



Uzbekistan

Country Reports on Human Rights Practices - [2002](#)

Released by the Bureau of Democracy, Human Rights, and Labor
March 31, 2003

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; however, in practice President Islam Karimov and the centralized executive branch that serves him dominate political life and exercise nearly complete control over the other branches. Following a January referendum judged to be neither free nor fair, the President's term in office was extended by 2 years. Previous elections were neither free nor fair. The Oliy Majlis (Parliament) consists almost entirely of officials appointed by the President and members of parties that support him. Despite constitutional provisions for an independent judiciary, the executive branch heavily influenced the courts in both civil and criminal cases.

The Ministry of Interior (MVD) controls the police and is responsible for most routine 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. There was effective civilian control over the military. The police and the NSS committed numerous serious human rights abuses; however, for the first time some officers from these organizations were held accountable and sent to prison for their actions during the year.

The economy was based primarily on agriculture and agricultural processing. The country had a population of approximately 24,756,000. It is a major producer and exporter of cotton, as well as a major producer of gold, and has substantial deposits of copper, strategic minerals, gas, and oil. Progress towards economic reform was mixed, including implementation of commitments to transition to a free market that the Government made during the year under the Staff Monitored Program with the International Monetary Fund. Restrictions remained on currency convertibility and economic activity, while unemployment was high and growing.

The Government's human rights record remained very poor; although there were some notable improvements, it continued to commit numerous serious abuses. Citizens could not exercise the right to change their government peacefully. The Government permitted the existence of opposition political parties but harassed their members and refused either to register the parties or to allow them to participate in elections. Security force mistreatment resulted in the deaths of several citizens in custody. Police and NSS forces tortured, beat, and harassed persons. The Government invited the U.N. Special Rapporteur on Torture to visit the country, which he did in November. Prison conditions were poor, and pretrial detention often lasted several months. Police routinely and arbitrarily detained citizens to extort bribes. Police and NSS arbitrarily arrested persons, particularly Muslims suspected of extremist sympathies. They also planted evidence on persons; however, it was less common than in previous years. The number of persons in prison for political or religious reasons, primarily individuals the Government believed were associated with extremist Islamic political groups but also members of the secular opposition and human rights activists, was approximately 6,500. The judiciary did not ensure due process. Police and NSS forces infringed on citizens' privacy. Those responsible for documented abuses rarely were punished; however, for the first time since independence the Government convicted nine officers of the NSS and police for serious human rights abuses.

The Government severely restricted freedom of speech and the press, and an atmosphere of repression stifled public criticism of the Government. In May press censorship was eliminated; however, the Government warned editors that they were responsible for the content of their publications, and new amendments to the media law in effect encouraged self-censorship. The Government continued to ban unauthorized public meetings and demonstrations, and police forcibly disrupted a number of peaceful protests. The Government prevented many more protests, citing the threat of unrest. Ordinary citizens remained circumspect in criticizing the Government publicly. The Government continued to deny registration to opposition political parties; however, for the first time in several years the Government allowed an opposition political party to hold congresses. For the first time, the

Government registered an independent domestic human rights organization; however, it denied the applications of two other human rights organizations. The Government restricted freedom of religion and harassed and arrested hundreds of Muslims it suspected of extremism. The Government tolerated the existence of minority religions but placed limits on their activities. The Government restricted freedom of movement. Internal passports were required for movement within the country and permission was required to move from one city or district to another. Exit visas were required to travel abroad. The Government harassed and abused members of domestic human rights groups. Several human rights activists were arrested in circumstances that suggested selective enforcement of the law and targeting of human rights activists.

The Office of the Human Rights Ombudsman assisted hundreds of citizens seeking redress against unjust court decisions, non-receipt of salaries, and cases of official abuse of power. Violence against women, including domestic violence, was a problem, and there continued to be significant traditional, societal discrimination against women. Workplace discrimination against some minorities persisted. There were some limits on workers' rights. Some children, particularly in rural areas, were forced to work during the harvest season. Trafficking in women and children to other countries for prostitution was a problem.

RESPECT FOR HUMAN RIGHTS

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

a. Arbitrary or Unlawful Deprivation of Life

There were no confirmed reports of political killings; however, in July two inmates, Mirzakomil Avazov and Khusnuddin Olimov, incarcerated for membership in an extremist Islamic political party, were apparently tortured to death in Jaslyk prison. Officials insisted that the deaths were the result of an altercation between prisoners; however, there were reports that Avazov and Olimov were tortured by other prisoners at the orders of prison authorities. In October, in another case with possible (though unconfirmed) links to a banned extremist Islamic political party, Hizb ut-Tahrir, Izatulla Muminov died in his cell in Tashkent's Sobir Rahimov police station after apparent police torture. Human rights observers believed that dozens of prisoners died as a result of poor prison conditions aggravated by severe mistreatment. In some cases, law enforcement officials warned families not to talk about their relatives' deaths, which were often attributed by government officials to purely natural causes. Seven police and NSS officers were sentenced in January and June, respectively, to jail terms of up to 20 years for their roles in 2 deaths that occurred in late 2001. (see Section 1.c.).

On August 7, the bodies of Mirzakomil Avazov and Khusnuddin Olimov were returned to their families (see Section 1.c.). The two died violently in custody while incarcerated at a prison near Jaslyk in Karakalpakstan, where severe heat aggravates endemic health problems among prisoners. Human rights activists claimed that despite improved physical conditions and a temporary decline during the year in the use of torture and beatings by Jaslyk authorities, abusive practices reemerged during the summer. Many of the inmates of this facility, which opened in 1999, were convicted for religious extremism (see Section 2.c.).

On October 9, Izatulla Muminov died in police custody after being arrested on a robbery charge. Upon returning the body, police officers told the family that Muminov had hung himself in detention; however, family members claimed that there was heavy bruising throughout his body. Authorities opened an investigation into the case and concluded that the police had committed no infraction of their duties.

On November 10, NSS officers in Surkhandarya province tortured Musurmon Kulmurodov to death (see Section 1.c.). He had been stopped at a traffic checkpoint and transferred to NSS custody on suspicion of narcotics trafficking. At year's end, authorities had failed to hold any of the officers criminally liable.

The country's regulations require that every death in custody be investigated by a medical examiner. Examiners' reports routinely misstated the cause of death or covered up abuses. In no case in which a death in custody appeared to be due in whole or in part to torture or other mistreatment was the death attributed to such causes. Medical reports attributed the deaths to purely natural causes, injuries incurred while police were engaged in self-defense, and altercations between prisoners.

On January 16, four police officers were convicted to terms of twenty years each for their roles in the beating death of Ravshon Haitov. In October 2001, Tashkent police arrested Ravshon and his brother Rasul on suspicion of Hizb ut-Tahrir membership. The next day police returned the body of Ravshon to his family. Although the body showed clear signs of torture, authorities informed the family that he had died of a heart attack. Rasul was beaten severely and spent several months convalescing. The 4 police officers--2 majors, a captain, and a lieutenant--were indicted

within 1 day of the incident.

There were no developments in case involving the death of Emin Usman, a prominent ethnic Uighur writer arrested in February 2001 and charged with membership in Hizb ut-Tahrir. Family members reported that the body bore signs of beating. Authorities claimed that he had committed suicide.

There were no developments concerning the death of Shovruk Ruzimuradov, a human rights activist and former Member of Parliament who was arrested in June 2001 and accused of illegal possession of weapons, narcotics and banned Hizb ut-Tahrir literature. Despite authorities' claims that Ruzimuradov committed suicide, family members said that his body bore clear signs of torture and beating. Authorities claimed that Ruzimuradov had committed suicide. Sanctions were ordered against four officers, including the dismissal of one officer, for mishandling his detention. Ruzimuradov's family reported that 13 other residents of the rural village were rounded up in the aftermath of his arrest. All were accused of membership in Hizb ut-Tahrir.

There were no investigations into nor action taken in the following cases of deaths in custody during the year 2000, all of which were allegedly the result of torture or other mistreatment: Hazratkul Kudirov, Amanullah Nosirov, Shukhrat Parpiev, Rulam Norbaev, and Nagmut Karimov.

During and after the armed incursions of August and September 2000, military forces laid landmines on the border with Tajikistan and Kyrgyzstan. The Ministry of Defense asserted that all minefields were marked clearly and that it had informed the Tajik and Kyrgyz Governments of their locations. There were at least five cases during the year of landmine explosions involving civilians. The number killed and injured was unknown.

During the year, border patrols shot five Kyrgyz civilians, killing one person and injuring four, in incidents near nondemarcated border areas in the Kyrgyz Republic. The Government of Uzbekistan investigated several of the incidents and determined that its troops were acting legitimately against persons attempting to illegally cross the border. No further information was available at year's end.

b. Disappearance

There were no reports of politically motivated disappearances.

By year's end, it remained unclear whether Bakhodir Khasanov, an instructor at the Alliance Francaise who has been missing since 2000, was ever formally charged or sentenced. Security forces have never acknowledged having Khasanov in their custody (see Section 2.c.).

Imam Abidkhon Nazarov, widely believed to be missing since March 1998, reportedly fled the country to avoid arrest and was not abducted by security forces. Sources close to the family said that Nazarov's family confirmed that he was abroad.

c. Torture and Other Cruel, Inhuman, or Degrading

Treatment or Punishment

Although the law prohibits these practices, both police and the NSS routinely tortured, beat, and otherwise mistreated detainees to obtain confessions or incriminating information. Police and the NSS allegedly used suffocation, electric shock, rape, and other sexual abuse; however, beating was the most commonly reported method of torture. Human rights observers reported that the use of torture abated in some prisons following the January conviction of four policemen. Torture nonetheless continued in prisons, pretrial facilities, and local police and security service precincts; and the severity of torture did not decrease during the year. At the end of his visit in December, the U.N. Special Rapporteur on Torture concluded that the use of torture in the country was systemic.

On January 16, a court convicted four police officers in the October 2001 murder of suspected Hizb ut-Tahrir member Ravshon Haitov (see Section 1.a.).

On June 8, the Central Military Court in Tashkent convicted three NSS officers in the October 2001 murder of suspected Hizb ut-Tahrir member Alimohammad Mamadaliyev. The chief of the Margilon office and another officer received 15 years' imprisonment, while a third officer received 4 years. The Fergana Regional Prosecutor reported to the press that he was investigating two similar killings that occurred in Margilon in July and November of 2001. No further information was available at year's end.

On August 7, authorities returned the bodies of two men, Mirzakomil Avazov and Khusnuddin Olimov, to their families. Both men, members of Hizb ut-Tahrir held in Jaslyk prison, were badly beaten and had burns attributable to scalding water over significant portions of their bodies (see Section 1.a.). Authorities did not issue a public explanation of the incident by year's end. Police insisted that the men died in an altercation with two other inmates and that in the course of the fight hot water from a tea caldron was spilled on them.

On August 7, police in Fergana detained 24-year-old Atabek Shakirov on suspicion of murder, initially denying him access to his lawyer and family. Police tortured him, causing kidney damage. He was eventually transferred to a hospital for treatment. The Fergana regional prosecutor said that he opened an investigation into the matter. No further information was available at year's end.

On August 27, human rights activists Elena Urlaeva and Larissa Vdovina were detained at a demonstration and placed in a psychiatric facility, where Urlaeva was subjected to involuntary psychiatric treatment and Vdovina was reportedly also subjected to involuntary treatment (see Section 1.d.). Urlaeva was released on December 30, but Vdovina remained in custody at year's end. Urlaeva, who admitted to perpetrating an anthrax hoax at the parliament building in November 2001, has fought a legal battle against forced psychiatric treatment since police detained her in April 2001 after she began to organize and participate in public demonstrations. She won several appeals against a court ruling ordering involuntary treatment for schizophrenia; however, each successful appeal was overturned. Her most recent appeal remained pending at year's end.

On November 10, three intoxicated NSS officers in Surkhandarya province tortured Musurmon Kulmurodov to death with pliers, a screwdriver, and a metal baton in front of his mother, wife, and their two children (see Section 1.a.). He and his family had been stopped at a traffic checkpoint and transferred to NSS custody on suspicion of narcotics trafficking. At year's end, authorities had failed to hold any of the officers criminally liable.

Yusup Jumaev, a poet and opposition political party member, continued to report being harassed by local authorities. In March his son was attacked by strangers whom the Jumaev family believed were working on orders from local authorities. Jumaev was arrested by the NSS in October 2001 and convicted of anti-constitutional activities in December 2001 and released on probation.

Prisoners suspected of extremist Islamic political sympathies reportedly were routinely beaten and treated more harshly than criminals, regardless of whether investigators were seeking a confession (see Section 2.c.). Credible sources reported that Imam Abdulvakhid Yuldashev, convicted in April 2001 on suspicion of Islamic extremism, was beaten regularly in prison. In December 2001, his lawyer visited him in jail and reported that the soles of his feet were flayed, apparently from beatings. There were reports that on several occasions police beat members of Jehovah's Witnesses (see Section 2.c.).

On September 4, police in Khorezm arrested Ilkhom Salayev and his wife Khovajon Bekjanova in connection with a civil complaint. Bekjanova is a relative of Erk opposition leader Mohammed Solikh. Bekjanova was reportedly raped and beaten in front of her husband, who committed suicide after returning home.

Police forcibly disrupted some protests by women demanding the release of male relatives jailed on suspicion of Islamic extremism and in some cases injured some of the protesters (see Section 2.b.).

Writer and Erk opposition political party activist Mamadali Makhmudov, who reported being tortured in 2000, remained in prison and was reported to be in poor health.

Defendants in trials often claimed that their confessions on which the prosecution based its cases were extracted by torture (see Section 1.e.). Imam Abdulvakhid Yuldashev, convicted in April 2001 of organizing an underground Islamic movement, stated in court that investigators had beaten him and burned his genitals in order to extract a confession during detention.

Prison conditions were poor and worse for male than for female prisoners. Prison overcrowding was a problem, with some facilities holding 10 to 15 persons in cells designed for 4. The overcrowding may have been one of the reasons for the large-scale amnesty in 2001, but the problem remained severe. Tuberculosis and hepatitis were epidemic in the prisons, making even short periods of incarceration potentially deadly. Reportedly there were shortages of food and medicines, and prisoners often relied on visits by relatives to obtain both. During the year, the Organization for Security and Cooperation in Europe's Office for Democratic Institutions and Human Rights (OSCE/ODIHR) extended to the country a prison reform program at the request of the Ministry of Interior.

Men and women were held in separate facilities. Juveniles were held separately from adults. Pretrial detainees

were held separately from those convicted of crimes.

The Government also operated labor camps, where conditions of incarceration were reported to be less severe than in prisons. There were six types of prison and camp facilities, including pretrial detention facilities for adults.

In 2001 authorities granted amnesty to 860 individuals convicted under Article 159 (anti-constitutional activities). This was part of a broader amnesty of approximately 28,000 prisoners, most of them ordinary criminals. Prisoners reportedly were forced to sign a confession to be released under the amnesty. It is impossible to know how many of the 4,400 to 4,900 individuals arrested for suspected religious extremism but convicted under other charges also received amnesty. Human rights monitors did not gather statistics on such individuals, and the Government released no statistics on the matter. On December 8, authorities announced another, similar amnesty. By year's end, the release of prisoners had begun, but full figures were not yet known.

In January 2001, the Government signed and implemented an agreement allowing the International Committee of the Red Cross (ICRC) access to all prisoners, including those awaiting trial. The ICRC suspended visits in May 2001, complaining that access was not being granted to pretrial detention facilities. The ICRC resumed visits in March and reported that access to pretrial detention was no longer a problem. However, other problems remained, including the ICRC's concern that it was not being allowed unfettered access to prisoners. In April the ICRC suspended a visit. It resumed visits in September.

d. Arbitrary Arrest, Detention, or Exile

Security forces continued to arrest and detain individuals arbitrarily, without warrants or just cause. The 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 person must be officially declared a suspect and charged with a crime, or he must be released. A person officially declared a suspect may be held for an additional 3 days before charges are filed. The maximum time an individual may be held is 6 days prior to charges being filed. Police may only formally arrest an individual when charges are filed, and arrest can only be made with a prosecutor's order. Detention includes everything from random motor vehicle stops to being held during a criminal investigation. A court date must be set within 15 days of arrest (or filing of charges), and the defendant may be held in custody during this period. 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 these legal protections frequently were ignored.

Approximately 6,800 to 7,300 persons were arrested between 1999 and 2001 on suspicion of Islamic extremism or terrorism. Of that number, no more than 2,600 were charged with crimes related to the actual reason of arrest. Common charges included narcotics and weapons possession. Another 200 individuals arrested for political opposition received similar treatment. During the year, as many as 600 persons may have been arrested on suspicion of Islamic extremism. Unlike in past years, there were few reports of police planting evidence on such individuals, and most were charged with the actual crime for which they were arrested including anti-constitutional activity.

During the year, pretrial detention for individuals suspected of Islamic extremism varied between 3 and 10 months. While previously pretrial detention was known to last as long as 2 years, by year's end the Government had eliminated most of its backlog of such cases and suspects were going to trial within three months in almost every case. The number of such prisoners in pretrial detention was unknown; however, it was estimated to be less than 300. There are no regulations concerning the length of time witnesses may be detained, which in the past police used to avoid the 6-day limitation, claiming that suspects were being held only as potential witnesses. A defendant has a right to counsel from the moment of arrest, but in practice access to counsel was very often denied.

The police frequently sought to avoid legal constraints on the length of time suspects were held. On August 7, Fergana police detained Atabek Shakirov and held him for more than a week, without charges or access to family or counsel, claiming that he was a potential suspect, rather than an actual suspect, and that the 6-day limitation was therefore inapplicable (see Section 1.c.).

In ordinary criminal cases, police generally identified and then arrested those reasonably suspected of the crime; however, both the police and the NSS were far less discriminating in cases involving perceived risks to national security. Many individuals were detained, some more than once, for questioning. Authorities continued to arrest many individuals associated with Islamic groups that were not approved by the Government. In general these individuals were believed by the Government to have been associated with Hizb ut-Tahrir, although often the individuals had merely attended Koranic study sessions with the group. Since such sessions are an integral part of

Hizb ut-Tahrir's recruitment mechanism, authorities made little distinction between actual members and those with marginal affiliation. Several young men testified at their trials that they attended the sessions only because they wanted to learn about Islam. Officially approved mosques were incapable of meeting the demand for Koranic instruction, and there were few other officially approved forums for such instruction.

It has been common government practice to arrest, detain, and mistreat both immediate and extended family members of those the Government sought to arrest (see Section 1.f.). Rahima Akhmadalieva, the wife of independent Imam Ruhiddin Fahrudinov, remained in prison at year's end. Fahrudinov was wanted by the Government on suspicion of extremism. Akhmadalieva was arrested and convicted in 2001 without credible evidence, and her daughter was allegedly mistreated. During the year, no such arrests were reported; however, many family members of individuals the Government sought to arrest remained in jail (see Section 1.f.).

Police in the past routinely planted narcotics, weapons, ammunition, or Islamic literature on citizens either to justify arrest or to extort bribes; however, the number of reported cases of planting evidence decreased during the year. In February in the first such case reported to human rights activists, a police officer in Andijan was convicted for planting evidence on a suspected member of Hizb ut-Tahrir.

Authorities continued to arrest and detain human rights activists arbitrarily. On May 24, authorities in Karshi arrested Yuldash Rasulov, a member of the Human Rights Society of Uzbekistan (HRSU). He was charged with acting as a recruiter for the Islamic Movement of Uzbekistan (IMU), a terrorist organization, as well as with seeking the overthrow of the Government, and with possession and distribution of extremist literature. He was convicted on September 17 of the latter two charges and sentenced to 7 years' imprisonment. In an apparent attempt to placate international observers, who had pointed to the scarcity of evidence supporting any of the charges, the Government dropped the charge of recruiting for the IMU (see Section 1.c.).

On September 4, HRSU activist Tursunbay Utamuratov was arrested in the Karakalpakstan region of Mangit. Utamuratov, who was a trader in the local bazaar, was charged with economic crimes, including tax evasion. He was not released on bail. On November 30, he was sentenced to the maximum sentence of 9 years' imprisonment for tax evasion, assault, resisting arrest, and forgery. The judge threw out one charge of fraud. Observers noted that this was at best a case of selective prosecution since most bazaar traders in the country committed the crimes with which Utamuratov was charged, but few were tried and even fewer were held in detention prior to their trial.

On August 27, the Government committed human rights activists Elena Urlaeva and Larissa Vdovina to involuntary psychiatric treatment that reportedly began in September (see Section 1.c.). Urlaeva was released on December 30.

On September 4, Jakhongir Shosalimov, a trader and member of the Independent Human Rights Organization of Uzbekistan (IHROU), was arrested in Tashkent. He was arrested for inciting public unrest and disobeying police orders, and he was sentenced to 15 days administrative confinement on September 5. Accounts from witnesses were conflicting, but it appeared that Shosalimov gave an interview to journalists at the site of unrest that occurred that day at the bazaar. Minutes after the interview, the unrest ended and police arrested Shosalimov. Approximately 5 other individuals were arrested, 2 of whom also received 15-day sentences.

On September 17, Jora Murodov, Musulmonqul Hamroyev, and Norpolat Rajabov, 3 Kashkadarya province human rights activists, were sentenced to between 5 and 6 years for their roles in the ransacking of a collective farm manager's house. The three were involved in organizing protests against the manager's corruption. Other activists confirmed that at least one of the individuals participated in the vandalism. They later said that the wife of one of the arrested activists participated but that none of the activists actually participated.

Police in the past arbitrarily arrested and detained members of political opposition groups. There were no reports of similar arrests or detentions during the year. The opposition party Birlik was allowed to hold seven regional congresses, the first such gatherings since 1991.

Following fighting with the IMU in 2000, the Government forcibly resettled 5 villages in the Surkhandarya and tried and convicted 73 villagers for crimes against the Constitution and aiding terrorists. The villagers were not released by year's end.

Police arrested and detained some peaceful protestors during the year (see Section 2.b.).

Imam Khadji Khudjaev, who was arrested in August 2000 by Russian police for involvement in the February 1999 Tashkent bombings and extradited to the country in November 2000, remained in jail at year's end.

Bakhodir Khasanov, an instructor at the Alliance Francaise whose brother was convicted of Islamic extremism, was believed to have been detained in July 2000. The Government has not acknowledged that he was being held, and observers were uncertain as to his fate.

By the second half of the year the Government generally brought political detainees to trial within 3 months of their arrest. Because the press was unable or unwilling to cover the issue for fear of reprisals and there was no public record of arrests (see Section 2.a.), it was not possible to determine the exact number of political or other detainees awaiting trial. At year's end, political detainees awaiting trial were estimated to number between 100 and 300. Almost all were suspected of membership in extremist Islamic organizations such as Hizb ut-Tahrir. Despite some problems, the ICRC continued to visit prisons during the year and continued to work with the Government toward a fully functioning prison visit program (see Section 1.c.).

Neither the Constitution nor the law explicitly prohibits forced exile; however, the Government did not employ it. Government harassment of the Birlik and Erk opposition political parties drove the leaders of these organizations, including Mohammed Solikh of Erk and Abdurakhim Polat of Birlik, into voluntary exile in the early 1990s (see Section 3). The chairman of the HRSU, Abdumannob Polat, also lived in voluntary exile (see Section 4). In August Pulat Akhunov, the deputy chairman of Birlik and a naturalized Swedish citizen, received a visa to return to the country for an extended visit, which he did the same month. However, the Government still did not issue a visa to Abdumannob Polat, a non-Uzbek citizen.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary; however, the judicial branch takes its direction from the executive branch and had little independence in practice. Under the Constitution, the President appoints all judges for 5-year terms and has the power to remove judges. Removal of Supreme Court judges must be confirmed by Parliament. Judges may be removed for crimes or failure to fulfill their obligations.

Courts of general jurisdiction are 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 at the regional level that handles economic cases between legal entities.

Decisions of district and regional courts of general jurisdiction may be appealed to the next level within 10 days of ruling. Crimes punishable by death are murder, espionage and treason. 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. Unlike in past years, when trials of alleged Islamic extremists were often closed, local and international trial monitors and journalists were generally permitted to observe court proceedings during the year.

State prosecutors 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.

In the past, judges whose decisions were overturned on more than one occasion could be removed from office. In 2001 Parliament repealed this provision of the law, but other institutional controls remained in place, such as the executive's authority to decide which judges to reappoint. Consequently, judges in most cases continued to defer to the recommendations of prosecutors. As a result, defendants almost always were found guilty. Senior officials acknowledged the overwhelming power of the prosecutors, and efforts to strengthen the independence of the judiciary continued after legislative reforms were enacted in 2000 and 2001.

Three-judge panels generally preside over trials. The panels consist of one professional judge and two lay assessors who serve 5-year terms and are selected by either workers' collectives' committees or neighborhood (mahalla) committees. The lay judges rarely speak, and the professional judge often defers to the recommendations of the prosecutor on legal and other matters.

Defendants have the right to attend the proceedings, confront witnesses, and present evidence. The accused has the right to hire an attorney, and the Government provides legal counsel without charge when necessary. Nonetheless, the right to an attorney in the pretrial stage was often violated, and judges in some cases denied defendants the right to their attorney of choice. Defense counsel was often incompetent, and effective cross-examination of even the most fatally flawed prosecution witnesses rarely occurred. Prosecutors normally only attended those sessions of the court in which they were scheduled to speak. Court reporters tended to take poor

notes and very often put down their pens when the defense was speaking. Some courts reportedly refused to allow defense counsel access to trial transcripts on appeal.

The Government announced trials, including those of alleged religious extremists, only at the court in which the trial was to take place and only a day or two before the trial began. International observers generally were allowed to attend trials. During the year, there was only one report of a closed trial--that of three NSS officers who were accused of murdering a suspected Islamic extremist (see Section 2.c.). Observers other than families of the victim and the defendants were not allowed to attend.

Defendants often claimed that the confessions on which the prosecution based its cases were extracted by torture (see Section 1.c.). Judges ignored these claims. In other cases, particularly those of suspected members of Hizb ut-Tahrir, the prosecution failed to produce confessions and relied solely on witness testimony. The accused were almost always convicted. Typical sentences for male members of Hizb ut-Tahrir ranged from 7 to 12 years' imprisonment.

Lawyers may, and occasionally did, call on judges to reject confessions and to investigate claims of torture. In an April trial of 13 Kokand men accused of membership in Hizb ut-Tahrir and one man accused of being an IMU recruiter, defendants alleged that their confessions were extracted by torture. The judge in the case said that he would investigate allegations of torture and that those guilty would be punished if the allegations were found to be true. However, local activists said that they did not know of any follow-up action taken by the judge by year's end.

During the year, five police and three NSS officers were prosecuted and convicted for beating and torturing suspects (see Section 1.c.).

Prosecutors in 1999, 2000, and 2001 brought charges against at least 155 persons in connection with 1999 terrorist bombings in Tashkent. All of those tried were convicted, and 20 were executed. Several individuals were tried and convicted in absentia, including the leader of a banned opposition political party. During 1999 and 2000, many other individuals were convicted of terrorism. Authorities alleged that most had ties with the IMU, which had been implicated in the 1999 bombings. Recurrent allegations that investigators employed torture, as well as a general lack of transparency in court proceedings, led many international observers to claim that the Government had failed to prove the defendants' guilt.

During the year, several individuals were tried on charges of recruiting for the IMU. In no case of alleged IMU recruitment did the prosecution present evidence that international observers considered sufficient to justify conviction. In two cases, an acquaintance or family member privately presented information to foreign contacts that appeared to confirm the charges or evidence presented by the prosecutor; however, in both cases the Government failed to present its evidence in a manner deemed by international observers to be consistent with international standards for a fair legal process.

The Constitution provides a right of appeal to those convicted; however, appeals rarely, if ever, resulted in convictions being overturned in politically sensitive cases, such as those involving individuals accused of membership in Hizb ut-Tahrir. In August an appeal was heard in Fergana for 13 individuals convicted in April of anti-constitutional activity (membership in Hizb ut-Tahrir). Lawyers for the men reported that the court refused to provide them a copy of the trial transcript. The court affirmed the sentence. Even when defendants win an appeal, no protection exists against double jeopardy.

On December 19, the Ministry of Justice cancelled The Third National Congress of the Uzbek Association of Advocates scheduled for December 21, after interfering in its planning and organization. The Congress had been seen as a promising sign of judicial reform.

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

The Constitution provides for the inviolability of the person and that persons may be taken into custody only on lawful grounds, and it prohibits unlawful searches; however, authorities infringed on these rights. The law requires the issuance of a search warrant for electronic surveillance by the relevant Procurator; however, there is no provision for a judicial review of such warrants. Security agencies routinely monitored telephone calls and employed surveillance and wiretaps in the cases of persons involved in opposition political activities (see Sections 1.d. and 4). The son of missing Andijon Imam Abdu Kori Mirzaev reported that his telephone calls were monitored, that his neighbors reported his movements to the NSS, and that the NSS occasionally questioned him. He reported that his telephone line, which had been cut in 2001, was restored during the year (see Section 1.b.).

The Law on Freedom of Conscience and Religious Organizations and other legislation prohibit the private teaching of religion and forbids the wearing of religious clothes.

Unlike in past years, there were no reports that police arrested, detained, and beat family members of suspects whom they were seeking (see Sections 1.c, 1.d., and 2.c.).

Unlike in previous years, there were no reports of authorities forcing relatives of alleged religious extremists to undergo public humiliation at neighborhood assemblies organized for that purpose.

The Government interfered with correspondence. In July 2001, Nosir Zakhir reported that he received an invitation, which was mailed in May and delivered opened, from a foreign embassy to attend an event. Zakhir, who was a Radio Liberty reporter and a member of both the Birlik opposition party and the HRSU, reported that this sort of interference was common. There were no reports of similar incidents during the year.

There was one reported case of authorities arresting relatives of an opposition political party member. On September 4, police in Khorezm arrested Ilkhom Salayev and his wife Khovajon Bekjanova, a relative of Erk opposition leader Mohammed Solikh (see Section 1.c.).

The Government used the mahalla (neighborhood) committees as a source of information on potential extremists. Uzbek neighborhoods are tightly knit communities, where residents have few secrets. Shortly after the February 1999 Tashkent bombings, the President directed that each committee assign a "defender of the people," whose job it was to ensure that young persons in the neighborhoods were not joining potentially extremist Islamic groups. The committees identified for police those residents who appeared suspicious. Observers noted that the same individuals were often arrested or detained repeatedly.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of thought, speech, and convictions; however, in practice, the Government continued to restrict these rights severely. In May the Government ended the formal requirement of press censorship. However, in August Parliament passed five new amendments to the press law, holding editors and journalists responsible for the content of articles they write and publish and establishing the right of the boards of directors of newspapers to affect editorial content. Under pre-existing law, the composition of the boards is, at the time a newspaper is established, effectively subjected to Government veto. The net effect of the changes was an abolition of prior censorship, tempered by new possibilities for both hostile board interference and legalized retribution against media outlets and their employees. Ordinary citizens remained afraid to express views critical of the President and the Government in public. Self-censorship still occurred.

The law limits the ability to criticize the President. Ordinary citizens generally would not criticize the President or the Government on television or in the newspapers, although they began to do so more freely in less public settings.

The Mass Media law, which applies to all news media, formally provides for freedom of expression, protects the rights of journalists, and reiterates the constitutional ban on censorship. According to the law, journalists are responsible for the accuracy of the information contained in their news stories, which potentially subjects them to prosecution. The law prohibits stories that incite religious confrontation and ethnic discord or advocate subverting or overthrowing the constitutional order (see Section 2.b.).

Information remained very tightly controlled. The Uzbekistan Information Agency cooperated closely with the presidential staff to prepare and distribute all officially sanctioned news and information. All seven national daily newspapers were owned or controlled by government entities, and their headquarters were jointly located in the same building. Their combined readership in 1999, the most recent year for which reliable statistics were available, was 81,000, a decrease from 544,000 just after independence. Newspapers, which cost between 5 and 15 cents (50-150 soum), were too expensive for most citizens.

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. A handful of private newspapers containing advertising, horoscopes, and similar features, but no news or editorial content, were allowed to operate. There were several independent national newspapers, including Novosti Nedelya,

Vremya I Mi, and Hurriyat. The last opposition newspaper to be published was from the Erk party; it has been banned in the country since 1993 but was published abroad and occasionally smuggled in.

Four state-run channels that fully supported the Government and its policies dominated television broadcasting. A cable television joint venture between the state broadcasting company and a foreign company broadcast the Hong Kong-based Star television channels, including the British Broadcasting Company (BBC), Deutsche Welle, and Cable News Network World News, to Tashkent and a few other locations. Access to cable television was beyond the financial means of most citizens. There were between 30 and 40 privately owned local television stations and 7 privately owned radio stations. In general broadcasters practiced self-censorship but enjoyed some ability to report critically on local government. For the most part, television programming consisted of re-broadcasting Russian programming.

The Mass Media law established the Interagency Coordination Committee (MKK), which issues both broadcast and mass media licenses to approved media outlets. In October 2000, a new law extended the term of validity of the broadcast licenses from 1 year to 5 years; however, mass media licenses, which also are a requirement, still must be renewed annually. The MKK is empowered to revoke licenses and close media outlets without a court judgment. Another government agency, the Center for Electromagnetic Compatibility (TSEMS), issues frequency licenses. In the past, television stations often encountered difficulty obtaining licenses; however, no such difficulties were reported during the year.

The Government's implementation of the media law did not function smoothly. Enforcement of the registration and licensing requirements could be strict. Because the registration committee met irregularly, many independent television stations were forced at times to operate with expired licenses, making them vulnerable to government closure.

In 2001 several independent television stations had problems renewing their licenses or exercising their legal right to control their stations' operations. One station aired an episode of a syndicated program called "Zamon," on homeless persons, which embarrassed the local governor. The governor of the neighboring province, in which the station's transmitter was located, promptly informed the station manager that he was fired. The station appealed to the prosecutor's office, which overruled the governor. As a compromise, the station agreed to stop airing "Zamon."

Aggressive reporting led to a long struggle by one successful independent station to have its broadcasting and bandwidth licenses renewed. The station obtained its broadcasting license in 2001 and its bandwidth license in the early part of the year.

On September 13, the Ministry of Foreign Affairs informed Internews, a foreign funded organization working to enhance the capacity of independent media in the region, that none of its journalists would receive accreditation.

The Government denied the registration application of an independent professional association of private radio and television broadcasters seven times, reportedly based on the association's failure to elect the government candidate as chairman. Ministry of Justice officials allegedly told the group privately that it never would be registered. The lack of registration effectively restricted the association's ability to attract international funding and operate freely and legally.

The Government refused to allow Radio Free Europe/Radio Liberty (RFE/RL) and the Voice of America to broadcast from within the country, despite the Government's agreement with RFE/RL to allow this activity. Both stations broadcast on short-wave from outside the country. The Government allowed the organizations to hire local correspondents. The BBC World Service was required to broadcast on a very low FM frequency, which limited the potential audience. The BBC, when it began operations, consented to restrictions that amounted to self-censorship; however, observers agreed that there was no evidence that the BBC actually engaged in self-censorship. The World Service was permitted to broadcast only 2 hours per day: Two 30-minute broadcasts per day in Uzbek, and two 30-minute broadcasts per day in Russian, 7 days per week. Earlier in the year, there were reports of some of BBC's programming being jammed. Chinese language music was played over BBC programming from precisely the moment broadcasting began until precisely the moment the programming ended; however, this practice ended by midyear.

In January Shodi Mardiev, a local radio reporter who was sentenced in 1998 to an 11-year prison term for defamation and extortion, was released under the 2001 amnesty.

While prior censorship was abolished in May, a new organization--the Uzbek Press and Information Agency--replaced the State Press Committee and became responsible for observing all media. Most editors and journalists

continued to express concerns about potential consequences of conducting serious investigative journalism.

Beginning in May, both the state and private press published numerous articles critical of the Government, which would not have been printed prior to the lifting of the press censorship requirement. In one case, a journalist reported that officers of the Surkhandarya regional office of the NSS were using their positions for personal benefit, specifically by pressuring a local factory manager to employ certain individuals. Most citizens were well acquainted with these sorts of NSS business practices, but few openly criticized the NSS. The NSS replied to the accusations in the same newspaper, admitting that one NSS employee had been punished for abuse of power. In other articles, journalists criticized police abuse, reported on the January conviction of four police officers for murder, and at least one article criticized government economic policy. A regional paper in Kashkadarya Province attacked Ismoil Jurabekov, who was widely considered to be one of the President's most powerful advisors, for his rumored attempts to limit the scope of the new press freedoms. Nonetheless, a number of journalists and editors were subjected to threats, harassment, and mistreatment by authorities, including for articles they wrote since the end of censorship.

Prior to the May 5 abolishment of the Office of the Censor, Tashkentskaya Pravda editor A'lo Hojaev was allowed to publish a number of critical articles and subsequently was permanently removed from his position.

During the year, a "Mokhiyat" reporter claimed the newspaper's editor-in-chief, Abdukayum Yuldashev, was called to the phone several times to deal with complaints from the president's office regarding the publication of poems by opposition party member Rauf Parfi. Parfi, who once publicly called the president a dictator, was repeatedly denied the right to express himself in the local press. Yuldashev later allowed the publication of an article by journalist Toshpulat Rahmatullaev criticizing new construction in Samarkand's historic old city. Yuldashev was reported to have gone on an extended vacation during the summer following that article and had not returned to his position as editor-in-chief by year's end.

In July Karshi University sued "Mokhiyat" for printing an article accusing university staff of taking bribes from students; the university won the case but waived its right to damages.

Human rights activists reported that Sobirjon Ergashev, a regional correspondent for the Justice Ministry's Inson va Qonun newspaper who went on trial in September for extortion, was being harassed for his articles. He published several articles regarding corruption and abuse by officials distributing land to farmers in the Yukarychirchik district. Ergashev, who has a legal background, also provided legal advice to farmers on how to protect their rights.

Local journalists of the BBC and Agence France Presse reported being intimidated during the year as a result of their work. On July 10, Rakmatojon Kuldashv of RFE/RL and Ussen Askerov from the BBC were briefly detained by police to prevent them from covering a protest at a local market in Tashkent.

There were no private publishing houses. Newspapers generally were printed by state-owned printing houses. Religious writings must be approved by the Religion Committee censor, which was regarded as being quite strict (see Section 2.c.).

The Government did not allow the general distribution of foreign newspapers and other publications; however, two or three Russian newspapers and a variety of Russian tabloids and lifestyle publications were available. A modest selection of other foreign periodicals was available in Tashkent's major hotels, and authorized groups could obtain foreign periodicals through subscription.

In October the Government formally ended its official monopoly of the Internet. In the past, all Internet service providers were required to route their connections through a state-run server, Uzpak, and the Government filtered access to content that it considered objectionable. Despite these restrictions, the availability of Internet access expanded as the number of service providers and Internet cafes grew. At year's end, foreign embassies and local Internet users observed that all Internet providers were blocking access to websites that the Government considered objectionable. The uniformity of this move suggested that the Internet providers were acting under instruction from the Government. Despite these restrictions, Internet users continued to find simple ways to defeat these attempts at censorship.

The Government granted academic institutions a degree of autonomy, but freedom of expression remained limited. University professors generally were required to have their lectures or lecture notes approved before the lectures were given; however, implementation of this restriction varied. Self-censorship amongst university professors occurred.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for the freedom of peaceful assembly; however, it also states that authorities have the right to suspend or ban rallies, meetings, and demonstrations on security grounds, and in practice the Government restricted the right of peaceful assembly. The Government required approval for demonstrations and did not routinely grant permits to demonstrators.

Authorities continued to arrest women for organizing protests demanding the release of their jailed male relatives accused of membership in Hizb ut-Tahrir. During the year, more than 25 women were brought to trial; all but 2 received suspended sentences. Police prevented a number of protests, both by refusing to allow potential demonstrators to leave their homes and by blocking access to planned demonstration sites (see Section 1.d.). In several cases, police forcibly disrupted demonstrations. In September witnesses reported that police beat several women in Tashkent's Chorsu bazaar.

On April 14, authorities arrested Musharaf Usmanova, the widow of Imam Farhod Usmanov. Usmanova organized several demonstrations in the fall and winter of 2001 in Tashkent. Days after her April 14 arrest, her picture appeared in the official police gazette, and she was listed as a missing person. In July she was convicted and received a 2-year suspended sentence for anti-state activities.

On April 23, 44 women demonstrated in Margilon, demanding justice in the 2001 murders of four Hizb ut-Tahrir members by NSS officers and the release of their male relatives (see Section 1.a.). Eleven women were detained; all were later released without being charged.

During the year, human rights activists held a number of small demonstrations in Tashkent. The demonstrations, which typically numbered less than 10 protesters, addressed police abuse, official corruption, housing problems, and in 1 case the arrest of a human rights activist. Authorities issued a permit for one of the protests. On May 27, all five individuals protesting in front of the Ministry of Interior against the arrest of Yuldash Rasulov were briefly detained and subsequently released. On August 27, authorities dispersed a protest by six individuals in front of the Ministry of Justice, and two of the protesters were committed to psychiatric care (see Section 1.c.).

On June 8, the Tashkent regional branch of the human rights organization Ezgulik held a conference at a movie theater in Tashkent's Sobir Rakhimov district. Days after the conference, authorities initiated proceedings that in September led to the closing of the movie theater. In a decision in September, the Supreme Court upheld the verdict of a lower court that the movie theater had violated its business charter by allowing such an activity on its premises.

In August security forces blocked access to the funeral of Mirzakomil Avazov, who was tortured and killed in Jasyk prison (see Section 1.c.).

The Constitution provides for the right of freedom of association; however, the Government continued to restrict this right in practice. 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. While the Law on Political Parties provides theoretical protections for minority parties and permits a wide range of fundraising, 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 were four registered political parties, all controlled by the Government (see Section 3).

In the past, the Government rejected attempts by the Birlik opposition political party to register. The party had not held a congress since 1991, and harassment by security forces drove its leaders into voluntary exile in the early 1990s (see Section 1.d.). During the year, the party held seven regional congresses, which is the first step toward obtaining registration. Co-founder Pulat Akhunov, a naturalized Swedish citizen, received an Uzbek visa and returned for a 4-week visit.

The opposition political party Erk continued to insist that its 1991 registration remained valid, and the party therefore refused to file new registration papers. A 1995 law, which members said was aimed at Erk, required all parties registered prior to 1993 to reregister. Erk's principled stance was motivated also by its members' opinion that the Government would reject any new application. In 2000 Erk's leader, who went into self-exile in the early 1990s to escape harassment from security forces, was convicted in absentia of terrorism charges, which members said were false (see Section 1.d.). On May 26, Erk's Secretary General was detained for several hours in Tashkent; the first Erk meeting in several years had been scheduled for that day but was subsequently cancelled (see Section 3).

The Constitution and the law ban parties of an ethnic or religious nature. In the past, authorities, citing these statutes, have denied registration to the Islamic Renaissance Party (IRP). In the early 1990s, opposition activists announced the formation of the religious Adolat-True Path Party but never pursued formal registration, claiming that their members were afraid of government reprisals. Some members and leaders of IRP and Adolat-True Path chose, or were forced, to flee abroad. The core of the IMU, which has waged an armed insurrection since 1999, was formed in large part from these elements.

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 were registered. In the past, officials used the latter provision to block human rights NGOs and independent political parties from registering by creating another NGO or party with the identical name. During the year, no such practice was reported.

The process for government registration of NGOs and other public associations was difficult and time-consuming, with many opportunities for obstruction. A 1999 law on nongovernmental, noncommercial organizations provides for simpler registration requirements. Officials at the Ministry of Justice said that the law was fully implemented during the year. While NGOs verified that the mechanics of the registration procedure were greatly simplified, the Government clearly retained the ability to hamper registration of organizations that it deemed undesirable.

In March authorities registered the IHROU, one of three local human rights organizations actively monitoring the human rights situation in the country. Ezgulik and HRSU, two other human rights organizations, were denied registration at year's end. Both IHROU and HRSU had attempted to register for years. Ezgulik, a new organization, submitted two registration applications, in May and November, and was refused both times. In the past, the IHROU reported that the Government had based its denials on bureaucratic technicalities. During the year, the Government cited serious material deficiencies in the applications of both HRSU and Ezgulik, including falsification of membership roles in certain provincial chapters. HRSU refused to make necessary changes. Ezgulik, which admitted to some of the deficiencies, made reasonable efforts to correct its application. However, the Government appeared to have subjected the applications of both HRSU and Ezgulik to significantly higher scrutiny than those to which the applications of other organizations were held.

The Government did not change its often stated stance that human rights groups enjoyed de facto registration. There were continued reports of officials investigating the activities of human rights activists. A local Ministry of Internal Affairs officer admitted in writing to an activist that he was under orders from authorities in Tashkent to investigate the activities of human rights activists and independent journalists. Two other human rights organizations, the Committee for Protection of Individual Rights (CPRI) and the Legal Aid Society (LAS), were registered by the mid 1990s. CPRI was formed with government support in 1996, and some of its members cooperated with HRSU, Ezgulik and IHROU (see Section 4). The Legal Aid Society pursued some low-level police abuse and government corruption cases but avoided cases involving suspected Islamic extremists.

Although unregistered organizations often could operate without government interference, they did not exist as legal entities. Unregistered NGOs continued to face difficulties operating their organizations during the year. Government representatives met with members of human rights organizations on various occasions. International and local journalists met frequently with members of these organizations, but state controlled media rarely mentioned them.

Nonpolitical associations and social organizations usually were allowed to register, although complicated rules and a cumbersome government bureaucracy often made the process difficult. Some evangelical Christian churches and Jehovah's Witnesses congregations found it difficult to obtain registration (see Section 2.c.). The Government continued to refuse to register an association of broadcasters formed in 1998 (see Section 2.a.).

c. Freedom of Religion

The Constitution provides for freedom of religion and for the principle of separation of church and state; however, in practice the Government restricted this right.

The Government viewed most Islamic activity outside the state-sponsored mosques with suspicion and often concluded that those engaging in such activity posed an extremist security threat. The primary target of the Government's suspicion was the banned extremist Islamic political party Hizb ut-Tahrir; most of those arrested were allegedly associated with this organization. The Government arrested as many as 600 suspected members of Hizb ut-Tahrir or, in some cases, other groups. Those arrested were usually mistreated and were typically sentenced to between 7 and 12 years in jail. Many others suspected of association with extremism were detained

for questioning. Christians who tried to convert Muslims or who had among their congregations members of traditionally Muslim ethnic groups often faced official harassment, legal action or, in a number of cases, mistreatment. Christians who avoided any association with proselytizing generally had no problems, and Jews generally were able to practice their religion. The religion law forbids proselytizing and severely restricts activities such as importing and disseminating religious literature.

The Government is secular, and there is no official state religion. Although the laws treat all religious confessions equally, the Government shows its support for the country's Muslim heritage by funding an Islamic university and subsidizing citizens' participation in the Hajj. The Government promotes a moderate version of Islam through the control and financing of the Spiritual Directorate for Muslims (the Muftiate), which in turn controls the Islamic hierarchy, the content of imams' sermons, and the volume and substance of published Islamic materials.

The Religion Law requires all religious groups and congregations to register and provides strict and burdensome criteria for their registration. Among its requirements, the law stipulates that each group must present a list of at least 100 Uzbek citizen members to the local branches of the Ministry of Justice. This provision enabled the Government to ban any group simply by finding technical grounds for denying its registration petition. Officials designed the law to target Muslims who worship outside the system of state-organized mosques. A special commission may grant exemptions to the Religion Law's strict requirements and register groups that have not been registered by local officials. The commission granted exemptions to 51 such groups, including congregations with fewer than 100 Uzbek citizen members.

As of May, the Government registered 2,047 religious congregations and organizations, 1,863 of which were Muslim. However, the Government's Committee on Religious Affairs (CRA) continued to deny the Greater Grace Christian Church of Samarkand permission to have a Finnish rather than Uzbek pastor. The church's application for registration remained blocked at year's end pending resolution of that issue. In Tashkent the Agape mission Church continued to face difficulty registering, despite the fact that it met all legal requirements for registration. Local authorities continued to block the registration of Baptist congregations in Gazalkent and Novy Zhizn. During 2001 the deputy mayor of Gazalkent allegedly told church leaders that their application might be approved if they removed from the church's membership list all names of ethnic-Uzbek origin.

Ethnic Uzbeks in Guliston established their own Protestant church, called the Good News Church. It was also denied registration, and on August 18 its pastor, his wife, and one member were fined. Members alleged that the head of the local office of the Ministry of Justice tore up their application in front of them. In the months following the August fines, members of the Good News Church reported receiving visits in their homes by local security officials, who discouraged them from participating in the church's activities.

Any religious service conducted by an unregistered religious organization is illegal. Police occasionally broke up meetings of unregistered groups. Members of such groups were fined during the year, and one was briefly jailed. Other prohibited activities for unregistered groups include: Organizing an illegal religious group, persuading others to join such a group, and drawing minors into a religious organization without the permission of their parents.

Religious groups are prohibited from forming political parties and social movements (see Section 2.b.).

The law prohibits proselytizing, which resulted in fines and the denial of registration to many Christian churches, and in some cases, beatings of many of their members. Authorities tolerated many Christian evangelical groups but often harassed those that tried to convert Muslims to Christianity.

The law forbids anyone except clerics from wearing religious clothing in public. Nevertheless, women were seen wearing the hijab and, less frequently, the veil on the street. Most young men did not wear beards, which the Government regarded as a potential indicator of extremism. Most female university students did not wear the hijab. There were no known expulsions of women wearing headscarves during the year. However, of the women expelled from state universities in 1997 and 1998 for wearing religious clothing, none who continued to do so were readmitted during the year (see Section 1.f.).

The Government bans the teaching of religious subjects in schools and also prohibits the private teaching of religious principles. In May 2001, the Ministry of Justice informed the Baptist Union in writing that the holding of Sunday school classes for the children of congregation members was a violation of the Law on Freedom of Conscience and Religious Organizations. The letter threatened revocation of the Baptist Union's registration if it did not immediately cancel Sunday school. The legal problem was not resolved, but a series of communications between the Baptist Union and the Ministry resulted in what was at least a temporary, mutually acceptable compromise.

The Government requires that the religious censor approve all religious literature. The Committee on Religious Affairs, in accordance with the law, has given the right to publish, import, and distribute religious literature solely to registered central offices of religious organizations. Seven such offices were registered by year's end. However, the Government discouraged and occasionally even blocked registered central offices from producing or importing Christian literature in the Uzbek language, even though Bibles in many other languages were available in Tashkent bookstores.

The Muftiate sporadically issued an updated list of all officially sanctioned Islamic literature. Bookstores were not allowed to sell any Islamic literature not on the list. The list contained more than 200 titles; however, in practice Islamic bookstores in Tashkent sold a large number of titles not on the list, including those in the Arabic language. More controversial literature, when available, was not displayed on shelves. Possession of literature deemed extremist might lead to arrest and prosecution. Hizb ut-Tahrir leaflets, which were fundamentally political in nature, absolutely were prohibited.

The Government's most serious abuses of the right to religious freedom were committed against suspected Islamic extremists, but the effects had repercussions in the wider Muslim community. The Government's campaign against extremist Islamic groups, begun in the early 1990s, resulted in numerous serious abuses during the year. The campaign was directed at three types of Muslims: Alleged Wahhabists, including those educated at madrassas (religious schools) abroad and followers of missing Imams Nazarov of Tashkent and Mirzaev of Andijon; those suspected of being involved in the 1999 Tashkent bombings or of being involved with the IMU, whose roots are in Namangan; and suspected members of Hizb ut-Tahrir throughout the country. During the year, the campaign resulted in the arrests of some persons, primarily young men, who claimed that they were not extremists.

Both Wahhabism and the IMU stemmed from the growth of independent Islam that the Government has sought to suppress since the early 1990s. While the Government viewed members of the IMU as terrorists, it viewed members of Hizb ut-Tahrir and Wahhabists as potential terrorists.

The Government did not consider repression of these groups to be a matter of religious freedom, but rather to be directed against those who wanted to foment armed resistance to the Government. However, authorities were highly suspicious of those who were more religiously observant than is the norm, including frequent mosque attendees, bearded men, and veiled women. In practice this approach resulted in abuses against observant Muslims for their religious beliefs. It also served to radicalize some young men and women who otherwise might practice their religion in a politically neutral manner.

Arbitrary arrest and detention of those the Government perceived as Islamic extremists were common (see Section 1.d.). Unlike in past years, there were no credible reports of security services arresting, detaining, or harassing Muslim leaders perceived to be extremists.

Prison authorities deprived many prisoners suspected of Islamic extremism of the right to practice their religion freely. Human rights monitors reported that individuals arrested for Islamic extremism were not allowed to read the Koran in most detention facilities.

The scarcity of independent media and the absence of a centrally located and readily accessible register of court cases made it difficult to determine how many persons were incarcerated for religious reasons. The Moscow-based human rights organization Memorial estimated that 1,400 persons were arrested on suspicion of Islamic extremism during the first 8 months of 2001, compared with 2,700 arrested in 2000, and 4,000 in 1999 (see Section 1.e.). Memorial has not published an updated list; however, other sources estimated that during the year approximately 600 persons were arrested.

Imam Abdulvakhid Yuldashev, a former pupil of Imam Nazarov, remained in jail. He was arrested in June 2000 and sentenced in April 2001. His lawyer continued to visit him throughout the year and reported that he continued to be tortured periodically (see section 1.c.).

Although the use of loudspeakers in issuing the call to prayer was discouraged beginning in 1998, their use became more common during the year.

Members of Jehovah's Witnesses claimed that they were subjected routinely to police questioning, search, and arbitrary fines. Police conducted several raids during the year against meetings of Jehovah's Witnesses. Since April 2001, there were reports that approximately 90 members of Jehovah's Witnesses were detained and administratively fined and that police confiscated some members' passports. On March 26, members of three congregations in Nukus were detained and reportedly beaten while celebrating a religious holiday. Throughout the

year, authorities in Jizzakh intensified an education campaign aimed at discouraging youth from joining Jehovah's Witnesses. Representatives of Jehovah's Witnesses alleged that the Government regarded Jehovah's Witnesses as an extremist group and disapproved of the group's door-to-door evangelical style; government officials confirmed this. In July police arrested Marat Mudarisov, a member of Jehovah's Witnesses, for inciting religious hatred. On November 29, Mudarisov was convicted and given a 3-year suspended sentence.

Criminal charges filed in 2001 against Pastor Nikolai Shevchenko of Bethany (Baptist) Church in Tashkent and several of his parishioners were dropped; however, Pastor Shevchenko still faced the possibility of administrative fines for leading an unregistered congregation. In August in the provincial capital of Guliston, an evangelical church leader and two of his congregants were fined for leading an unregistered church. Harassment of churches in other cities, including Urgench and Gazalkent, continued.

For a more detailed discussion see the 2002 International Religious Freedom Report.

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; however, the Government severely limited this right in practice. Permission from local authorities was required in order to resettle in a new city. The Government rarely granted permission to those who wished to move to Tashkent, and local observers reported that a \$100 bribe (96,529 soum) was necessary to obtain the required registration documents. The Government required citizens to obtain exit visas for foreign travel or emigration, but it granted these permits routinely for approximately \$5 (5,000 soum). An exit visa was not required for travel to most countries of the former Soviet Union; however, beginning on December 20, the Government closed its borders to almost all of its citizens attempting to travel overland to the neighboring countries of the Kyrgyz Republic and Kazakhstan. Overland travelers to Turkmenistan also faced restrictions, while the border with Afghanistan remained mostly closed to ordinary Uzbek citizens. Uzbek citizens attempting to cross the border to neighboring Tajikistan continued to experience significant delays and some restrictions.

All citizens have a right to a passport, and the Government did not restrict this right. Passports serve as both internal identity cards and, when they contain an exit visa, as external passports. Every citizen must carry a passport when traveling inside or outside the country. Police occasionally confiscated these documents. In the past, authorities were more likely to confiscate the passports of political opponents than other citizens. There were no reports during the year of confiscation of political opponents' passports, and authorities returned the passport of prominent human rights activist Mikhail Ardzinov after 3 years. By year's end, authorities had not returned the passport of human rights activist Elena Urlaeva that was seized in July 2001 (see Sections 1.c. and 1.d.).

Movement within the country by foreigners with valid visas generally was unrestricted; however, visitors required special permission to travel to certain areas, such as Termez, in Surkhandarya province on the Afghan border. At times authorities closed certain mountainous regions where fighting with the IMU took place.

The Law on Citizenship stipulates that citizens do not lose their citizenship if they reside overseas; however, since the country does not provide for dual citizenship, those acquiring another citizenship lose Uzbek citizenship. In practice the burden was on returning individuals to prove to authorities that they did not acquire foreign citizenship while abroad.

Following the summer 2000 fighting with the IMU in the Surkhandarya region, the Government forcibly resettled residents of a number of villages from the mountainous border area (see section 1.d.). The villagers faced permanent impediments to returning to their homes, and the Government built permanent structures in several new settlements approximately 120 miles away. International observers reported that conditions were acceptable in all of the villages but Sherabad, where food shortages remained a problem.

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 did not adhere to the 1951 Convention Relating to the Protection of Refugees or its 1967 Protocol. The Government considered asylum seekers from Tajikistan and Afghanistan to be economic migrants, and such individuals were subject to harassment and bribe demands when seeking to regularize their status. Such persons could be deported if their residency documents were not in order.

There were no official statistics, but observers, including the U.N. High Commissioner for Refugees (UNHCR), estimated that there were 8,000 Afghan refugees in the country. At the end of August, there were 853 cases (2,562 persons) of refugees recognized by the UNHCR as mandate refugees and 448 cases of asylum seekers (971 persons). The UNHCR reported that 99 percent of its refugee cases were persons from Afghanistan, many of

whom had few means to earn a livelihood and serious protection problems.

There were an estimated 30,000 Tajik refugees in country. Most of these were probably, as the Government argued, economic refugees.

In August 1999, the Government agreed that it would not force those given refugee status by the UNHCR to leave the country. There were two cases of forced return of mandate refugees to a country where they feared persecution, one in May and one in July. In those cases, a total of six persons (including four minor children) were forced to return to Afghanistan. In another deportation case involving a North Korean citizen, the Government agreed to allow the individual to be resettled in another country. The population includes large numbers of ethnic Tajiks, Kyrgyz, and Kazakhs, as well as ethnic Koreans, Meskhetian Turks, Germans, Greeks, and Crimean Tartars deported to Central Asia by Stalin during World War II. Russians and other Slavs also are well represented. These groups enjoyed the same rights as other citizens. Although the latter groups were free to return to their ancestral homelands, absorption problems in those countries slowed their return. The UNHCR reported that police rarely harassed mandate refugees.

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

The Constitution provides citizens with the right to change their government; however, in practice citizens could not change their government through peaceful and democratic means. The Government severely restricted freedom of expression (see Section 2.a.) and repressed opposition groups and individuals; however, no opposition members were jailed. No independent opposition groups participated in government. During the year, the Birlik opposition movement was allowed to hold congresses throughout the country for the first time since 1991 (see Section 2.b.). Four government-controlled political parties held the majority of the seats in Parliament, and most remaining seats were held by government officials.

The Government is highly centralized and is ruled by a strong presidency. President Karimov was elected in a limited multi-candidate election in 1991. A 1995 referendum and subsequent parliamentary decision extended his first term until 2000. He was reelected in 2000 to a second term with 92.5 percent of the vote. His opponent, Abdulhafiz Jalalov, ran a token campaign and admitted on election day that he himself had voted for Karimov. The OSCE declined to monitor the presidential election on the grounds that the preconditions did not exist for it to be free and fair. Following a January referendum, which multilateral organizations and foreign embassies refused to observe, the term of the Presidency was extended from 5 to 7 years.

President Karimov and the executive branch maintained control through sweeping decree powers, primary authority for drafting legislation, and control of all government appointments, most aspects of the economy, and the security forces.

Many government officials were members of the People's Democratic Party of Uzbekistan (PDP), formerly the Communist Party and still the country's largest party. The party did not appear to play a significant role in the Government, and the President resigned his chairmanship of the party in 1996. There were three other registered parties. These were created with government assistance and were loyal to President Karimov. All four parties participated in the 1999 parliamentary elections, in which 93 percent of the electorate reportedly voted. The election did not represent a real choice for voters, since the parties and independent candidates were all loyal to the Government.

The OSCE and many international observers concluded that the 1999 legislative elections were neither free nor fair because the voters lacked a choice. Local and regional governors (hokims), who were 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 candidates who won had been nominated by citizens' initiative groups. These candidates generally were allowed on the ballot only if the hokims approved them.

The Parliament (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.

The laws that govern the conduct of parliamentary and presidential elections and the Law on Political Parties make it extremely difficult for opposition parties to develop, nominate candidates, and campaign. The procedures to register a candidate are burdensome and the Central Election Commission (CEC) has authority to deny registration. A presidential candidate is prohibited from campaigning before being registered but must present a list

of 150,000 signatures in order to be registered. Under the law, the CEC must deny registration of presidential candidates who are found to "harm the health and morality of the people." There is no appeal to the Supreme Court for candidates whose parties were denied registration. The Ministry of Justice has the right to suspend parties for up to 6 months without a court order.

Citizen 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 were forbidden from participating in campaigns, and candidates were allowed to meet with voters only in forums organized by precinct election commissions. The law prohibits parties from funding their candidates' campaigns directly; parties must turn over all campaign money to the CEC, which then distributes the funds equally among the candidates. Only the CEC may prepare and release presidential campaign posters.

According to the Law on Political Parties, judges, public prosecutors, NSS officials, servicemen, foreign citizens, and stateless persons (among others) cannot join political parties. By law the Government prohibits formation of parties based on religion or ethnicity; those that oppose the sovereignty, integrity, and security of the country and the constitutional rights and freedoms of citizens; or those that promote war, or social, national, or religious hostility. Political organizations that seek to overthrow the Government or incite national or racial hatred are prohibited. The Government refused to register the opposition political movement Birlik in the early 1990s, but it allowed Birlik this year to hold congresses throughout the country--the first step toward registration (see Section 2.b.). The Government effectively stripped the registration of opposition political party Erk in the mid-1990s (see Section 2.b.). Membership in unregistered political organizations is not officially forbidden. No opposition political party members were arrested as a result of their activities.

The Government continued to target members of unregistered political opposition groups using methods such as surveillance and loss of employment (see Sections 1.d. and 4). In April the Namangan chief of police provided human rights activists with a letter in which he claimed to have been ordered by the MVD to collect detailed information on all Birlik and Erk opposition political party members, BBC and VOA reporters, human rights activists, and their families. The Minister of Interior denied that such an order had been issued.

The leaders of the two unregistered opposition political parties --Mohammed Solikh of Erk and Abdurakhim Polat of Birlik--were forced into voluntary exile in the early 1990s. After the February 1999 Tashkent bombings, government targeting of members of these groups intensified. The Government repeatedly accused Solikh, who ran against Karimov for the presidency in 1992, of being a leader of the terrorist plot behind the bombings. Solikh was 1 of 9 defendants tried in absentia in a November 2001 trial of 12 alleged bombing conspirators. He was convicted and sentenced to 15 years in prison. Three of Solikh's brothers--Komil, Rashid, and Muhammed Bekjonov (a.k.a. Bekzhon)--remained in prison at year's end.

On May 26, Atanazar Aripov, the leader of Erk, was detained for several hours. He was enroute to a meeting of Erk members in Tashkent when police officers approached him and asked him to come to the MVD's headquarters. Aripov was released unharmed and said that authorities were trying to disrupt the meeting. In the past, dozens of Erk and Birlik activists reported being detained, harassed or subjected to surveillance; however, detentions and harassment were uncommon during the year, although surveillance increased.

There were no further developments in the case of Shovruk Ruzimuradov, a former parliamentarian and Birlik member who was tortured to death in prison in July 2001. Several police officers reportedly received administrative punishments and were subjected to disciplinary action, but none were prosecuted by year's end.

Traditionally, women participate much less than men in government and politics. There were 20 female deputies in the 250-member Parliament. 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.

In the 250-member parliament, there were 227 ethnic Uzbeks, 1 Korean, 7 Russians, 1 Armenian, 3 Tajiks, 2 Ukrainians, 3 Kazakhs, and 6 Karakalpaks.

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

A number of domestic and international human rights groups generally operated in the country; however, security forces continued to harass and abuse domestic human rights activists. During the year, six activists were arrested in circumstances that suggested they may have been targeted for their human rights activities. Another was committed to involuntary psychiatric treatment (see Sections 1.a. and 1.c.). Several human rights activists reported

significant harassment during the year, including regular interviews by the NSS and the collecting of personal information on them and their extended families by police. In addition, family members also lost their jobs. Unlike in past years, the activists reported no serious attempts to limit their travel within the country or abroad.

On August 27, human rights activists Elena Urlaeva and Larissa Vdovina were committed to a psychiatric institution (see Sections 1.c. and 1.d.).

On September 4, IHROU activist Jakhongir Shosalimov was arrested in Chorsu market in Tashkent. He gave an interview to a journalist in the presence of police officers at the scene of an ongoing violent protest, during which he complained of police brutality. He was arrested approximately thirty minutes after the protest ended. Circumstances suggest that he was arrested not because he incited unrest (as claimed by authorities), but because he exercised his right to free speech.

On September 4, HRSU activist Tursunbay Utamauratov was arrested in Karakalpakstan. He was a bazaar trader and was accused of tax evasion. On November 30, Utamuraev was sentenced to 9-years' imprisonment.

In April 2001, two unidentified men attacked Khamraev Bakhtiar, the HRSU regional representative for Jizzakh, causing a concussion. In early August, Bakhtiar reportedly received a visit from officials from the procurator's investigative department who warned him to be careful about what he says. There were no further developments in the case.

One independent human rights organization, the Independent Human Rights Organization (IHROU), was registered during the year. Several other domestic human rights NGOs remained unregistered and faced numerous difficulties. Renting office space and conducting transactions in the NGOs name can be legally problematic; and opening bank accounts was impossible, making receiving funds from overseas very difficult. Activists of the unregistered organizations tended to encounter more difficulties with authorities.

In June authorities initiated legal proceedings to shut down a movie theater in Tashkent after an independent human rights organization, Ezgulik, held a regional congress there. The theater was shut down in September (see Section 2.b.).

The Government generally was willing to hold an open dialog with international human rights NGOs. Human Rights Watch maintained an office and operated independently in the country. The Government was willing to discuss human rights matters with international governmental organizations such as the OSCE, as well as with foreign embassies. In April an official from the office of the U.N. High Commissioner for Human Rights visited the country. In June the Government invited the U.N. Special Rapporteur for Torture to visit, which he did in November.

On March 4, the Government registered the IHROU, which became the third registered domestic human rights NGO. The two other registered groups were the Committee for Protection of the Rights of Individuals (CPRI), which was formed with the support of the Government but also has ties to opposition figures (see Section 2.b.), and the Legal Aid Society, which dealt with minor police abuse and government corruption cases. The CPRI acted as the Uzbek affiliate of the International Society for Human Rights, which is based in Germany, and it engaged in legitimate human rights work, but it refrained from criticizing the President. Observers questioned the CPRI's independence from the Government. Its leader, Marat Zakhidov, engaged in progovernment propaganda, but many of its members cooperated closely with other human rights organizations. HRSU and Ezgulik remained unregistered at year's end.

There is a human rights Ombudsman's office affiliated with the Parliament. The Ombudsman may make recommendations to modify or uphold decisions of government agencies, but the recommendations are not binding. The Ombudsman is prohibited from investigating disputes within the purview of courts. The Ombudsman has eight regional offices outside Tashkent. During the year, the Ombudsman's office handled hundreds of cases, a large majority of which dealt with contested court decisions, abuse of power, and various labor and social welfare issues. The Ombudsman published reports identifying the most serious violations of human rights by government officials; the majority of these involved allegedly unjust court decisions and claims of abuse of power by police and local officials. Most of the successfully resolved cases appeared to have been relatively minor.

The National Human Rights Center of Uzbekistan, created by presidential decree, is responsible for educating the population and government officials about the principles of human rights and democracy, as well as for ensuring compliance with its international obligations in providing information on human rights. The Center held several seminars on democratization and human rights. Members of parliament, foreign diplomats, and international organizations attended. It also co-sponsored a coordinating conference for domestic human rights organizations.

The Center was not officially involved in human rights advocacy but did intercede on behalf of IHROU and another human rights organization when they were attempting to register. The Center worked closely in the past with international organizations such as the U.N. Development Program and the OSCE.

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

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

Women

Violence against women was a problem and spousal abuse was common, but no statistics on the problem were available. Wife beating was considered a personal family affair rather than a criminal act; such cases usually were handled by family members or elders within the community (mahalla) and rarely came to court. The law punishes physical assault; however, no legal provisions specifically prohibit domestic violence. Police often discouraged women from making complaints against abusive husbands and abusers were rarely taken from home or jailed.

In December 2000, the NGO Minnesota Advocates for Human Rights released a study on domestic violence in the country, which concluded that domestic violence was widespread. Winrock International, which helps develop women's organizations in the country, noted that public officials were willing to speak openly about the problem of domestic violence. Most NGOs who work on domestic violence issues reported that local government cooperation on education programs had increased. Some police participated in NGO training on this issue. One NGO trained over 16,000 women and 1,400 men during the year.

The law prohibits rape. Marital rape appears to be implicitly prohibited under the law, but no known cases have been tried. Although statistics on rape were unknown, cultural norms discouraged women and their families from speaking openly about rape.

The law prohibits prostitution. Prostitution within the country was also a problem, and many observers believed that deteriorating economic conditions led to an increase in prostitution. There were more ethnic minorities engaged in prostitution. Police enforcement of laws against prostitution was uneven, and some police officers used the threat of prosecution to extort money from prostitutes.

Trafficking in women to other countries for the purpose of prostitution was a problem (see Section 6.f.).

Sexual harassment is not prohibited by law, but was reportedly a widespread problem. However, social norms and the lack of legal recourse made reporting rare.

Although the law prohibits discrimination against women, traditional, cultural, and religious practices limited their role in everyday society. For these reasons, women were underrepresented severely in high-level positions. In accordance with tradition, women--particularly in rural areas--usually married before the age of 20, bore many children, and confined their activities to within the family. In rural areas, women often worked in the cotton fields during the harvest season. However, women were not impeded formally from seeking a role in the workplace, and women who opened businesses or sought careers were not hindered legally. Women were underrepresented in the industrial sector; however, they were fairly well-represented in the agricultural and small business sectors. A deputy prime minister at the cabinet level was charged with furthering the role of women in society and also was head of the National Women's Committee.

Several dozen NGOs addressed the needs of women. One NGO in Tashkent conducted seminars on sexual harassment, domestic violence, and the legal rights of women. Another NGO in Tashkent operated a hot line for women involved in prostitution. A center in Samarkand operated a crisis hot line and provided educational services on alcoholism, sexually transmitted diseases, and family counseling. The American Bar Association operated programs that focused on protecting women's legal rights in the Fergana region. A women's group in Surkhandarya worked with women with disabilities and promoted their rights. Another organization, Women's Integrated Legal Literacy, worked in the following areas: legal literacy training, small grants for women's NGOs, cultural events to educate women on their rights, and advocacy on women's issues.

In parts of the country, some women and girls resorted to suicide by self-immolation. There were no reliable statistics on the extent of this problem because most cases went unreported. The problem appeared to be growing. After marriage many women or girls moved into the husband's home, where they occupied the lowest rung on the

family social ladder. A conflict with the husband or mother-in-law, who by tradition exercised complete control over the young bride, usually was the stimulus for suicide. An NGO in Samarkand runs a shelter for victims of self-immolation. The NGO reported varying degrees of cooperation from individual officials and local governments.

A 1997 research study indicated that the number of women enrolling in higher education was diminishing; women's enrollment in the finance and banking institute dropped from 65 percent in 1991 to approximately 25 percent in 1997. The report stated that university faculty "steer" women into occupations traditionally performed by females and suggested that administrators may have deliberately barred entrance to women in some fields. As of September, a steep, government mandated increase in university fees forced many more families to decide which, if any, of their children they would educate, possibly affecting women's access to higher education.

Children

The Constitution provides for children's rights, stating that parents are obliged to support and care for their children until they reach age 18. Traditional Uzbek values reinforced the cohesion of families; in most cases, several generations of a family lived together. In theory the Government provides free universal primary education and health care; however, in practice shortages and budget difficulties mean that some services must be paid for privately. Nine years of formal schooling are compulsory, and the average length of schooling is more than 11 years. According to the Government, 98.1 percent of children completed secondary school. Anecdotal evidence indicated that more children continued to drop out of high school as economic circumstances continued to deteriorate. There also was evidence that earlier marriages among young rural women contributed to a higher drop out rate for young women. The Government granted monetary allowances to families based on their number of children. The country had a very high birth rate; more than one-half of the population was under the age of 18.

There was no societal pattern of abuse of children. During the year, there was one confirmed report of a girl being trafficked abroad for prostitution. Teenage girls were engaged in prostitution (see Section 6.f.). During the harvest, some school children, particularly in rural areas, were forced to work in the cotton fields (see Section 6.c.).

Persons with Disabilities

The law provides for support for persons with disabilities and is aimed at ensuring that these persons have the same rights as other citizens; however, little effort was made to bring persons with disabilities into the mainstream. There was some societal discrimination against persons with disabilities. Children with disabilities generally were segregated into separate schools. The Government cared for the mentally disabled in special homes. The Government has not mandated access to public places for persons with disabilities; however, there was some wheelchair access throughout the country.

National/Racial/Ethnic Minorities

Government statistics dating from 1992 show that the population was approximately 71 percent Uzbek, 8 percent Russian, 5 percent Tajik, 4 percent Tatar, and 3 percent Kazakh, with many other ethnic groups represented as well. During the year, the percentage of Russians and Tatars decreased through emigration, but a number of Russians returned to the country. Exact percentages of ethnic minorities were unknown but were certainly lower than in 1992. Available statistics almost certainly underestimated the actual number of ethnic Tajiks; the figures treated ethnic Tajiks whose mother tongue was Uzbek as ethnic Uzbeks. In addition, some members of other ethnic groups chose for a variety of reasons to declare themselves to be ethnic Uzbeks.

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

The citizenship law does not impose language requirements for citizenship; however, the language issue remained very sensitive. Uzbek was 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 was spoken widely in the main cities, and Tajik was spoken widely in Samarkand and Bukhara. The law originally required that Uzbek would be the sole method of official communication by 1998, but subsequently was modified to remove a specific date. The Government also was in the process of replacing the Cyrillic alphabet with the Latin alphabet; however, realizing the difficulties for Uzbeks and minorities alike, the Government delayed the full transition to both the Uzbek language and the Latin alphabet to 2005.

Section 6 Worker Rights

a. The Right of Association

The law specifically provides that all workers have the right voluntarily to form and join unions of their choice, and that trade unions themselves voluntarily may associate by geographic region or industry sector. Membership in trade unions is optional. The law also declares all unions independent of the governmental 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 did not change significantly since the Soviet era. Trade unions remained centralized hierarchically, and remained dependent on the Government. No alternative union structures existed. Independent unions did not exist.

There were a few professional associations and interest groups, such as a union of entrepreneurs, a union of renters, and an association of private physicians and pharmacists. There also were registered professional associations for judges and lawyers, both of which were quasigovernmental. The main activity of all registered associations was professional development. They did not license members and had 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, and emphasis is placed on the unions' responsibility for "social protection" and social justice--especially unemployment compensation, pensions, and worker retraining.

The law forbids discrimination against union members and their officers.

The 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; however, progress in privatization was very limited and collective bargaining did not occur. As a result, there was no experience with negotiations that could be described as adversarial between unions and private employers. The State was still the major employer, and the state-appointed union leaders did 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 government employees. In the small private sector, management establishes wages or negotiates them with those who contract for employment.

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 no reports of organized strikes during the year.

In August and September, bazaar vendors, who were not organized into unions, held strikes throughout the country. The vendors were upset about newly implemented tax laws and stall rental prices.

There were no export processing zones.

c. Prohibition of Forced or Bonded Labor

The Constitution specifically prohibits forced or bonded labor except as legal punishment or as may be specified by law. In addition, persons, including teachers and sometimes passersby in automobiles and busses, were forced to participate in the compulsory mobilization of labor for the cotton harvest.

The law prohibits forced or bonded labor by children. However, the large-scale compulsory mobilization of youth and students (by closing schools) to help with the cotton harvest during the fall, continued to occur in some areas. Student labor in the cotton fields was paid poorly, and students sometimes were required to pay for their food.

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 must work a shorter workday. In rural areas, younger children often helped 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.

The Government has not ratified ILO Convention 182 on the worst forms of child labor.

The law prohibits forced and bonded labor by children. However, compulsory mobilization of children, mostly in rural areas, did occur during 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. By year's end, the minimum wage was approximately \$4.5 per month (4,500 soum). The minimum wage did not provide a decent standard of living for a worker and family. Average Government salaries were approximately \$16 (16,000 soum).

The standard workweek is set at 41 hours and requires a 24-hour rest period. Some factories apparently reduced work hours in order to avoid layoffs. Overtime pay exists in theory but was not always paid in practice. Payment arrears of 3 to 6 months were not uncommon for workers in state-owned industries, and the problem appeared to be growing, including among government office workers and officials.

The Labor Ministry establishes occupational health and safety standards in consultation with the unions. There is a health and safety inspection directorate 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 lacked protective clothing and equipment. Workers are permitted to leave jobs that are hazardous without jeopardizing their employability in other jobs; however, in practice, high rates of underemployment made such action difficult.

f. Trafficking in Persons

The law prohibits trafficking in persons; however, trafficking in women and girls from the country for the purpose of prostitution was a problem. One NGO reported that some local officials were involved in trafficking on a limited basis.

The law prohibits all forms of trafficking, including of minors, and provides for penalties, including prison sentences of 5 to 8 years for international trafficking. Recruitment for trafficking is punishable by 6 months to 3 years' imprisonment and fines of up to approximately \$750 (900,000 soum). The recruitment charge could be levied against international or internal traffickers. All law enforcement agencies are charged with upholding the anti-trafficking provisions of the criminal code. The national police reported they were investigating 20 cases of trafficking. Although there were no prosecutions for trafficking reported, by year's end, the national prosecutor's office reported there were 3 ongoing investigations.

The Government has taken some measures to combat trafficking in persons, including passage of anti-trafficking laws. The national police assisted in the formation of an antitrafficking NGO run by retired police officers and dedicated to researching the issue. The Ministry of Foreign Affairs reported that they assist women who contact them for help. Border guards at airports were directed to give more scrutiny to unaccompanied young women traveling to Turkey, the United Arab Emirates (UAE), and South Korea; they are authorized to deny such women permission to leave the country.

The country was a primarily source for the trafficking of women and girls for the purpose of prostitution. There were no reliable statistics on this problem; and it does not appear to be widespread, although anecdotal reports from NGOs indicate that the number of young women from Uzbekistan who are trafficked into prostitution abroad is growing. Many women were unwilling to come forward due to both societal pressure and the fear, in cases where they were trafficked, of retaliation from their traffickers. There were credible reports that women traveled to the Persian Gulf, Malaysia, South Korea, Thailand, Turkey and Western Europe for the purpose of prostitution. Some transit of trafficked persons from neighboring countries and to or from countries for which Uzbekistan was a transportation hub (Thailand, Malaysia, Indonesia, India, Korea, UAE) may also have taken place.

Traffickers most often targeted young women between the ages of 17 and 30. Agents in nightclubs or prostitution rings solicited these women, many of whom previously engaged in prostitution. In large cities such as Tashkent

and Samarkand, newspaper advertisements for marriage and work opportunities abroad were connected to traffickers. Travel agencies promising tour packages and work in Turkey, Thailand, and the United Arab Emirates (UAE) also solicited prostitutes. Women reportedly were promised jobs as dancers or waitresses in nightclubs or restaurants in the destination country. There were reports that in some cases traffickers recruited women with fraudulent job offers and that in some cases they may have confiscated travel documents once the women reached the destination countries.

Some officials of the Ministry of Internal Affairs, Customs, or Border Guards accepted bribes in return for ignoring their instructions to deny exit to young women they believe to be traveling abroad to work as prostitutes. One NGO reported that some local officials, operating on a relatively small scale, were helping women to obtain false passports in order to travel to Dubai to work as prostitutes.

There was no government program to educate or assist potential victims. One NGO reported that the police had agreed to notify it of any women returning from abroad who looked as though they might be trafficking victims.

There was one NGO that specifically addresses trafficking. Other NGOs attempted to gain information on the subject and in order to combat trafficking in persons.

An increased number of targeted newspaper articles discussing trafficked women and prostitution appeared in state controlled newspapers; however, advertisements soliciting women's participation in such schemes appear in these same publications. The state radio also began airing a weekly call-in show for women who were involved in the sex trade.