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U.S. Department of State

Uzbekistan Country Report on Human Rights Practices for 1997

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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 remain the dominant forces in political life. The Oliy Majlis (Parliament) is dominated by the executive branch, and only parties that support the President are represented. Although the Constitution provides for an independent judicial authority, in practice the judicial branch is heavily influenced by the executive branch in civil and criminal cases.

The police are controlled by the Ministry of Interior (MVD). The police and related MVD forces are responsible for most normal internal 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 army and border guards are responsible for external defense. They are not routinely used in internal disturbances and rarely are implicated in human rights abuses. The police and the NSS committed numerous, serious human rights abuses.

The Government continued to move toward market reform, especially through improvement in the legislative framework. However, restrictions continue on currency convertibility and other financial steps which have led to suspension of international loans. The economy is based primarily on agriculture and agricultural processing; Uzbekistan is the world's fifth largest producer of cotton, the seventh largest producer of gold and has substantial deposits of copper, strategic minerals, gas, and oil. The Government has proclaimed its commitment to a gradual transition to a free market economy. It has

achieved substantial progress in reducing inflation and the budget deficit. However, progress on privatization of the large state-owned enterprises that account for the bulk of gross domestic product remained slow, and a host of formal and informal barriers continued to constrain the nascent private sector.

The Government's human rights record remained poor, and there were serious problems in several areas. Citizens cannot exercise their right to change their government peacefully. 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 Soviet-style referendum. Parliament subsequently voted to make the extension part of Karimov's first term, thus making him eligible to run again in 2000. Police and NSS forces used torture, harassment, illegal searches, and wiretaps, and arbitrarily detained or arrested opposition activists on false charges. They committed these and other abuses against both dissidents and other citizens, although reported abuses against dissidents decreased sharply. Arbitrary arrest and detention is common; even foreigners are not exempt. Police often beat criminal suspects, and detention can be prolonged. Prison conditions are poor. Although the Government says that it investigates abuses, those responsible for documented abuses rarely are punished. The judiciary does not always ensure due process and takes its direction from the executive branch. The Government severely limits freedom of speech and the press, and freedom of expression is constrained by an atmosphere of repression that makes it difficult to criticize the Government publicly. Although the Constitution expressly prohibits it, press censorship continues. The Government sharply restricts the importation of foreign print media. The Government limits freedom of assembly and association. The Government continues to ban unsanctioned public meetings and demonstrations. To control the political arena, the Government continues to deny registration to independent political parties and other groups potentially critical of the Government, and prevents unregistered opposition parties and movements from operating freely or publishing their views. The Government continued to decline to approve the registration application of the Human Rights Society of Uzbekistan, which has been seeking to register since 1992 citing technical deficiencies in its paperwork. The Government limits freedom of religion; it has harassed and arrested independent Islamic leaders on questionable grounds, citing the threat of Islamic extremism. It has also arrested and allegedly threatened evangelical leaders, and denied registration to Christian sects it does not accept. Despite a constitutional prohibition, there continues to be significant traditional societal discrimination and domestic violence against women.

The pace of reform slowed during the year. Nevertheless, several potentially positive steps were taken. In April the Oliy Majlis passed legislation establishing an ombudsman's office. However, by year's end, the office had not yet demonstrated whether it could function in accordance with its legislative mandate and play an important role in monitoring human rights abuses. The Oliy Majlis also enacted legislation reforming the penal system and protecting the rights of prisoners. In April new laws providing increased access to information and protection of journalists were passed, and a mass media law passed in December, although the effects on press freedom remained unclear at year's end.

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 reports of political or other extrajudicial killings.

The Government has never announced the results of its internal investigation into the 1995 death in police custody, almost certainly of a beating, of Bokhtiar Yakubov, a witness linked to an opposition

activist.

b. Disappearance

There were no reports of politically motivated disappearances.

Nematjon Parpiev, an assistant to missing imam Abduvali Kori Mirzaev, was reported to have disappeared in August. Parpiev went to the local market to buy bread and never returned. This event follows by two years Mirzaev's disappearance who, along with his assistant, allegedly was detained at the Tashkent airport by NSS officers while traveling to a conference in Moscow in 1995. No developments were reported in the disappearance of Mirzaev and his assistant.

There were no reported developments in the investigation of the 1995 kidnappings of former vice president Shukrullo Mirsaidov and his son, or the November 1996 kidnapping of another of Mirsaidov's sons. Similarly, there were no new developments in the 1992 disappearance of Abdullah Utaev, leader of the Uzbekistan chapter of the outlawed Islamic Renaissance Party, who, most observers believe, also was detained by security forces. There is no official admission that either man was arrested or detained and no further information on their whereabouts. However, 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.

Family members of the "Namangan 11," a group of young men who, evidence strongly suggests, were falsely accused of belonging to a Namangan city gang that committed a murder and several robberies, continue to protest the court's conviction, believing that even a reduced sentence is unjust because the defendants are innocent. In 1996 the Supreme Court commuted the death sentence of one defendant and reduced the sentences of the other defendants. Lawyers at the hearing presented evidence that the defendants' confessions were obtained by beatings.

The MVD has yet to announce the results of its internal investigation of the August 1996 detention of the representative of the international human rights nongovernmental organization (NGO) Human Rights Watch/Helsinki (HRW/H) and have not identified who subjected him to verbal abuse and humiliating treatment (see Section I.d.).

Prison conditions are poor, and worse for male than for female prisoners. Due to limited resources, prison overcrowding is a problem. Reportedly there are severe shortages of food and medicines. Political prisoners are often not allowed visitors or any other direct form of contact with family and friends. The Government operates labor camps, but little is known about the conditions of incarceration.

The Government does not routinely permit prison visits by human rights monitors, although diplomats have occasionally obtained access in specific cases.

d. Arbitrary Arrest, Detention, or Exile

Security forces continued to arrest and detain citizens arbitrarily. Uzbekistan continues to use the Soviet legal system, and laws on detention have not changed since independence. According to the law, police may hold a person suspected of committing a crime for up to 3 days. At the end of this period, the

suspect must be either officially charged or released. A prosecutor's order is required for arrests but not for detentions. A court case must be scheduled within 15 days of the arrest, and the defendant may be detained during this period. A defendant may not have access to counsel while in detention but only after formal arrest. Delays between detention and trials can be lengthy--one Islamic cleric detained in September 1994 did not go on trial until May 1995.

In practice police arbitrarily stop and detain individuals, whether dissidents or not, without warrant or just cause. In the past, opposition and religious figures have been charged with offenses such as drug possession, illegal possession of firearms, or disorderly conduct in an effort to stifle their criticism of government policy. In June authorities resumed these tactics by convicting Islamic teacher Rahmatjon Otaqulov of the illegal possession of narcotics and ammunition. Police came to Otaqulov's home to tell him that his car had been involved in an accident. At the supposed accident scene, police "discovered" narcotics on Otaqulov, in the presence of two people, who reportedly were detained earlier in order to witness the arrest. A subsequent search of Otaqulov's home supposedly uncovered ammunition. At the trial in June, the defense lawyer effectively questioned the credibility of the arresting officers and witnesses, but Otaqulov ultimately was convicted and sentenced to 3½ years imprisonment. Additionally, a second Islamic teacher, Olimjon Gafurov, received a 1 year prison term for the illegal possession of narcotics and arms. Independent observers believe that the incriminating contraband was planted by the arresting officers.

On December 21, Samarkand police detained Mikhail Ardzinov, Chairman of the Independent Human Rights Society of Uzbekistan (IHROU) and Tajik rights activist Jamal Mirsaidov reportedly for organizing an illegal meeting. Police reportedly abused Ardzinov and held him until December 22. Mirsaidov reportedly was given a 15-day jail sentence, but released on December 24.

The MVD has yet to announce the results of its internal investigation of the August 1996 incident in which three police officers, possibly intoxicated, detained the local HRW/H representative, a British citizen, as he returned from a dinner engagement. At the district police station, two senior officials intimidated and verbally abused him, and accused him without basis of illegally possessing narcotics and firearms. He was jailed overnight but police never brought charges. The Government did not admit fault, but issued a written apology.

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. Under the Constitution, the President appoints all judges for 10-year terms. They may be removed for crimes or failure to fulfill their obligations. Power to remove judges for failure to fulfill their obligations rests with the President, except for Supreme Court judges, whose removal must also be confirmed by Parliament.

There is a three-tier court system: the people's court on the district level, the regional courts, and the Supreme Court. District court decisions may be appealed to the next highest level within 10 days of the ruling. The Criminal Code reduces 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 and in recent practice, 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.

Uzbekistan still uses the Soviet judicial system, which features trial by a panel of three judges: one

professional judge and two "people's assessors" who are chosen by the workers' collectives for a period of 2½ years. The judge presides and directs the proceedings. 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 has the right to hire an attorney. In some political cases, the defendants have not had access to lawyers.

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 must usually sign a pledge not to leave the city.

In practice 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 case of the Namangan 11 (see Section I.d.), the defendants' written confessions, allegedly gained by beatings and repudiated by the defendants in court, appeared to have been given more weight than the testimony of eyewitnesses.

Human Rights Watch/Helsinki and the Human Rights Society of Uzbekistan (HRSU) have compiled lists of 20 to 30 individuals believed to be political prisoners. Many were associated with the Birlik or Erk parties, or 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. However, many observers questioned the fairness of the trials and believe that incriminating contraband was planted by arresting officers. Nine individuals believed to be political prisoners were released in 1996, but there were no further releases in 1997.

Citing the threat of Islamic extremism, the Government charged several imprisoned political activists and Islamic activists with minor infractions of prison regulations, keeping them imprisoned by blocking their eligibility for the Government's annual amnesty. One such prisoner, Abduraub Gafurov, remains imprisoned after MVD officials illegally closed his trial in December 1996. Foreign observers attempted unsuccessfully to observe the trial. At the closed hearing, authorities sentenced Gafurov to an additional 3 years in prison based on testimony from fellow prisoners.

The Government denies that it holds political prisoners.

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

By law search warrants issued by a procurator are required. There is no provision for a judicial review of warrants. No legal mechanism exists for authorizing telephone tapping or monitoring. Security agencies routinely monitor telephone calls, and employ surveillance and wiretaps in the cases of persons involved in opposition political activities.

The Government does not allow general distribution of foreign newspapers (with the exception of two or three very conservative Russian papers) and other publications. However, limited numbers of foreign periodicals began to appear in Tashkent's two major hotels, and authorized groups can obtain foreign periodicals through subscription. The publication of the local editions of Izvestia and Pravda and the of their Moscow editions remained suspended throughout 1997. The authorities black out Russian news broadcasts when they are critical of the Government (see Section 2.a.)

Opposition activist and former vice president Shukrullo Mirsaidov remained evicted from his home after the Government reimplemented a long-dormant, politically motivated property confiscation order against him (see Section 3).

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 severely these rights.

A 1991 law against "offending the honor and dignity of the President" limits the ability to criticize the President. Journalists and ordinary citizens remain afraid to express views critical of the President and the Government.

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. Newspapers may not be printed without the censor's approval. All newspapers are printed by the same state-owned printing houses, which will not print any paper whose editor does not confirm that the issue has been cleared by the censor a few hours before being submitted. The Government reportedly provides funding and office space for censors. Journalists and writers who want to ensure that their work is published practice self-censorship. Several speakers at the 1996 Organization for Security and Cooperation in Europe-sponsored human rights conference openly challenged the Government's assertion that there is no censorship. The editor of the Hurriyat newspaper, an Uzbek-language weekly that had published several issues mildly critical of some aspects of Uzbek television media, resigned due to concern that his paper might be censored after state television criticized his role; the journal then published under closer state scrutiny. Vatan, the newspaper of the progovernment Fatherland Progress Party, ceased publication temporarily after publishing an analytical article about the President's August 1996 speech to Parliament on human rights, reportedly under pressure from government officials displeased by the article.

In April the Parliament passed a new law providing for freedom of access to information. A second law provides for protection of journalists' professional activity, including protection for journalists' sources, and mandates that government agencies respond to written requests for information within 30 days. A mass media law was passed in December; however, several articles are worded in such a way that they could be used to punish government critics, for example, one provision makes journalists responsible for the truth of the information contained in their news stories, potentially subjecting journalists to prosecution if a government official disagrees with a news report. At year's end, the Government had not yet demonstrated whether it was committed to implement such laws in an effective manner so as to provide a foundation for major and positive systemic change.

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 papers are organs of government ministries. State enterprises control the printing presses.

The last opposition newspaper to be published was that of the Erk party. In 1993 it was banned and has not been published since.

Magazines and weeklies have to be registered, a procedure that includes providing information about the sources of funding, means of distribution, founders, and sponsors. A resolution by the Cabinet of Ministers bans private persons and journalist collectives from founding newspapers or magazines. Foreign correspondents based in Tashkent report that the security services have harassed and threatened their translators and other local employees. Limited numbers of foreign periodicals are available, but the Government does not allow the general distribution of foreign newspapers (see Section I.f.).

Television broadcasting is state controlled. Although there are local stations in various regions, nationwide programming is on two state-run channels that fully support the Government and its policies. The Ostankino channel from Russia broadcasts during the evening. Its news broadcasts are blacked out when they are critical of the Government. A cable television joint venture between the state broadcasting company and a U.S. 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.

In September an Urgench-based independent television station resumed broadcasting after being closed by local authorities. Despite winning three court appeals, which allowed the station to reopen, local authorities used a variety of means to keep the station off the air, including sabotaging its signal, barring employees entry to the station, and using police to damage equipment. The station, managed by a former member of the opposition Erk political party, reportedly broadcasted music, news, and programming distributed by Samarkand's television station. The Samarkand Independent Television (STV) station also considers itself independent. It claims not to receive any government subsidy and to exist wholly on income derived from advertisers. It currently has three channels and plans a fourth, devoted to entertainment in 1998. It is clearly sensitive to political concerns from the center and concentrates on nonpolitical news but claims not to be formally censored. The Samarkand station received an exclusive license from the Government to distribute television programming to stations in the western part of the country.

Radio Free Europe/Radio Liberty, which opened a bureau in Tashkent in May 1996 staffed by two local Uzbek correspondents, the Voice of America, and BBC radio, along with the less widely available cable television channels, are among the few sources of uncontrolled news.

There are no private publishing houses, and government approval is required for all publications.

Virtually all academic institutions are experiencing increased autonomy, but freedom of expression is still limited. Most institutions are in the process of revising curriculums, and Western textbooks are in great demand.

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. The Government must sanction demonstrations and does not routinely grant this permission.

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 opposed to the established order. The Constitution places broad limitations on the types of groups that may form and requires that all organizations be formally registered with the Government in accordance with procedures prescribed by law. In 1996 the Parliament passed new legislation on political parties that increased the number of signatures required to register a political party from 3,000 to 5,000 and raised the number of oblasts in which a party must be represented to eight. A party must meet other requirements, such as providing an official address. Independent observers believe that the Government intends to make it more difficult to form and register parties. A 1996 analysis by legal observers concluded that, while the law provides protections for minority parties and permits a wide range of fund raising, it also accords the Ministry of Justice broad powers to interfere with political parties and withhold financial and legal support to parties opposed to the Government. The process for registering NGO's and other public associations is also difficult and time consuming, with many opportunities for official obstruction.

Since 1992 the Government has repeatedly frustrated the efforts of the HRSU, a local human rights group with close ties to exiled opposition figures, to register officially. In 1996 the Government granted permission for the HRSU to hold a founding organizational meeting (kurultai), a prerequisite for receiving registration, and agreed to consider the HRSU's application for registration. In January, April, and August, the Government declined to act on the HRSU's application to register, repeatedly citing technical deficiencies in its paperwork. Independent observers believe the Government's refusal to register the HRSU is politically motivated. In August the newly created Independent Human Rights Organization of Uzbekistan (IHROU), headed by longtime human rights activist Mikhail Ardzinov, held its founding kurultai and filed registration papers with the Ministry of Justice. The meeting was conducted in secret after local authorities illegally refused to respond to the IHROU's formal request to hold its founding congress. In December the Ministry declined to act on the IHROU's application, citing technical deficiencies in the paperwork. In 1996 the Government granted registration to another human rights NGO, the Committee for Protection of Individual Rights, a group formed with the support of the Government.

In earlier years, the Government repeatedly denied the attempts of the Birlik movement and Erk party to register as parties. Most of these organizations' leaders have since gone into exile, and these organizations made no attempt to register in 1997, reportedly because their remaining adherents in the country are afraid of government reprisals. The Constitution and a 1991 amendment to the law on political parties ban those of a religious nature. Authorities cite this principle in denying registration to religious parties, including the Islamic Renaissance Party (IRP). Other opposition activists have announced the formation of the "Adolat-True Path" party but never pursued formal registration, claiming that their members are also afraid of government reprisals.

Nonpolitical associations and social organizations usually did not encounter comparable difficulties in registering, although bureaucratic delays and official suspicion continued to plague the registration process for such groups. Some evangelical churches (see Section 2.c.) and some foreign humanitarian assistance groups 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, despite allowing many groups to worship freely, for example, the Russian Orthodox and several other Christian denominations, the Government suppresses some religious groups that defy the authority of state-appointed religious authorities, particularly Islamic dissidents. In addition despite the principle of separation of religion and state, the government-controlled Spiritual Directorate for Muslims funds some Islamic religious activities.

After the enforced atheism of the Soviet period, religious communities are experiencing a significant revival. Religious education is becoming more widespread, although it is not included in state schools. While Islam is the religion of the majority, ethnic minorities may also practice their religion in relative freedom.

However, tensions arise when churches attempt to convert across ethnic lines, especially when they attempt to convert members of generally Muslim ethnic groups to Christianity. Although distribution of religious literature is legal, missionary activity and proselytizing is not.

Authorities tolerate many non-Orthodox Christian evangelical groups, but do not register Christian sects that the Government does not approve.

Evangelical leader Denis Podorozhny, head of the Word of Faith congregation, continued to try to regain the registration his group lost in 1994, despite having twice been arrested in 1996 and spending 12 days in jail. Mission of Mercy head Olga Avetisova has tried for 7 years to register her Christian humanitarian association despite receiving death threats from local officials in 1996. In October the Government released a shipment containing 24,960 Bibles confiscated by customs in December 1996. There is evidence that customs officials acted on orders issued by the Committee on Religious Affairs, a department of the executive office of the president.

Fearing the destabilizing influence of extremist Islamic forces, the Government has sought to control the Islamic hierarchy, the content of imams' sermons, and the extent and substance of published Islamic materials. However, Islamic groups not affiliated with the Government form a "parallel Islam." The Government has detained a number of Fergana Valley Islamic clerics on various charges (see Section I.d.). Bureaucratic restrictions have also inhibited the free operation of numerous religious schools. Dissident Islamic figures deny that they are extremists and claim that they are being persecuted for their unwillingness to praise the Government's actions "slavishly."

Muslim leaders have been detained and harassed for acts of perceived insubordination and independence. Shortly before the expiration of his 3-year term in 1996, Uzbek authorities charged imprisoned Islamic Muslim activist Abduraub Gafurov, as well as several other religious activists with violations of minor prison regulations and sentenced him to an additional 2 years. The new conviction made Gafurov ineligible for release under the Government's annual parole. In 1996 the government-appointed mufti fired imam Abidkhon Nazarov, head of the Tukhtoboi mosque in Tashkent, and several other independent-minded Islamic clerics. These clerics were fired ostensibly for failing a government-designed "imam test" which included questions about political and economic policy outside the traditional sphere of a religious cleric. The Andijon Friday mosque, where missing imam Abduvali Kori Mirzaev (see Section I.b.) formerly preached, was closed by the Government in mid-1995 and remains closed.

There is no pattern of official discrimination against Jews. Synagogues function openly; Hebrew education (long banned under the Soviets), Jewish cultural events, and the publication of a community newspaper take place undisturbed. However, the perception of bleak economic prospects; occasional harassment by low-level officials, which some believe is anti-Semitic in origin (others say that such incidents occur in the context of harassment that any resident of Uzbekistan may face); and the belief that militant Islam might become a strong force are motivating many Jews to emigrate.

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. The Government issues new passports in place of the old Soviet ones for citizens traveling overseas, but, in principle, for purely internal travel, the old passports will remain valid until 2000. The new passports serve as both internal identity cards and, when properly certified, as external passports. In addition the Government has greatly simplified the process of obtaining exit visas, which are valid for a period of 2 years and no longer require invitations.

Most barriers to emigration were lifted before the Soviet breakup. Although in some instances emigrants are delayed by long waits for passports and exit visas, potential emigrants who can find a host country willing to accept them are able to leave the country. Since independence, a significant number of non-Uzbeks, including Russians, Jews, Ukrainians, and others have emigrated, although no figures are available. These people have left because of their perception that economic conditions are better elsewhere and, in some cases, because of concern that future economic and social prospects for non-Uzbeks are limited. A sizable number of Russian emigrants, finding poor economic conditions and

discrimination in Russia, have returned.

The travel of local citizens is not controlled, unlike travel by foreigners, including journalists. Due to treaties between their countries and Uzbekistan, citizens of France, Germany, the Republic of Korea, the United Kingdom, and the United States receive visas valid for travel throughout the country. Other foreign visitors must have each city they wish to visit noted on their visas. Tourists seeking to check into hotels without the appropriate internal visa often find themselves having to pay fines or bribes to local officials. In mid-1995, a presidential edict decreed that the ancient cities of Tashkent, Samarkand, Bukhara, and Khiva would henceforth be "open cities," for which a separate visa notation is not required for nationals of any country and Uzbek visas now are valid for travel throughout the country without special annotation. Visitors require special permission, however, to travel to certain areas, for example, Termez on the Afghan border.

On occasion the Government created problems for human rights activists who sought to enter or leave the country. Both Abdoumannob Pulat and Mikhail Ardzinov experienced such difficulties (see Sections 3 and 4).

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 citizenship lose Uzbek citizenship. If they return to Uzbekistan as foreign citizens, they are subject to foreign visa regulations. There is no evidence that anyone was denied permission to return.

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 considers asylum seekers from Tajikistan and Afghanistan to be economic migrants, and such individuals are subject to harassment and bribe attempts when seeking to regularize their status. They may be deported if their residency documents are not in order. The country hosts populations of ethnic Koreans, Meskhetian Turks, 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 United Nations High Commissioner for Refugees (UNHCR) estimates that there are 30,000 Tajik and 9,000 Afghan asylum seekers of whom 2,000 have filed asylum requests with the UNHCR and 960 have received mandate refugee status, figures which have not changed significantly since 1995. There were two confirmed reports of forced repatriation of two Afghan refugees in October.

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 exercise their right to 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 true opposition groups participated in government or were allowed to function legally.

Uzbekistan is ruled by a highly centralized presidency, comprising the President, a small inner circle of advisers, and senior government officials. 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 the year 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 government, and the President resigned his chairmanship of the party in 1996.

The 1995 parliamentary elections were limited to candidates and parties (the PDP and one other government-sponsored party) that support the President. Since then, several other government-parties have been created and entered Parliament through unchallenged by-elections and other arrangements. 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.

Few people were willing to challenge the Government's grip on power or even risk criticizing it publicly. Most opposition and human rights activists in exile have expressed their mistrust of President Karimov's 1996 offer to return to Uzbekistan. Human rights activist Abdoumannob Pulat sought without success to obtain a return visa to assist with the registration of the HRSU. In June the Government initially refused to grant a return visa to Pulat to visit his dying mother, although it subsequently relented and granted the visa. Pulat, head of the HRSU (see Section 4) and brother of exiled Birlik leader Abdurakhim Poulatov, moved freely within the country and was not harassed, after he promised not to engage in political activity during his visit.

Opposition activist and former vice president Shukrullo Mirsaidov remained evicted from his home after the Government reimplemented a long-dormant, politically-motivated property confiscation order against him based on his earlier, politically-motivated conviction for corruption while in office. His fa