of their report "Until the Very End". This profiled the cases of 34 individuals, including those mentioned above, who have been imprisoned for what the report describes as politically motivated charges.

Access to Justice and the Rule of Law

Challenges in relation to trials and detention continued, including restrictions on civil society representatives attending trials and defendants' lack of access to legal advice. We raised additional concerns over the use of Article 221 of the Criminal Code, which allows for additional sentences to be imposed for violation of prison rules. Human rights organisations, including HRW in its recent report, reported that some detainees received lengthy additional sentences for allegedly minor infringements. These included Murad Juraev, whose original sentence expired in 2007, but who received four additional sentences under Article 221, and is now due for release in 2015; and Mukhammed Begjanov, who was sentenced in 2012 to an additional five years and 29 days' imprisonment under the same article. In their report, HRW refer to 14 cases of such additional sentences, including Juraev and Begjanov.

The authorities announced plans to reduce the prison population by making more use of house arrests and through legislation aimed at preventing crime by strengthening the links between state and non-state bodies. However, concerns have been raised that this has a wide scope, which provides potential for misuse and contravention of the human rights treaties to which Uzbekistan is party. Further initiatives included improving oversight of the courts, and increasing the number of hearings and salaries of judges and court officials. In 2014, the EU concluded a €10 million criminal justice reform project, launched in February 2012. UK specialists played a significant part in the policing and prisons components of the project.

Torture and Cruel, Inhuman or Degrading Treatment

There were credible reports from human rights organisations on persistent cases of torture and mistreatment by security forces and prison personnel. For example Mirsobir Khamidkariev and Nilufar Rahimjonova were allegedly subjected to torture or ill treatment in detention. Nilufar Rahimjonova died in custody in September while serving a sentence on what human rights organisations have reported as "politically motivated charges". Restrictions on access of international organisations to prisons and detention centres made investigating these allegations difficult. We continued to raise with Uzbekistan the need to make provisions on torture in its criminal code compatible with Article 1 of the UN Convention Against Torture, to ensure that perpetrators are held to account, and to accede to the Optional Protocol to the Convention Against Torture. The Embassy supported Uzbekistan's National Human Rights Centre and Ombudsman with efforts to prevent torture through the creation of a National Preventive Mechanism.

Freedom of Religion or Belief

According to official statistics, over 200 organisations of several different religious groups exist in Uzbekistan, but lengthy delays in registering new groups are frequently reported.

Whilst Uzbekistan's constitution protects freedom of religion or belief, harassment of individuals, and raids on communities practising their faith outside state controls continued. These led to prosecutions of individuals on charges of religious extremism, and criminalisation of unregistered religious activity.

Children's Rights

The international community expressed longstanding concerns about the use of child and forced labour in Uzbekistan during the cotton harvest. However, there has been significant progress over the last three years in addressing the issue of child labour. During the 2014 cotton harvest, as in 2013, there appeared to have been no systematic mobilisation of under-16s; and, in 2014, there were significant efforts to reduce the presence of 16-18 year olds. We welcomed these efforts. Large-scale mobilisation of adults continued, but Uzbekistan is committed to working with the International Labour Organisation (ILO) to implement a Decent Work Country Programme for 2014-2016 agreed in April. This aims to support Uzbekistan in implementing ILO Convention 105 on forced labour. The ILO declared that, for the first time since 2010, Uzbekistan would be exempt from appearing before the ILO monitoring body that supervises the implementation of ratified labour conventions.