



## **Uzbekistan: a briefing on current human rights concerns**

April 2008

---

Amnesty International  
EU Office  
Rue d'Arlon 39-41  
B-1000 Brussels

Tel.: +32 2 502 14 99  
Fax: +32 2 502 56 86

Email: [amnesty-eu@aieu.be](mailto:amnesty-eu@aieu.be)

## **International scrutiny**

The authorities continued to refuse to hold an independent, international investigation into the May 2005 mass killings in Andizhan, asserting instead that two rounds of expert talks held with representatives of the European Union (EU) in December 2006 and April 2007 had addressed all the relevant issues. However, Amnesty International believed that these rounds of expert talks did not meet the international standards for an effective, independent and impartial investigation and could therefore not substitute the latter.

Negotiations between the International Committee of the Red Cross (ICRC) and the Uzbekistani authorities continued throughout the period under review and in March a spokesperson for the ICRC confirmed that an agreement had been reached for the ICRC to resume prison visits. Amnesty International hoped that they had been able to gain unfettered access to detention facilities as requested.

At the beginning of May the first formal EU-Uzbekistan Human Rights Dialogue was held in Tashkent ahead of the EU's General Affairs and External Relations Council (GAERC) session. GAERC decided to extend sanctions aimed at Uzbekistan; a visa ban imposed on 12 Uzbekistani officials in November 2005 was extended for six months for eight officials and an ongoing arms embargo was left unchanged. In a departure from previous Conclusions, the GAERC called for the release of jailed human rights defender Gulbahor Turaeva and asked for restrictions on the free movement of released human rights defender Umida Niazova (see below) to be removed. The Council also said that it remained seriously concerned about the human rights situation in Uzbekistan and linked the lifting of sanctions to Uzbekistan's implementation of international human rights standards. The Uzbekistani Ministry of Foreign Affairs responded to the Conclusions in a public statement calling the EU decision "unfounded and biased" and an "instrument of systematic pressure on Uzbekistan dressed up in human rights rhetoric."

In a reversal of its May position and despite opposition from some member states the GAERC voted in October to suspend a visa ban on eight officials for six months. In its October Conclusions the GAERC called for the release of all jailed human rights defenders but failed to mention specifically the need for an independent, international investigation into the Andizhan events.

In March 2007 the UN Human Rights Council (HRC) voted to accept the recommendations of its Working Group on Situations to discontinue consideration of Uzbekistan under the HRC's confidential 1503 Procedure. This meant that the mandate of the UN Independent Expert on Uzbekistan appointed under the confidential 1503 procedure was also terminated and that Uzbekistan's human rights record would no longer be under special scrutiny by the HRC.

## **Freedom of expression and association: the situation of human rights defenders and independent journalists**

The situation for human rights defenders and independent journalists continued to deteriorate and the authorities further restricted their freedom of speech, assembly and movement in the run-up to the December 2007 Presidential elections. At the beginning of February 2008 the authorities unexpectedly released several human rights defenders who had previously not been expected to have qualified for release under a December amnesty, including some high-profile human rights defenders like Saidzhakhon Zainabidinov. Despite these releases at least a dozen human rights defenders continued to serve long prison terms in cruel, inhuman and degrading conditions having been convicted after unfair trials. Several of them were reportedly tortured or otherwise ill-treated in detention. Those human rights activists and journalists not forced into exile and not in detention were routinely monitored by uniformed or plain-clothes law enforcement officers; human rights defenders were called in for questioning to their local police stations, placed under house arrest or otherwise prevented from attending meetings with

foreign diplomats or delegations or from taking part in peaceful demonstrations. Human rights defenders and journalists continued to report being threatened by members of the security services for carrying out legitimate activities. Several reported being assaulted and beaten and detained by law enforcement officers or people they suspected working for the security services. Relatives reported being threatened and harassed by security forces; some were detained and jailed in order to put pressure on human rights defenders.

In October Sid Yanishev, an independent journalist, was assaulted in a street in Tashkent by two men, who reportedly told him they were officers from the National Security Service (NSS). He was beaten in the face with a baton and kicked when he fell to the floor. The attack happened after he returned from Chirchik where he had reported on public demonstrations protesting bread shortages for the independent web-based *Ferghana.ru* news agency. Sid Yanishev believed that the attack was a direct result of his reporting.

Pressure on international media and non-governmental organizations (NGOs) continued in the period under review. In July the authorities refused to extend the visa and work permit of the country director of Human Rights Watch (HRW) thereby effectively preventing this international NGO from continuing its operations in Uzbekistan. Criminal prosecutions for tax evasion were brought against three local correspondents for the German international radio and television station *Deutsche Welle* who had been critical in their reporting on the situation in Uzbekistan. Faced with a possible prison sentence one of the correspondents fled the country.

In the run-up to the December Presidential elections, won by incumbent Islam Karimov, access to independent information became increasingly difficult with independent or opposition-affiliated websites virtually blocked.

### **Bakhtior Khamroev and his son Ikhtior**

---

In November prison sources told Bakhtior Khamroev, the head of the Dzhizzakh section of the independent non-registered Human Rights Society of Uzbekistan (HRSU), that his 22-year-old son Ikhtior had been severely beaten in the prison colony where he was serving a three-year sentence for hooliganism after being convicted in an unfair trial in 2006. The same sources said that Ikhtior Khamroev had also received stab wounds to the abdomen, and that he was held in a punishment cell. They claimed that he stabbed himself in the abdomen in protest at the beating. The prison director refused to allow his parents to visit him, and gave them no details of his situation. He spent 10 days in the punishment cell. Ikhtior Khamroev was believed to have been detained in 2006 because of the human rights activities of his father and may have been beaten to punish his father for anti-government statements made at an international conference on human rights defenders in Dublin, Ireland. Bakhtior Khamroev told human rights activists that the authorities had stepped up their surveillance of him and his family. Ikhtior Khamroev was unexpectedly released at the beginning of February under the December Presidential amnesty.

### **Elena Urlaeva**

---

In March 2007 human rights activist Elena Urlaeva wrote an open letter to Hina Jilani, the United Nations Special Representative on Human Rights Defenders, describing how the authorities had prevented human rights activists from organizing a nationwide peaceful protest action for International Women's Day on 8 March. Participants in the meetings were asked to wear white or at least one white garment. Local authorities had been informed of the planned demonstrations in advance. However, law enforcement officers prevented all but one of the human rights activists from making their way to the designated meeting place in the centre of Tashkent. Most were either detained in the street and taken to local police stations or put under house arrest for the duration of 8 March 2007.

Elena Urlaeva, who managed to get to the designated meeting place in Tashkent, was reportedly assaulted by police officers and beaten with a truncheon by one officer while another one reportedly tore off the white scarf she was wearing. Representatives of international organizations and media who had gathered to monitor the planned demonstration came to the help of Elena Urlaeva and reportedly prevented the officers from detaining her.

---

### **Umida Niazova**

---

In May Umida Niazova, a human rights activist and independent journalist, was sentenced to seven years' imprisonment by a district court in Tashkent on charges of illegally crossing the border, smuggling and distributing material causing public disorder after a two-day trial which fell far short of international fair trial standards. On 8 May Umida Niazova was released from the court-room after an appeal court changed her seven-year sentence to a three-year suspended one. Umida Niazova pleaded guilty to all three charges during the appeal hearing and accused international organizations of having misled her.

Umida Niazova had been charged in January 2007 with illegally crossing the Uzbekistani border and with smuggling literature of a "subversive" and "extremist" nature into the country (Article 246 of the Criminal Code). Among this "subversive" material were reports by HRW, namely its published report on the Andizhan mass killings in May 2005. Umida Niazova was working for the NGO as a translator at the time. She had previously worked for the international freedom of expression NGOs, Internews and Freedom House.

In February 2008 the conditions attached to Umida Niazova's suspended sentence were removed, which meant that in theory her freedom of movement was no longer restricted.

---

### **Gulbahor Turaeva**

---

Gulbahor Turaeva, a 40-year-old pathologist and human rights activist from Andizhan, was detained in January 2007 at the border on her way back from Kyrgyzstan, reportedly carrying around 120 publications in her bags, including books by the exiled leader of the banned secular opposition Erk party. In 2005 Gulbahor Turaeva had spoken out to foreign media questioning the official version of the Andizhan events of May that year. Charged with attempting to overthrow the constitutional order, and distributing subversive materials, she was sentenced to six years in prison in April. She was also charged with defamation. Following a second trial in May she was found guilty and fined. In June her prison term was commuted on appeal to a six-year suspended sentence and she was released from detention. Gulbahor Turaeva pleaded guilty to all charges at the appeal hearing and denounced her work as a human rights defender as well as the activities of other human rights activists. In February 2008 the conditions attached to her suspended sentence were lifted as part of the December amnesty.

---

### **Saidzhakhon Zainabitdinov**

---

In April 2007 diplomats were granted a first visit with prominent human rights defender Saidzhakhon Zainabitdinov in Tashturma following repeated requests by the EU to be given access to him. He was reportedly very thin but appeared to be in reasonable health. It was not clear whether he had been brought to Tashturma from another place of detention for the visit or whether he continued to be detained in Tashturma. At the beginning of February Saidzhakhon Zainabitdinov was unexpectedly released under the terms of a December amnesty. He was quoted in some news reports as saying that he had not expected to be released and that he had been treated well in prison. A couple of other released human rights activists were also quoted as saying that they had been treated well in prison. Observers and human rights defenders expressed scepticism at these statements. Saidzhakhon Zainabitdinov had been sentenced to seven years in prison for his alleged participation in the Andizhan events by a court in Tashkent in January 2006, after a closed trial.

---

**Mutabar Tadzhibaeva**

---

Makhlio, the only daughter of Mutabar Tadzhibaeva, the imprisoned chairwoman of the human rights organization Utiuraklar (Fiery Hearts Club) was finally able to visit her mother in prison for the first time in November. She had repeatedly complained that she had been threatened by the authorities not to travel to Tashkent to visit her mother. She said that her mother had lost a lot of weight and that her health had deteriorated. The authorities, however, denied that Mutabar Tadzhibaeva was ill and insisted that she was receiving regular medical check-ups. In November the Ministry of Internal Affairs published a list of the medical checks she had reportedly received in prison, including the nature of any health complaints and the treatments she had received. Foreign diplomatic sources confirmed that she had received medical treatment in August.

In March 2007 Mutabar's brother Rasul Tadzhibaev was detained in order to prevent him from attending a demonstration in Tashkent calling for the release of Mutabar Tadzhibaeva and other detained female human rights activists. He had also been evicted from his apartment and reportedly been warned that if he continued to campaign on behalf of his sister he would be forcibly expelled from Tashkent.

Mutabar Tadzhibaeva was sentenced to eight years in prison on economic and political charges in March 2006. Her appeal against the verdict was turned down in May 2006. She continued to maintain her innocence. She was not released under the December amnesty.

---

**Dzhamshid Karimov**

---

In March 2007 the compulsory psychiatric treatment of independent journalist Dzhamshid Karimov was reportedly extended for another six months. He was forcibly confined to a psychiatric hospital in Samarkand in September 2006. In August the international press freedom organization Reporters Sans Frontieres reported that he had managed to smuggle information out of the hospital claiming that his eyesight was deteriorating and that he suffered from memory loss. Although hospital staff apparently treated him well and tried to make him as comfortable as possible, he felt that he was effectively being kept imprisoned. He was also reported to have said that medical staff in the hospital had described his condition as "balanced and stable". Nevertheless he was not released in September and it was not clear whether his compulsory treatment had again been extended and if so, by how long. By the end of March 2008 he was still believed to remain confined in Samarkand psychiatric hospital. Access to Dzhamshid Karimov has been very limited.

---

**Azam Farmonov and Alisher Karamatov**

---

Prisoners of conscience, Azam Farmonov and Alisher Karamatov, both members of the independent Human Rights Society of Uzbekistan (HRSU) continued to serve long sentences having been convicted after an unfair trial in June 2006 to nine years' imprisonment.

Azam Farmonov was serving his sentence in Yaslik prison camp and Alisher Karamatov in Karshi prison camp. In February Azam Farmonov reportedly told his relatives that conditions of detention in Yaslik had improved and that there were fewer routine beatings and less ill-treatment and torture, including of prisoners convicted of being members of banned Islamic organizations or movements. However, when his wife visited him in prison at the beginning of November, he reportedly told her that over the last six months he had been tortured, beaten and humiliated by prison guards. He had twice been put in punitive solitary confinement: from 23 May to 19 June and from 10 to 20 October. He added that when he was in the punishment cell in May he was beaten every day on his feet and his back with a club. As a result he was not able to move for 10 days. He described how he was handcuffed to the radiator for two days and severely beaten by five guards until he lost consciousness during his second time in the punishment cell. As a result, he had trouble walking and had discharge from his ears. His relatives believed that he was

subjected to torture in order to make him give up his human rights activities, denounce Talib Yakubov, the Chairman of the HRSU, and to divorce his wife, the daughter of Talib Yakubov.

Alisher Karamatov's wife who visited her husband in Karshi prison camp towards the end of 2007 reported that she barely recognized him as he had lost nearly half of his weight: before his arrest he was a tall and athletic person weighing more than 90 kg, compared to 54 kg in detention. Alisher Karamatov complained of endless torture and humiliation that he had been subjected to. He also told her that sanitary and hygiene conditions were very poor. Alisher Karamatov's wife could clearly see that he had lice.

### **Yadgar Turlibekov**

Yadgar Turlibekov, a 70-year-old independent journalist and head of the HRSU Kashkadaria Regional branch was forced to leave Uzbekistan in September and seek international protection in neighbouring Kyrgyzstan. Yadgar Turlibekov had been sentenced for bribery under Article 165 of the Criminal Code to three-and-a-half years in prison in October 2006 after an unfair trial. He was released from prison under a presidential amnesty in December 2006. He lost 20 kg during the six months he spent in detention and his health deteriorated. Following his release Yadgar Turlibekov had described the conditions of detention he had witnessed in the temporary, pre-trial and post-conviction detention facilities he had been kept in, including any ill-treatment he suffered and or other ill-treatment torture other inmates were subjected to. He came under increasing pressure from local authorities in Karshi where he and his family lived when he started resuming some of his human rights activities. He alleged that police officers started threatening him after he took up the case of a young woman who had been allegedly raped by the head of her local neighbourhood committee whom she had approached for help. Fearing for his safety Yadgar Turlibekov secretly left the country.

### **Torture or other ill-treatment**

In November the UN Committee against Torture (CAT) published its concluding observations and recommendations after examining Uzbekistan's third periodic report setting out the country's compliance with the UN Convention against Torture. CAT welcomed the introduction of habeas corpus and urged Uzbekistan to "apply a zero-tolerance approach to the continuing problem of torture, and to the practice of impunity". The Committee urged the authorities to "publicly and unambiguously condemn practices of torture in all its forms" and reiterated its concern at the "numerous ongoing and consistent allegations concerning routine torture and other cruel, inhuman or degrading treatment or punishment." It regretted the "failure to conduct prompt and impartial investigations into such allegations." The Committee urgently recommended that the authorities "take effective measures to [...] institute a full, effective, impartial inquiry into the May 2005 events" and that "[in] accordance with the recommendations of the High Commissioner for Human Rights and others, [...] credible, independent experts conduct this inquiry".

### **Forcible returns of terrorism suspects**

The Uzbekistani authorities continued to actively seek the extradition in the name of national security and the fight against terrorism of members or suspected members of banned Islamic movements or Islamist parties, such as Hizb-ut-Tahrir, from neighbouring countries as well as the Russian Federation. Most of the men forcibly returned to Uzbekistan were held in incommunicado detention, thus increasing their risk of being tortured or otherwise ill-treated. Authorities in the Russian Federation ignored decisions by the European Court of Human Rights to halt deportations of Uzbekistani asylum-seekers pending examinations of their applications to the court.

In one such case Abdugani Kamaliev was forcibly deported to Uzbekistan in November just days after having been detained in the Russian Federation. Disturbingly, Amnesty International received information from Abdugani Kamaliev's relatives in February, alleging that, upon his return to Uzbekistan he was subjected to torture or other ill-treatment in the Namangan regional pre-trial detention facility. In March the organization learned that he had been sentenced to 11 years' imprisonment.

Russian officials also confirmed that officers of the Uzbekistani security forces had been operating on the territory of the Russian Federation. In December, for example, Russian human rights organizations received official confirmation that officers of the Uzbekistani security forces had detained asylum-seeker Mukhammadsalikh Abutov in the Russian Federation in July and handed him over to their Russian counterparts. An interstate warrant for his arrest was only issued after his detention and reportedly backdated by the Uzbekistani authorities. Mukhammadsalikh Abutov was still in detention in the Russian Federation at the end of the year. In October he described in a letter from prison how he had been tortured while previously imprisoned in Uzbekistan to force him to confess to a crime he did not commit and to punish him for his membership of a banned Islamic movement.

### **Death penalty**

A new law adopted by the Senate at the end of June amended the criminal, criminal procedural and criminal executive codes by replacing the death penalty with life or long-term imprisonment. The law came into effect on 1 January 2008, marking the formal abolition of the death penalty in Uzbekistan. However, by the end of March authorities had still not published statistics on the death penalty for previous years, including the number of sentences, executions and commutations. The total number of those men on death row who had their sentences automatically commuted to life imprisonment upon abolition was also not published.

By the end of March there was no progress on allowing relatives access to information on burial sites of executed prisoners. Also, there had been no news of reinvestigating old cases where the accused or his relatives had alleged the use of torture in order to force a confession, nor had there been any mention of possible compensation.

The authorities had failed to introduce moratoria on executions and death sentences pending full abolition. Some local NGOs claimed there could have been hundreds of prisoners under sentence of death held in conditions which amounted to cruel, inhuman and degrading treatment. According to the NGO Mothers Against the Death Penalty and Torture, 20 of at least 38 prisoners on death row in Tashkent prison (six of whom were sentenced to death in the first half of 2007), were reported to be infected with tuberculosis (TB) and were not receiving adequate medical treatment. There was no clarity as to how individual cases would be reviewed in light of the abolition of the death penalty, or about ongoing detention arrangements.

Iskandar Khudaiberganov, held on death row in Tashkent prison since November 2002, was diagnosed with TB in 2004. At no stage had he received adequate medical treatment for the disease. His family were able to provide him with some anti-TB drugs, but it was feared that he risked developing drug resistant strains of the disease. Iskandar Khudaiberganov's sister said that he was feeling depressed and had grown very thin. He had also expressed concern that he would be transferred to a newly-built prison in Yaslyk, where he believed conditions could be worse than those in Tashkent prison. The UN Special Rapporteur on torture as well as human rights organizations, including AI, had previously expressed serious concern about the conditions of detention in the existing prison camp in Yaslik, as well as the location of the camp in remote, chemically or biologically contaminated areas of the country