



JANUARY 2007

COUNTRY SUMMARY

## Uzbekistan

Human rights conditions in Uzbekistan deteriorated further in 2006. In the year-and-a-half since Uzbek government forces killed hundreds of unarmed protestors in the city of Andijan on May 13, 2005, no one has been held accountable for the killings. Instead, the authorities conducted closed trials and continued their campaign to silence critics of the government's version of events. Many local and international civil society groups and media outlets had to cease operation, and human rights defenders and independent journalists were imprisoned or fled the country. The government secured the extradition of refugees and asylum seekers on grounds that in numerous cases appeared to be politically motivated.

### Accountability for the Andijan Massacre

The Uzbek government has adamantly rejected numerous and repeated calls for an independent international inquiry into the Andijan massacre. To this day the circumstances surrounding it have not been clarified, and those responsible for the killings have not been held accountable.

In fall 2005 the Uzbek authorities began a series of trials related to the Andijan events. Between September 2005 and July 2006 at least 303 people were convicted and sentenced to lengthy prison terms in 22 trials—including one trial of Andijan Interior Ministry employees and another involving Andijan prison staff and soldiers. Some of the people tried were convicted of terrorism, the courts finding that the defendants had been plotting to set up an Islamic caliphate in Uzbekistan. With the exception of the first trial, held in the Supreme Court between September and November 2005, all trials were closed to the public.

The government portrayed the trials as a means of clarifying what happened in Andijan, but did nothing to answer the outstanding questions about the scale of—and responsibility for—the massacre. Instead, the trials appear largely to have been

staged to support the government's version of events and to provide justification for the crackdown that followed. In a January 2006 statement the European Union expressed "grave concern" about the closed nature of the trials.

## **Persecution of Human Rights Defenders and Independent Journalists**

Since the Andijan massacre the Uzbek government has engaged in a fierce crackdown on human rights defenders and independent journalists. Those who seek to speak out about the Andijan events and highlight the lack of accountability for the crimes committed are the targets of harassment and other forms of retaliation.

In 2006 at least nine human rights defenders and one journalist were convicted and imprisoned on politically motivated charges: Saidjahon Zainabitdinov (seven years), Dilmurod Mukhiddinov (five years), Rasul Khudainazarov (10 years), Mutabar Tojibaeva (eight years), Jamol Kutliiev (seven years), Azam Farmonov (nine years), Alisher Karamatov (nine years), Mamarajab Nazarov (three-and-a-half years), Ulugbek Khaidarov (six years), and Yadgar Turlibekov (three-and-a-half years). Khaidarov was released in November. Additionally, four members of the human rights group Ezgulik were convicted and released on parole. The government closed Ezgulik's Andijan branch in February 2006.

Some human rights defenders fled the country in fear for their personal security after being subjected to harassment, threats of arrest, and beatings. For example, Tolib Yakubov, chair of the Human Rights Society of Uzbekistan, fled after a series of threats, and Rakhmatulla Alibaev fled after he was badly beaten by an unknown person.

In August Bakhtiyor Hamraev, a defender living in Jizzakh, was attacked in his home by a group of vigilantes, presumably government proxies, during a visit by a Western diplomat. Most of the human rights defenders who continue to work in Uzbekistan are routinely followed by plainclothes men, videotaped by the authorities, and occasionally prevented from leaving their apartments (for example to stop them from monitoring a trial). The authorities often deny exit visas to human rights defenders and civil society activists to prevent them from participating in international conferences or similar events.

Dadakhon Khasanov, a well known songwriter who wrote a song sharply criticizing the government's role in the Andijan massacre, was convicted in September 2006 of

“anti-state activities” and received a suspended sentence. Independent journalist Djamshid Karimov has been missing since September 12 and is believed to be held in a psychiatric hospital in Samarqand.

### **Pressure on Civil Society**

The authorities continued to close or disrupt the work of numerous local and international nongovernmental organizations. Many local groups had to cease operations as a result. In addition, international organizations closed by the authorities in 2006 alone included Freedom House, the Eurasia Foundation, Counterpart International, ABA/CEELI, Winrock International, and Crosslink Development International.

### **Refugee Crisis**

The government has increased pressure on other countries to return alleged “criminals” to Uzbekistan so they can face trial. The government has deemed some of the refugees who fled the Andijan massacre terrorists in order to justify their return. Several dozen people who were seeking refuge in Russia, Ukraine, Kazakhstan, and Kyrgyzstan were deported to Uzbekistan or kidnapped and taken to Uzbekistan.

In addition, the government tried to assure refugees who had been evacuated in the summer of 2005 from Kyrgyzstan and resettled in Europe and the United States that they could return home without fear of reprisals; a number of refugees did return during 2006.

Details about the whereabouts and fate of those returned to Uzbekistan are scarce, but there is every reason to be concerned about their safety and well being. The Uzbek government has steadfastly denied access by independent monitors to those who have been extradited or kidnapped and subsequently imprisoned. The state-controlled media has published statements by returned refugees saying that they are happy to be home and are under no pressure. But in the current repressive climate it is extremely difficult to determine how the government is treating these individuals.

On March 17, 2006, the government ordered the closure of the Tashkent office of the UN High Commissioner for Refugees (UNHCR), presumably in retaliation for the

agency's intensive and laudable efforts to protect Uzbek refugees in Kazakhstan and elsewhere from forced return to persecution in Uzbekistan.

## **Religious Persecution**

Uzbek authorities continued their unrelenting, multi-year campaign of unlawful arrest, torture, and imprisonment of Muslims who practice their faith outside state controls or who belong to unregistered religious organizations, branding peaceful religious believers as "religious extremists." Dozens were arrested or convicted in 2006 on charges related to religious "extremism." Human Rights Watch documented abuses in many of these cases.

## **Torture**

In 2006 there was no fundamental change in the widespread use of torture or in policies and practices that could effectively combat torture. Authorities persist in their refusal to acknowledge the main conclusion of the UN special rapporteur on torture, that "torture or similar ill-treatment is systematic," and have not taken any meaningful steps on most of the special rapporteur's recommendations. According to recent Uzbek government assertions, habeas corpus will be implemented in January 2008.

As noted by the special rapporteur in his oral report to the UN Human Rights Council in September 2006, "the very fact that torture is still practiced systematically is the best proof that the recommendations have not been implemented." Indeed, Human Rights Watch continued to receive credible, serious allegations of torture. For example, in two separate trials monitored by Human Rights Watch in the first half of 2006, defendants testified about having been tortured in pretrial detention.

## **Key International Actors**

Key international actors such as the United Nations, the European Union, the Organization for Security and Co-operation in Europe (OSCE), and the United States lacked a common strategy towards Uzbekistan and failed to establish consequences for the Uzbek government's persistent violations of its international human rights obligations.

EU delegations visited Tashkent in late summer and fall in preparation for the EU's one-year review of the sanctions regime imposed on the Uzbek government over human rights concerns in October 2005. In a decision announced on November 13, 2006, EU foreign ministers agreed to renew the sanctions, though disappointingly only the arms embargo was extended for another full year, while the visa ban on a number of senior officials was renewed for only six months. The EU further decided to conduct a review of these measures in three months, based on vague criteria regarding "the actions of the Uzbek government in the area of human rights."

Among EU countries, Germany was particularly well-positioned to shape the EU's policy towards Uzbekistan, but failed to extract concrete concessions in human rights, instead appearing intent on softening the EU's stance. Germany failed to arrest the former Uzbek Interior Minister Zokir Almatov, who was allowed into Germany on humanitarian grounds for medical treatment (despite being subject to an EU travel ban) in late 2005. After Almatov left Germany, the German federal prosecutor announced on March 30, 2006, that he would not open a criminal investigation into Almatov's responsibility for crimes against humanity. A motion for reconsideration of the federal prosecutor's decision was rejected in October.

In the spring of 2006 the US Department of State concluded that human rights conditions in Uzbekistan had worsened considerably. Visiting Tashkent in August, Assistant Secretary of State Richard Boucher said that the US would not neglect fundamental rights in its future relations with Uzbekistan. Yet the US did not impose sanctions on Uzbekistan. In a welcome move, on November 13, 2006, the Department of State designated Uzbekistan a "country of particular concern" for its severe violations of religious freedom.

Russia and China intensified their friendly relations with Uzbekistan. In April 2006 the lower house of the Russian parliament ratified a military alliance treaty with Uzbekistan. On the eve of the first anniversary of Andijan, Uzbekistan's President Islam Karimov was a guest at Russian President Vladimir Putin's holiday residence, a demonstration of Russia's diplomatic support. After several years' absence Uzbekistan rejoined the Collective Security Treaty Organization in August, a decision that further signaled Uzbekistan's warming relations with Russia. In September

China and Uzbekistan signed a cooperation protocol for the next two years. Uzbekistan participated in joint military exercises with Russia and China in 2006.

On June 30, 2006, the OSCE Centre in Tashkent was downgraded to OSCE Project Coordinator in Uzbekistan after several international staff members were denied accreditation.

The newly-established UN Human Rights Council discussed the human rights situation in Uzbekistan during its second session in September, but failed to mark heightened concern by moving this consideration from closed session to a public procedure. The Uzbek government failed to issue the required invitations to a number of UN special procedures with outstanding requests to visit Uzbekistan.