

Kuchma to participate in the meeting of the NATO-Ukraine Council at NATO's Prague summit in November by downgrading scheduled meetings to the foreign minister level. The U.S. suspended U.S.\$54 million in aid to the central government and said it would consider further measures pending the outcome of an investigation. The U.S. also initiated a full review of U.S. policy toward Ukraine and worked to downgrade Ukraine's participation in the Community of Democracies.

RELEVANT HUMAN RIGHTS WATCH REPORTS:

The NATO Summit and Arms Trade Controls in Central and Eastern Europe,
11/02

UZBEKISTAN

HUMAN RIGHTS DEVELOPMENTS

Human rights abuses on a massive scale continued in Uzbekistan in 2002. The closer relationship with the United States (U.S.) that developed after the September 11, 2001 terrorist attacks on the U.S.—including the provision of air bases for U.S. troops—pushed Uzbekistan to make some gestures to show progress on human rights. However, these did not amount to any fundamental improvement. The government systematically violated the rights to freedom of religion, expression, association, and assembly. There was no independent judiciary, and torture was widespread in both pre-trial and post-conviction facilities.

The government's campaign against independent Muslims continued in 2002 with hundreds of new arrests of people whose Islamic beliefs, practices, and affiliations fell beyond strict government controls. That the government did not intend to relent in its campaign became clear in April, when President Islam Karimov announced that Uzbekistan would continue its fight against Hizb ut-Tahrir (Party of Liberation), an organization that advocates the re-establishment of the Islamic Caliphate, or state, by peaceful means. The authorities also continued to arrest pious Muslims it labeled as "Wahhabis." The government retrospectively justified its five-year campaign against independent Islam by referring to the "war against terrorism," failing to distinguish between those who advocate violence and those who peacefully express their religious beliefs. While authorities withheld comprehensive statistics on prisoners held on religious and political charges, conservative estimates put the total number between 6,500 and 7,000.

As in previous years, police arrested and tortured independent Muslims, and courts dismissed torture allegations and sentenced defendants—including minors—to long prison terms. By November 1, Human Rights Watch had documented 167 cases of people convicted or arrested awaiting trial in 2002, but the true

number was believed to be far higher. Among those convicted was Hamidulla Abdullaev, tried in March in Tashkent, the capital, along with four others for alleged membership in Hizb ut-Tahrir. Ignoring Abdullaev's court testimony that police had beaten him for two days, the judge sentenced him to seven years of imprisonment.

Another Hizb ut-Tahrir conviction was that of Musharraf Usmanova, the widow of Farhad Usmanov, who died from torture in custody in 1999 after police arrested him on charges of possession of a Hizb ut-Tahrir leaflet. On April 14, police officers raided Usmanova's home and detained her. For seven days, police failed to inform Usmanova's relatives of her whereabouts in custody, and then held her incommunicado for about two more weeks. At trial Usmanova was accused of heading a Hizb ut-Tahrir women's group. On July 16, the Tashkent Municipal Court convicted her on the basis of testimony consisting of rumor and statements that witnesses retracted in court, citing pressure by law enforcement agents. It handed her a two-year suspended sentence.

Just days after Usmanova's conviction, her sister-in-law, Dildora Akzamova, was detained and "disappeared" for seven days before being confirmed in the custody of the National Security Service (NSS), and she was then held incommunicado for about two more weeks. At the time of writing, Akzamova was awaiting trial, also for allegedly heading a Hizb ut-Tahrir women's group.

At the end of July, police detained another Tashkent woman—whose husband was in jail for Hizb ut-Tahrir membership—four times within four days, questioning her about her meetings with human rights and media organizations.

In 2002, authorities began to target another group of independent Muslims—those who study the works of Turkish Islamic scholar Bediuzzin Said Nursi. In June, a closed military court convicted twelve alleged Nursi followers on a variety of charges, ranging from "organizing a criminal society" to "distributing materials that threaten public security." The primary accusation was that they read, possessed, or distributed books by Nursi. Ten of the defendants received prison sentences ranging from fifteen to eighteen years; the other two were sentenced to five years each.

In January, the authorities claimed that 860 religious and political prisoners had been released under a 2001 amnesty. However, many of those released were subjected to persistent police harassment and were required to report regularly to police and sign statements promising not to attend meetings or protests and rejecting their religious faith.

Some released under the amnesty were rearrested. Among them was Ibodat Sultanova, who had complained to Human Rights Watch of constant police harassment. On September 13, a court sentenced her to seven years of imprisonment for "spreading religious extremist materials." The evidence against her in court showed that she had helped to distribute money to needy families whose male relatives were in prison for their ties to Hizb ut-Tahrir. In April, Merziot Usmanov was also rearrested and in July was sentenced to eight years of imprisonment on charges of "extremism."

Uzbek authorities continued to threaten family members of suspects to coerce the latter's cooperation with the police. At the September trial of Iskander Khudoberganov, his father testified to the Tashkent Municipal Court that police had

detained him and another son in order to coerce Iskander's appearance for questioning. He also told the court that police had tortured Iskander's co-defendant in front of him, threatening "to do the same thing to me and my son." As of this writing, Iskander Khudoberganov's trial, on charges of "religious extremism," murder, and terrorism, was ongoing.

In January, four police officers were convicted and sentenced to twenty years of imprisonment for torturing to death Ravshan Haitov, an alleged member of Hizb ut-Tahrir, in 2001. In June 2002, three NSS officers were also sentenced to four to sixteen years for the 2001 torture death of Alimukhammad Mamadaliev in Margilan. Although some in the international community interpreted these trials as a sign of the government's willingness to prosecute torturers, many other deaths arising from suspicious circumstances in custody, and countless reports of torture, remained uninvestigated.

On October 9, 2002, two days after his arrest on suspicion of involvement in a robbery, Izatullo Muminov died in police custody in Tashkent. Police reportedly claimed that he hanged himself, but circumstances surrounding the death indicated that he may have died as a result of torture. At the time of writing the authorities had not made public any postmortem examination results.

On February 7, police reportedly brought Ikrom Aliev, a religious prisoner who had been held in Navoi prison, home to his family; he died two days later. Relatives told a local rights activist that Aliev was paralyzed on his right side, had a large swelling on his head, and was unable to speak. The authorities reportedly told the relatives that Aliev had tuberculosis, but on admission to hospital, doctors confirmed that he had been beaten on the head with a heavy object.

On May 26, Husnidin Hikmatov—sentenced in 2001 to seventeen years of imprisonment for Hizb ut-Tahrir membership—died two days after being released from Jaslyk prison, from injuries reportedly sustained after a severe prison beating. In April, he had reportedly become seriously ill after severe beatings and was given no medical attention for several weeks before being transferred to the Tashkent prison hospital.

On August 8, the bodies of Muzafar Avazov and Husnidin Alimov, both religious prisoners, were brought from Jaslyk prison to Tashkent for burial. Avazov's body showed signs of apparent torture, including burns on the legs, buttocks, lower back and arms, a large, bloody wound to the back of the head, and bruising on his hands, which had no fingernails. The authorities claimed that the injuries and deaths were caused by a fight with cellmates.

Prison conditions remained atrocious. Prisoners suffered torture as well as lack of food, medical attention, heating, and other basic needs. Religious and political prisoners suffered particularly harsh treatment. According to the testimony of relatives and several letters smuggled out of prison facilities, religious prisoners were forced to write statements renouncing their faith, to ask President Karimov for forgiveness every day and to sing the national anthem. Prisoners who refused were punished with beatings, rape, solitary confinement, and denial of food and water.

Human Rights Watch received a letter in June 2002 that was smuggled out of a facility in Kashkadaria province alleging that eighteen prisoners there were raped by officials in the first half of 2002. In December 2001, according to relatives,

authorities in one prison beat a prisoner for attempting to fast during Ramadan. He was then reportedly placed for fifteen days in a cell flooded with water up to his knees and with no heat, in freezing temperatures.

In addition to the four deaths from treatment in post-conviction prisons listed above, local rights activists documented at least sixteen deaths in custody, officially attributed to tuberculosis. At least two of those who died were also tortured. According to official reports, Mirkamol Solikhojaev, a religious prisoner serving a twelve-year sentence, died on February 28. Family members said that he had been systematically beaten with clubs and barbed wire in prison, leaving puncture wounds in his legs as a result. Similarly, Dilmurod Juraev died in February while serving a sixteen-year sentence for his Hizb ut-Tahrir affiliation, and family members stated that he had been beaten and subjected to electric shock.

Several Christian groups also faced harassment, including detention, fines, refusal to register groups, and, in the case of Jehovah's Witnesses, imprisonment for fifteen days for holding illegal religious meetings. At the time of writing, criminal prosecutions against three Jehovah's Witnesses for their religious activities were ongoing. Proselytism remained illegal.

In consistent strikes against freedom of assembly, Uzbek authorities harassed, detained, and put under virtual house arrest those who tried to stage protest gatherings. Relatives of imprisoned independent Muslims attempted throughout the year to hold small demonstrations in Tashkent, Margilan, Karshi, and other cities to protest prison conditions. On each occasion, police would detain the protesters—usually several dozen women with their children—and hold them for fifteen days on minor charges.

Often police would detain the women before they arrived at the protest site. On May 20, police refused to let several women leave their homes, in what appeared to be an attempt to prevent the women from attending a protest. On July 24, approximately thirty women tried to protest in Tashkent and were immediately detained, some before they arrived at the protest site. Several were sentenced to fifteen days of detention.

Other groups who tried to protest were also harassed and detained. On July 2, police in Tashkent forcefully snatched placards from a group of people protesting human rights abuses and then detained two protesters, who were released several hours later. Police threatened to charge one of them with "religious extremism," if he continued to organize protests. On August 27, police immediately detained about six people gathered outside the Ministry of Justice to protest the general human rights situation. Among them was Olga Krasnova, who was beaten on her legs, back, and arms before being released some hours later. Two others were taken to the Tashkent psychiatric hospital for compulsory treatment and remained in detention at the time of writing.

On August 28, Sotevoldi Abdullaev was briefly detained along with two human rights defenders when he also attempted to hold a protest outside the Ministry of Justice, calling for an inquiry into his son's 1999 death in custody. Two days later, police again briefly detained him, together with two human rights defenders, as he attempted to hold a press conference.

The government's gestures toward political pluralism did not amount to signif-

icant advances. The Birlik (Unity) party succeeded in holding a series of regional meetings without government interference. However, former and current Birlik members remained on police lists and were required to report regularly to police and to sign statements explaining their current activities. The party remained unregistered. In May, the banned opposition party Erk (Freedom) had to cancel a regional gathering, the first attempted in years, when police detained its leader Atanazar Oripov. Police released Oripov only after those gathered for the meeting had dispersed.

On May 13, pre-publication censorship was officially lifted after the chief censor, Erkin Komilov, was fired and the State Inspectorate for the Protection of State Secrets was disbanded. However, two days later, the authorities summoned Tashkent newspaper chief editors and told them that they now had responsibility for censorship. One newspaper editor reportedly responded by employing staff from the old state inspectorate.

Subsequently, several articles on such topics as unemployment and poverty that would not previously have been published appeared in some newspapers. However, in at least one case the presidential administration summoned the editor of a newspaper and pressured him to stop publishing such material.

According to the Committee for the Protection of Journalists, Madzid Abdu-rahimov of the national weekly *Yangi Asr*, and Muhammed Bekjanov and Iusuf Ruzimuradov of the banned opposition newspaper Erk remained in jail for their professional work, on a variety of trumped-up criminal charges.

Uzbekistan's borders with Kyrgyzstan and Tajikistan remained mined, as a result of Uzbek government policy to deter the threat of Uzbek armed groups based outside the country. Several deaths of adults and children as a result of Uzbekistan's mines were reported in the media in Tajikistan and Kyrgyzstan.

Just over four thousand mountain villagers remained in resettlement centers in open desert plains, four hundred kilometers from their homes near the Tajik border. The Uzbek government had forcibly displaced them in 2000 and 2001, as it sought to eliminate any possible support base for Islamic Movement of Uzbekistan (IMU) fighters and to create a *cordon sanitaire* along the Tajik border. They were refused permission to visit their homes, many of which were torched by Uzbek law enforcement agents. Residents of resettlement centers in Sherobod and Shurchi were living in conditions of extreme poverty in the summer of 2002, while barely tenable conditions in all of the centers were expected to dramatically worsen in the winter. At least seventy displaced villagers, unfairly sentenced in 2001 to lengthy prison terms on charges of collaboration with the IMU, languished in prison.

In August, the Uzbek authorities deported several Afghan nationals with mandate refugee status, including several minors, to Afghanistan, breaching the international obligation against refoulement. The Office of the United Nations High Commissioner for Refugees wrote to the authorities protesting the deportation. In April, Uzbek authorities reportedly extradited a Turkmen national to Turkmenistan, where he was immediately imprisoned. He had reportedly fled Turkmenistan in 1997, after facing persecution for his Uzbek ethnicity and trumped up charges of corruption.

Female suicides surged in 2002, with 322 women committing suicide in the first four months, according to the Institute for War and Peace Reporting. In May, Dilbar Guliamova, the deputy premier, made an unprecedented statement attributing 99 percent of female suicides to domestic violence. In spite of a law making it a crime to "drive someone to suicide," only twelve of those 322 cases led to trials.

Trafficking in persons also continued, but the magnitude of the problem remained unclear. In May, a U.S. district court in Texas found Sardar Gasanov, a former United Nations program officer and Tashkent native, and his wife guilty of "alien smuggling for profit." Gasanov and his wife had trafficked three women from Uzbekistan to the U.S. and forced them to dance nude in clubs. The couple was convicted after two of the women appealed to the FBI for assistance.

DEFENDING HUMAN RIGHTS

In a positive development, the government registered the Independent Human Rights Organization of Uzbekistan (IHROU) on the eve of a visit by President Karimov to the U.S. in March, the first time it had registered a local independent human rights organization. But no other human rights groups were registered since, and one group's application was rejected in October. Throughout the year, the government harassed, threatened, and detained human rights defenders in an attempt to restrict information on human rights abuses.

At least six defenders from the Human Rights Society of Uzbekistan (HRSU) and one from IHROU were arrested in 2002. On September 17, Yuldash Rasulov, a member of the HRSU's Kashkadaria branch, was sentenced to seven years of imprisonment for spreading "religious extremist" materials. Police arrested him on May 24 in Karshi and brought him to Tashkent where he was held in incommunicado detention for approximately a month. In a statement to Human Rights Watch, he reported that police tortured and threatened him, forcing him to sign a self-incriminating statement. Evidence of torture raised in court was ignored. In what may have been an attempt to deflect international attention from the case, authorities claimed, shortly after Rasulov's arrest, that he recruited young men for the Taliban, but the court dropped such charges.

On June 5, a Tashkent court confirmed an April lower court decision to subject HRSU member Elena Urlaeva to forced psychiatric treatment. The order was executed on August 27, when Urlaeva was arrested and placed in a locked ward in the main psychiatric institution in Tashkent. After Human Rights Watch visited Urlaeva on August 30, her access to visitors, including her family, was restricted. In 2001, the government had forcibly committed Urlaeva to a mental institution, and released her only after an international outcry. In 2002, Urlaeva was under constant pressure from the authorities not to organize and participate in public protests against government rights abuses.

On September 4, police arrested Jakhangir Shosalimov, a member of the IHROU, after he had helped a journalist to interview victims of police violence in a Tashkent market. According to IHROU, he received a fifteen-day jail sentence for breaching public order.

In the same week, about thirty police surrounded the house of Tursunbai Uta-muratov, head of the Karakalpakstan section of the HRSU, and then arrested him and searched his house. He was accused of tax evasion, but, according to the HRSU, was targeted for his efforts to publicize local corruption.

On September 16, three HRSU members, Jura Muradov, Norpulat Rajapov, and Musulmon Khomroev, from the Nishan district of Kashkadaria, were sentenced to between five and six years of imprisonment for hooliganism, robbery, and property damage. According to the HRSU, the three had exposed corruption in a local collective farm, to which authorities responded by accusing them of abusing the director of the farm and damaging his property. Their trial began in late June, but soon went into recess with the defendants apparently believing the charges had been dropped. However, according to the HRSU, a day before the three were due to attend a regional meeting of Birlik, they were detained, taken to court, denied counsel, and sentenced.

THE ROLE OF THE INTERNATIONAL COMMUNITY

United Nations

In May, the U.N. Committee against Torture considered Uzbekistan's report on compliance with the Convention Against Torture. Using unusually strong language, the committee called on the Uzbek government to review all convictions handed down since 1995 that were based solely on confessions, recognizing that they may have been coerced through torture. The committee expressed concern about the "numerous, ongoing and consistent allegations of particularly brutal acts of torture by law enforcement personnel." It also pointed out that Uzbekistan failed to provide requested statistics on detainees and death penalty executions.

In late June, the Uzbek government issued a long-overdue invitation to the U.N. special rapporteur on torture to visit Uzbekistan in August. The special rapporteur was unable to visit at such short notice and the Uzbek authorities appeared to fail to communicate with the special rapporteur in a timely manner to arrange a date for the visit, jeopardizing the visit for 2002. During his visit to Tashkent in October, U.N. Secretary-General Kofi Annan raised the need for the Uzbek government to cooperate with the special rapporteur.

European Union

The E.U.-Uzbekistan Cooperation Council met in January 2002 to discuss implementation of the Partnership and Cooperation Agreement (PCA). The PCA requires that partner states guarantee basic civil and political rights, but the E.U. appeared to have missed the opportunity to obtain a commitment from the Uzbek government on specific improvements. Both parties agreed to strengthen their political dialogue and trade and investment cooperation, as well as to develop activities to fight drug trafficking and terrorism. The E.U. welcomed Uzbekistan's announced measures to liberalize the economy, in particular to move toward con-

vertibility of the Uzbek currency, and announced a doubling of its annual aid to Uzbekistan.

In September, the council of the E.U. called for an independent investigation into the August deaths in custody of Muzafar Avazov and Husnidin Alimov. It also called for the resumption of International Committee of the Red Cross (ICRC) visits to prisons, citing concern that Uzbek authorities were not meeting ICRC universal criteria for such visits.

Organization for Security and Cooperation in Europe

The Organization for Security and Cooperation in Europe (OSCE) office in Tashkent undertook training sessions for prison officials, human rights activists, and lawyers. In September, it held a conference on freedom of the media and corruption, as well as a roundtable for government officials on freedom of religion, as a lead up to a regional conference on the same. The OSCE mission chief regularly raised human rights concerns in meetings with the Uzbek leadership, though the mission did not make public the results of such meetings.

The director of the OSCE Office for Democratic Institutions and Human Rights sent the government a strongly-worded letter dismissing as "extremely unlikely" the official version of the deaths of Avazov and Alimov and urging a "prompt, impartial and full investigation" into the deaths.

United States

The new U.S. relationship with Uzbekistan, combined with the severity of its persecution of independent Muslims, made this country a key test for U.S. human rights policy following the attacks of September 11. In some respects, human rights issues were given a high profile in the U.S.-Uzbek bilateral relationship, rather than disappearing from the agenda as some observers initially feared. President George W. Bush and Secretary of State Colin Powell raised the need for progress on human rights in their meetings with the Uzbek leadership, and U.S. diplomats on the ground followed up on key issues. U.S. pressure contributed to some modest gains, including the registration of the IHROU.

During President Karimov's March visit to the U.S., he signed a U.S.-Uzbek Joint Declaration, committing Uzbekistan to ensuring a strong and open civil society, respect for human rights, free and fair elections, political pluralism, and independence of the media and courts. In July, Congress enacted legislation making supplementary aid to the Uzbek government conditional upon "substantial and continuing progress" in meeting the human rights and democracy commitments in the joint declaration.

The U.S. failed to take advantage of many opportunities to use its influence with Uzbekistan, however, and sometimes exaggerated Uzbekistan's progress in meeting its human rights commitments. In August, the State Department prematurely certified that Uzbekistan was making the progress demanded by the supplemental aid legislation, allowing for the release of \$16 million in military and security assistance. It made no visible effort in July and August to use the law to leverage addi-

tional progress to meet the law's requirements, despite several key human rights setbacks during those months.

Prior to the August supplemental appropriation, Uzbekistan was scheduled to receive \$173 million in U.S. assistance, of which \$61.3 million was security related. Citing "serious human rights violations by members of Uzbek security forces," an amendment to the U.S. Foreign Appropriations Act required the administration to report every six months on all military and security assistance to the government.

As of this writing the U.S. had not made a determination as to whether Uzbekistan should be designated a "country of particular concern for religious freedom" under the terms of the 1998 U.S. International Religious Freedom Act.

European Bank for Reconstruction and Development

The European Bank for Reconstruction and Development's (EBRD) decision to hold its 2003 annual meeting in Tashkent continued to spur controversy in both governmental and nongovernmental fora. In May, Human Rights Watch joined fifty-three other nongovernmental organizations in writing to the bank's president, Jean Lemierre, to express concern about the impact that holding the meeting in Tashkent could have on human rights in Uzbekistan and on the bank's credibility as an institution committed to democracy, human rights, and the rule of law. A June report by the Parliamentary Assembly of the Council of Europe on the activities of the EBRD expressed hope that the bank would use the meeting to improve the human rights situation in the country, as did a July U.S. Senate report.

The bank maintained that the meeting was "Uzbekistan's opportunity to impress through progress." At the close of the 2002 annual meeting in Bucharest in May, Lemierre noted that Tashkent's selection was "an incentive to make progress, and not an endorsement." As of this writing, Human Rights Watch was not aware of any specific efforts by the bank to encourage such progress.

International Monetary Fund

After suspending lending to Uzbekistan in 1996 and essentially withdrawing from the country in 2001, the IMF decided to return in 2002, reportedly under pressure from the U.S. In January, the IMF launched a Staff Monitored Program (SMP) set to run from January 1 to August 31, but it set no political conditions and, according to experts in the field, even set the economic standards very low. The main objective was to eliminate the multiple exchange rate, which was supposed to be completed by the end of June. However, in September the IMF confirmed that this had yet to be accomplished.

RELEVANT HUMAN RIGHTS WATCH REPORTS:

Religious Persecution of Independent Muslims in Uzbekistan, 8/02

Dangerous Dealings: Changes to U.S. Military Assistance After September 11, 2/02