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STOP TORTURE
Country briefing: Uzbekistan

Torture in Uzbekistan: In summary

Torture and other cruel, inhuman or degrading treatment is rife in Uzbekistan. Amnesty International continues to receive persistent and credible allegations of routine and pervasive torture and other ill-treatment by security forces[1] and prison personnel. Reports suggest that people are tortured and ill-treated when they are arrested, transferred and awaiting trial, and in detention facilities. Very few people are ever brought to justice for inflicting torture, while authorities in Uzbekistan routinely fail to conduct effective investigations into allegations of torture and other ill-treatment.

This briefing is based on Amnesty research and individual case studies. It reveals that:

- Courts in Uzbekistan frequently rely on confessions obtained by torture;
- Complaints about torture can lead to serious reprisals, including harassment, intimidation and further torture;
- Suspected members and supporters of religious groups and opposition political movements are particularly at risk;
- Impunity prevails, with complaints about torture routinely ignored and very few individuals investigated or prosecuted for involvement with torture;
- Uzbekistan routinely fails to implement the recommendations of international human rights bodies;
- Authorities in Uzbekistan avoid scrutiny by refusing to invite international anti-torture experts to visit;
- A range of torture methods are alleged to be in use, including beatings, asphyxiation and rape of men and women;
- Prisoners describe being detained in cramped concrete cells and beaten;
- Extradited individuals are often held incommunicado and prevented from speaking to lawyers or family members.

Uzbekistan has taken some formal steps towards strengthening safeguards against torture and other ill-treatment and abolished the death penalty in 2008 but it is failing to implement these laws in practice, to adopt additional measures that will prevent torture, and to hold perpetrators to account.

The Uzbekistani authorities must take urgent action. This should include: investigating complaints of torture; reviewing previous convictions based on evidence obtained through torture; prohibiting coerced confessions; ensuring all trials are scrupulously fair; refraining from invoking 'national security' to target opponents; co-operating with UN special procedures on torture; ending the use of closed trials in prison camps.

Torture is never justified. It is illegal. It is barbaric. It is inhumane.

Country background

Since the Republic of Uzbekistan declared independence in September 1991, President Islam Karimov has won four presidential elections virtually uncontested, and appointed all successive governments. There are no registered opposition political parties, and all official parties support President Karimov. Parliament banned the opposition movement Birlik (meaning 'Unity) in 1992 and the opposition party Erk (meaning 'Will') in 1993, and dozens of members and supporters of Erk have since been detained by security forces. Erk continues to operate in exile, led by Muhammad Salih, while Karimov has seamlessly made the transition from Uzbekistan Communist Party chairman to president of independent Uzbekistan.

The economic situation is starkly unequal. A small elite thrives – with the immediate presidential family at its heart – controlling the country's significant gold, uranium and copper reserves, and presiding over the billion dollar cotton industry. The huge majority of people, especially in rural areas, continue to struggle. Corruption is endemic in the country, undermining both human rights and the rule of law.

Uzbekistan is secular but has a predominantly Muslim population, and religious practice is tightly controlled. The government relentlessly pursues people who worship in mosques outside state control or in unregistered churches and temples, and thousands of men and women have been imprisoned for alleged links with unregistered or outlawed Islamic, Islamist and Christian groups. Many have been tortured, ill-treated and forced to sign confessions, but complaints about abuse are rarely taken seriously and almost never investigated. The government continues to justify its targeting of religious groups on the grounds of 'national security' and the majority of people convicted are charged with acts of terrorism or 'anti-state' activities.

Few human rights activists dare to operate inside Uzbekistan. Human rights defenders, journalists and civil society activists are routinely harassed and monitored by security officials. Communications are tapped. Peaceful protests and meetings with diplomats are prevented. Activists are beaten by police and by suspected security service officers. And the threat of reprisals – both against activists and against their families and associates – is constant.

Three human rights defenders have been released on humanitarian grounds in the past three years – a small sign of progress – but eight more remain incarcerated, all convicted in unfair trials and all serving long sentences in conditions that amount to cruel, inhuman or degrading treatment or punishment[2].

Human rights groups that operate in exile are monitored by security services, forcing campaigners to weigh up their actions against the threat of their relatives facing repercussions back home. Domestic and international human rights organizations are aggressively discredited both by Uzbekistani officials and by extensive campaigns in state-run media. The combination of

a tightly controlled media, lack of access to the country, and a pervasive culture of fear means rights and monitoring organizations face a constant struggle to receive and impart information.

Torture in Uzbekistan: In detail

Confessions through coercion

Courts in Uzbekistan rely heavily on 'confessions' and incriminating information given while detainees are being tortured, ill-treated or deceived. And judges frequently ignore or dismiss allegations of torture and other ill-treatment, even when presented with credible evidence in court.

Twice in the last decade, the Plenum of the Supreme Court of Uzbekistan has issued directives drawing the attention of judges to the prohibition of torture and reminding them of their obligation to exclude evidence extracted by coercion. These directives have had virtually no effect.[3]

Flashpoint: Tashkent bombings, February 1999

Hundreds of men and women were detained following six bomb explosions in Tashkent in February 1999. At least 13 people died and more than a hundred were injured by the explosions, which authorities described as an assassination attempt on President Karimov, accusing secular political opposition parties of conspiring with foreign-trained Islamist groups with the intent of establishing an Islamist state in Uzbekistan.

Many of the people arrested in relation to the explosions claimed they were tortured or ill-treated. They included suspected supporters of the banned political opposition groups Erk and Birlik, suspected supporters of banned Islamist groups and their families, and independent human rights monitors.

On 28 June 1999, six men were sentenced to death for their involvement in the bombings. Reports indicated that several were executed. Sixteen co-defendants received prison sentences ranging from ten to 20 years.

In many cases seen by Amnesty, detainees were prevented from choosing and seeing a lawyer, accessing medical care and communicating with their families. According to independent and credible sources, testimony extracted using torture was routinely admitted as evidence and frequently formed the basis for prosecution. At all levels – from prosecutors to courts to the parliamentary ombudsman – Uzbekistani authorities consistently failed to launch timely, full and independent enquiries into allegations of torture and ill-treatment.

Case study: Mamadali Makhmudov Confession under torture, abuse while imprisoned

Mamadali Makhmudov claims he faced systematic torture while awaiting trial and was forced to falsely confess to involvement in the explosions in Tashkent in 1999. He has also described seeing and experiencing torture while imprisoned.

Held incommunicado for almost three months in 1999, Mamadali Makhmudov says he was beaten repeatedly, had needles forced under his nails, had his hands and feet burned, was suspended with his hands tied behind his back, had a gas mask placed over his face and the air supply turned off, and was threatened with rape and death.

He has always denied the charges against him, arguing in court that he was made to confess while being tortured by Uzbekistani security service officials. Despite this, he was sentenced to 14 years in prison. His lawyers, his family and Mamadali Makhmudov himself have lodged numerous complaints about his alleged torture with the office of the General Prosecutor, appeal courts, including the Supreme Court, the Ministry of Internal Affairs, and the Ombudsperson for Human Rights. But no thorough, independent and impartial investigation has ever taken place.

Following his sentencing, between April and July 2000, Mamadali Makhmudov spent time in Jaslyk prison camp in the Northern Karakalpakstan region. The prison is located in former Soviet army barracks in a remote area of the desert south-west of the Aral Sea. In a letter, he described the beatings he was subjected to by Jaslyk prison officials and claimed to have lost 24kg in weight in just four months.

Three years later, the UN Special Rapporteur recommended that Uzbekistan should: "give urgent consideration to closing Jaslyk colony, which by its very location creates conditions of detention amounting to cruel, inhuman and degrading treatment or punishment for both its inmates and their relatives". A decade on, Jaslyk prison remains open, and Amnesty continues to receive similar allegations of torture and other ill-treatment at the facility.

In a letter smuggled out of prison in 2004, Mamadali Makhmudov suggests prison authorities were targeting prisoners convicted of anti-state offences or of affiliation with banned religious groups. Men were forced to crawl naked across the prison floor and beaten with truncheons and steel pipes. They were kicked and beaten for failing to sing the national anthem. They were incarcerated in small, cold and damp cells. They were left naked, without water or a toilet, for several days.

In April 2013 – a month after he should have been released – Mamadali Makhmudov's sentence was extended by three years for 31 alleged violations of prison rules. Prison authorities had not previously told him that he had violated any rules.

By this time, Mamadali Makhmudov was in poor health, suffering from tuberculosis and high blood pressure. His family feared that he would not survive this sentence extension, and in early April 2013 he had a heart attack. He was finally released on 19 April 2013 on health grounds.

Reprisals for speaking out

If you complain about torture and other ill-treatment in Uzbekistan, you risk serious reprisals. Amnesty has received numerous reports of detainees, prisoners, their family members and their lawyers being beaten, ill-treated, harassed, threatened and intimidated after raising concerns about torture.

As a result very few victims are willing for Amnesty International to speak out publicly on their behalf. Uzbekistani law might guarantee the right for individuals to lodge a complaint about unlawful treatment: in reality, fear and a lack of effective safeguards prevent many people from addressing their grievances.

Detainees who complain to the Prosecutor General's Office about torture or other ill-treatment in custody are frequently subjected to further torture until they agree to withdraw their complaints. Security forces intimidate family members if complaints are not withdrawn. Detainees are threatened with maiming and being indicted on more serious charges. Detainees – men and women -- are actually raped and/or threatened with sexual violence. Male detainees are told that their mothers, wives, daughters or sisters will be raped if complaints are not retracted.

In the vast majority of cases, complaints do not lead to independent or impartial investigations. In fact, the Ministry of Internal Affairs and the Prosecutor General's Office often redirect complaints to the very agencies that are accused of unlawful treatment.

Flashpoint: Andizhan unrest, May 2005

On 12-13 May 2005, armed men attacked military barracks and government buildings in the city of Andizhan in south-east Uzbekistan, close to the border with Kyrgyzstan. They broke into the city prison, freeing hundreds of prisoners, and occupied a regional government building, taking a number of hostages.

The events inspired thousands of people to gather in the city square. Speakers called for justice and an end to poverty. Most people were unarmed. But the security forces responded by shooting indiscriminately at the crowd. Hundreds of men, women and children were killed.

Uzbekistani authorities subsequently claimed the protest was an armed uprising, organized by members of banned Islamist groups. In response, the government clamped down on free expression and tried to suppress independent reporting on the protest. Hundreds of demonstrators were detained and ill-treated. People were tortured and forced to admit involvement in violence. Witnesses were intimidated. Journalists and human rights defenders were harassed, beaten and detained on serious criminal charges.

Following unfair trials – the majority held in secret – hundreds of people were convicted of terrorism offences and given long prison terms for alleged involvement in the Andizhan unrest.

Almost a decade on, Amnesty International continues to have serious concerns about the lack of an independent, impartial, thorough and effective investigation into what happened in Andizhan in May 2005 and the complete lack of accountability for the abuses that took place. During the 2013 UN Universal Periodic Review into Uzbekistan's human rights record, however, the Uzbekistan delegation made it clear it does not share our concerns, stating: "The issue of Andizhan is closed for us."[4]

The European Union would seem to feel the same way. In November 2005, after Uzbekistan refused to allow an independent international investigation

into events in Andizhan, the EU announced an embargo on EU arms sales and military transfers to Uzbekistan. It also issued a one-year visa ban on 12 senior Uzbekistani government ministers and officials. Just three years later, however, when energy security became a priority for the EU, it dropped all calls for an investigation and lifted its visa ban, though no one had been brought to justice for the mass killing in Andizhan.

Case study: Isroil Kholdorov
Tortured for speaking out about Andizhan

Human rights defender Isroil Kholdorov was allegedly tortured and forced to confess to a violent attempt to overthrow Uzbekistan's constitutional order.

Following the Andizhan protests in May 2005, Isroil Kholdorov spoke to international media about mass graves in and around the city, which eyewitnesses claimed were overseen by the Uzbekistani authorities. Like others who discussed these graves publicly, he was accused of undermining Uzbekistan's national security.

Isroil Kholdorov fled to Kyrgyzstan to avoid arrest. In May 2006, he organised a peaceful protest in the border town of Kara-Suu to mark the one-year anniversary of the unrest. Then in September that year he was detained in Uzbekistan. It is not known whether he returned to the country voluntarily or was abducted by Uzbekistani security forces.

He was held incommunicado and reports emerged that he had been tortured and forced to confess as punishment for speaking out. Following an unfair trial in February 2007, Isroil Kholdorov was sentenced to six years' imprisonment. He was charged with attempting to overthrow the constitutional order, organising and leading a banned organisation, and illegally crossing the border. All appeals against his sentence were turned down, and in 2012 his sentence was extended by three years for an alleged violation of prison rules.

Amnesty International believes that all charges against Isroil Kholdorov, other than the illegal border crossing charge, were fabricated to punish him for his peaceful political opposition and human rights activism. Amnesty International considers Isroil Kholdorov to be a prisoner of conscience and calls for his immediate and unconditional release.

Religious groups and political enemies targeted

Certain groups are at particular risk from torture and other ill-treatment in Uzbekistan. We continue to receive credible reports that torture is pervasive against members or suspected members of banned Islamic movements, Islamist groups and opposition political parties. Human rights defenders are also targeted.

Suspected members of Islamic congregations or followers of independent Islamic leaders have been targeted increasingly since December 1997, when the deaths of several police officers in the Namangan region sparked a wave of mass detentions and arrests. This clampdown intensified following the bomb explosions in Tashkent in 1999 (see 'Flashpoint: Tashkent

bombings, February 1999', above) and following armed incursions by Islamic Movement of Uzbekistan (IMU) fighters in August 1999 and August 2000.

The groups most targeted by Uzbekistani authorities include the IMU, the Islamic Jihad Union and Hizb-ut-Tahrir, as well as supporters and followers of Salafism, Wahhabism, Taabli, Jammat and the Turkish theologian Said Nursi.[5]

Many suspected IMU and Hizb-ut-Tahrir sympathisers have been detained. And hundreds of so-called 'Wahhabists' – a broad term used to describe Muslims worshipping in mosques outside of state control or suspected of holding 'extremist' views – have been given lengthy prison sentences following unfair trials.

Murad Dzhuraev: A confession under torture, and repeated sentence extensions

Supporters of Murad Dzhuraev claim he was tortured by police while awaiting trial and forced to confess to groundless charges. He was sentenced to 12 years' imprisonment for the violent overthrow of Uzbekistan's constitutional system, but remains incarcerated nearly 20 years later, having had his sentence extended four times for allegedly violating prison rules.

Murad Dzhuraev is a former member of the Uzbekistan parliament, and Amnesty believes that his detention and the extensions of his prison term were politically motivated. Amnesty International also believes he received an unfair trial. He had been involved in distributing a banned opposition newspaper, and was associated with the banned opposition party Erk when he was detained.

Murad Dzhuraev's sentence was extended by three years in 2004, 2006 and 2012, and by three years and four months in 2009. According to his family, one of these punishments was given for failing to change out of his slippers when meeting prison officials.

His health has seriously deteriorated during his imprisonment. He can now barely speak. He is almost blind. And he has lost most of his teeth. Murad Dzhuraev has spent long periods in solitary confinement and is unable to access the medical care he needs.

Former prisoners paint a harrowing picture of solitary confinement conditions in Uzbekistan. The small, concrete cells are often windowless with no ventilation. No heating is provided during winter, when temperatures drop below zero. In summer, the cells are stifling. There is often not enough room for a bed, so a narrow bunk is provided at night and removed the next morning. And prisoners have to crouch or sit on the concrete floor during the day.

International scrutiny

Uzbekistan appears determined to avoid international scrutiny and to shirk its international obligations. The government has failed to respond to numerous requests from the UN Special Rapporteur on torture to visit the

country, and has ignored recommendations that it should interact more fully with relevant international mechanisms, including the Special Procedures of the UN Human Rights Council. Such co-operation, the government has stated, is "not part of its obligations under internationally agreed human rights standards".[6]

Time and again, Uzbekistan has failed to implement recommendations made by the UN Committee against Torture and other UN bodies, especially with regards to conducting prompt, thorough, independent and impartial investigations into allegations of torture or other ill-treatment. At Amnesty, we remain particularly concerned that allegations of torture by security forces continue to be dismissed as unfounded.

Amnesty believes Uzbekistan's consistent failure to honour its international human rights commitments reflects a deep-seated culture of impunity for perpetrators of torture and other human rights violations

At the UN's Universal Periodic Review in April 2013[7] and the UN Committee against Torture review in October 2013[8], the Uzbekistani delegation rejected all allegations that torture and other ill-treatment are used routinely by its security forces and by prison personnel.

Since 2010 the international community, in particular governments in North America and member states of the EU, as well as EU institutions, have become gradually more reluctant to raise human rights violations in bilateral talks and international fora with the Uzbekistani authorities. The EU and US have sought to improve relations with Uzbekistan in large measure on account of geostrategic concerns centred around the international military campaign in Afghanistan, counter insurgency interventions in the North Western Provinces in Pakistan – where groups such as the Taliban, the IMU and IJU have bases -- and the 2014 start of the US and Allied troop withdrawal from Afghanistan. Uzbekistan borders Afghanistan to the southwest and some troops and equipment are expected to pass through its border province on their way home. Counter-terrorism, especially measures to contain a potential terrorist threat from Afghanistan and North Western Frontier Provinces in Pakistan, border and energy security, as well as narcotics trafficking also remain high on the international agenda.

Methods of torture

Former prisoners have described a range of torture techniques and other forms of ill-treatment in use in Uzbekistan. These include:

- Beatings with batons, iron rods and water-filled bottles, with detainees handcuffed to radiators or suspended from ceiling hooks;
- Asphyxiation, with plastic bags or gas masks without an air supply placed over detainees' heads;
- Needles inserted under fingernails and toenails;
- Electroshock;
- Dousing with freezing water;
- Rape and sexual assault of women and men.

Case study: Erkin Musaev
Beaten, threatened and imprisoned

Erkin Musaev, a former Ministry of Defence official, was sentenced to 20 years' imprisonment for treason and abuse of office in 2007, following three separate unfair trials. His family maintain that he was tortured and forced to confess, and the court was shown evidence that Erkin Musaev suffered a traumatic brain injury while being held by security services.

Detained in 2006 while working for the United Nations Development Programme, Erkin Musaev was reportedly questioned for ten days and prevented from speaking to his family or to a lawyer. He was told he would be prosecuted for drug trafficking or terrorist offences if he refused to confess.

He alleges he then faced a month of daily beatings and night-time interrogations. His family was threatened, and he was prevented from seeing them for a month while his bruises healed. Erkin Musaev eventually signed a confession on the proviso that the security services would not harm his family – though he later saw a warrant for his wife's arrest.

Erkin Musaev was sentenced to prison terms of six, 15 and 20 years. All three convictions relied on confessions obtained through torture. Complaints about this torture were dismissed, and all appeals were rejected – with a combined 20-year sentence confirmed by the Supreme Court of Uzbekistan in 2007.

Prisoners isolated, beaten and neglected

Prison conditions for government critics, human rights defenders and convicted members of Islamist parties or Islamic movements can be particularly cruel. Former prisoners describe spending time in punishment cells: small, often windowless, concrete rooms, with no heating, natural light or ventilation, and too little space for a bed. They describe being frequently beaten by prison guards and other prisoners. They claim they were denied medical care and forced to undertake tough physical work – such as construction or brickmaking – without adequate clothing or enough food or water.

Uzbekistan has no independent prison monitoring system, meaning regular, unannounced and unsupervised scrutiny of prisons is not possible. In April 2013, the International Committee of the Red Cross announced it had made the difficult decision to stop visits to detainees in Uzbekistan, because it was unable to operate according to its own standard working procedures, which made the visits "pointless".[9] Uzbekistani officials routinely accompany visiting diplomats and human rights defenders during prison visits.

Extradited individuals held incommunicado

Amnesty is concerned that individuals returned to Uzbekistan in the name of security and the 'fight against terrorism' have been held incommunicado, increasing the risk that they will face torture or ill-treatment.

Our research has found that Uzbekistan relentlessly pursues the return of individuals it suspects of involvement in the 1999 Tashkent bombings, the Andizhan protest in 2005, and various other acts of violence. It has also attempted to extradite political opponents, government critics and wealthy individuals who have fallen out of favour with the authorities in Tashkent.

Many extradition requests have been based on fabricated or unreliable evidence, and rely on 'diplomatic assurances' from the Uzbekistani authorities that people will not be tortured on return. Such assurances are not an effective safeguard against torture as they are not granted in practice.

Stop Torture in Uzbekistan: Recommendations

Amnesty International is calling for urgent action to stop the use of torture and other ill-treatment in Uzbekistan and to end the culture of impunity. Authorities in the country must:

- Thoroughly investigate all complaints of torture and ill-treatment, and bring perpetrators to justice in fair trials;
- Undertake a judicial review of all cases where individuals claim they were convicted based on evidence obtained through torture;
- Explicitly prohibit the use of torture and other ill-treatment as a means of obtaining confessions in Uzbekistan's Criminal Procedural Code;
- Forbid the use of coerced confessions in criminal proceedings;
- Ensure that all trials scrupulously comply with international standards for a fair trial;
- Refrain from invoking 'national security' concerns to target political opponents or to prevent people from exercising their rights to freedom of religion, expression and assembly;
- Meaningfully co-operate with the relevant UN special procedures and invite the UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment to visit Uzbekistan;
- Stop holding closed trials inside prisons and prison camps for prisoners charged with breaking prison rules.

It's time to Stop Torture in Uzbekistan.

[1] Security forces refer to all law enforcement forces under the control of the Ministry of the Internal Affairs, and the National Security services

[2] Khabibulla Akpulatov, Farkhod Mukhtarov and Norboi Kholzhigitov are the three human rights defenders who were released on humanitarian grounds. Among those continuing to serve long prison terms are: Salidzhon Abdurakhmanov, Azam Farmonov, Isroil Kholdorov, Nosim Isakov, Gaibullo Dzhalilov, Ganikhon Mamatkhanov, Dilmurod Saidov, Akzam Turgunov.

[3] Two Resolutions by the Plenum of the Supreme Court were adopted in December 2003 (Resolution № 17, 19 December 2003) and September 2004 (Resolution № 12, 24 September 2004).

[4] A/HRC/24/7, p. 7

[5] The IMU also known as the Islamic Movement of Turkestan is an Islamist opposition group originally from Uzbekistan, which advocates the forcible overthrow of President Islam Karimov of Uzbekistan and the establishment of a caliphate or Islamic state. The IMU is classified as a terrorist group by the UN and the USA and banned in all five Central Asian republics. It now operates from bases in Northern Afghanistan and tribal areas of Waziristan in Pakistan.

The IJU, previously known as the Islamic Jihad Group, split from the IMU some time in 2002 and is also based in the tribal areas of Pakistan. It has been linked to violent attacks in Uzbekistan in 2004 as well as attempted bomb attacks in Germany in 2007. It is also classified as a terrorist group by the UN and the USA.

Hizb-ut-Tahrir (Party of Liberation) is a transnational Islamic movement with origins in the Middle East. It also aspires to establish a caliphate in Central Asia and is banned in all five Central Asian republics. It was declared a terrorist organization in Russia in 2003. In their official literature Hizb-ut-Tahrir do not advocate violence as a means of achieving their goals.

“Nur” (Nurchilar, Nurdzhylar) is a term which the security services of the region use to refer to followers of the 19-th century Turkish Muslim theologian Said Nursi. In Uzbekistan and Russia the movement is classified as “extremist” and in Uzbekistan several hundred followers and alleged followers have been convicted of membership of an illegal organization following unfair trials

[6] A/HRC/24/7, p. 27.

[7] http://www.ohchr.org/EN/HRBodies/UPR/Pages/UZSession16.aspx

[8] http://tbinternet.ohchr.org/_layouts/treatybodyexternal/SessionDetails1.aspx?SessionID=809&Lang=en

[9] http://www.icrc.org/eng/resources/documents/news-release/2013/04-12-uzbekistan-detainees.htm