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1999 Country Reports on Human Rights Practices

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UZBEKISTAN

Uzbekistan is an authoritarian state with limited civil rights. The Constitution provides for a presidential system with separation of powers between the executive, legislative, and judicial branches. In practice President Islam Karimov and the centralized executive branch that serves him dominate political life. Chosen president in a 1991 election that most observers considered neither free nor fair, Karimov had his stay in office extended to 2000 by a 1995 plebiscite. Parliament subsequently voted to make the extension part of Karimov's first term, thus making him eligible to run again in 2000. The executive branch dominates the Oliy Majlis (Parliament), which consists only of members of parties that support the President. Despite constitutional provisions for an independent judiciary, the executive branch heavily influences the courts in both civil and criminal cases.

There is effective civilian control over the military. The Ministry of Interior (MVD) controls the police. The police and other MVD forces are responsible for most normal police functions. The National Security Service (NSS)--the former KGB--deals with a broad range of national security questions, including corruption, organized crime, and narcotics. The police and the NSS committed numerous serious human rights abuses.

The Government has stated that it is committed to a gradual transition to a free market economy. However, continuing restrictions on currency convertibility and other government measures to control economic activity have constrained economic growth and led international lending organizations to suspend or scale back credits. The economy is based primarily on agriculture and agricultural processing; the country is a major producer and exporter of cotton. It is also a major producer of gold and has substantial deposits of copper, strategic minerals, gas, and oil. The Government has made some progress in reducing inflation and the budget deficit, but government statistics understate both, while overstating economic growth. There are no reliable statistics on unemployment, which is believed to be high and growing. The Government is taking some modest steps to reduce the host of formal and informal barriers that constrain the nascent private sector.

The Government's poor human rights record worsened, and the Government continued to commit numerous serious abuses. Citizens cannot exercise their right to change their government peacefully. The Government has not permitted the existence of an opposition party since 1993. Election laws restrict the possibility of any real opposition parties arising or mounting a campaign. Minor changes enacted in August to the presidential, parliamentary, and local election laws did not ensure that future elections would be free and fair.

There were credible reports that security forces committed killings. Security force mistreatment resulted in the deaths of several citizens in custody. Police and NSS forces beat, tortured, and harassed persons. The security forces arbitrarily arrested or detained human rights activists, pious Muslims, and other citizens on false charges, frequently planting narcotics, weapons, or forbidden literature on them. Prison conditions are poor, and detention can be prolonged. Police and NSS forces infringed on citizens' privacy, including the use of illegal searches and wiretaps. Those responsible for documented abuses rarely are punished.

After five terrorist bombs exploded near government targets in Tashkent on February 16, security forces launched a particularly wide-ranging campaign of arrests and intimidation against all those whom the Government perceived as a threat. Among those arrested and tried were some persons with close links to avowed Islamist Uzbeks abroad who, the Government believes, were responsible for the bombings. However, other victims of the crackdown included members of the secular opposition, human rights activists, and hundreds, perhaps thousands, of overtly pious Muslims and members of Islamist political groups. While it is not possible to estimate the number of those arrested, observers believe that the scale surpasses any previous such action. Some human rights activists assert that tens of thousands of persons were arrested and remain in custody.

The judiciary does not always ensure due process and often defers to the wishes of the executive branch. The Government severely limits freedom of speech and the press, and an atmosphere of repression stifles public criticism of the Government. Although the Constitution expressly prohibits it, press censorship continues, and the Government sharply restricts citizens' access to foreign media. A new decree requires all Internet service providers to route their connections through a government server. The primary purpose of this measure, according to the Government, is to prevent access to what the Government considers harmful information. The Government limits freedom of assembly and association. The Government continues to ban unauthorized public meetings and demonstrations. A new law improves the formal legal framework for the formation, registration, and operation of nongovernmental organizations; however, the Government also continues to deny registration to opposition political parties as well as to other groups that might be critical of the Government. For example the Ministry of Justice repeatedly has denied the application for registration of the Human Rights Society of Uzbekistan (HRSU) and the Independent Human Rights Organization of Uzbekistan (IHROU) have repeatedly applied for registration, citing technical deficiencies. Unregistered opposition parties and movements may not operate freely or publish their views. The Government limits freedom of religion. The Government harassed and arrested hundreds of Islamic leaders and believers on questionable grounds, citing the threat of extremism. The Government tolerates the existence of minority religions but places strict limits on religious activities. Although the Government registered nearly 150 minority religious communities by year's end, several others were prevented from registering by local

officials. There were cases in which university authorities expelled female students for wearing Islamic dress.

The Government continues to voice rhetorical support for human rights, but does not ensure these rights in practice. Although the election, religion, and media laws contain elements that theoretically support human rights, in reality the Government does not respect such provisions. The Office of the Human Rights Ombudsman, which was formed in 1997, reports that it is assisting hundreds of citizens in redressing human rights abuses, the majority of which involve allegedly unjust court decisions and claims of abuse of power by police. The ombudsman's office issued reports identifying the most serious types of violations of human rights by government officials; however, most of the successfully resolved cases appear relatively minor.

Domestic violence against women is a problem, and despite a constitutional prohibition, there continues to be significant traditional societal discrimination against women. Trafficking in women and girls for the purposes of prostitution occurs. Workplace discrimination against some minorities persists. There are some limits on worker rights.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Political and Other Extrajudicial Killing

There were no confirmed reports of political killings; however, security forces committed several killings. Security force mistreatment resulted in the deaths of several prisoners in custody.

On June 25, a Human Rights Watch representative viewed the body of Farkhod Usmanov, who was arrested on June 14 for the possession of a leaflet from the Islamic political group Hezbut Tahrir (Party of Liberation). The bruises and other markings on the body suggested that Usmanov, son of a well-known imam, died from torture while in custody. Officials claimed that he died of heart failure. Akhmadhon Turakhanov died in custody on June 19, reportedly because prison authorities refused to treat his diabetes. Turakhanov was a member of the unregistered Birlik Democratic Movement and the unregistered Independent Human Rights Organization of Uzbekistan. Although Turakhanov was not religious, officials accused him of being an Islamic extremist and charged him with hooliganism and conspiracy against the constitutional order. There were unconfirmed but credible reports of at least 13 other deaths by torture or beating. In one case, a man from Nukus, Azim Khodjaev, allegedly was beaten to death at a then-secret prison in Karakalpakstan in mid-July because he would not reveal the whereabouts of his sons whom the police were seeking. According to witnesses in Nukus, his body was bruised and missing its fingernails. Authorities gave the cause of death as heart failure.

Between August and early October, Uzbek security forces provided assistance to the Kyrgyz Government in dealing with an incursion into Kyrgyzstan from Tajikistan by a group of armed ethnic Uzbek militants. As part of the operations against the militants, a number of air strikes were carried out against their positions in southern Kyrgyzstan. In the first of these on August 15, the Uzbek Government acknowledged that its air force had responded to a direct request from the Kyrgyz. This incident resulted in no casualties. A

subsequent strike on August 29 reportedly caused the accidental deaths of up to 12 noncombatants in a Kyrgyz village; however, the Uzbek Government never admitted responsibility for this incident, and its involvement remains unconfirmed.

The Government conducted no further investigation of the death in custody on October 30, 1998, of outspoken Muslim cleric Qobil Muradov.

There were no reported developments in the 1995 killing of Bokhtiar Yakubov, a witness linked to an opposition activist.

On February 16, 5 bombs detonated in downtown Tashkent and killed 16 persons. The perpetrators are believed to have been terrorist members of the Islamic Movement of Uzbekistan (IMU) or related groups. At year's end, the Government reported that it tried and convicted 128 persons in connection with this attack; 11 were sentenced to death. The first trial of 22 suspects in June was open to journalists and international observers, but subsequent trials were closed and held in secret. In a March 30 bus hijacking, terrorists killed three law enforcement agents. In November four forest rangers and three police officers were killed by a group of IMU members that they encountered in a mountainous region near Tashkent. In the subsequent manhunt, 3 police special forces officers and 15 suspected insurgents were killed.

b. Disappearance

There were no reports of politically motivated disappearances.

It is now widely believed that Imam Abidkhon Nazarov, missing since March 5, 1998, fled the country to avoid arrest and was not abducted by security forces. There were no reported developments in the 1995 disappearance of Imam Abduvali Mirzaev, the 1997 disappearance of his assistant, Nematjon Parpiev, or the 1992 disappearance of Aboullah Utaev, leader of the Uzbekistan chapter of the outlawed Islamic Renaissance Party (IRP). Most independent observers believe that the three missing Islamic activists are either dead or in NSS custody.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

Although the law prohibits these practices, police routinely beat and otherwise mistreat detainees to obtain confessions. Both police and the NSS used beatings and harassment against citizens.

Six citizens convicted for their links to the outlawed Erk Democratic Party and its leader Mohammed Solikh released a statement in August alleging that their captors tortured and beat them during 5 months of incommunicado detention from late-February to mid-July, in order to force them to sign incriminating statements. Police methods included use of electric shocks, near suffocation, and beatings with rubber sticks and plastic bottles filled with water. One of the defendants, noted writer Mamadali Makhmudov, released a separate statement, saying that police threatened to rape his wife and daughters in his presence before killing him.

Police detained, arrested, beat, and harassed members of various religious groups, including hundreds of Muslims and at least two groups of evangelical Christians (see

Sections 1.d. and 2.c.).

Police routinely planted false evidence on citizens to justify arrests or extort bribes (see Section 1.d.).

Prison conditions are poor, and worse for male than for female prisoners. Due to limited resources, prison overcrowding is a problem. Human rights activists reported that the incarceration of 10 to 15 people in cells designed for 4 is common. Tuberculosis and hepatitis are endemic in the prisons, making even short periods of incarceration potentially deadly. Reportedly there are severe shortages of food and medicines. Political and religious prisoners often are not allowed visitors or any other form of contact with family and friends. There is a new prison complex in a remote area of the Republic of Karakalpakstan near the city of Jaslik. The Government has allowed family visits to a single facility in that area that houses 250 prisoners. Although prisoners are treated well prior to visits by relatives, conditions at the facility are reported to be poor, and as many as 17 prisoners allegedly died from mistreatment since May. There are rumored to be additional prison facilities nearby housing a large but unknown number of inmates. It appears that most of the prisoners transferred to Jaslik were convicted for their participation in unauthorized Islamic groups. In August police prevented a Human Rights Watch representative who attempted to view the complex from entering the area. The Government operates labor camps, but little is known about them; however, conditions of incarceration have been reported to be less severe than in prisons.

Akhmedin Turakhanov died in custody, reportedly due to prison authorities' refusal to treat his diabetes (see Section 1.a.).

The Government does not permit prison visits by human rights monitors such as the International Committee of the Red Cross.

d. Arbitrary Arrest, Detention, or Exile

Security forces continued to arrest and detain individuals arbitrarily, without warrant or just cause. A Soviet-era detention law provides that police may hold a person suspected of committing a crime for up to 3 days. At the end of this period, the detained person must be declared officially a suspect, charged with a crime, or released. A person officially declared a suspect may be held for an additional 3 days before charges are filed. A prosecutor's order is required for arrests but not for detentions prior to the filing of charges. In practice these legal protections frequently are ignored. In some cases, police circumvent the rules by claiming that the detainee is being held as a potential witness and not as a suspect; there are no regulations concerning the length of time witnesses may be detained. A court date must be set within 15 days of arrest (or filing of charges) and the defendant may be detained during this period. A defendant may not have access to counsel while in detention but only after the first interview with an investigator. Once the trial date is set, detainees deemed not to be violent may be released on their own recognizance pending trial. No money need be posted as bond, but in such cases the accused usually must sign a pledge not to leave the city. In practice this procedure rarely is used. During the period between arrest and trial, defendants are almost always kept in pretrial detention, which has been known to last as long as 2 years. In ordinary criminal cases, the police generally are capable of identifying and arresting only those reasonably suspected of the crime. However, both the police and NSS are far less discriminating in

cases involving perceived risks to national security. In the immediate aftermath of the February explosions in Tashkent, police arbitrarily detained hundreds of those whose religious or political inclinations made them suspect in the eyes of the security forces (also see Section 2.c.). The majority of those detained were released after questioning and detention that lasted as long as 2 months. Prosecutors have brought charges against 128 persons in connection with the bombings, and at year's end 11 had been sentenced to death.

Police routinely plant small amounts of narcotics, weapons, ammunition, or Islamic literature on citizens either to justify arrest or to extort bribes. The most frequent victims of this illegal practice are suspected members of nonofficial Islamic organizations such as Hezbut Tahrir. The first of numerous alleged Hezbut Tahrir members tried during the year was sentenced on May 14. The authorities convicted 11 of the 12 defendants--whose average age was 26--of possession of narcotics or weapons that their families claim were planted by the arresting officers. Most also were convicted of conspiracy against the constitutional order. They were sentenced to an average of 12 years in prison. Subsequent sentences against Hezbut Tahrir members were even harsher. The total numbers of those either tried and convicted or still in pretrial detention are unknown, but human rights activists contend that there are well over 1,000 and perhaps several thousand. Many of those in detention are political detainees. Police also allegedly have planted drugs on four persons in two Christian denominations in order to arrest them.

In the crackdown after the bombings, it was common for police to arrest, hold, beat, and even try family members of the suspects that the police actually were seeking (also see Section 1.f.). There were numerous reports of individuals surrendering to police in order to save their families. Police detained the wife, mother, brother, uncle, and brother-in-law of missing Imam Abidkhon Nazarov within a month of the bombing. While Nazarov's mother was released after brief questioning, his wife was held for 10 days (ostensibly for resisting the police) and the three males ultimately were given prison terms. Nazarov's brother Umarkhon was sentenced in Namangan to 11 years in prison on May 20. On the same day, his brother-in-law Abdurashid Nasriddinov also was sentenced to 11 years and his uncle Akhmadali Salamov to 4 years. All allegedly possessed extremist religious literature. The men allegedly were beaten during pretrial detention and repeatedly asked the whereabouts of the imam. Similarly, the police arrested three brothers of exiled Democratic Opposition leader Mohammed Solikh (see Sections 1.c. and 3).

Police detained, arrested, beat, and harassed various religious groups (see Sections 1.c. and 2.c.).

The Government does not use forced exile.

e. Denial of Fair Public Trial

Although the Constitution provides for an independent judicial authority, the judicial branch takes its direction from the executive branch and has little independence in practice. Under the Constitution, the President appoints all judges for 5-year terms. They may be removed for crimes or failure to fulfill their obligations. Power to remove judges rests with the President, except for Supreme Court judges, whose removal also must be confirmed by Parliament.

The system of courts of general jurisdiction is divided into three tiers: district courts; regional courts; and the Supreme Court. In addition a Constitutional Court is charged with reviewing laws, decrees, and judicial decisions to ensure their compliance with the Constitution. Military courts handle all civil and criminal matters that occur within the military. There is a system of economic courts on the regional level that deals with economic cases between judicial legal entities.

Decisions of district and regional courts of general jurisdiction may be appealed to the next level within 10 days of ruling. The Criminal Code has reduced the list of crimes punishable by death to murder, espionage, and treason, eliminating the economic crimes punishable by death in the former Soviet code. Officially, most court cases are open to the public but may be closed in exceptional cases, such as those involving state secrets, rape, or young defendants. However, except for the first trial in June, all trials of those suspected of involvement in the February 16 terrorist bombings were closed to international observers and the public on security grounds. In similar fashion, many trials of alleged Islamic extremists have been closed.

State prosecutors, called "procurators," play a decisive role in the criminal justice system. They order arrests, direct investigations, prepare criminal cases, and recommend sentences. If a judge's sentence does not agree with the prosecutor's recommendation, the prosecutor has a right to appeal the sentence to a higher court. (There is no protection against double jeopardy.) Judges whose decisions have been overturned on more than one occasion may be removed from office. Consequently, judges rarely defy the recommendations of prosecutors. As a result, defendants usually are found guilty.

Uzbekistan still uses the Soviet practice of trial by a panel of three judges: one professional judge and two lay assessors who serve 5 year terms and are selected from workers' collectives. The judge presides and directs the proceedings. However, in practice, judges often defer to the Government and its prosecutors on legal and other matters. Defendants have the right to attend the proceedings, confront witnesses, and present evidence. The State provides a lawyer without charge, but by law the accused also has the right to hire an attorney. In practice the right to an attorney often is violated and there are numerous examples of denial of the right to counsel. In a July 13 trial, human rights activist Mahbuba Kasimova was denied the right to hire her own attorney. She was invited to a meeting with the judge that day only to discover when she arrived at the courthouse that she would be tried immediately. She requested to have her attorney present, but her request was denied; she was provided a court-appointed lawyer for the trial, which lasted only 3 hours before the judge sentenced her to 5 years in prison (see Section 4). On appeal the judge rejected the argument that she had been denied right to counsel, ruling that the state-appointed lawyer had represented her. In addition Human Rights Watch reported that several families of those accused in connection with the February 16 bombings hired their own defense lawyers, but the lawyers were denied access to their clients, both before and during the trial.

In practice most defense lawyers are unskilled at defending their clients. Courts often do not allow all defense witnesses to be heard, and written documents are given more weight than courtroom witnesses. In the first trial of those accused of involvement in the terrorist bombings, defense attorneys argued only that the defendants were sorry for their crimes and did not dispute the procurator's version of events.

The Constitution provides a right of appeal to those convicted, but such proceedings usually are formalistic exercises that confirm the original conviction. For example the appeal of Mahbuba Kasimova on August 17 lasted only 45 minutes, and the judge did not permit testimony. Kasimova was not allowed to be present at the appeal.

Authorities arrested and tried unfairly relatives of suspects and members of opposition groups (see Sections 1.d. and 3).

In September HRSU released a list of 505 "possible political prisoners," many of whom are political dissidents, human rights activists, or Hezbut Tahrir members who can be regarded as political prisoners. Many of them were associated with the Birlik or Erk opposition organizations in the early 1990's. Others were involved in independent Islamic activities. Many were convicted of nonpolitical offenses such as tax evasion, misappropriation of funds, or illegal possession of narcotics or firearms (also see Section 2.c.). It is widely believed that in the latter cases, arresting officers planted the incriminating material. The Government has rejected explicitly that any of the 162 individuals on an earlier HRSU list are political prisoners and denies that any prisoners held in the country can be classified as "political."

Abdurauf Gafurov, an Islamic activist imprisoned since 1996, was scheduled for release in May 1998; however, his sentence was extended for an additional 3 years based on testimony from fellow prisoners. He was amnestied and released in October.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

Authorities infringe on these rights. By law only a prosecutor may issue a search warrant or authorize electronic surveillance. There is no provision for a judicial review of such warrants. Security agencies routinely monitor telephone calls and employ surveillance and wiretaps in the cases of persons involved in opposition political activities.

The religion law (see Section 2.c.) prohibits private teaching of religious principles. There have been reports of students being expelled from or harassed and forced to leave various universities and secondary schools for wearing traditional Islamic dress. Human Rights Watch issued a report in October 1999 describing 28 confirmed cases from 1997 and 1998. In addition a group of 15 female students from Fergana State University claimed that they were forced to leave school in March (see Section 2.c.). Police arrested a number of men who wore beards, a traditional sign of Islamic piety (see Sections 1.d. and 2.c.).

Police arrested, detained, and beat family members of suspects that they were seeking (see Sections 1.a., 1.c., 1.d., 1.e., and 2.c.).

The Government does not allow general distribution of foreign newspapers and other publications. However, two or three conservative Russian newspapers and a variety of Russian tabloids and lifestyle publications are available. There is a modest selection of other foreign periodicals available in Tashkent's major hotels, and authorized groups can obtain foreign periodicals through subscription. Although publication of local editions of many foreign publications, including newspapers such as Izvestia and Pravda, remains suspended, Moscow editions of Izvestia, Pravda, and other Russian papers currently are sold in newstands. The authorities do not permit rebroadcast of Russian programming that is critical of the Government (see Section 2.a.).

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

Although the Constitution provides for "freedom of thought, speech, and convictions," the Government continues to limit these rights severely.

A 1991 law against "offending the honor and dignity of the President" limits the ability to criticize the President. Ordinary citizens remain afraid to express views critical of the President and the Government in public. The 1998 mass media law formally provides for freedom of expression, protects the rights of journalists, and reiterates the constitutional ban on censorship. Nonetheless, several articles of the law, and the lack of due process provided for in their implementation, allow the Government to use the law to silence critics. One provision makes journalists responsible for the accuracy of the information contained in their news stories, potentially subjecting them to prosecution.

Another law permits authorities to close media outlets without a court judgment. Yet another prohibits stories that incite religious confrontation and ethnic discord. Finally, the law prohibits the registration of organizations whose purposes include subverting or overthrowing the constitutional order (see Section 2.b.).

All media outlets must be registered by a 17-member interdepartmental government commission. A media organization must provide information about intended content or programming, sources of funding, means of distribution, technical capabilities, founders, and sponsors. The media outlets registered by January 1 as required by law but paid higher annual fees and conformed to certain technical standards. Information remains very tightly controlled. Although the Constitution prohibits censorship, it is widely practiced and the Government tolerates little, if any, criticism of its actions. The last opposition newspaper to be published was that of the Erk Democratic Party, which has been banned within the country since 1993 but is published sporadically abroad.

There are no private publishing houses, and government approval is required for all publications. Newspapers may not be printed without the approval of the Committee for the Control of State Secrets. All newspapers are printed by state-owned printing houses, which refuse to print any newspaper whose editor does not confirm that the Committee has cleared the issue a few hours before being submitted. Journalists who want to ensure that their work is published practice self-censorship.

The Uzbekistan Information Agency cooperates closely with the presidential staff to prepare and distribute all officially sanctioned news and information. Nearly all newspapers are government-owned and controlled; the key newspapers are organs of government ministries. Private persons and journalist collectives may not establish newspapers unless they meet the media law's standards for establishment of a "mass media organ," including founders acceptable to the Government. Two private newspapers (one in Samarkand and one in Tashkent) are permitted to operate without censorship. They have no editorial content and consist of advertising, horoscopes, and similar features.

Limited numbers of foreign periodicals are available, but the Government does not allow the general distribution of foreign newspapers (see Section 1.f.).

Four state-run channels that fully support the Government and its policies dominate television broadcasting. A cable television joint venture between the state broadcasting company and a foreign company broadcasts the Hong Kong-based Star television channels, including the British Broadcasting Corporation (BBC), Deutsche Welle, and Cable News Network world news, to Tashkent and a few other locations. Access to cable television is beyond the financial ability of most citizens.

There are between 30 and 40 privately owned local television stations and 3 privately owned radio stations. Generally, broadcasters practice self-censorship and enjoy some leeway in reporting critically on local government. Samarkand Independent Television, which operates four channels, is known for such reporting. However, it is clearly sensitive to political concerns from the Government and concentrates on nonpolitical news, yet it denies that it is censored formally. In late November, the Government denied the annual reregistration of two independent television stations and suspended their licenses. One, in Urgench, allegedly failed to take required security measures; the other, in Guliston, allegedly had substandard equipment. Officials claimed that there was no political element to these decisions and that registration would be reconsidered when the stations comply with the regulations. Foreign observers noted that these two stations are among the most independent of the commercial stations and interpreted the closings as a warning to other broadcasters not to upset the Government during the election season. The Urgench station, which now has filed a suit against the Government for damages, also had lost its registration temporarily in 1997, allegedly for technical violations of regulations. It was believed widely at the time that the real reason for the 1997 closure was that the owner had been a member of the Erk political party.

Enforcement of the registration and licensing requirements can be strict, and the Government's implementation of the media law does not function smoothly. Because the registration committee meets irregularly and because regulations require annual reregistration, up to one half of independent television stations have been forced to operate with expired licenses, meaning the Government could shut them down at any time. Owners reportedly believe that the Government intentionally delays registration in order to ensure that the stations broadcast nothing unfavorable.

Private radio and television broadcasters formed an independent professional association in 1998 (ANESMI). The association resisted both generous incentives and heavy pressure from the Government to elect the Government's candidate as chairman. Government officials openly threatened members of the group and the opposition candidate who was elected. Since that time, the Government has denied arbitrarily the group's registration application on four occasions since its founding, twice during the year. Ministry of Justice officials reportedly advised the group privately that it never would be registered. The lack of registration effectively restricts ANESMI's ability to attract international funding and operate legally.

Radio Free Europe/Radio Liberty and the Voice of America are not permitted to broadcast from within the country, despite the Government's 1992 contractual agreement to allow this activity. The Government allows both organizations to have correspondents in the country. The BBC world service was required to broadcast on a very low FM frequency that most radios would not be able to receive, and then only after the BBC agreed in June to self-censorship. It is permitted to broadcast only 2 hours per day: 1 hour in Uzbek 5 days per week; 30 minutes in Uzbek the other 2 days; and 30 minutes in Russian 7 days

per week.

On February 5, the President signed a decree directing all Internet service providers to route their connections through a state-run server. The avowed main purpose of this directive was to prevent the transmission of what the State considers as harmful information, including material advocating or facilitating terrorism, material deemed hostile to the constitutional order, and pornography. By year's end, the Government had connected all but four providers, but did not yet possess the equipment and expertise necessary to complete implementation of the decree. Government officials said that they foresaw connecting the remaining providers and introducing content filtering during 2000.

The Government has granted academic institutions a degree of autonomy, but freedom of expression still is limited. Most institutions are modernizing their curriculums, but find up-to-date textbooks too costly.

According to press reports, the Ministry of the Interior announced on June 18 that police had detained a large number of Hezbut Takhir leaflet distributors in Tashkent. The leaflets severely criticized President Karimov and propagated a Muslim teaching banned in the country. Other arrests of leaflet distributors occurred throughout the year. A group of 15 female students at Ferghana State University were harassed and ultimately forced to leave school over the issue of religious dress (see Sections 1.f. and 2.c.).

b. Freedom of Peaceful Assembly and Association

The Constitution provides for the right of peaceful assembly; however, it also states that the authorities have the right to suspend or ban rallies, meetings, and demonstrations on security grounds. In practice the Government restricted the right of peaceful assembly. The Government must approve demonstrations but does not grant permits to demonstrators routinely. In November a group of 30 to 40 veiled Moslem women gathered in front of the office of the Tashkent hokim (local governor) to protest the incarceration of their relatives. The police ordered them to disperse after refusing their request to meet with the hokim. Some members of the group report that they have been under intermittent surveillance since that time. A peaceful demonstration of approximately 1,000 residents of Jizzak, that was held in May to protest an economic policy measure taken by local authorities, occurred without government interference.

The Constitution provides for the right of freedom of association, but the Government limits the exercise of this right by refusing to register opposition political parties and movements. The Constitution places broad limitations on the types of groups that may form and requires that all organizations be registered formally with the Government in accordance with procedures prescribed by law. A 1996 analysis by foreign legal observers concluded that, while the Law on Political Parties provides theoretical protections for minority parties and permits a wide range of fund raising, it also gives the Ministry of Justice broad powers to interfere with parties and to withhold financial and legal support to those opposed to the Government. There are no registered opposition parties (see Section 3).

In the early 1990's, the Government repeatedly denied the attempts by the Birlik Movement and Erk Party to register. Harassment by security forces drove the leaders of these organizations into voluntary exile. These organizations made no attempt to register

during the year, reportedly because their remaining adherents were afraid of government reprisals.

Many of the activists not already imprisoned or exiled were victims of the latest wave of repression (see Section 3).

The Constitution and a 1991 amendment to the law on political parties ban parties of a religious nature. Authorities cited these measures in denying registration to the Islamic Renaissance Party (IRP) in 1992. In the early 1990's, opposition activists announced the formation of the Adolat-True Path Party but never pursued formal registration, claiming that their members were afraid of government reprisals.

The Law on Public Associations as well as the Law on Political Parties prohibits registration of organizations whose purpose includes subverting or overthrowing the constitutional order, as well as organizations whose names already are registered. In the past, officials have used the latter provision to block human rights NGO's and independent political parties from registering by creating another NGO or party with the identical name; however, the authorities did not take such action during the year.

The Government has refused to register two of the major independent human rights organizations. The Human Rights Society of Uzbekistan (HRSU), a group with close ties to exiled opposition figures, has sought registration unsuccessfully since 1992. The Independent Human Rights Organization of Uzbekistan (IHROU), headed by longtime human rights activist Mikhail Ardzinov, held its founding convention and filed registration papers in 1997, but the Government has not yet formally approved or denied the application. In both cases, the Government claims that the registration applications were not made properly and need to be resubmitted. Neither the HRSU nor the IHROU resubmitted applications during the year; there was no indication that they would be registered. The Government's repeated refusals to register these organizations appear politically motivated. The Government has approved the registration of only one human rights NGO, the Committee for Protection of Individual Rights, which was formed with government support in 1996.

The process for government registration of NGO's and other public associations is also difficult and time consuming, with many opportunities for obstruction. Although unregistered organizations often can disseminate literature, hold meetings, and use letterhead stationery without government interference, they do not exist legally and have no real access to the media or government.

A law on nongovernmental, noncommercial organizations passed in April provides a relatively benign legal framework for their registration and functioning. In particular the requirements for registration are simpler than they had been under previous legislation. However, the law contains several vaguely worded provisions that, in practice, may result in arbitrary enforcement of decisions harmful to NGO's. The real effect of the law depends on the implementing regulations, which had not yet been promulgated by year's end.

Nonpolitical associations and social organizations usually may register, although complicated rules and a cumbersome government bureaucracy often make the process difficult. Some evangelical churches (see Section 2.c.) found it difficult to obtain

registration or reregistration.

c. Freedom of Religion

The Constitution provides for freedom of religion and for the principle of separation of religion and state; however, in practice, the Government only partially respects these rights. The Government perceives unofficial Islamic groups or mosques as extremist threats and outlaws them. During the year, the Government arrested hundreds of members of such groups and sentenced them to between 15 and 20 years in jail. The Government also restricts recently arrived religions that either the Government does not understand or that proselytize. However, the Government permits persons affiliated with mainstream religions, including approved Muslim groups, Jewish groups, the Russian Orthodox Church, and various other denominations, such as Catholics and Lutherans, to worship freely. Despite the principle of separation of church and state, the government-controlled Spiritual Directorate for Muslims (the Muftiate) funds some Islamic religious activities.

In May 1998, the Parliament passed two laws that restrict religious activity. The Law on Freedom of Conscience and Religious Organizations provides for freedom of worship, freedom from religious persecution, separation of church and state, and the right to establish schools and train clergy. However, the law also restricts religious rights that are judged to be in conflict with national security, prohibits proselytizing, bans religious subjects in school curriculums, prohibits private teaching of religious principles, forbids the wearing of religious clothing in public by anyone other than clerics, and requires religious groups to obtain a license to publish or distribute materials. The law also requires that all religious groups and congregations register and provides strict criteria for their registration. In particular it stipulates that each group present a list of at least 100 Uzbek citizen members compared with the previous minimum of 10 to the local Ministries of Justice. This provision enables the Government to ban any group simply by denying its registration petition. Government officials designed the law to target Muslims worshipping outside the system of state-organized mosques. As of year's end, the Government registered 1,831 religious congregations and organizations, 1,664 of which were Moslem. An additional 335 applications were denied, 323 of which were from Moslem groups.

The number of officially sanctioned mosques is significantly increased from the 80 or so permitted during the Soviet era, but has decreased from the 4,000 that reportedly opened after the country gained independence.

There were a variety of reasons that churches could not register. Some could not meet the requirement of having 100 Uzbek citizen members, while others could not afford the registration fees. The most frequent problem is determining a satisfactory legal address. In order to register, groups must report in their charter a valid juridical address, but local officials frequently contend that a building does not meet fire or building codes, has a disputed title, or other problems.

A presidential commission created in August 1998 may grant exemptions to the Religious Law's strict requirements and register groups that have not been registered by local officials. Through November 1, the commission granted exemptions to 51 such groups, including congregations with fewer than 100 Uzbek members. However, no formal procedures or criteria have been established to bring a case before this commission. In

August the Government registered 20 minority religious groups that had been having difficulty being registered by local officials.

The second law passed in May 1998 consisted of a series of revisions to the criminal and civil codes, which stiffened the penalties for violating the religion law and other statutes on religious activities. It provided for punishments for activities such as organizing a banned religious group, persuading others to join such a group, and drawing minors into a religious organization without the permission of their parents. The Criminal Code was amended again in May with two changes that affected religious freedom. The changes draw a distinction between "illegal" groups (which are those not registered properly) and "prohibited" groups (which are banned). The first measure makes it a criminal offense punishable by up to 5 years in prison to organize an illegal religious group or to resume the activities of such a group (presumably after being denied registration or ordered to disband), or to participate in the activities of such a group (punishable by up to 3 years in prison). The second measure sets out stiff penalties up to 20 years in prison and confiscation of property for organizing or participating in the activities of religious extremist, fundamentalist, separatist, or other prohibited groups.

Although authorities tolerate many Christian evangelical groups, government officials often harass those that openly try to convert Muslims to Christianity. Although the distribution of religious literature by duly registered central offices of religious organizations is legal, missionary activity and proselytizing is not, and the requirements for establishing such central offices are burdensome (only five have been registered to date). The Government is often intolerant of those groups that officials believe are cults; engage in missionary activity; or otherwise do not conform to the requirements of the religion law.

Although authorities tolerate many Christian evangelical groups, the Government often harasses those that openly try to convert Muslims to Christianity. Some evangelical churches found it difficult to obtain registration and reregistration. Among those religious groups whose applications for legal registration have not been approved are a number of Jehovah's Witnesses congregations throughout the country, the International Protestant Church of Tashkent, a Baptist congregation in Urgench, the Full Gospel Pentecostal Church in Nukus, and Seventh-Day Adventist congregations in Akhangaran and Almalyk. Government officials stated that many of the unregistered groups could not meet the requirement of 100 Uzbek members. They added that Jehovah's Witnesses were denied because they proselytize and do not recognize secular authority, and that another unregistered group, the Reformed Baptists, simply refused to register.

On the other hand, the Committee on Religious Affairs has approved the registration of 167 minority religious groups including 32 Russian Orthodox, 23 Baptist, 26 Pentecostal ("Full Gospel"), 10 Seventh-Day Adventist, 47 Korean Christian, 8 Jewish, 5 Bahai, 2 Jehovah's Witness and 2 Krishna Consciousness. Several of these congregations had fewer than the required 100 members but received exemptions from the requirement. The Roman Catholic Monsignor reports that his church has received permission to operate, but that formal registration was pending the resolution of some difficulties regarding documentation. Denis Podorozhny's Word of Faith Pentecostal Church near Tashkent, which lost its registration in 1998, was reregistered.

On numerous occasions, the Government restricted the right to religious freedom through

use of the religion law and other statutes. Police have often broken up meetings of unregistered groups. Pastors or group leaders can be subject to fines or even imprisoned.

For example as many as 10 Jehovah's Witnesses congregations have been fined for illegal gatherings, dissemination of printed matter, or missionary activity. A judge of the city court of Karshi said on state television on March 28 and 30, that Jehovah's Witnesses was a dangerous sect bent on usurping government power. One member of Jehovah's Witnesses, Sergei Brazgin of Uchkuduk, was arrested on February 22, shortly after police broke up a Bible reading in his home. Police declared a Bible discussion in which he participated on February 14, to be an illegal activity. He was subsequently sentenced to 2 years in prison on three counts of illegal religious activity but released on August 20. Press reports indicate that a Christian was arrested in June after reportedly giving out several Christian tracts in the Karakalpak language at an airport. Reportedly, he was fined but not imprisoned.

In March authorities in Nukus arrested Pastor Rashid Turibayev of the unregistered Karakalpak Full Gospel Christian Church and his associates, Farkhad Yangibayev and Yasif Tarashev. Police allegedly planted narcotics on them to justify the arrests. The court convicted all three on June 9. Turibayev was convicted of the narcotics charge as well as three counts of violating the religious law and sentenced to 15 years in prison. His associates were sentenced to 10 years each for narcotics but were not charged with religious offenses. Turibayev previously had been sentenced to 2 years of hard labor in May 1997 for leading illegal church services, but subsequently he was amnestied and released. Na'il Asanov of the Bukhara Church of Christ was arrested in May after police allegedly planted narcotics on him. He was sentenced on June 30 to 5 years in prison. Pastor Ibrahim Yusupov of an unregistered Tashkent Christian church was sentenced on June 24 to 1 year in prison for proselytizing.

Central government officials, as well as many Christian leaders, view these and other incidents of harassment as isolated cases of local officials misapplying the law.

On August 20, the President pardoned and ordered the release of Brazgin, Asanov, Yusupov, and Turibayev and his two colleagues. There were reports that since their release, certain church members continued to be harassed. Pastor Turibayev of the Karakalpak Full Gospel Christian Church is heading his church again. However, the Church is not yet registered and the prosecutor has threatened to confiscate it. Local militia summoned Turibayev twice at the end of September to question him further regarding his alleged possession of drugs. The militia also failed to return Turibayev's passport, claiming that it was lost. The lawyer for released Jehovah's Witnesses prisoner Sergei Brazgin reportedly said that after his release from prison, Brazgin remained under permanent pressure from the local police.

On October 10, the police raided the annual harvest celebration at a Baptist Church in the city of Karshi (the church is one of several Baptist congregations that due to religious conviction had not attempted to register). The police detained and beat many of the participants. Authorities sentenced two of the group's organizers to 10 days incarceration and were forced to pay fines. The Government investigated the incident and some officials acknowledge that the Karshi police acted improperly; however, no disciplinary action had been taken against the officers involved by year's end.

The most serious abuses of the right to religious freedom were committed against Muslim believers. While tolerant of moderate Muslims, the Government seeks to control the Islamic hierarchy and is intolerant of Islamic groups that attempt to operate outside the state-controlled system. The Government seeks to control the content of imams' sermons, and the volume and substance of published Islamic materials. At the beginning of 1998, the Government ordered the removal of loudspeakers from mosques in order to prevent the public broadcasting of morning and evening calls to prayer. The Government closed several hundred nonauthorized mosques during 1998. Although the Government has not closed additional mosques, loudspeakers remain banned.

The Government is determined to prevent the spread of ultra-conservative or extremist varieties of Sunni Islam, which it labels "Wahhabism" and considers destabilizing. President Karimov frequently has declared the Government's intention to rid the country of Wahhabists and underground Islamic groups such as Hezbut Tahrir, which it views as extremist. The Government considers such groups as political and security threats and represses them severely. Hezbut Tahrir members admit that they desire an Islamic government but deny that they advocate violence. Dissident Islamic figures deny that they are extremists and claim that they are being persecuted for their unwillingness to support the Government. Speaking on state television on April 4, Interior Minister Zakirdjon Almatov said that young Uzbek men who have embraced radical Islam in certain countries abroad can avoid punishment if they voluntarily turn themselves in to authorities. Almatov added that any who fail to do so would be punished severely, and that their fathers also would be held legally responsible.

The security forces have detained and harassed Muslim leaders for perceived acts of insubordination and independence. Islamic activist Abdurauf Gafurov, whose sentence was extended by 3 years in 1998, was finally released in October. In 1996 the government-appointed mufti fired a number of independent clerics and closed their mosques. The Andijon Friday mosque, where Imam Abduvali Mirzaev (see Section 1.b.) formerly preached, has been closed since mid-1995.

A leading independent Muslim cleric, Imam Abidkhon Nazarov, has been missing since March 5, 1998, when dozens of police and security agents raided and searched his home. Although his family claims that the security services abducted him, the Government and many observers believe that he fled to avoid arrest.

Since Imam Abidkhon Nazarov disappearance, the Government has persecuted his family harshly (see Section 1.d.). In February just after the terrorist bombing in Tashkent, authorities detained Nazarov's wife, Minnura Nasretdinova, for 10 days on charges of hooliganism. An associate of Nazarov's, Mukhtabar Akhmedova, was arrested and sentenced on March 4 to 10 days' imprisonment for assaulting an undercover police officer who had broken into her courtyard and confiscated her computer and other office equipment. In March Nazarov's brother, Umarkhon Nazarov, his uncle, Ahmadali Salomov, and his brother-in-law, Abdurashid Nasretdinov, were arrested and charged with planning a coup d'etat. On May 20, his brother Umarkhon was sentenced in Namangan to 11 years in prison, and his uncle Akhmadali Salamov and brother-in-law Abdurashid Nasriddinov each were sentenced to 4 years in prison. Police reportedly planted Islamist literature on the Nazarov relatives in order to justify their arrest and beat them during interrogation. At present, all male members of Nazarov's close family are in prison. Human rights observers believe that their only real offense was being related to Nazarov.

On January 8, a Tashkent court sentenced Oqihon Ziehanov and four other alleged "Wahhabist" associates of missing Imam Abidkhon Nazarov to between 2 to 12 years on a variety of charges including possession of narcotics and ammunition. Two of the defendants were convicted of conspiring to overthrow the constitutional order. The defendants claimed credibly that the police had planted the narcotics and ammunition and that the cases against them had been fabricated. In mid-year four of the five defendants reportedly were transferred to the new prison facility near Jaslik, Karakalpakstan (see Section 1.c.). The arrest of Nazarov's relatives, the January conviction of Oquillon Ziehanov and four other associates of Nazarov, and the December 1998 conviction of 15 alleged followers of Mirzaev were characteristic of the Government's campaign, waged through much of the 1990's, to rid the country of so-called Wahabbists." Several human rights observers reported that prison officials confiscated all Korans and religious literature and banned prayer in the prisons.

Several persons arrested for religious reasons apparently died from mistreatment in custody. On June 14, police arrested Farkhod Usmanov for possession of a Hezbut Tahrir leaflet. Usmanov apparently was beaten or tortured to death in custody. Usmanov was the son of former Iman Nosir-Kori Usmanov. According to Human Rights Watch, after holding him incommunicado for 11 days, officials returned his body, which showed bruises and injuries, to his family on June 25, claiming that he had died of heart failure.

Akhmadhon Turahonov died in custody on June 19, reportedly because prison authorities refused to treat his diabetes. Thrahonov was a member of the Birlik Democratic Movement and a human rights activist, and was not religious. Officials nonetheless accused him of being a Wahhabist and charged him with hooliganism and conspiring to overthrow the Constitution. In addition to these three cases, there were unconfirmed reports of at least five other deaths by torture or beating.

An outspoken Muslim cleric, Qobil Muradov, apparently was beaten to death in prison on October 30, 1998. His body showed severe bruising, his teeth were knocked out, and his collarbone and several ribs were broken. Officials alternately claimed that he had fallen accidentally from a wall and that other prisoners had beaten him. Like many persons whom the Government considers to be enemies he was arrested for possession of narcotics, which probably were planted on him by police. He had not been tried at the time of his death.

According to press reports in June, Ministry of Interior police arrested several dozen persons in Tashkent for distributing Hezbut Tahrir leaflets allegedly "propagating an extremist Muslim teaching" that was banned.

There were no reported developments in the 1995 disappearance of Imam Abduvali Kori Mirzaev; the 1997 disappearance of his assistant, Nematjon Parpiev; or the 1992 disappearance of Aboullah Utaev, leader of the outlawed Islamic Renaissance Party.

The February Tashkent bombings prompted the Government to reinvigorate its campaign against Islamic fundamentalism. Although no group claimed responsibility for the bombings, the President blamed Islamic extremist groups. He said that up to 3,000 youths had been corrupted by studying Islam at foreign madrassas (Muslim religious schools), where they may have received terrorist training. He pledged to bring charges against these persons--and against their fathers--if they did not confess and repent to the Ministry of

Internal Affairs. By the end of April, the Government claimed, over 1,000 had taken advantage of this offer.

As after the Namangan murders, from February to April, police detained, without due process, scores of those whose religious piety made them suspect in the eyes of the security services. The majority of those detained were released after questioning and detention that lasted as long as 2 months. On June 28, the Supreme Court sentenced six men to death for their role in the bombings. Prison sentences were handed out to 16 others.

Beginning in April the Government launched a series of unannounced trials throughout the country of members of Hezbut Tahrir. Police allegedly planted narcotics and weapons on many of them in order to justify arrest (also see Section 1.c.). By year's end, the Government had arrested at least 1,500 and the number convicted was believed to exceed 1,000. The total number in pretrial detention is unknown but could be several hundred. Human rights activists contend that the number is over 1,000 (see Sections 1.c. and 1.d.). Most defendants have acknowledged membership in the group but claim that they believe in peaceful change. Others appear not to be members of the group but to have been caught in the net because of their religious piety. While the Government has not charged that Hezbut Tahrir was involved in the bombings, group members usually are accused of acting to overthrow the constitutional order and of belonging to a prohibited religious organization. Police also allegedly planted drugs on various members of Christian denominations in order to arrest them.

The Government does not consider this repression to be directed against religious freedom itself but instead against those who desire to overthrow the secular order. However, authorities are highly suspicious of those who are more pious than is the norm: frequent mosque attendees; bearded men; and veiled women. In practice this approach results in mistreatment of many devout Muslims for their religious beliefs.

In 1999 Human Rights Watch compiled a list of 28 confirmed cases from 1997 and 1998 in which university and secondary school students have been expelled for wearing religious dress (see Section 1.f.). Several of these students from Tashkent's Oriental Studies Institute brought suit in civil court to be reinstated but were unsuccessful. A further group of 15 female students at Ferghana State University were harassed and ultimately forced to leave school in March.

Synagogues function openly; Hebrew education (long banned under the Soviets), Jewish cultural events, and the publication of a community newspaper take place undisturbed.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for free movement within the country and across its borders, and the Government generally respected these rights. Citizens must have permission from local authorities in order to resettle in a new city. The Government rarely grants this permission to those who wish to move to Tashkent. The Government requires citizens to obtain exit visas for foreign travel, or emigration, but grants these permits routinely. All citizens have a right to a passport, and the Government does not restrict this right. The new passports serve as both internal identity cards and, when properly certified, as

external passports. Every citizen must carry such a document when traveling inside or outside the country. Police occasionally confiscate these documents, severely restricting a person's right to travel.

Movement within the country of foreigners with valid visas generally is unrestricted. However, visitors require special permission to travel to certain areas, such as Termez, on the Afghan border.

Several Uzbek human rights activists were able to leave and reenter the country without encountering problems from the Government. However, in October the Government did not issue promptly an exit visa to human rights activist Tolib Yakubov, and prevented him from attending an OSCE Review Conference prior to the Istanbul Summit. Yakubov subsequently received a visa and left and reentered the country without difficulty. The Government also confiscated the passport of human rights activist Mikhail Ardzinov on June 25, restricting his freedom of movement within the country and preventing him from attending international conferences.

The law on citizenship stipulates that citizens do not lose their citizenship if they reside overseas. However, since Uzbekistan does not provide for dual citizenship, those acquiring other citizenships lose Uzbek citizenship. If they return to the country as foreign citizens, they are subject to foreign visa regulations. In practice the burden is on returning individuals to prove to authorities that they have not acquired foreign citizenship while abroad. There were reports during the year that some ethnic Russians attempting to return after residing abroad were denied residence permits and new passports.

There is no law concerning the rights of refugees and asylum seekers, and the Government does not recognize the right of first asylum. The Government does not adhere to the 1951 Convention Relating to the Protection of Refugees and its 1967 Protocol. The Government considers asylum seekers from Tajikistan and Afghanistan to be economic migrants, and such individuals are subject to harassment and bribe demands when seeking to regularize their status. They may be deported if their residency documents are not in order. However, the Government agreed in August that it would not force those who have received U.N. High Commissioner for Refugees (UNHCR) mandate refugee status to leave the country. Prior to that decision, the Supreme Court denied Afghan mandate refugee Mohammed Tahir permission to remain in the country. The UNHCR had acted as an advocate for Tahir in order to test refugee policy.

The country hosts populations of ethnic Koreans, Meskhetian Turks, Germans, Greeks, and Crimean Tartars deported to Central Asia by Stalin during World War II. These groups enjoy the same rights as other citizens. Although they are free to return to their ancestral homelands, absorption problems in those countries have slowed that return. The UNHCR estimates that there are 30,000 Tajik and 8,000 Afghan asylum seekers. The UNHCR completed reregistration of refugee cases in March and reported that there are now 852 mandate refugees and 269 registered cases of asylum requests pending.

According to the UNHCR there were 11 cases of forced repatriation (6 to Kazakhstan and 5 to the Kyrgyz Republic).

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

While the Constitution provides for this right, in reality citizens cannot change their government through peaceful and democratic means. The Government severely represses opposition groups and individuals and applies strict limits on freedom of expression. No opposition groups participated in government or were allowed to function legally.

The Government is highly centralized and is ruled by a strong presidency. President Karimov, formerly the first secretary of the Communist Party in Uzbekistan under Soviet rule, was elected in a limited multicandidate election in 1991. A 1995 Soviet-style referendum and subsequent parliamentary decision extended Karimov's term until 2000. President Karimov and the executive branch retain control through sweeping decree powers, primary authority for drafting legislation, and control of virtually all government appointments, most aspects of the economy, and the security forces.

Most government officials are members of the People's Democratic Party of Uzbekistan (PDP), formerly the Communist Party and still the country's largest party. However, the party as such does not appear to play a significant role in the Government, and the President resigned his chairmanship of the party in 1996. There are four other parties; however, these were created with government assistance and are loyal to President Karimov. All five parties participated in the December elections to the Oliy Majlis (Parliament), during which 93 percent of the electorate cast their vote. However, parties that competed in the parliamentary elections, as well as the numerous independent candidates, were congenial to the Government and did not represent a real choice for voters.

Because the voters lacked a choice, the OSCE and many international observers concluded that the December legislative elections fell short of adherence to accepted standards of free and fair elections. Local and regional hokims (governors)--who are appointed by the president--exerted a strong influence on the selection of candidates and the conduct of campaigns. Nearly half (110 out of 250) of those elected were not from party lists but were either hokims themselves or were nominated by the hokims' local assemblies. Only 16 of the 250 winning candidates had been nominated by citizens' initiative groups. These candidates generally were allowed on the ballot only if they were approved by the hokims.

The Oliy Majlis is constitutionally the highest government body. In practice despite assistance efforts by international donors to upgrade its ability to draft laws independently, its main purpose is to confirm laws and other decisions drafted by the executive branch rather than to initiate legislation.

New laws governing the conduct of parliamentary and presidential elections, as well as a law creating a Central Election Commission, came into effect in 1998. These laws, combined with the 1997 law on political parties, make it extremely difficult for opposition parties to come into being, to nominate candidates, and to campaign. The procedures to register a candidate are burdensome and the Central Election Commission has authority to deny registration. For example a presidential candidate is prohibited from campaigning before being registered, but must present a list of 150,000 signatures in order to be registered. The Central Election Commission must deny registration of presidential candidates who are found to "harm the health and morality of the people." The consensus among independent observers, including national and local party leaders, as well as the business, religious, press, and NGO communities, indicates that the race for president was

stacked in favor of incumbent President Karimov. The 1998 statutes deleted a previous provision allowing recourse to the Supreme Court to candidates whose parties are denied registration. The Ministry of Justice has the right to suspend parties for up to 6 months without a court order.

Citizens initiative groups of 100 members or more may nominate candidates to the Parliament by submitting signatures of at least 8 percent of the voters in the electoral district. Other interest groups are forbidden from participating in campaigns and candidates may meet with voters only in forums organized by precinct election commissions. The 1998 laws repeal the right of parties to fund their candidates' campaigns directly. Instead, parties must turn over all campaign money to the Central Election Commission, which then distributes the funds equally among the candidates. Only the Central Election Commission may prepare and release presidential campaign posters. In August the Parliament enacted minor modifications to the election laws, but these have little practical effect.

According to the Law on Political Parties, judges, public prosecutors, National Security Service officials, servicemen, foreign citizens, and stateless persons (among others) cannot join political parties. However, the law is less clear regarding membership in unregistered organizations. By law the Government prohibits formation of parties based on religion or nationality; those that oppose the sovereignty, integrity, and security of the country and the constitutional rights and freedoms of citizens; or those which promote war or social, national, or religious hostility; religious political organizations; and political organizations that seek to overthrow the Government, or sow national or racial hatred. Moreover, the Government has refused to register democratic political opposition organizations. Membership in unregistered political organizations is not forbidden officially, but membership in unregistered organizations with a prohibited goal or premise is forbidden.

The Government continues to persecute members of unregistered, political opposition groups using methods such as, arbitrary arrest, conviction on falsified charges, surveillance, and loss of employment. The leaders of the two largest unregistered opposition groups in the country--Mohammed Solikh of the Erk Democratic Party and Abdurakhim Polat of the Birlik Democratic Movement--were forced into exile in the early 1990's. After the February bombings, persecution of members of these groups intensified. The Government repeatedly has accused Erk leader Solikh, who ran against Karimov for the presidency in 1992, of being a leader of the terrorist plot behind the bombings. On August 18, a Tashkent court convicted four Erk members and one Birlik member of conspiracy to overthrow the constitutional order, of membership in illegal organizations, and of insulting the President. The Erk members included noted writer Mamadali Makhmudov, Yusup Razimuradov, and two brothers of Mohammed Solikh (Rashid and Muhammed Bekhjanov). The Birlik member, Kobil Diarov, was arrested in Kiev along with his acquaintance Nigmat Sharifov, who was not affiliated with any political organization but sentenced to 8 years in prison. Muhammed Bekhjanov was sentenced to 15 years; Rashid Bekhjanov to 12 years; Mamadali Makhmudov to 14 years; Yusup Ruzimuradov to 15 years; and Kobil Diarov to 12 years. The Supreme Court upheld the Court's decision on appeal in November.

Dozens of Erk and Birlik activists reported that after the bombings they were subjected to various forms of harassment: frequent surveillance; restrictions on movement; searches of

their homes; lengthy police interrogations; and, occasionally, detentions. In July the son of Erk party secretary Atanazar Aripov was taken by police from in front of a Western embassy and detained for over 18 hours before being released.

Traditionally, women participate much less than men in government and politics and they are underrepresented in these fields. Before the December elections, 21 of 250 deputies in the Parliament were women, and there are 17 in the new Parliament. In the Government prior to the December election, there were 2 women (both with the rank of deputy prime minister) among 28 members of the Cabinet; 1 was charged specifically with women's issues.

There are 9 ethnic Russians (down from 14), 1 Korean, and 1 Armenian elected to the current Parliament.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Government restricts and harasses local nongovernmental organizations (NGO's) working on human rights and refuses to register the country's two main human rights organizations.

Security forces continue to persecute human rights activists and the Government still refuses to register the country's two main human rights organizations. The chairman of the HRSU, Abdumannob Polat, lives in voluntary exile. Neither the IHROU nor the HRSU resubmitted applications to register during the year; there was no indication that they would be registered.

On May 12, police arrested Ravshan Hamidov, a houseguest of Mahbuba Kasimova, a member of the IHROU and of the Birlik Democratic Movement. During their search of Hamidov's belongings in Kasimova's house, police allegedly planted narcotics, a grenade, and literature linking him to the Islom Lashkarlari religious extremist organization. Hamidov has family ties to leaders of Birlik. Immediately after the arrest, Ministry of the Interior officials interrogated Kasimova for several days. On one occasion, the investigators organized a citizens' assembly headed by the deputy hokim (mayor) of Tashkent, Shukrat Jalilov, at which she was accused falsely of supporting religious extremists and advocating the creation of an Islamic state. In front of relatives of victims of the February bombings, she was accused of moral complicity in the deaths of those victims. Ignoring the constitutionally mandated presumption of innocence, newspaper, television, and radio coverage of the event echoed the accusations.

In a 3-hour trial on July 13, a Tashkent court convicted Kasimova of harboring a criminal, although her husband was the owner of the house and Hamidov had not yet been tried (and therefore technically could not be considered a criminal). The prosecutor argued that Kasimova should have known that Hamidov was wanted by police, although his arrest was not based on a previous arrest warrant but on the alleged discovery of contraband (see Section 1.e.). In July Kasimova was sentenced to 5 years in prison; on August 17, after a 45-minute appeal hearing, the judge confirmed the original sentence.

On June 25, police detained IHROU head Mikhail Ardzinov for questioning. Ardzinov has alleged that the police beat him twice during the episode. Although the Government

denies beating Ardzinov, a reliable medical expert confirmed that he was beaten severely. Police also ransacked Ardzinov's apartment, confiscating his passport, papers, and office equipment. At year's end, Ardzinov reported that the Government had not returned his property.

On July 10, police took into custody IHROU member Ismail Adylov and held him incommunicado for 72 hours before confirming his whereabouts to his family. Police allegedly planted 100 Hezbut Tahrir leaflets among his effects to justify the arrest, although Adylov is known not to be religious. On September 29, a remote regional court sentenced Adylov, who has a kidney ailment, to 6 years in prison for allegedly possessing incriminating papers. Reporters and the defendant's family were not allowed to attend the 2-day trial; his appeal was denied on October 26.

In September 1998, authorities arrested Muidin Kurbanov, a member of HRSU's Jizzak chapter. Police beat him repeatedly and questioned him about his organization and about Imam Obidhon Nazarov. On the basis of fabricated charges, a judge sentenced him, without a lawyer or prosecutor present, to 3 years in prison. In January Kurbanov was released from prison under a presidential decree; however, authorities in Jizzak continued to harass him and threatened to charge him with membership in the Islamic organization Hezbut Tahrir.

One international human rights group, Human Rights Watch, has permission to operate in the country and has had an office in Tashkent since 1996. The group operates independently and has no affiliation with the Government.

After years of opposition and delay, the Government registered one human rights NGO in 1996. The registered NGO, the Committee for Protection of the Rights of Individuals, was formed with the support of the Government, but has ties to opposition figures as well. Some sources affiliated with other groups have questioned its independence from the Government; it has had no recent success in investigating or correcting abuses.

Since 1997 there has been a human rights ombudsman's office affiliated with the Parliament. The ombudsman may make recommendations to modify or uphold decisions of state agencies, but the recommendations are not binding. The ombudsman is prohibited from investigating disputes within the purview of courts. The ombudsman replaced the parliamentary human rights commissioner, who had insufficient trained staff to carry out in-depth investigations of human rights violations and did not vigorously pursue allegations against the police and security forces. The office of the ombudsman increased its staff and received authorization to open regional offices throughout the country. The ombudsman issues reports identifying the most serious types of violations of human rights by government officials. The office claims that it has assisted hundreds of citizens in redressing human rights abuses, the majority of which involve allegedly unjust court decisions and claims of abuse of power by police and local officials. While most of the successfully resolved cases appear relatively minor, at least one during the year involved a capital crime. Ulugbek Usunov was convicted erroneously of murder in 1998--after 20 months of pretrial detention. Since the prosecutor and judge handled the case poorly, an intervention by the ombudsman succeeded in getting the court decision reversed and Usunov released. During the year, the ombudsman met twice with a consultative committee of Uzbek officials and foreign observers.

The National Human Rights Center of Uzbekistan, created by presidential decree in October 1996, has as its purpose to educate the population and government officials about the principles of human rights and democracy. The center's chief activity is to hold seminars and training, and it is not involved in human rights advocacy. The center has worked closely with international organizations such as the United Nations Development Program and the Organization for Security and Cooperation in Europe (OSCE).

The Government is willing to discuss human rights matters with organizations such as the OSCE, as well as with foreign embassies. The U.N. has not sent human rights commission members or special rapporteurs to the country. In 1996 the Government announced its willingness to hold an open dialog with international human rights NGO's, and held several high-level discussions with representatives of Human Rights Watch during the year.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

Both the Constitution and the 1992 law on citizenship prohibit discrimination on the basis of sex, religion, language, or social status; however, societal discrimination against women persists.

Women

Spousal abuse is common, but both local activists and the police say they have no statistics. At a September seminar on domestic violence, representatives of NGO's with crisis centers reported that the number of women seeking assistance is growing rapidly. Wife beating is considered a personal family affair rather than a criminal act, and thus such cases usually are handled by family members or elders within the community (mahalla) and rarely come to court.

Trafficking in women for the purpose of prostitution occurs, particularly to the Persian Gulf and Turkey (see Section 6.f.). Prostitution within the country is a growing problem stemming from the worsening economic situation.

Due to tradition, women, particularly in rural areas, usually marry before age 20, bear many children, and confine their activities to within the family. In rural areas, women often find themselves working in the cotton fields during the harvest season. However, women are not impeded formally from seeking a role in the workplace. The barriers to equality for women are cultural, not legal, and women who open businesses or seek careers are not hindered legally.

Although the law prohibits discrimination against women, traditional cultural and religious practices limit their role in everyday society. For these reasons, women are underrepresented severely in high-level positions. In 1995 President Karimov issued a decree on measures to increase the role of women in society, particularly extending their participation in state and social administration and coordinating the activities of ministries and social organizations as they relate to women's issues. In this connection, a deputy prime minister position was created in 1995 charged with furthering the role of women in society. The edict also created heads of women's affairs in the autonomous republic of Karakalpakstan, regions, cities, and districts. The Ministry of Finance was ordered to

allocate the necessary funds to finance these new positions and working bodies, but the groups complained their budgets were not sufficient. Government-controlled women's committees were formed in most regions in 1995, but most are underfunded and play only a minor role in improving the condition of women.

The President declared 1999 to be the year of the woman. In April the Government promulgated a law extending additional rights to women; it reduced the workweek to 35 hours for female employees of the State and reduced the optional retirement age for women to 54 years (after 20 years of employment). Government-sponsored activities also included a series of seminars, newspaper articles, public service announcements, and television programs that increased awareness of women's issues.

Several dozen NGO's address the needs of women. The Businesswomen's Association in Tashkent, in addition to providing resources and information about developing small enterprises, operates a store that sells clothing and crafts. A center in Tashkent conducts seminars on sexual harassment, domestic violence, and the legal rights of women. Another center in Samarkand operates a crisis hot line and provides educational services on alcoholism, sexually transmitted diseases, and family counseling.

Depressed because of their low social status, some women and girls resort to suicide by self-immolation. There are no reliable statistics on the extent of this problem, since most cases go unreported. However, representatives of women's groups have observed an increase in self-immolation, which remains the most frequent form of suicide for women in desperate circumstances. After marriage many women or girls move into the husband's home, where they occupy the lowest rung on the family social ladder. A conflict with the husband or mother-in-law, who by tradition exercises complete control over the young bride, usually is the stimulus for suicide.

A 1997 research study indicates that the number of women enrolling in higher education is diminishing; for example, women's enrollment in the finance and banking institute dropped from 65 percent in 1991 to about 25 percent in 1997. Cutbacks in government funding to universities and the need for families to fund a higher percentage of educational costs leaves many families in the position of being able to fund the education of only one child, either a son or a daughter. The report states that university faculty "steer" women into occupations traditionally performed by females and suggests that administrators may practice a policy of deliberately barring entrance to women in some fields.

Children

The Constitution provides for children's rights, stating that parents are obliged to support and care for their children until they reach majority at age 18. Traditional Uzbek values reinforce the cohesion of families; in most cases, several generations of a family live together. In theory the State provides free universal primary education and health care. In practice shortages and budget difficulties mean that some services must be paid privately. The State grants monetary allowances to families based on their number of children. The country has a very high birthrate; over one-half of the population is under the age of 15.

Nine years of formal schooling are compulsory, and the average length of schooling is over 11 years. The U.N. Development Program reports that 100 percent of children

complete secondary school.

There is no societal pattern of abuse of children. Trafficking in girls for the purpose of prostitution occurs (see Section 6.f.).

People with Disabilities

One of the country's first laws, adopted only 2 months after independence in 1991, provided support for the disabled. This law was aimed at ensuring that the disabled have the same rights as other citizens. However, little effort is made to bring the disabled into the mainstream. The State cares for the mentally disabled in special homes. The Government has not mandated access to public places for the disabled.

National/Racial/Ethnic Minorities

Government statistics dating from 1992 show that the population of approximately 23 million is about 71 percent Uzbeks, 8 percent Russians, 5 percent Tajiks, 4 percent Tatars, and 3 percent Kazakhs, with many other ethnic groups represented. The statistics may underestimate the actual number of ethnic Tajiks. The figures also do not include many ethnic Tajiks whose mother tongue was Uzbek. Moreover, some Tajiks choose for a variety of reasons to declare themselves to be ethnic Uzbeks.

Ethnic groups other than Uzbeks, particularly Russians frequently complain that job opportunities are limited for them. Senior positions in the government bureaucracy and business generally are reserved for ethnic Uzbeks, although there are numerous exceptions to this rule.

The 1992 citizenship law does not impose language requirements for citizenship. Nonetheless, the language issue remains very sensitive. Uzbek has been declared the state language, and the Constitution requires that the President speak Uzbek. However, the language law provides for Russian as "the language of interethnic communication." Russian is widely spoken in the main cities, and Tajik is widely spoken in Samarkand and Bukhara. The 1989 language law originally required that Uzbek would be the sole method of official communication by 1998, but subsequently was modified and now stipulates no specific date. The Government also is in the process of replacing the Cyrillic alphabet with the Latin alphabet. However, realizing the difficulties for Uzbeks and minorities alike, the Government has delayed the full transition to both the Uzbek and the Latin alphabet to 2005.

Section 6 Worker Rights

a. The Right of Association

The 1992 law on unions specifically provides that all workers have the right voluntarily to form and join unions of their choice, and that trade unions themselves may voluntarily associate territorially or sectorally. Membership in trade unions is optional. The law also declares all unions independent of the State's administrative and economic bodies (except where provided for by law), and states that trade unions should develop their own charters, structure, and executive bodies and organize their own work.

However, in practice the overall structure of trade unions has not changed significantly since the Soviet era. Independence has eliminated subordination to Moscow but has not altered the centralized trade union hierarchy, which remains dependent on the Government. No "alternative" central union structures exist.

A few new professional associations and interest groups have been organized, such as a union of entrepreneurs, a union of renters, and an association of private physicians and pharmacists. Registered professional associations for judges and lawyers formed in 1997; both organizations were quasi-governmental. An association of broadcasters formed in 1998 has failed to gain government registration (see Section 2.b.). The main activity of all registered associations is professional development. They do not license members and have no formal role in advocating the interests of members in relation to the Government.

According to the law, the Council of the Federation of Trade Unions (CFTU) has a consultative voice in the preparation of all legislation affecting workers and is entitled to draft laws on labor and social issues. Trade unions are described legally as organizations that defend the right to work and to protect jobs. They have lost their previous role in state planning and in the management of enterprises. The emphasis now is on the unions' responsibility for "social protection" and social justice--especially unemployment compensation, pensions, and worker retraining.

The trade union law does not mention strikes or cite a right to strike. However, the law does give the unions oversight for both individual and collective labor disputes, which are defined as those involving alleged violations of labor laws, worker rights, or collective agreements.

There were few reports of strikes. This circumstance likely reflects the absence of truly representative trade unions, as the standard of living fell and growing unemployment raised social tensions. The absence of labor activism also reflects the Communist legacy of docility in the face of authority. However, both union and government officials assert that the lack of strikes reflects general support for the Government's policies and common interest in social stability.

The 1992 law on unions provides that unions may choose their own international affiliations; however, none have done so.

b. The Right to Organize and Bargain Collectively

Trade unions may conclude agreements with enterprises. Privatization is still in its very early phase. As a result, there is no experience with negotiations that could be described as adversarial between unions and private employers. The State is still the major employer, and the state-appointed union leaders do not view themselves as having conflicts of interest with the State.

The Ministry of Labor and the Ministry of Finance in consultation with the CFTU, set the wages for various categories of state employees. In the small private sector, management establishes wages or negotiates them with those who contract for employment.

The law forbids discrimination against union members and their officers.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The Constitution specifically prohibits forced labor, except as legal punishment or as may be specified by law. The law does not specifically prohibit forced and bonded labor by children, but such practices are not known to occur. However, large-scale compulsory mobilization of youth and students (by closing schools) to help with the cotton harvest continues. Student labor is paid poorly, and students sometimes must pay for their food. Adults, including teachers and passersby in automobiles and busses, similarly are forced into the harvest effort.

d. Status of Child Labor Practices and Minimum Age for Employment

The minimum working age is 16 years; 15-year-olds can receive state permission to work, but have a shorter workday. In rural areas, younger children and the elderly often help to harvest cotton and other crops (see Section 6.c.). The Labor Ministry has an inspection service, which is responsible for enforcing compliance with these and other regulations governing employment conditions, and enforces them effectively.

The law does not specifically prohibit forced and bonded labor by children, and such practices are not known to occur, except for compulsory mobilization for the cotton harvest (see Section 6.c.).

e. Acceptable Conditions of Work

The Ministry of Labor, in consultation with the CFTU, sets the minimum wage. As of September 1, it was about \$10 (1,750 som) per month. The minimum wage is not sufficient to provide a decent standard of living for a worker and family. The standard workweek is set at 41 hours and requires a 24-hour rest period. Some factories apparently have reduced work hours in order to avoid layoffs. Overtime pay exists in theory but is not always paid.

Pay arrearages of 3 to 6 months are not uncommon for workers in state-owned industries. The problem appears to be growing.

The Labor Ministry establishes occupational health and safety standards in consultation with the unions. There is a health and safety inspectorate in the Ministry. The local press occasionally published complaints about the failure of unions and government authorities to do enough to promote worker safety. Although written regulations may provide adequate safeguards, workers in hazardous jobs often lack protective clothing and equipment. Workers can leave jobs that are hazardous without apparent jeopardy to continued employment; however, in practice, high rates of underemployment make this step difficult. Trafficking in Persons

There no laws relating specifically to trafficking in persons. Trafficking in women and girls for the purpose of prostitution occurs, particularly to the Persian Gulf and Turkey. However, there are no reliable statistics on this problem, and it does not seem to be carried out on a large scale (see Section 5).

Anecdotal reports from NGO's indicate that the number of young women forced into prostitution abroad is growing. The Government has not acknowledged the problem publicly, but has taken some measures to combat it. According to NGO representatives, the police force in Samarkand formed a special unit on trafficking in women in 1998, but the unit's effectiveness is hampered by a lack of resources. Border guards at airports were directed to give more scrutiny to unaccompanied young women traveling to Turkey, the United Arab Emirates, and South Korea; they are authorized to deny such women permission to leave the country. There is no government program to educate or assist potential victims; however, the State University for World Economy and Diplomacy sponsored a series of lectures on domestic violence and trafficking in women during the year.

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