



Uzbekistan

Country Reports on Human Rights Practices - [2004](#)

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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 dominated political life and exercised nearly complete control over the other branches. On December 26, elections were held for seats in the lower chamber of the Supreme Assembly (Oliy Majlis) that fell significantly short of international standards for democratic elections. The Constitution provides for an independent judiciary; however, the executive branch heavily influenced the courts and did not ensure due process.

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

The country has a population of approximately 25.5 million. The economy is based primarily on agriculture and agricultural processing, which remain heavily influenced by the state. For the year, the gross domestic product grew approximately 3 percent and inflation was approximately 15 to 20 percent. There were no reliable unemployment statistics, but the number of unemployed and underemployed was high and growing. Corruption remained a problem and had a negative impact on the economy.

The Government's human rights record remained very poor; although there were some improvements, it continued to commit numerous serious abuses. While the Government took some important steps to address torture and to establish police accountability, it made no progress on democratic reform and placed further restrictions on the activities of nongovernmental organizations (NGOs) and the press. Citizens could not exercise the right to change their government peacefully. Unlike past years, there were no credible reports of persons dying in custody as a result of torture; however, police and security force negligence likely contributed to the deaths of at least four persons. Police and, to a lesser extent, NSS forces tortured, beat, and harassed persons; however, officials of both agencies and the procuracy participated in dialogues with human rights activists and allowed international and local human rights groups to take part in independent investigations of deaths in custody in which torture had been alleged. Prison conditions generally remained poor, although there were limited improvements in some prisons. Many of the most serious abuses occurred in pretrial detention. Members of the security forces responsible for documented abuses were rarely punished; however, there were some notable exceptions, and at least one MVD division established preliminary procedures for investigating and disciplining officers for human rights abuses. Police and NSS arrested persons the Government suspected of extremist sympathies. Police routinely and arbitrarily detained citizens to extort bribes. The Government continued to harass human rights activists, although considerably fewer were arrested than in previous years. Unlike past years, no journalists were arrested; three journalists imprisoned in previous years were released. The number of persons in prison for political or religious reasons--primarily persons the Government believed were associated with extremist Islamist political groups, but also members of the secular opposition and human rights activists--was estimated to be between 5,000 and 5,500. Police and NSS forces infringed on citizens' privacy.

The Government severely restricted freedom of speech and the press, and an atmosphere of repression stifled public criticism of the Government. The Government warned editors that they were responsible for the content of their publications, and the law encouraged self-censorship. Ordinary citizens remained circumspect in criticizing the Government publicly. The Government continued to prohibit unauthorized public meetings and demonstrations, and police forcibly disrupted a number of peaceful protests, although fewer than in previous years. The Government continued to deny registration to several independent domestic human rights groups and increased pressure on unregistered groups. The Government refused to reregister one major international NGO, the Open Society Institute (OSI), and attempted to restrict the activities of others. Government decrees prevented many domestic NGOs active in human rights and political reform from receiving outside support and impeded the operations of women's rights NGOs. The Government restricted freedom of religion and harassed individuals suspected of belonging to extremist groups; several hundred were arrested. The Government limited the activities of minority religions. The Government restricted freedom of movement within the country and required citizens to obtain exit visas to travel abroad. The Government denied the registration applications of two opposition political parties. The Government harassed and abused members of domestic human rights groups. Societal violence against women was a problem. Trafficking in women and children abroad for prostitution was a problem that the Government took steps to address. The Government severely restricted

fundamental worker rights.

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 politically motivated killings by the Government or its agents; however, border guards shot and killed two persons, and six persons were reported to have died in prison or pretrial police custody (see Section 1.c.).

On March 20, border guards shot and killed a Tajik citizen who had been gathering scrap metal near the Platina border checkpoint. On June 1, border guards shot and killed a Kazakh citizen following an altercation near the Keles border crossing point, just north of Tashkent. The incident reportedly led to the dismissal of National Border Guard Chief Gafurjon Tishaev.

The media widely reported that the May 19 death of 36-year-old Andrei Shelkavenko, who was being held on suspicion of murder, had resulted from torture; however, on May 31, an independent team of international experts concluded that Shelkavenko hanged himself in his cell and was not killed by police, as claimed by his family.

On April 24, a court convicted an MVD Post Inspector of criminal negligence and sentenced him to 3 years in prison in connection with the December 2003 death in custody of Kamolodin Djumaniyozov. After reviewing a videotape of Djumaniyozov's body, an independent forensic pathologist concluded that Djumaniyozov had likely died from hanging and not torture, as had been reported in the international press.

There were no developments in the May 2003 deaths of Otzama Gafarov, who died in custody in Chirchick Prison, or Orif Ershanov, a member of the prohibited extremist Party of Islamic Liberation (Hizb ut-Tahrir) political movement, who was severely beaten and died in NSS detention in Karshi. There were also no further developments in the August 2003 death of Nodir Zamonov, a native of Bukhara, whose body was found by his parents shortly after police detained him on charges of vandalism.

According to officials from the MVD Prisons Directorate, authorities dismissed six guards and three prison officers following the 2002 deaths of Mirzakomil Avazov and Khusnuddin Olimov, members of Hizb ut-Tahrir who were tortured to death in Jaslyk Prison in Karakalpakstan. The Karakalpakstan Regional Prosecutor reportedly investigated the deaths, but concluded that there was insufficient evidence to bring criminal charges. The Government maintained that extensive burns on the two men's bodies were the result of a tea fight; however, independent analysis by experts in the United Kingdom of photographs taken shortly after their deaths concluded that the men had likely been suspended in boiling water.

The extremely low quality of forensic expertise, the absence of independent medical examiners, and frequent official pressure on families to bury bodies quickly in accordance with Islamic traditions made it extremely difficult to confirm rumors of detainees dying in custody as a result of torture or mistreatment.

Local and international observers reported that persons sentenced to death were often not given an adequate opportunity to mount a defense or to appeal their sentence. The Government considers the number of prisoners executed each year to be a state secret. Amnesty International (AI) has estimated that scores are executed each year; the local NGO Mothers Against the Death Penalty and Torture put the number at well over a hundred. On September 13, the U.N. Special Rapporteur on Torture Theo van Boven issued a statement condemning the execution of persons whose death sentences were allegedly based on forced confessions. Van Boven drew particular attention to the cases of Azizbek Karimov and Yusuf Zhumayev, who were executed on August 10, despite appeals by the U.N. Committee on Human Rights to stay their sentences. Karimov was executed for participating in a series of bombings in the Kyrgyz Republic; Zhumayev was convicted of murder in December 2003. Both men alleged that they had been tortured while in custody. According to the Rapporteur, at least nine inmates had been executed since 2002 despite Committee requests for their cases to be reviewed.

In April, the Government commuted the death sentence of three men--Evgeny Gugin, Abror Isaev, and Nodirbek Karimov--who were convicted of murder in 2002. There were reports that police had beaten all three men (as well as Gugin's alleged accomplice whose death sentence was commuted in March 2003) in pretrial detention to obtain confessions. AI had given the cases of the four men wide publicity. According to an August 16 AI report, authorities gave assurances that Iskander Khudoberganov, convicted of involvement in the 1999 terrorist attacks in Tashkent, will not be executed while his cases are under consideration by the U.N. Human Rights Committee (UNHRC). Khudoberganov claimed that he had been tortured while in detention at the main office of the Tashkent City MVD and that authorities threatened to rape his wife and sister unless he confessed. Two of Khudoberganov's codefendants made similar accusations of torture at their trial. None of the suspects convicted in connection with the March and April terrorist violence was sentenced to death.

There were reports of at least four deaths during the year due to landmines placed in disputed areas along the Tajik and Kyrgyz borders following armed incursions by the Islamic Movement of Uzbekistan (IMU) terrorist organization in 2000.

b. Disappearance

Although there were no confirmed reports for politically motivated disappearances, in separate incidents in May and June, three Tashkent men—Farukh Haidarov, Okiljon Yunusov, and Husnuddin Nazarov—were reported missing by their families. Haidarov and Yunusov studied theology in Saudi Arabia in the 1990s. At the time of their disappearance, Haidarov was a language instructor at the Egyptian Cultural Center and Yunusov was a businessman. Nazarov is the son of Abidkhan Nazarov, a prominent religious figure in Tashkent who was dismissed from his position as Imam of the Tokhtabay Mosque in 1995 for his allegedly extremist sermons. He disappeared in 1998, and his whereabouts remained unknown.

The men's families asserted that the NSS abducted the three men and was holding them incommunicado. On August 14, Haidarov's wife received a letter from her husband stating that he, Yunusov, and Nazarov, had gone to Afghanistan. In remarks to the press, Haidarov's wife confirmed that the handwriting was her husband's, but expressed doubt that he was in Afghanistan because the letter apparently took only 4 days to travel from Kabul to Tashkent. According to press reports, Afghan officials confirmed that the franking appeared authentic.

There were no developments in the case of Sadykhan Rahmanov who was reported missing and in official custody in 2003.

c. Torture and Other Cruel, Inhuman, or Degrading

Treatment or Punishment

The law prohibits such practices; however, police and the NSS routinely tortured, beat, and otherwise mistreated detainees to obtain confessions or incriminating information. Police, prison officials, and the NSS allegedly used suffocation, electric shock, rape, and other sexual abuse; however, beating was the most commonly reported method of torture. Torture was common in prisons, pretrial facilities, and local police and security service precincts. Defendants in trials often claimed that their confessions, on which the prosecution based its cases, were extracted by torture (see Section 1.e.). In February 2003, the U.N. Special Rapporteur on Torture issued a report that concluded that torture or similar ill-treatment was systematic.

Authorities treated individuals suspected of extreme Islamist political sympathies, particularly alleged members of Hizb ut-Tahrir, more harshly than ordinary criminals, and there were credible reports that investigators subjected persons suspected of belonging to Hizb ut-Tahrir to particularly severe interrogation in pretrial detention, in many cases resorting to torture. After trial, authorities reportedly used disciplinary and punitive measures, including torture, more often with prisoners convicted of extremism than with ordinary inmates. Local human rights workers reported that common criminals were often paid or otherwise induced by authorities to beat Hizb ut Tahrir members (see Section 1.d.).

As in previous years, there were numerous credible reports that officials in several prisons abused Hizb ut-Tahrir members to obtain letters of repentance, which are required for a prisoner to be eligible for amnesty. According to prisoners' relatives, amnestied prisoners, and human rights activists, inmates who refused to write letters disavowing their connection to Hizb ut-Tahrir were often beaten or sent into solitary confinement. Human rights activist Ahmadjon Madmarov reported that prison officers in Navoi beat his son Habibulla, who was sentenced to 9 years in prison for membership in Hizb ut-Tahrir, with rubber batons when he refused to write a letter of repentance.

Local and international human rights workers, defense attorneys, and family members reported that authorities physically mistreated persons detained after a series of terrorist incidents in Tashkent and Bukhara between March 28 and April 1. At least four persons charged with terrorist-related offenses testified in court that they had been beaten or otherwise tortured in custody. On September 10, an attorney for Mastura Latipova informed the judge that his client had been stripped naked and beaten during the first days of pretrial detention. According to local human rights groups, police also beat Latipova's husband, Shomurod Latipov, who was detained on March 30 and released 2 days later (see Sections 1.d. and 1.e.). In October, another defendant, Bakhtior Muminov, testified in a separate trial that he had been beaten and subjected to electric shock.

There were reports of beatings at several MVD and NSS facilities in the days following the March/April attacks; however, the most severe abuse appeared to have taken place at the detention facility at the main office of the Tashkent MVD, where eyewitnesses, family members, defense attorneys and representatives of human rights groups claimed that authorities frequently and systematically applied torture, including severe beating, suffocation, and electroshock. The General Prosecutor's office, which retained formal jurisdiction over the suspects and witnesses held at the Tashkent City MVD, rejected requests by the International Committee of the Red Cross (ICRC) to visit the facility, on the grounds that the investigations involved matters of national security. Authorities denied similar requests from members of the diplomatic community and international human rights NGOs.

On June 23, authorities released independent journalist and human rights activist Ruslan Sharipov, who claimed he was tortured in pretrial detention in July 2003, from prison (see Section 2.a.).

Prison officials reportedly continued to mistreat inmates who participated in prison demonstrations during the month of Ramadan in October 2003. According to relatives of prisoners and local human rights activists, authorities at the 64/29 penal colony in Navoi beat and raped several prisoners. Navoi prison officials reportedly meted out similar punishment immediately following the March and April terrorist attacks; relatives of one prisoner reported that guards singled out members of Hizb ut-Tahrir for

individual beatings. There were no reports of mistreatment in connection with the Ramadan fast in October.

There were reports that police beat members of Jehovah's Witnesses (see Section 2.c.).

On February 24, the Cabinet of Minister's established an interagency human rights working group tasked with implementing the U.N. Convention Against Torture. Under the working group's purview, individual ministries, and the MVD in particular, took limited steps to address some of the 2003 recommendations of U.N. Special Rapporteur on Torture. The MVD sponsored a series of training courses for police on how to enforce a December 2003 Supreme Court Decree mandating that all suspects have a right to an attorney from the moment of detention. The Supreme Court's 2003 Decree, which carries the force of law, explicitly adopted the definition of torture provided in the U.N. Convention Against Torture. The MVD Prisons Directorate took steps to allow NGO access to its prisons and to train prison guards in human rights practices. The Government also took steps to prosecute police for human rights abuses and to discipline the police force internally (see Section 1.d.).

As in past years, there were reports that law enforcement authorities attempted to have local political and human rights activists declared insane to stop their activities. On March 1, police in Jizzak Province initiated legal proceedings to have Mamarizo Nazarov, a human rights activist and delegate to the opposition Birlik Party's National Committee, declared mentally incompetent. Local authorities dropped their efforts at the behest of provincial officials. On August 9, authorities involuntarily committed human rights attorney Larissa Konoplova to the Tashkent City Psychiatric Hospital. Konoplova had reportedly angered police, neighbors, and local neighborhood (mahalla) committee officials by her efforts to defend local residents in property and tax disputes and to have district officials punished for alleged malfeasance. Authorities released Konoplova, who had been subjected to involuntary psychiatric treatment several times, 4 days later, after representatives of an international NGO and the diplomatic community interceded on her behalf. On September 13, police, acting on a court order, again detained Konoplova for psychiatric observation; however, hospital psychiatrists declared Konoplova mentally competent, and she was released on September 28. In July, a Tashkent court dismissed efforts, dating back to 2002, to have human rights activist Elena Urlaeva declared legally incompetent.

On May 21, several unidentified men abducted and severely beat activist Bakhodir Choriev while he was wearing a shirt with "Karimov resign" on the front (see Section 2.b.).

There were several instances of unidentified assailants attacking persons who planned to participate in public demonstrations (see Section 2.b.).

Prison conditions remained poor, and there continued to be reports of severe abuses in prisons. However, anecdotal evidence from former prisoners and local human rights workers suggested that there were limited improvements in some prisons, which they attributed to the international community's monitoring activities and to reform efforts by the MVD Directorate of Prisons. Local human rights advocates with contacts among inmates' families reported that Tavok-Soi Prison in Tashkent Region, Prison 64/5 in Zangiota, and Bukhara's Korgan Prison showed particular improvement. Prison overcrowding remained a problem. Tuberculosis and hepatitis were epidemic in the prisons, making even short periods of incarceration potentially life threatening. Shortages of food and medicines were reported in several prisons, and prisoners often relied on visits by relatives to obtain them. Conditions remained particularly poor in Jaslyk, Navoi (64/29), and Karshi (64/49) Prisons, maximum security facilities that housed a significant portion of the country's prisoners of conscience. Starting in 2003, authorities at Jaslyk Prison transferred a substantial number of these and other political prisoners to other facilities. Fewer than 200 of Jaslyk's 477 inmates were convicted of charges related to membership in extremist political organizations such as Hizb ut-Tahrir. The prison is located in a remote area of Karakalpakstan, where temperatures can exceed 120 degrees in the summer and drop below 10 degrees in the winter. While there were numerous reports of severe mistreatment at Jaslyk in the past, including the 2002 killing of Mirzakomil Avazov and Khusnuddin Olimov (see Section 1.a.), there were fewer reported during the year. Authorities allowed several groups of foreign visitors, including representatives of international human rights organizations, journalists, and foreign diplomatic personnel, to tour Jaslyk in an effort to dispel the prison's notorious reputation.

Official negligence, aggravated in some cases by poor prison conditions, may have contributed to the deaths of four persons. Unlike cases of custodial death reported in previous years, there were no signs of torture. There were reports that inmates died of communicable diseases such as tuberculosis that were associated with poor conditions. On March 16, Abdurrahman Narzullayev died of an acute bronchial infection at the 64/33 Prison in Karshi while serving a 16-year sentence in connection with his membership in Hizb ut-Tahrir. Family members asserted that the infection resulted from prison authorities' improperly inserting a feeding tube to end a hunger strike by Narzullayev in protest of poor prison conditions.

On May 30, Ilkolm Umarov, a 28-year-old resident of a communal farm in Jizzak's Arnasay District suspected of stealing a sheep, died in local police custody. Separate investigations by the General Prosecutor's office and the MVD--the latter supervised by representatives of two local human rights NGOs--confirmed eyewitness reports that Umarov died of asphyxiation after swallowing his tongue during a seizure. The investigations concluded that local officials were negligent in not taking Umarov to a hospital when he began to show signs of sickness and had committed a number of procedural violations by detaining him as a witness, rather than a suspect, and by denying him access to an attorney. As a result of the investigation, the MVD disciplined several police officers and dismissed the district police chief; the investigator responsible for Umarov's detention was reportedly charged with criminal negligence.

Men and women were held in separate facilities, and juveniles were held separately from adults. Conditions in juvenile facilities were generally much better than in adult ones, although there were reports of inmates working in harsh circumstances and in

some cases being beaten in these facilities. Pretrial detainees were held separately from convicted prisoners. The Government also operated labor camps, where conditions of incarceration were reported to be less severe than in prisons.

In October, the MVD's Directorate of Prisons (GUIN) opened a new prison training center in Tashkent. The center, which will eventually train all of the country's prison guards, utilizes a curriculum that included human rights training and basic courses in psychology and prison management in its curriculum. Earlier in the year, 120 guards from the country's 53 prison colonies participated in a series of Organization for Security and Cooperation (OSCE)-sponsored human rights training courses.

Working with the OSCE, GUIN allowed two groups of NGO prison monitors access to several of its facilities. Foreign NGO workers and diplomatic personnel gained access to prisons to meet with individual detainees. Similar access was not given to pretrial detention facilities, which are not under GUIN authority.

The ICRC generally received satisfactory access to places of detention, including pretrial detention centers; however, authorities denied the ICRC immediate access to prisoners arrested in connection with the March/April terrorist attacks in Tashkent and Bukhara or any access to prisoners sentenced to death. The Government granted the ICRC access to individuals convicted of terrorist-related offenses after their trials.

d. Arbitrary Arrest or Detention

The law does not provide adequate protection against arbitrary arrest and detention, and these remained problems.

The MVD controls the police, which is organized both by region and by function. Corruption among law enforcement personnel remained a problem. Police routinely and arbitrarily detained citizens to extort bribes. Of the several hundred persons who were briefly detained following the March/April terrorist attacks, several asserted that they had to pay bribes to local authorities to be released.

Impunity remained a problem, and officials responsible for abuses were rarely punished. During the year, the MVD undertook a number of initiatives to make investigating officers more accountable for their actions. According to the MVD and procuracy, 11 police officers were convicted of abuse, including torture. The Government investigated and took disciplinary action in connection with the death in custody of Ilkholm Umarov (see Section 1.c.). On April 24, a court sentenced a post inspector to 3 years in prison for official negligence in connection with Kamalodin Djumaniyozov's December 2003 suicide (see Section 1.a.).

The law provides that law enforcement officers, including police, MVD investigators, and prosecutors, may arrest a person suspected of committing a crime without filing formal charges. Under the law, a person arrested without formal charges is a suspect; once charges are filed, that person becomes an accused. Both are considered to be formally under arrest.

The law grants wide discretion as to what constitutes a proper basis for arrest, but requires that a report stating the grounds for arrest be forwarded to a prosecutor within 24 hours of the time a person is taken into custody. The law also mandates that all detainees, whether they are considered suspects or accused, be questioned within 24 hours; however, suspects have the right to remain silent. This initial period of arrest, when a suspect may be held without formal charges, is limited to 72 hours, although a prosecutor may extend it for an additional 7 days. At the end of this period, the person must either be charged with a crime or released. Once charges are filed, a suspect may be held at the prosecutor's discretion while an investigation is conducted; at this stage, the person under arrest is required to answer questions. A prosecutor may release a prisoner on bond pending trial. In practice, authorities frequently ignored these legal protections. There is no judicial supervision of detention, such as habeas corpus.

Prosecutors enjoyed near total discretion over most aspects of criminal procedure, including pretrial detention. Persons under arrest have no access to a court to challenge the length or validity of pretrial detention. Even when no charges are filed, police and prosecutors sought to evade restrictions on the length of time a person may be held without charges by holding persons as a witnesses rather than as suspects. A December 2003 Supreme Court Decree stated that a defendant has a right to counsel from the moment of detention; however, in practice access to counsel often was denied.

During the year, police arrested or detained demonstrators (see Section 2.b.).

On February 16, police in Jizzak arrested human rights activist and Birlik Party organizer Muidjahon Kurbanov on charges of weapons and narcotics possession. Local observers speculated that authorities targeted Kurbanov because of his efforts to advocate on behalf of local farmers. Police claimed that they found a hunting rifle, several bullets, and a small quantity of opiate derivative in Kurbanov's chicken shed. During his trial, Kurbanov's defense team established that the gun and ammunition were of different calibers and that Kurbanov's shed had likely been broken into shortly before the police search, while police and local authorities gave inconsistent testimony. Most observers concluded that the evidence against Kurbanov had likely been planted. On March 24, Kurbanov was sentenced to 3½ years in prison; however, this was reduced to a fine on appeal.

There were also reports that police arrested persons on falsified charges as an intimidation tactic to prevent them or their family members from exposing corruption or interfering in local criminal activities.

On February 12, 62-year-old Fatima Mukhadirova was sentenced to 6½ years for anticonstitutional activity and extremism, a sentence subsequently commuted to a fine. During her trial, Mukhadirova and her attorney contended that the evidence on which her conviction was based, including Hizb ut-Tahrir literature, had been planted by members of the MVD's Antiterrorism Directorate. Mukhadirova's son, Mirzakomil Avazov, was tortured to death in Jaslyk Prison in 2002. Observers speculated that authorities arrested her in October 2003 in retaliation for her attempts to publicize her son's death. International observers who monitored the April trial of Birlik Party organizer and farmers' rights advocate Muidinjon Kurbonov believed that evidence used by the prosecution was also likely planted by police.

On September 9, authorities released 18 year old Chingiz Suleimanov from the Youth Prison in Tashkent after serving just over 1 year of a 5-year sentence for being involved in a fight. Suleimanov's parents maintained that police arrested their son, who has mental disabilities, in retaliation for a letter they wrote to the prosecutor early in 2003 about criminal activities taking place under the protection of local police.

Authorities continued to arbitrarily arrest persons associated with prohibited Islamist political groups suspected of extremist sentiments or activities. There was a reported increase in arrests in January and February, centered mostly in Tashkent City and Region.

Following a series of terrorist attacks in Bukhara and Tashkent in March and April, the Government took into custody several hundred persons, the overwhelming majority of them identified as having belonged to the Hizb ut-Tahrir extremist political movement or various so-called Wahhabi groups, including imams in Kashkardia and Margilon. The arrests were made for national security reasons, but according to sources in the human rights community and law enforcement, the police and security services relied on a list of approximately 1,000 individuals, most of whom had been convicted of extremism in previous years and subsequently amnestied. There were credible allegations that authorities tortured some detainees (see Section 1.c.); however, the majority of those taken into custody were released after questioning, usually less than a day later. During the year, approximately 115 persons were convicted of terrorism; dozens more were sentenced for anticonstitutional activity and extremism (see Section 1.e.).

In its campaign against extremism, the Government concentrated its efforts on persons it suspected were associated with Hizb ut-Tahrir, an extremist political movement founded in 1952 in Jordanian-administered East Jerusalem. Although Hizb ut-Tahrir maintained that it was committed to nonviolence, the party's strongly anti-Semitic and anti-Western literature called for secular governments, including in the country, to be replaced with a borderless, theocratic Islamic state, or Caliphate, throughout the entire Muslim world.

Local human rights activists reported that police and security service officers, acting under pressure to break up Hizb ut Tahrir cells, frequently detained family members and close associates of suspected members, even if there was no direct evidence of their involvement. Authorities made little distinction between actual members and those with marginal affiliation with the group, often persons who had attended Koranic study sessions with the group.

As in previous years, there were reports that authorities arrested and prosecuted persons based on the possession of Hizb ut-Tahrir literature. Coerced confessions and testimony were commonplace. Even persons generally known to belong to Hizb ut Tahrir stated that the cases against them were built not on actual evidence, which would have been abundantly available, but on planted material or false testimony.

During the year, pretrial detention for individuals suspected of Islamic extremism typically ranged from 1 to 3 months; in past years, pretrial detention lasted as long as 2 years. The number of such prisoners in pretrial detention was unknown.

Police harassed and sometimes arbitrarily detained members of the opposition Birlik, Free Farmers, and Erk Party (see Section 2.b.). In May, police reportedly arrested Erk Party activists in Namangan, Sukhandaria, and Bukhara. On May 15, police in Namangan arrested Birlik activist Mukhammadali Koraboyev following an altercation with a mahalla committee chairman. Police released him on July 17; he was subsequently sentenced to 3 years probation. On July 23, police detained the Namangan leader of the Free Farmers Party, Akhmadjon Normirzaev, after discovering party literature in his car; he was released the next day after paying a minor fine.

On March 1, the Government completed the 3-month amnesty that it declared in December 2003. Most of the 2,000 to 3,000 amnestied prisoners were ordinary criminals; however, 705 political prisoners convicted for anticonstitutional activity were reportedly released. It was likely that the amnesty also freed a number of the 4,400 to 4,900 persons that authorities arrested between 1999 and 2001 for involvement in extremist organizations, but who were convicted on other charges. The vast majority of these prisoners were suspected of belonging to the Hizb ut Tahrir political movement or another extremist Islamist group that fell under the general rubric of "Wahhabi." More than half of these prisoners had been originally sentenced to terms exceeding 10 years.

As in previous amnesties, prisoners were reportedly forced to sign letters of repentance as a condition of release; there were allegations that authorities physically mistreated some prisoners who refused to sign such letters (see Section 1.c.). The decree authorizing the amnesty established strict conditions for release. In practice, however, local prison authorities had considerable discretion in determining who was reviewed for amnesty; as in previous years, there were reports of corruption. Amnestied prisoners reported that imams had been sent to some prisons to make the final determination as to which prisoners had truly repented; this decision was reportedly frequently made in consultation with local mahalla committees.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary; however, the judicial branch takes its direction from the executive branch, particularly the General Prosecutor's office, and exercises little independence in practice.

Under the Constitution, the President appoints all judges for 5-year terms and has the power to remove them. Removal of Supreme Court judges must be confirmed by the Supreme Assembly, which is obedient to the President's wishes. Judicial Qualification Collegiums established to nominate candidates and administer examinations somewhat insulated the process of selecting judges from political influence and also played a role in disciplining judges for misconduct; however, the process of appointing and removing judges remained largely nontransparent and subject to interference. Judicial salaries remained low, and corruption reportedly remained a problem. Judges deferred to the decisions of prosecutors with relatively few exceptions.

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 commercial disputes between legal entities. Decisions of district and regional courts of general jurisdiction may be appealed to the next level within 10 days of a ruling.

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 mahalla committees. The lay judges rarely speak, and the professional judge usually defers to the recommendations of the prosecutor on legal and other matters.

Government prosecutors 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. Defendants are almost always found guilty, often based solely on confessions. On the rare occasions when a guilty verdict is not pronounced, the judge seldom acquits the defendant; rather, the case is typically sent back for further investigation. The formal protections against double jeopardy that exist under the law do not apply in practice.

Most trials are officially open to the public; however, they may be closed in exceptional cases, such as those involving state secrets or rape, or to protect young defendants, victims, or witnesses.

Defendants have the right to attend court proceedings, confront witnesses, and present evidence. These rights were applied with increased frequency, particularly in high-profile human rights and political cases, which were marked in several instances by defense attorneys putting up an active defense. In almost all cases, however, the verdict was guilty. Defendants have the right to hire an attorney, and the Government provides legal counsel without charge when necessary. However, state-appointed attorneys, whom the Government contracts and pays, routinely acted in the interest of the Government rather than their clients. A December 2003 Supreme Court Decree clarified that the law on the right to counsel guarantees that right from the moment of detention; however, authorities often violated the right to an attorney during pretrial detention, 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 flawed prosecution witnesses rarely occurred. In most cases, the role of defense counsel was limited to submitting confessions and pleas for mercy. Lawyers from the Legal Aid Society (LAS) were much better trained, but their resources were extremely limited and their five lawyers typically only accepted more high-profile political cases. Public defender centers financed through international contributions also served to provide high-quality pro-bono defense counsel.

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 even the most sensitive trials.

Defendants often claimed that the confessions on which the prosecution based its cases were extracted by torture. In many cases, particularly those involving suspected members of Hizb ut-Tahrir, the prosecution failed to produce confessions and relied solely on witness testimony, which was reportedly often coerced. Typical sentences for male members of Hizb ut-Tahrir ranged from 7 to 12 years' imprisonment.

In a series of trials in August, September, and October, the Government convicted approximately 115 individuals in connection with the March and April terrorist violence in Tashkent and Bukhara. International and local human rights groups that monitored the trials concluded that the trials failed to meet international standards. The prosecution's cases relied primarily on confessions, which human rights groups and defense attorneys maintained were coerced. Several defendants testified in court that they had been physically abused in pretrial detention (see Section 1.d.).

Lawyers may, and occasionally did, call on judges to reject confessions and to investigate claims of torture; however, judges routinely ignored such claims or dismissed them as groundless. None of the torture allegations made in the terrorist trials resulted in a criminal investigation. However, there were at least two partial exceptions. In May, the Yunusabad District Court in Tashkent ruled that murder charges against Ruslan Rakhimov could not be sustained and sent the case back for investigation. During the trial, Rakhimov and several other witnesses testified that Rakhimov was forced to sign a confession. According to defense attorneys, police officers beat Rakhimov and asphyxiated him with a gas mask. Rakhimov remained in custody at year's end, pending a retrial. In a retrial of another murder case in October, a court in Andijon acquitted three defendants previously

convicted of murder and reduced the sentences of several others. Relatives of the defendants and their lawyers contended that a number of the confessions on which the original guilty verdict had been based were coerced; one defendant, Ziedullo Mamadaliev, lost his sight as a result of a beating he endured in pretrial detention. Criminal proceedings against four police officers accused of torturing the suspects were reportedly underway at year's end.

The Constitution and the law provide a right of appeal to defendants; however, appeals rarely, if ever, resulted in convictions being reversed in politically sensitive cases, such as for persons accused of membership in Hizb ut-Tahrir. More often, a successful appeal resulted in a reduced sentence.

There were 5,000 to 5,500 political prisoners, including alleged members of Hizb ut Tahrir, at year's end. Most persons convicted of political crimes were charged with the actual crime for which they were arrested, for example anticonstitutional activity, involvement in illegal organizations such as prohibited religious or political groups, and the preparation or distribution of material that threatened public security. The ICRC conducted regular prison visits throughout the year and reported that it was given access to political prisoners (see Section 1.c.). From December 2003 to March, the Government amnestied 705 political prisoners (see Section 1.d.).

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

The Constitution provides for the inviolability of the person and prohibits unlawful detentions and searches; however, in practice, authorities infringed on these rights. The law requires the issuance of a search warrant for electronic surveillance by the relevant prosecutor; however, there is no provision for a judicial review of such warrants. There is an assumption that security agencies routinely monitor telephone calls and employ surveillance and wiretaps in the cases of persons involved in opposition political activities.

The Government continued to use an estimated 12,000 local mahalla committees as a source of information on potential extremists. Mahalla committees served varied legitimate social functions, but also linked local society and the lowest levels of the Government and law enforcement. The influence wielded by mahalla committees varied widely, with committees in rural areas tending to be much more influential than those in cities. Each mahalla committee assigned a "neighborhood guardian," or "posbon," whose job it was to ensure public order and to maintain a proper moral climate in the neighborhood. In practice, this meant preventing young persons in the neighborhood from joining extremist Islamic groups. According to a report on mahalla committees released by Human Rights Watch (HRW) in September 2003, the committees kept extensive files on families in the neighborhood and collected information on individual family members' religious practices. Mahalla committees frequently identified for police those residents who appeared suspicious and, working with local MVD and NSS representatives, reportedly paid particular attention to recently amnestied prisoners and the families of individuals jailed for alleged extremism.

There was one report that police arrested and beat a person to intimidate family members from exposing alleged criminal activities occurring under police protection (see Section 1.d.).

Authorities frequently detained and mistreated family members of persons wanted or jailed for Islamic activities, even if there was scant evidence of their involvement (see Section 1.d.).

There were numerous credible reports that police, employers, and mahalla committees harassed family members of human rights activists (see Section 2.b.).

Section 2

Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and the press; however, the Government continued to restrict these rights severely and the law holds editors and publishers responsible for the content of articles that appear in their publications.

The law limits criticism of the President, and citizens generally did not criticize the President or the Government on television or in the press, although they continued to do so more freely in less public settings. The law also specifically prohibits articles that incite religious confrontation and ethnic discord or advocate subverting or overthrowing the constitutional order (see Section 2.b.).

The Cabinet of Ministers owned and controlled the country's three national daily newspapers, Pravda Vostoka, Halq Sozi, and Narodnoe Slovo. Their combined readership likely did not exceed 50,000, since newspapers, which cost between 5 and 15 cents (50 and 150 soum), were too expensive for most citizens. The Government owned or controlled several other weekly publications.

Private persons and journalist collectives may not establish newspapers unless they meet the media law's standards for establishing a "mass media organ," including naming a board of directors acceptable to the Government. The Government allowed a small number of private newspapers containing advertising, horoscopes, and similar features, but no news or editorial

content. Three private national newspapers--Novosti Uzbekistana, Noviy Vek, and Noviy Den--carried news and editorials, as did one publicly owned newspaper, Hurriyat. Circulation was no more than 3,000 each. On March 1, a fifth daily, Mohiyat, separated from the government-controlled Turkiston Press. Mohiyat was known as one of the more independent national papers; however, its estimated circulation did not exceed 2,000.

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

The Government controlled information even more tightly in the broadcast media than in print journalism. 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 rebroadcast some Hong Kong-based television channels, including the British Broadcasting Company (BBC), Deutsche Welle, and Cable News Network World News, to Tashkent and a few other locations; however, most citizens could not afford cable television. There were 30 to 40 privately owned local television stations and 7 privately owned radio stations. These broadcasters practiced self-censorship, but enjoyed some ability to report critically on local government.

Most television programming consisted of locally produced comedies, variety and game shows, as well as programs rebroadcast from Russia.

In contrast with past years, there were no reports of arrests of journalists; however, the Government harassed several editors and journalists in an apparent effort to limit publication of critical stories.

Tuhtamurad Toshev and Boimamat Jumaev, journalists arrested in February and May 2003 and convicted on charges of bribery, remained in prison at year's end. Observers viewed the charges as selective prosecution.

On June 23, prison authorities released the former head of the Independent Union of Journalists of Uzbekistan (IUJU), Ruslan Sharipov, as part of a work furlough program. Sharipov was sentenced to 5½ years in prison in August 2003 on charges of sodomy, corruption of youth, and sex with underage persons; his sentence was reduced on appeal. Many observers viewed the charges as either fabricated or a case of selective prosecution. Sharipov asserted that authorities prosecuted him for his critical articles and that he had been tortured into confessing. Sharipov has since left the country.

In June, the authorities also released Gayrat Mahliboyev, a correspondent from the Hurriyat Newspaper sentenced in 2002 to 7 years in prison in connection with his alleged membership in Hizb ut-Tahrir.

In mid April, authorities released Madzhid Abduraimov, a journalist convicted in 2001 on charges similar to those against Tuhtamurad Toshev and Boimamat Jumaev.

During the year, a number of journalists reported receiving telephone calls warning them to be cautious in how they report events. According to an open letter to President Karimov by the World Association of Newspapers, on April 15, an NSS officer in Kashkadaria told journalist Tulkin Karaev that he would be tried as a terrorist accomplice unless he stopped reporting on arrests made following the March/April terrorist attacks. Karaev, a correspondent for International War and Peace Reporting (IWPR), a London-based media NGO dedicated to the training and protection of journalists in areas of conflict, and the Voice of the Islamic Republic of Iran, wrote stories alleging that police and security forces mistreated suspects and planted evidence.

There were no private publishing houses, and government-owned printing houses generally printed newspapers. Religious writings required approval by the Religion Committee censor, which observers regarded as quite strict (see Section 2.c.).

A September 2003 Cabinet of Ministers decree applied the same requirements to bulletins and newsletters published by NGOs as apply to other publications; however, the Government had not enforced this decree by year's end. The materials covered by the decree were typically printed in very small quantities and generally provided the most critical coverage of human rights issues available in the country.

On June 24, a Namangan civil court found Radio Free Europe/Radio Liberty (RFE/RL) guilty of libel in connection with a story it broadcast questioning the accuracy of a report published in the state-run newspaper "Diyonat." The court ordered RFE/RL and its Fergana Valley correspondent each to pay a \$50 (50,000 soum) fine. The ruling followed threats in May by producers of the state television news program "Akhborot" to sue RFE/RL and its correspondent for libel after it broadcast a report alleging that an Akhborot correspondent fabricated parts of a story in which workers at a collective farm were filmed receiving their wages when, in fact, they had not been paid.

The law makes journalists responsible for the accuracy of their news stories, exposing them to risk of criminal prosecution for their reporting. The law establishes the right of newspaper boards of directors, whose appointment is effectively subject to government veto, to influence the editorial content of media reports. Through these provisions, the law establishes mechanisms by which the Government could indirectly influence media content and further encourage members of the media to practice self-censorship. This was particularly evident following the terrorist attacks of March/April and July, when the media did not report

any information that had not already been sanctioned by the Government.

The Government tightly controlled information. The Uzbekistan News Agency cooperated closely with the presidential staff to prepare and distribute all officially sanctioned news and information. The Government's Press and Information Agency was responsible for observing all media. Most editors and journalists continued to express concerns about potential consequences of conducting serious investigative journalism. On March 27, reporters and other media employees established a new government-sponsored association, the Creative Union of Journalists of Uzbekistan, that observers believed would serve as another mechanism for the Government to exercise control over the media.

On January 19, Pravda Vostoka, the country's leading Russian-language newspaper and a source of comparatively critical reporting on such topics as official malfeasance, economic hardship, and human trafficking, dismissed journalist Sergei Yezhkov, who was known for his articles accusing officials of corruption. Media observers speculated that Yezhkov's dismissal would lead to a softening in Pravda Vostoka's coverage of controversial topics. In June, the chief editor of Radio Grande, a popular Tashkent station known for its occasional reporting on social problems such as AIDS, was fired, reportedly under similar circumstances; he subsequently went to work for an online news website.

Running somewhat counter to this trend, on April 19, a district court in Khorezm ruled that Shukhrat Allanazarov, a journalist for the newspaper "Yangiarik Ovozi," had been unlawfully dismissed in December 2003 and ordered the newspaper to reinstate him and pay him back wages. Allanazarov alleged that he was fired because of articles that he had written criticizing the district hokim (mayor). The newspaper contested the decision, and in May, an appeals court overturned the district court's ruling. Allanazarov chose not to appeal.

During the year, self-censorship expanded. The number and scope of newspaper articles on topics such as local corruption, official malfeasance and economic difficulties declined and only a few journalists wrote articles critical of the Government.

A government agency, the Interagency Coordination Committee (MKK), issued both broadcast and mass media licenses to approved media outlets. Broadcast licenses are issued for terms of 1 to 5 years; however, mass media licenses, which also required, must be renewed annually. The MKK may revoke licenses and close media outlets without a court judgment. Another government agency, the Center for Electromagnetic Compatibility, issues frequency licenses.

The Government attempted to compel some private broadcasters to join the National Association of Electronic Mass Media, which was set up in December 2003 by a well-known media magnate. On August 23, the MKK revoked the license of "Bahtiyor-Shohboz," a private television station operating in the Jizzak region, reportedly for refusing to join the association. Some television journalists expressed fear that other private stations would be similarly targeted.

The Government continued to refuse to allow RFE/RL and the Voice of America (VOA) to broadcast from within the country, despite the Government's agreement with RFE/RL to allow its broadcasting. The Government also denied accreditation to some VOA journalists. The BBC World Service was permitted to broadcast on a very low FM frequency and only in the Fergana Valley, which limited the potential audience, up to 3 hours per day.

Television and radio stations practiced self-censorship; as a result, stations carried critical reporting only occasionally.

The Government did not limit access to the Internet; however, Internet service providers frequently blocked access to websites that the Government considered objectionable. The opposition parties Birlik, Erk, and the Free Farmers Party operated websites, to which the Government reportedly blocked access sporadically.

The Government limited academic freedom. University professors were generally required to have their lectures or lecture notes approved; however, implementation of this requirement varied. University professors practiced self-censorship.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for the freedom of peaceful assembly, but states that authorities have the right to suspend or prohibit rallies, meetings, and demonstrations on security grounds. In practice, the Government often restricted the right of peaceful assembly. The Government required approval for demonstrations and did not routinely grant permits to demonstrators. There were a number of peaceful protests, ranging in size from less than a dozen participants for most human rights demonstrations to over a hundred in demonstrations protesting economic conditions. In some cases, police forcibly disrupted demonstrations; however, members of the security service usually simply observed the demonstrations.

Authorities continued to detain women briefly for organizing protests demanding the release of male relatives jailed for belonging to the extremist Hizb ut-Tahrir political movement or for protesting the conditions of their detention. There were reports that police insulted or forced some of women to remove their head coverings. During the year, none were arrested for such activities, and police drove home or released most detainees after a short period of time and payment of an administrative fine. These protests were less frequent and of smaller size than in the previous year, a development that local human rights activists attributed to heightened pressure from mahalla committees and local law enforcement in the aftermath of the terrorist attacks of March/April and July.

During the year, human rights activists in Tashkent held a number of small demonstrations--typically involving no more than a dozen protesters--to address police abuse, official corruption, housing problems, and economic conditions. Authorities frequently observed such demonstrations without interfering; however, there were numerous reports of rough handling, including beatings and detention, in mid-June prior to the Shanghai Cooperation Organization (SCO) heads of state summit. As in previous years, police detained human rights activists for short periods to prevent or to disrupt public demonstrations.

On June 1, authorities forcibly prevented several activists from participating in a demonstration in Tashkent calling for President Karimov's resignation. Prior to the demonstration, law enforcement officers detained the demonstration's organizer, Bakhodir Choriev, and 16 of his relatives at Choriev's apartment building and transported them by police bus to the Syrdarya provincial border where, according to Choriev, they were questioned for 2 to 3 hours before being driven back to Tashkent. Police also reportedly took Choriev's 9-year-old son into custody and held him at the Khamza district police station for 8 hours. Human rights activists Yuri Konoplov and Abdujalil Baimatov reported that police had not allowed them to leave home, apparently in an effort to keep them from participating in the protest.

On June 13, unknown persons severely beat activist Gavkhar Aripova, who had also planned to attend the demonstration at the SCO heads of state meeting. Aripova claimed that an officer of the Antiterrorism Department threatened to have her leg broken if she picketed the SCO Summit.

On June 14, Konoplov and Baimatov attempted to hold a demonstration in front of the hotel where the SCO heads of state were staying. Police confiscated Konoplov's poster and briefly took Baimatov and six other activists into custody. Baimatov was kept overnight at the Khamza District police station.

On September 20, police arrested Dilmurod Muhininov and Abdugafar Dadaboyev, activists from the human rights organization Ezgulik, in connection with a 2-day demonstration of market traders in Andijon. A judge sentenced Muhininov and Dadaboyev to 10 days administrative detention for disturbing the peace and organizing an unauthorized public gathering.

The Constitution provides for 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. The law allows independent parties and permits them a wide range of fundraising, but 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 five registered political parties, all controlled by the Government, and four opposition parties, none of which were registered at year's end (see Section 3).

On March 1, the Ministry of Justice refused for the third time to register the opposition Birlik Party. In June, the Supreme Court denied Birlik's attempt to have the decision overturned. Also in March, the Ministry rejected the registration application of the opposition Free Farmers Party. A third opposition party, the Party of Agrarians and Entrepreneurs had its registration application denied in October 2003. Although not officially registered, Birlik and the Free Farmers Party backed initiative groups that attempted to nominate independent candidates for the December 26 legislative elections. None of these candidates made it onto the ballot.

Registration of NGOs and other public associations was difficult and time consuming, with many opportunities for the Government to obstruct the process. In March 2003, the Government registered the country's second independent human rights group, Ezgulik. In February, the Ministry of Justice registered the Lawyers' Firm for Human Rights, which provides pro bono legal advice to indigent clients. The Government continued to deny registration to other human rights groups, such as the Human Rights Society of Uzbekistan, Mazlum, and the Mothers Against the Death Penalty and Torture. Although these organizations did not exist as legal entities, they continued to function, though with difficulty (see Section 4).

On February 4, the Cabinet of Ministers passed a resolution regulating the foreign funding of organizations that severely impeded the ability of some local human rights NGOs to function. The resolution requires a government commission to review all outside funding before it is disbursed to local NGOs. Although the measure was ostensibly passed to fight money laundering, the commission used political criteria to determine which programs receive funds. Local NGOs focusing on human rights and democratic reform were particularly affected.

Authorities in the Kitob Region of Kashkadarya continued to harass local land reform activists and their families. In their effort to promote land reform, the activists had run afoul of a politically connected collective farm manager. Two activists and several family members left the country, reportedly under threat from local police and prosecutors.

Women's NGOs reported increased government harassment and monitoring following a May 25 decree requiring the organizations to reregister with the Ministry of Justice by November 1.

Nonpolitical associations and social organizations usually were allowed to register, although complicated rules and a cumbersome government bureaucracy often made the process difficult.

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 law treats all religious groups equally; however, the Government supported the country's Muslim heritage by funding an Islamic university and subsidizing citizens' participation in the Hajj. The Government sought to promote what it considered a moderate version of Islam through the control and financing of the Muslim Board of Uzbekistan (the Muftiate), which in turn controls the Islamic hierarchy, the content of imams' sermons, and the volume and substance of published Islamic materials. A small but growing number of unofficial, independent mosques were allowed to operate under the watch of official imams.

The law requires all religious groups and congregations to register and provides strict and burdensome registration criteria, including a requirement that each group must present a list of at least 100 citizen members to the local branches of the Ministry of Justice. This and numerous other provisions, such as a requirement that a congregation already have a valid legal address, enabled the Government to prohibit any group by finding technical grounds for denying its registration petition. This has had the effect of suppressing the activities of Muslims who sought to worship outside the system of state-sponsored mosques, as well as of members of unregistered Christian churches and other groups.

By year's end, the Government had registered 16 new religious congregations, of which almost all reportedly were Islamic. There were 2,169 registered religious congregations and groups, of which 1,984 were Muslim. Local authorities continued to block the registration or reregistration of evangelical Christian congregations in Tashkent, Samarkand, Guliston, Gazalkent, Andijon, and Nukus. Jehovah's Witnesses in Tashkent were unable to obtain registration; out of the 11 Jehovah's Witnesses' churches in the country, only those in Chirchik and Fergana were registered. Police routinely questioned, searched and arbitrarily fined individual members of Jehovah's Witnesses throughout the country. According to the Internet news bulletin Forum 18, police in Uchkuduk and Kagan briefly detained and beat Jehovah's Witnesses in separate incidents on June 17 and July 1.

Any religious service conducted by an unregistered religious organization is illegal. Police occasionally broke up meetings of unregistered groups and, according to news reports, members of some Christian evangelical congregations were detained during the year and, in at least one case in July, beaten by authorities. Religious groups are prohibited from forming political parties and social movements (see Section 2.b.).

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. Almost all of those arrested were tried for anticonstitutional activity and participating in "religious extremist, separatist, fundamentalist or other banned organizations," a charge that encompasses both political and religious extremism. The overwhelming majority of those arrested were suspected members of Hizb ut-Tahrir, an extremist political movement. The Government also arrested members of "Tabliq," an Islamic group with origins in South Asia, as well as others the Government broadly labeled Wahhabi.

Individuals arrested on suspicion of extremism often faced severe mistreatment, including torture, beatings, and particularly harsh prison conditions and were typically sentenced to between 7 and 12 years in jail (see Sections 1.c. and 1.d.). Prison authorities reportedly did not allow many prisoners suspected of Islamic extremism to practice their religion freely and, in some circumstances, did not allow them to own a Koran. Prison routines often did not permit inmates to pray five times a day, and work and eating schedules were often not adjusted to account for the Ramadan fast. Authorities reportedly punished inmates who attempted to fulfill their religious obligations against prison rules or who protested the rules themselves with solitary confinement and beatings.

Police detained women demonstrating for the release of male family members arrested on suspicion of belonging to extremist Islamist political groups, although in fewer numbers than in previous years (see Section 2.b.).

The Government did not consider repression of these groups to be a matter of religious freedom but, rather, to be directed against those who allegedly advocated overthrowing the Government. However, the Government's campaign against suspected Islamic extremists had repercussions in the wider Muslim community. Authorities, often acting on information provided by mahalla committees, remained highly suspicious of more religiously observant persons, including frequent mosque attendees, bearded men, and veiled women. In practice, this approach resulted in the Government abusing observant Muslims for their religious beliefs.

The law prohibits proselytizing and severely restricts activities such as the import and dissemination of religious literature. 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 some cases, mistreatment.

The teaching of religion in schools and to minors without their parents' permission is prohibited. The Government continued a small religious education pilot program in elementary schools and, in a very limited number of schools, there was instruction on Islam and Arabic several times a week.

The Government required that a religious censor approve all religious literature and controlled the publication, import, and distribution of religious literature. The Government discouraged and occasionally blocked the production or import of Christian literature in the Uzbek language, although Bibles in many other languages were available in Tashkent bookstores. The Muftiate

sporadically issued an updated list of all officially sanctioned Islamic literature. Possession of literature deemed extremist could lead to arrest and prosecution. Religious literature imported illegally was subject to confiscation and destruction. The Government controlled the content of imams' sermons and the substance of published Islamic materials.

The Government's harsh treatment of suspected extremist Islamic political groups tended to suppress outward expressions of religious piety. While many young men attended Friday prayers, hardly any were bearded. The law prohibits the wearing of "cult robes" in public except by those serving in religious organizations; however, this provision did not appear to have been enforced during the year. Following the March-April terrorist attacks, administrators in some schools pressured female students not to wear the hijab, or headscarf many Muslims associate with female modesty, as did local authorities in at least two mahallas in Karshi. There were reports from a credible source that some female students were suspended from Tashkent's Pedagogical University for wearing the hijab. Nevertheless, women were seen wearing the hijab in public.

There was no pattern of discrimination against Jews. Synagogues functioned openly and Hebrew education, Jewish cultural events, and the publication of a community newspaper took place undisturbed. The prohibited extremist political movement Hizb ut-Tahrir distributed anti-Semitic fliers, the text of which generally originated abroad; however, observers did not believe such fliers represented the feelings of the vast majority of the country's population.

There were reports of discrimination against Muslims who converted to Christianity. The Uzbek Pastor of the Full Gospel Pentecostal Church in Andijan reported that local officials harassed him and his family in connection to the Pastor's conversion to Christianity.

For a more detailed discussion, see the [2004 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 to move to a new city. The Government rarely granted permission to move to Tashkent, and local observers reported that persons had to pay bribes of up to a \$100 (100,000 soum) to obtain the registration documents required to move.

The Government required citizens to obtain exit visas for foreign travel or emigration, and while it generally granted these routinely, local officials often demanded a small bribe. During the year, at least four human rights activists experienced difficulties obtaining exit visas. While authorities eventually gave the activists visas, their delay prevented two of them from participating in a conference in Almaty. Authorities did not require an exit visa for travel to most countries of the former Soviet Union; however, the Government severely restricted the ability of its citizens to travel overland to neighboring Kazakhstan, the Kyrgyz Republic, and Turkmenistan and restricted and significantly delayed citizens attempting to cross the border to Tajikistan. Authorities closed the border with Afghanistan to ordinary citizens.

Foreigners with valid visas generally could move within the country without restriction; however, visitors required special permission to travel to certain areas, such as Termez, in Surkhandarya Province on the Afghan border.

Neither the Constitution nor the law explicitly prohibits forced exile, and the Government did not employ it. At year's end, the leaders of the Erk and Birlilik opposition parties and the de facto leader of the newly formed Free Farmer's Party remained in voluntary exile (see Section 3). At year's end, the chairman of the Human Rights Society of Uzbekistan (HRSU) remained in voluntary exile (see Section 4).

The law 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.

There is no law that provides for the granting of asylum or refugee status to persons who meet the definition in the 1951 Geneva Convention Relating to the Status of Refugees or its 1967 Protocol. In practice, the Government provided some protection against refoulement, the return of persons to a country where they feared persecution; however, it forcibly returned some persons to a country where they feared persecution and did not grant asylum. In 1999, the Government agreed that it would not force persons given refugee status by the U.N. High Commissioner for Refugees (UNHCR) to leave the country. Unlike in previous years, none was forcibly returned; however, the Government initiated deportation proceedings against one mandate refugee, who remained in the country at year's end. Although it does not formally recognize asylum or refugee status, the Government in practice cooperated with the UNHCR in allowing it to provide assistance to refugees and asylum seekers.

There were no official statistics, but observers, including the UNHCR, estimated that there were 6,000 to 7,000 Afghans resident in the country, 2,500 of whom the UNHCR recognized and registered as refugees. Afghans comprised almost all of the UNHCR's refugee caseload. Although the Government in general tolerated the presence of Afghan refugees, they faced protection problems. The UNHCR reported that 37 Afghans were detained over the course of the year, of whom all but one were released after the UNHCR intervened. The one who was not released remained in the country, pending deportation. The UNHCR reported that Afghan refugees had no access to the legal labor force and therefore had limited means to earn a livelihood. The UNHCR reported that police rarely harassed mandated refugees.

The UNHCR estimated that there were 39,000 Tajik refugees in the country. The Government considered asylum seekers from Tajikistan and Afghanistan to be economic migrants and subjected them to harassment and bribe demands when seeking to regularize their status. Such persons could be deported if their residency documents were not in order. The overwhelming majority of the Tajik refugees were ethnic Uzbeks; unlike their Afghan counterparts, the Tajiks were able to integrate into and were supported by the local population. Although most Tajik refugees did not face societal discrimination, a great number of them only carried their old Soviet Union passports and, under Uzbek and Tajik law, faced the possibility of becoming officially stateless.

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 and repressed opposition groups and individuals (see Sections 1.c., 1.d., and 2.a.). The Government is highly centralized and is ruled by President Karimov and the executive branch through sweeping decree powers, primary authority for drafting legislation, and control of government appointments, most of the economy, and the security forces. The Constitution establishes the Supreme Assembly as the highest government body; however, its main function was to confirm laws and other decisions drafted by the executive branch.

President Karimov was reelected in 2000 to a second term. The OSCE declined to monitor the presidential election on the grounds that the preconditions did not exist for it to be free and fair. A 2002 referendum, which multilateral organizations and foreign embassies refused to observe, extended the term of the presidency from 5 to 7 years. On December 26, elections were held for representatives to the lower chamber of the Supreme Assembly; an OSCE limited observer mission concluded the election fell significantly short of international standards for democratic elections.

Five registered government-controlled political parties held the majority of seats in the newly elected Supreme Assembly; the remainder consisted of nominally independent politicians tied to progovernment parties. These parties, created with government assistance and loyal to President Karimov, were the only ones permitted to participate in the parliamentary elections, which did not represent a real choice for voters. Many government officials were members of the People's Democratic Party of Uzbekistan, the country's largest party. The party did not appear to play a significant role in the Government. A fifth progovernment party, the Liberal Democratic Party of Uzbekistan was registered in December 2003, but did not distinguish itself from the other progovernment parties.

The law makes it extremely difficult for opposition parties to organize, nominate candidates, and campaign. On February 18, the Government amended the law to require 20,000 signatures on any application to register a new party; previously, only 5,000 signatures were needed. The procedures to register a candidate are burdensome and the Central Election Commission (CEC) may deny registration. A presidential candidate must present a list of 700,000 signatures in order to register and is prohibited from campaigning without registration. The CEC may deny registration of presidential candidates if it finds they would "harm the health and morality of the people." Parties and candidates that are denied registration do not have the right to appeal the CEC decision to the courts. The law allows the Ministry of Justice to suspend parties for up to 6 months without a court order.

In addition to registered political parties, citizen initiative groups with 300 or more members may nominate Supreme Assembly candidates by submitting signatures of at least 8 percent of the voters in an election district. Except for registered political parties or initiative groups, organizations were prohibited from campaigning, and candidates were allowed to meet with voters only in forums organized by precinct election commissions. The spring session of the Supreme Assembly adopted a law mandating government funding for all registered political parties and registered candidates. Only the CEC may prepare and release presidential campaign posters.

The law prohibits judges, public prosecutors, NSS officials, servicemen, foreign citizens, and stateless persons from joining political parties. The law 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 frequently harassed members of unregistered political organizations (see Section 2.b.). On March 1, the Ministry of Justice rejected the registration papers of the Birlik opposition political party; the Ministry's decision followed unsuccessful attempts by Birlik to register in September and November 2003. In June, the Supreme Court upheld the Ministry's decision not to register Birlik. The party also faced renewed harassment, in contrast to 2003, when its members were able to hold regional and national congresses and to gather signatures without substantial interference. According to party activists and human rights workers from several regions, supporters of Birlik who signed registration petitions were pressured by local authorities in February and March to disavow their signatures. Reports of intimidation were reported in Andijon, Khiva, Khorezm, Syrdarya, and Tashkent Region, but the most severe harassment appears to have taken place in Jizzak. On March 1, local authorities in Jizzak attempted to have a member of Birlik's national committee declared mentally incompetent (see section 1.c). On March 24, a local court sentenced the head of the party's regional branch in Jizzak, Muidinjon Kurbanov, to 3½ years in prison on what many observers characterized as trumped-up charges of weapons and narcotics possession; Kurbanov's sentence was reduced to a fine on appeal, and he was released (see Sections 1.d and 1.e.). Despite these pressures, Birlik remained active and supported initiative groups in all regions of the country; none, however, made it onto the ballot.

In March, the Ministry of Justice rejected the registration application of the opposition Free Farmers Party. The Free Farmers Party did not appeal the decision or resubmit its application; however, it supported initiative groups in the run-up to the December 26 Supreme Assembly elections. As with Birlik, none of the independent candidates supported by the Free Farmers Party were permitted to compete in the election.

The Government continued to harass members of the unregistered opposition party Erk, which split into three factions and became much less active since mid 2003; however, the harassment was not as severe as in previous years, when authorities reportedly detained and subjected several Erk members to physical mistreatment, including torture.

The leaders of three of the four unregistered opposition political parties--Mohammed Solikh of Erk, Abdurakhim Polat of Birlik, and Babur Malikov of the Free Farmers Party--remained in voluntary exile.

There was a widespread public perception of corruption in the executive branch. There were no specific reports of corruption in the Supreme Assembly, which had little real power and did not distribute patronage.

The Constitution states that all government agencies must provide citizens with the opportunity to examine documents, decisions, and other materials affecting their freedoms; however, the Government seldom respected these rights. The public generally did not have access to Government information, and information normally considered in the public domain, such as prosecutions for corruption or official malfeasance, were seldom reported. In June, the NGO Article 19 Global Campaign for Free Expression released an analysis of the country's secrecy and freedom of information laws, which concluded that the types of information that can be considered classified, and thus protected by the state, were so broad as to include virtually all information.

There were 21 women in the newly elected 120-member lower chamber of the Supreme Assembly. There was 1 woman in the 28-member Cabinet, who held the rank of Deputy Prime Minister and was Chief of the Complex of Social Protection of the Family, Maternity, and Childhood, a committee charged specifically with women's issues.

Statistics on the ethnic composition of the newly elected lower chamber have not been compiled.

Section 4

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

A number of domestic human rights groups operated in the country; however, fear of official retaliation made some groups hesitant to criticize the Government. Registered groups included the Independent Human Rights Society of Uzbekistan, Ezgulik, which is affiliated with the opposition political party Birlik, the Committee for Protection of Individual Rights, and the LAS. The LAS provided pro bono legal advice to the indigent and represented human rights clients that other firms were hesitant to defend.

Other human rights groups, such as the HRSU, the Erk-affiliated Mazlum, and the Mothers Against the Death Penalty and Torture were unable to register, but continued to function (see Section 2.b.). However, the groups had difficulty renting offices or conducting financial transactions and could not open bank accounts, making it difficult to receive funds from abroad. Unregistered groups encountered more difficulties with authorities than registered NGOs and also had difficulty finding venues for public events.

In a series of initiatives sponsored by the international human rights NGO Freedom House, members of the police, Prison Directorate, and Security Services met regularly with human rights activists in Tashkent and areas of the Fergana Valley. Officers in the MVD Investigations Directorate were particularly active in opening a dialogue with human rights activists. Human rights workers who participated in the events reported increased cooperation with local officials, which resulted in better access to prison inmates and less official harassment.

Police and security forces continued to harass domestic human rights activists, though, according to some, with considerably less frequency than in previous years. There were fewer reported cases of beatings, with the notable exceptions that took place in the weeks prior to the SCO Summit in June (see Section 1.c.). Unlike in previous years, no human rights activists were arrested and convicted of criminal offenses, though two activists were given administrative sentences of 10 days, and several were detained briefly and released in connection with their protest activities (see section 2.b). Although direct harassment of activists may have abated, several reported continuing pressure on their families. During the year, four activists briefly experienced difficulty obtaining exit visas (see Section 2.d.).

Although individual human rights activists experienced less personal harassment, the Government increased pressure on their organizations. The February 4 "banking decree," though ostensibly designed to combat money laundering, has been selectively enforced to keep both registered and unregistered NGOs involved in human rights or political work from receiving outside funding. While some NGOs have continued to function, the banking decree has severely impeded the ability of others to function. The Government particularly targeted the LAS and Mothers Against the Death Penalty and Torture, as well as several regional branches of other human rights organizations. NGOs focusing on women's rights have also come under increased pressure, with many representatives reporting increased Government harassment and monitoring following a May 25 decree that required all such organizations to reregister by November 1.

On September 3, the Ministry of Justice initiated court proceedings against Internews Uzbekistan, a local NGO working to enhance the capacity of the independent media. The Ministry contended that the NGO had violated a number of regulations governing its charter, including not properly registering its logo and letterhead, not informing the Ministry of changes to its staff, and calling the NGO's local chief of operations "Director" rather than "Director General." Internews Uzbekistan's attorney argued that the NGO had taken immediate steps to correct all the problems cited by the Ministry. On September 14, the Tashkent City Administrative Court suspended the NGO's operations for 6 months. In September, the Ministry attempted to conduct an open-ended audit of the representative office of Internews Uzbekistan's parent organization, Internews Network. At year's end, Internews Network was permitted to continue operations, but its bank account was frozen, severely hampering its ability to operate.

The Government subjected international human rights NGOs to additional scrutiny, but generally did not obstruct their work. The Ministry of Justice publicly criticized HRW, which maintained an office in the country, and Freedom House, which had an office in Tashkent and a branch office in the Fergana Valley. In addition to its traditional work training human rights defenders, Freedom House continued its efforts to sponsor a dialogue between representatives of civil society and officials from the police and security forces. The American Bar Association Central European and Eurasian Law Initiative (ABA/CEELI) operated human rights clinics at government-run law institutes and supported public defender centers in several cities; however, a committee enforcing the "banking decree" refused to allow the release of grant money for the Lawyers' Firm For Human Rights, an ABA/CEELI-supported project in Tashkent. Members of the MVD, procuracy, and Association of Judges participated in NGO training designed to increase cooperation with defense advocates, promote judicial ethics, and inform suspects of their rights.

International NGOs involved in promoting media freedom, expanding civil society, and fostering political party development generally had more difficulty operating than did NGOs that focused on human rights abuses such as torture. On April 14, the Ministry of Justice refused to reregister the OSI, effectively terminating the NGO's operations in the country. The Ministry alleged that OSI had engaged in subversive activities, such as supplying teaching materials designed to discredit government policies. In 2003, OSI was the country's largest private donor, providing \$3.7 million in assistance to promote economic, public health, and educational reform.

In May, the Ministry of Justice publicly criticized the National Democratic Institute and International Republican Institute for their work with unregistered political parties. The Government refused for a second year to renew the registration of International War and Peace Reporting (IWPR), a London-based NGO dedicated to the training and protection of journalists in areas of conflict, on the grounds that it was engaging in journalism rather than training; however, IWPR continued to work with local and international journalists to produce critical stories about the country's politics, judicial system, and human rights practices.

In late 2003, the Government required a number of international NGOs to reregister with the Ministry of Justice, rather than with the Ministry of Foreign Affairs, as they had previously. At the same time, the Ministry of Justice attempted to enforce burdensome new reporting and coordination requirements that would, if fully implemented, make it difficult for NGOs to work effectively; however, international NGOs generally were able to continue operating. The "banking decree" also impeded the ability of international NGOs to work with their local partners.

The Government increasingly was willing to work with international governmental organizations such as the OSCE, which worked on prison reform and combating trafficking in persons, as well as with foreign embassies, the ICRC, and UNHCR.

A human rights Ombudsman's office affiliated with the Supreme Assembly may make recommendations to modify or uphold decisions of government agencies, but its 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 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 procedural violations 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 is a government agency responsible for educating the population and officials on the principles of human rights and democracy and for ensuring the Government complies with its international obligations to provide human rights information. In the view of many observers, the center was neither independent nor effective.

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination on the basis of sex, language, or social status; however, societal discrimination against women persisted.

Women

The law does not specifically prohibit domestic violence, and such violence remained a common problem. Wife beating was considered a personal family affair rather than a criminal act; such cases were usually handled by family members or elders within the mahalla and rarely came to court. Local authorities emphasized reconciling husband and wife, rather than addressing the abuse. While the law punishes physical assault, police often discouraged women from making complaints against abusive

husbands, and abusers were rarely taken from home or jailed. A 2002 HRW report on mahalla committees concluded that although the committees play no formal role in divorce proceedings, in practice, women frequently were unable to obtain a divorce without the committee's approval, which was seldom granted even in cases of obvious abuse.

Most NGOs working on domestic violence problems reported that local government cooperation on education programs increased, with a number of initiatives taken to increase cooperation with mahalla committees. Some police participated in NGO training.

The law prohibits rape. Marital rape appears to be implicitly prohibited under the law, however, there are no cases known to have been tried in court. Cultural norms discouraged women and their families from speaking openly about rape.

In parts of the country, some women and girls committed suicide by self-immolation. Most cases went unreported and there were no reliable statistics on the problem's extent. Observers cited conflict with a husband or mother in law, who by tradition exercised complete control over a young bride, as the usual stimulus for suicide. The NGO Umid in Samarkand ran a shelter for victims of self-immolation and reported varying degrees of cooperation from individual officials, mahalla committees, and local governments.

The law prohibits prostitution; however, it was an increasing problem. There were more members of ethnic minorities who were engaged in prostitution. Police enforced the laws against prostitution unevenly; some police officers used the threat of prosecution and other forms of harassment to extort money from prostitutes.

Trafficking in women for sexual exploitation remained a problem (see Section 5, Trafficking).

The law does not prohibit sexual harassment. Social norms and the lack of legal recourse made it difficult to assess the scope of the problem.

The law prohibits discrimination against women; however, traditional, cultural, and religious practices limited their role in society, and women were severely underrepresented in high-level positions and in the industrial sector. 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; however, this committee was widely viewed as ineffective, and at times it obstructed the work of NGOs promoting women's rights.

Several dozen NGOs addressed the needs of women. NGOs in Tashkent, Termez, Samarkand, Bukhara, and Fergana conducted seminars on sexual harassment, domestic violence, and the legal rights of women. Another NGO in Tashkent operated a hotline for women involved in prostitution. A center in Samarkand operated a crisis hotline and provided educational services on alcoholism, sexually transmitted diseases, and family counseling. ABA/CEELI's Citizen Rights Advocacy Network operated programs in the Fergana region that focused on protecting women's legal rights. A women's group in Surkhandarya worked with women with disabilities and promoted their rights. Another organization, Women's Integrated Legal Literacy, provided legal literacy training, small grants for women's NGOs, cultural events to educate women on their rights, and advocacy on women's issues.

Children

The Government was generally committed to children's rights and welfare; however, it did not adequately fund public education and health care. Following Soviet-era practice, the Government granted small allowances to families based on their number of children.

The Constitution provides for children's rights and for free compulsory education through secondary school; however, in practice, shortages and budget difficulties meant that many education expenses had to be paid by private individuals. Despite a small salary increase in September, teachers earned extremely low salaries and routinely demanded regular payments from students and their parents.

Twelve years of formal schooling are compulsory, and the average length of schooling is more than 11 years. According to government statistics, 98.1 percent of children completed secondary school. However, anecdotal evidence indicated that children increasingly dropped out of high and middle schools as economic circumstances continued to deteriorate. According to a regional study conducted by the OSI in 2002, the country's formerly near universal literacy rate was declining as school enrollment rates dropped.

The Government subsidizes health care, including for children, and boys and girls enjoyed equal access. Low wages for doctors and poor funding of the health sector have led to a widespread system of informal payments for services that can be a barrier to access for the poor. Also, those who are not officially registered at an address, such as street children and children of migrant workers, do not have access to government health facilities.

Child abuse was a problem. Child abuse was generally considered an internal family matter, although elders on mahalla committees frequently took an interest at the local level. There were no government-led campaigns against child abuse,

although efforts against trafficking involved the protection of underage victims.

There were reports that girls were trafficked from the country for the purpose of sexual exploitation and that girls were engaged in prostitution (see Section 5, Trafficking). During the harvest, some school children, particularly in rural areas, were forced to work in the cotton fields (see Section 6.d.).

Trafficking in Persons

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

The law prohibits all forms of trafficking and provides for prison sentences of 5 to 8 years for international trafficking. Recruitment for trafficking is punishable by imprisonment for 6 months to 3 years and fines of up to approximately \$900 (900,000 soum). The recruitment charge may be brought against international or domestic traffickers. All law enforcement agencies are charged with upholding the antitrafficking provisions of the criminal code. During the year, law enforcement authorities reported that they initiated criminal proceedings in over 200 cases and convicted over 300 suspects.

The Government took significant measures to combat trafficking, including establishing a specialized antitrafficking unit in the MVD, actively cooperating with NGOs and the OSCE on antitrafficking training for law enforcement and consular officials, and working with NGOs to produce effective public awareness campaigns. In addition, the Government, in cooperation with NGOs and international organizations, continued to train law enforcement and mahalla officials in identifying and protecting victims of trafficking.

The country was primarily a source for the trafficking of women and girls for the purpose of sexual exploitation. However, there were also reports of men being trafficked to illegal labor markets in Kazakhstan and Russia, mainly in the construction, agricultural, and service sectors. There were no reliable statistics on the problem, and it did not appear to be widespread; however, anecdotal reports from NGOs indicated that the number of young women from the country who were trafficked abroad was increasing. Many women were unwilling to come forward due to societal pressure and fear of retaliation from their traffickers. There were credible reports that women traveled to the United Arab Emirates, Kuwait, Bahrain, India, Israel, Georgia, Malaysia, South Korea, Thailand, Turkey, Japan, and Western Europe for the purpose of prostitution; some of them reportedly were trafficking victims. Some transit of trafficked persons may also have taken place from neighboring countries and to or from countries for which the country was a transportation hub (Thailand, Malaysia, Indonesia, India, Korea, and the UAE).

Traffickers in nightclubs or prostitution rings solicited women between the ages of 17 and 30, 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 UAE were also used for solicitation. There were reports that in some cases traffickers recruited women with fraudulent job offers abroad, including as dancers or waitresses in nightclubs or restaurants and, in at least one case, confiscated travel documents once the women reached the destination country.

Recruiters tended to live in the same neighborhood as the potential victim and may even have known the victim's family. These recruiters introduced future victims to the actual traffickers, who provided airline tickets, visas, and instructions about meeting a contact in the destination country.

Some local officials working at the MVD, Customs, and Border Guards reportedly accepted bribes in return for ignoring their instructions to deny exit to young women they believe to be traveling abroad to work as prostitutes. Local sources claimed that officials were involved in document fraud and accepted bribes from persons attempting to travel illegally or from the traffickers themselves. According to information provided by the MVD, at least one official was fired for selling documents and preparing fraudulent exit visas in 2003 and was reportedly under investigation for his activities at year's end. One NGO reported that some local officials helped women, some of whom may have been trafficked, obtain false passports to travel to Dubai to work as exotic dancers or prostitutes.

During the year, the Government, through its embassy in Baku, assisted the return of 2 of 14 Uzbek trafficking victims located in Georgia. The International Organization for Migration (IOM) reported that police, consular officials, and border guards began to notify it of women returning from abroad who appeared to be trafficking victims. The IOM was also allowed to assist groups of women returning from abroad at the airport, help them through entry processing, and participate in the preliminary statements that the victims gave to the MVD.

In January, the IOM and its local partners set up seven trafficking hotlines across the country. The OSCE Tashkent office cooperated with foreign embassies, NGOs, and the Government to hold training seminars for law enforcement, including officers from the NSS, MVD, Ministry of Foreign Affairs, the Customs Service, Border Guards, and the General Prosecutor's Office. It also provided training for several antitrafficking NGOs, organized roundtables to discuss projects, and provided small grant funding to NGOs. The OSCE helped form a working group of representatives from the MOJ, MVC, NSS, and the prosecutors office to coordinate antitrafficking work among government agencies.

Government-controlled newspapers carried a number of targeted articles on trafficked women and prostitution; however, the

same publications also carried advertisements soliciting women's participation in such schemes. Government radio continued a weekly call-in program for women who were involved in the sex trade. Government-owned television stations worked with local NGOs to broadcast antitrafficking messages and to publicize the regional NGO hotlines that counseled actual and potential victims. The Government worked with NGOs to place posters on trafficking hazards on public buses and in passport offices and consular offices abroad.

Persons with Disabilities

There was some societal discrimination against persons with disabilities, and children with disabilities were generally segregated into separate schools. The Government cared for persons with mental disabilities in special homes. The law does not mandate access to public places for persons with disabilities; however, there was some wheelchair access throughout the country. The law does not provide extensive safeguards against arbitrary involuntary institutionalization.

National/Racial/Ethnic Minorities

The population was mainly Uzbek, with significant numbers of Russians, Tajiks, Tatars, and Kazakhs as well as ethnic Koreans, Meskhetian Turks, Germans, and Greeks.

Russians and other minorities frequently complained about limited job opportunities. Senior positions in the government bureaucracy and business generally were reserved for ethnic Uzbeks, although there were numerous exceptions.

The law does not require a language to obtain citizenship; however, language remained a sensitive issue. Uzbek is the state language, and the Constitution requires that the President speak Uzbek; however, the law provides that Russian is "the language of interethnic communication." Russian was spoken widely in the main cities, and Tajik was spoken widely in Samarkand and Bukhara.

Section 6 Worker Rights

a. The Right of Association

The law provides workers the right to form and join unions of their choice; however, workers were unable to exercise this right in practice. The law declares unions independent of governmental administrative and economic bodies (except where provided for by other laws); however, in practice, unions remained centralized and dependent on the Government. There were no independent unions.

The law prohibits discrimination against union members and officers; however, this prohibition was irrelevant due to unions' close relationship with the Government.

b. The Right to Organize and Bargain Collectively

Unions and their leaders were not free to conduct their activities without interference from the Government. The law provides the right to organize and to bargain collectively; however, the Government did not respect these rights in practice. Unions were government-organized institutions that had little power, although they did have some influence on health and work safety issues.

The law states that unions may conclude agreements with enterprises; however, because unions are heavily influenced by the state, collective bargaining in any meaningful sense did not occur. The Ministry of Labor and the Ministry of Finance, in consultation with the CFTU, set wages for government employees. In the small private sector, management established wages or negotiated them individually with persons who contracted for employment.

The law does not mention strikes or cite a right to strike, and there were no strikes during the year.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The Constitution prohibits forced or compulsory labor, including by children, except as legal punishment or as specified by law; however, there were reports that such practices occurred (see Sections 5, Trafficking and 6.d.).

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

The law establishes 14 as the minimum working age. Work must not interfere with the studies of those under 18. Children between the ages of 14 and 16 may work a maximum of 20 hours per week when school is not in session and 10 hours per

week when school is in session. Children between the ages of 16 and 18 may work 30 hours per week while school is not in session and 15 hours per week while school is in session. In rural areas, younger children often helped to harvest cotton and other crops.

The large-scale compulsory mobilization of youth and students to help in the fall cotton harvest continued in most rural areas. Such labor was paid poorly. There were occasional reports from human rights activists that local officials in some areas pressured teachers into releasing students from class to help in the harvest. In many areas, schools closed for the harvest. UNICEF in 2000 estimated that 22.6 percent of children ages 5 to 14 worked at least part time, primarily in family-organized cotton harvesting.

Prosecutors and the Ministry of Labor were responsible for enforcing child labor laws. The Ministry had inspectors to report violations to the prosecutor's office. The law provides both criminal and administrative sanctions against violators; however, authorities did not punish violations related to the cotton harvest. There were no reports of inspections resulting in prosecutions or administrative sanctions.

e. Acceptable Conditions of Work

The Ministry of Labor, in consultation with the CFTU, sets the minimum wage. At year's end, the minimum wage was approximately \$6.53 (6,530 soum) per month, which did not provide a decent standard of living for a worker and family.

The law establishes a standard workweek of 41 hours and requires a 24-hour rest period. Overtime pay exists in theory but was not usually paid in practice. Payment arrears of 4 to 6 months were not uncommon for workers in state-owned industries, including government office workers and officials.

The Labor Ministry established and enforced occupational health and safety standards in consultation with the unions. The press occasionally published complaints over the failure of unions and the Government to promote worker safety. While regulations provide for safeguards, workers in hazardous jobs often lacked protective clothing and equipment. Workers have the right to remove themselves from hazardous work without jeopardizing their employment; however, the right was not effectively enforced, and few workers, if any, attempted to exercise it.