

2013 Human Rights and Democracy Report - Uzbekistan

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We have significant concerns about the overall human rights situation in Uzbekistan. There is little independent media and the government allows little space for opposition. Human rights defenders (HRDs) and journalists are reportedly subject to pressure and mistreatment. Allegations of torture in detention are widespread. The large-scale forced mobilisation of adults and young people over 15 for work in the cotton harvest has continued. Nevertheless, some positive developments took place after Uzbekistan underwent its Universal Periodic Review (UPR) before the UN Human Rights Council in April, notably progress on co-operation with the International Labour Organisation. A National Action Plan (NAP) has been elaborated to support implementation of the UPR recommendations accepted by Uzbekistan. We hope that the NAP can help Uzbekistan address serious concerns, including the lack of freedom of expression, the lack of civil and political rights, poor access to justice and inadequate administration of the rule of law, alleged use of torture by law enforcement officials, and limitations placed on the freedom of religion or belief. These abuses continue to be reported by human rights organisations.

We participated actively in Uzbekistan's UPR. The UK statement at Uzbekistan's UPR welcomed reforms including the abolition of the death penalty, the introduction of habeas corpus and the 2011 law on the treatment of detainees. However, we also raised our concerns about freedom of assembly and expression; registration of independent political parties and independent NGOs; mistreatment and torture of detainees; and pressure on the small independent human rights community. We called on Uzbekistan to release all wrongfully imprisoned HRDs, journalists, members of the political opposition, and others held on politically motivated charges. The UPR resulted in 203 recommendations, of which 121 were accepted by the Uzbek government and are now subject to implementation through the NAP. The NAP was co-drafted between the National Human Rights Centre of Uzbekistan and the UN Development Programme in Tashkent with input from international partners. It is intended to provide a working framework to coordinate human rights reform across all government agencies. Supporting delivery of the NAP will be a focus of our human rights engagement with Uzbekistan in 2014.

The government of Uzbekistan's approach to human rights is formally guided by the "Concept for the Further Deepening of Democratic Reforms and Establishment of Civil Society". Within this framework there has been progress in improving legislation, often following extensive consultation

with international partners. However, there remains a large gap between legislation and implementation. Lack of oversight and channels for redress continue to result in failures to protect against wide-ranging human rights abuses.

Supporting efforts towards more consistent respect for human rights is a central pillar of the UK relationship with Uzbekistan. In this context, we have shared UK expertise and best practice in a number of areas with the government of Uzbekistan, particularly in support of Uzbek plans to establish a National Preventive Mechanism to combat torture and allegations of mistreatment in detention. Human rights concerns were raised during a visit to Uzbekistan by Senior Minister of State, Baroness Warsi, in June, and a visit to the UK by Uzbekistan's Foreign Minister Abdulaziz Kamilov in November.

Freedom of expression and assembly

In spite of legislation passed by the Uzbek parliament in 2012 on freedom of speech on the internet and on television, the state continues to control much of the print media and any online opposition or criticism of the government is carried on websites that operate outside the country. The NGO Freedom House ranks Uzbekistan 195 out of 197 countries in its latest Freedom of the Press index, and Reporters Without Borders ranks it 164 out of the 179 countries it covers. There have been reports of pressure against independent journalists including Sergey Naumov, who was detained for 12 days on charges of disorderly conduct in September. The UK has ongoing project work which focuses on the link between the development of civil society in Uzbekistan and freedom of expression. There remains minimal opportunity for citizens of Uzbekistan to exercise their right to peaceful assembly due to laws that prevent citizens gathering in large numbers. Whilst Uzbekistan's constitution allows for independent political parties, in practice there was no genuine opposition to the government in 2013, and de facto restrictions on the registration of new parties and the nomination of candidates are expected to continue.

Human rights defenders

We continue to call for the release of all imprisoned HRDs, political prisoners and independent journalists. The annual amnesty of prisoners and those charged with offences or undergoing court cases was announced on 8 December, Uzbekistan's Constitution Day. We requested that a number of individual cases be considered as part of the amnesty. These included a number who are reportedly in very poor health and whose cases have also been raised by the EU, such as: Salijon Abdurakhmanov, a journalist sentenced in 2008 to ten years' imprisonment; Akzam Turgunov, a HRD sentenced in 2008 to ten years' imprisonment; Azamjon Formonov, a member of the Human Rights Society of Uzbekistan sentenced in 2006 to nine years' imprisonment; Tajik citizen Said Ashurov; and Erkin Musaev, a former UN official sentenced in 2007 to 20 years' imprisonment. The UN Working Group on Arbitrary Detentions found in May 2008 that Musaev's detention is arbitrary. At the time of writing none of these has yet been released. However, we have noted the release under the amnesty of a number of individuals about whose cases human rights organisations have raised concerns, including Khasan Choriev, Isak Abdullaev, Nematjon Siddikov, and Turaboy Djurabaev. We remain concerned for the welfare of Murad Juraev, an Erk party member and former member of the Supreme Council of Uzbekistan, whose jail term was extended for a fifth time, for a further three years, in December 2012. Reports of Mr Juraev's ill health continue to surface.

Access to justice and the rule of law

The pace of reform remains slow. Transparency International ranked Uzbekistan 168 out of 177 states in its Corruption Perceptions Index published in December 2013, up from 170 in the previous edition. The UK, with three European partners, has continued to help deliver a EUR10 million EU criminal justice reform project, launched in February 2012 under the EU Rule of Law Initiative. The project aims to help the Uzbek government ensure that new legislation regarding human rights issues in the criminal justice system is fully implemented on a practical level.

Torture

Allegations of torture are difficult to substantiate due to restrictions on access of international organisations to prisons and detention centres. However, there were allegations during 2013, including claims in online media, that at least three individuals - Samariddin Salokhiddinov, Muzaffar Karimov and Tavakkal Khodzhiev - died of injuries sustained under torture while in detention. The International Committee for the Red Cross suspended their prison monitoring in April 2013. As part of the UK submission on Uzbekistan's UPR, we recommended that Uzbekistan ensures that provisions on torture in its criminal code are compatible with Article 1 of the UN Convention Against Torture (UNCAT); establishes an effective mechanism to investigate credible allegations of torture, ensuring that perpetrators are held to account; and puts in place the necessary arrangements to ratify the Optional Protocol to the Convention Against Torture (OPCAT). When Uzbekistan appeared before UNCAT in October following submission of its regular report, UNCAT reiterated the need for Uzbek authorities to investigate fully all allegations of torture, and called on the Uzbek delegation to report within a year on its progress in "wiping out widespread torture" and "arbitrary imprisonment of HRDs and journalists imprisoned in retaliation for their work".

Freedom of religion or belief

Uzbekistan's constitution protects freedom of religion and belief and, according to Uzbek government information, 200 organisations of 16 different religious groups exist and registration of new groups continues. However, reports of harassment of individuals practising their faith outside state controls continue. These include raids on Presbyterians and Jehovah's Witnesses.

Children's rights

We have expressed our long-standing concerns about the use of forced labour, particularly child labour, in Uzbekistan during the cotton harvest. We welcomed the fact that the International Labour Organisation (ILO) was able to monitor this year's harvest and that significant efforts appear to have been made by the Uzbek authorities in 2013 to prevent children working in the cotton fields. This represented important progress. The ILO is expected to issue a report in February 2014. Its preliminary conclusions suggest that there had been no systematic mobilisation of children under fifteen, but that compulsory mobilisation of adults and young people over 15 continues. The Uzbek government has declared its intention to work with the ILO to address the wider issues of workers' rights, including full implementation of ILO Convention 105 on forced labour.