



Uzbekistan

Country Reports on Human Rights Practices - [2007](#)

Released by the Bureau of Democracy, Human Rights, and Labor

March 11, 2008

Uzbekistan is an authoritarian state with a population of approximately 27.3 million. 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 dominated political life and exercised nearly complete control over the other branches. The two-chamber Oliy Majlis (parliament) consisted almost entirely of officials appointed by the president and members of parties that supported him. The most recent general elections in 2004 for seats in the lower chamber of the parliament fell significantly short of international standards. On December 23, President Karimov was elected to a third term in office; however, voters in the election were deprived of a genuine choice. Civilian authorities generally maintained effective control over the security forces.

Citizens did not have the right in practice to change their government through peaceful and democratic means. Security forces routinely tortured, beat, and otherwise mistreated detainees under interrogation to obtain confessions or incriminating information. In several cases authorities subjected human rights activists and other critics of the regime to forced psychiatric treatment. Human rights activists and journalists who criticized the government were subject to harassment, arbitrary arrest, politically motivated prosecution, and physical attack. The government generally did not take steps to investigate or punish the most egregious cases of abuse, although it prosecuted many officials for corruption. Prison conditions remained very poor, and outside monitors did not have full access to places of detention. In many cases those arrested were held incommunicado for extended periods without access to family or attorneys. Criminal defendants were often deprived of legal counsel. Guilty verdicts were almost universal and generally based upon defendants' confessions and witnesses' testimony obtained through coercion. The government tightly controlled the mass media and treated criticism of the regime as a crime. The government did not observe citizens' right to free assembly or association; police regularly detained citizens to prevent public demonstrations and forestalled contact with foreign diplomats. Authorities sought to control all nongovernmental organization (NGO) activity and forced the de facto closure of Human Rights Watch (HRW), one of the last international human rights organizations in the country. The departure of international human rights organizations from the country negatively affected the ability of foreign embassies to report on human rights violations. The government also limited access for international observers at trials. The government restricted religious activity, treating virtually all religious observance outside state-sanctioned structures as a crime. Courts convicted many independent Muslims of extremist activity, and the government harassed several Protestant groups. The government pressured other countries to return forcibly Uzbek refugees who were under the protection of the Office of the UN High Commissioner for Refugees (UNHCR) and increased pressure on Afghan refugees to return home. There was a widespread public perception of corruption throughout society. While the government took steps to combat trafficking in persons, it remained a problem. The use of compulsory labor, particularly in cotton harvesting, continued.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person,

Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were no confirmed reports of political killings by the government or its agents.

The government continued to refuse to authorize an independent international investigation of the alleged killing of numerous unarmed civilians and others during the violent disturbances of May 12 and 13, 2005. Peaceful demonstrators had assembled in front of Andijon's courthouse in the weeks before in support of 23 local Islamic businessmen on trial, charged by the government with involvement in an extremist group. On the evening of May 12, an unknown number of individuals attacked a police garrison, seized weapons, broke into a nearby prison, and released several hundred inmates, including the 23 businessmen. Several witnesses claimed that, on May 13, military vehicles drove into the main square, where several thousand civilians had gathered peacefully, and fired repeatedly into the crowd without warning. The

government claimed, based on its own 2005 investigation, that armed individuals initiated the violence by firing on government forces. The estimated number of dead varied between the government's total of 187 and eyewitnesses' reports of several hundred. While an international investigation did not take place, the government claimed to have conducted internal investigations into the May 2005 events. It discussed investigation techniques and results with diplomats and other international representatives in 2006 and 2007.

There were no further developments in resolving either the 2005 death of Islamic cleric Shavkat Madumarov, who died in custody three days after he was sentenced to seven years' imprisonment for membership in a banned Islamic group, or the 2005 death of Azadbek Satimov, who died in police custody in the Shahrikhon District of Andijon Province. The absence of independent medical examiners and frequent official pressure on families to bury bodies quickly in accordance with Islamic traditions made it difficult to confirm reports of deaths in custody that resulted from torture or mistreatment.

On June 29, parliament adopted long-planned legislation abolishing the death penalty as of January 1, 2008, and replaced it with prison terms ranging from 20 years to life. The legislation contains a provision mandating that prisoners sentenced to life must serve 20 years before making an appeal and limits lifetime imprisonment to those convicted of premeditated murder and terrorism. There were no known executions during the year. In previous years, however, the government provided no notification of execution to the families of condemned persons and treated the execution dates and places of burial of executed persons as state secrets, a practice the UN special rapporteur (UNSR) on torture condemned as "cruel and inhuman."

In previous reporting periods, Amnesty International (AI) estimated that scores were executed annually, and the local NGO Mothers against the Death Penalty and Torture put the number at well over 100. In previous years local and international observers reported that persons sentenced to death often were not given an adequate opportunity to mount a defense or to appeal their sentence.

b. Disappearance

There were no reports during the year of politically motivated disappearances. There were still numerous unconfirmed reports of disappearances in 2005 of persons who were present at the violent disturbances in Andijon. The welfare and whereabouts of several of the refugees who were forcibly returned to the country during the year remained unknown.

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

Although the constitution and law prohibit such practices, police and officers of the National Security Service (NSS) routinely beat and otherwise mistreated detainees to obtain confessions or incriminating information. Police, prison officials, and the NSS reportedly also used methods of abuse including suffocation, electric shock, deprivation of food and water, and sexual abuse in addition to beatings. Torture and abuse were common in prisons, pretrial facilities, and local police and security service precincts. Informants reported several cases of medical abuse, including forced psychiatric treatment on political grounds. Defendants in trials often claimed that their confessions, on which the prosecution based its cases, were extracted by torture.

Reports by HRW on November 7 and the UN Committee Against Torture (CAT) on November 23 concluded that torture and abuse were systemic throughout the investigative process and had not improved since a 2003 UNSR on torture report drew the same conclusions. The CAT report stated that despite an amendment to Article 235 of the criminal code addressing elements of the definition of torture, punishment for violations was rare and did not reflect the severity of the crimes. However, during the year there were two reported cases of Ministry of Internal Affairs (MOI) officials convicted of committing torture. In 2005 government officials confirmed that prison regulations permitted beatings under the supervision of medical doctors, and prison authorities documented all such incidents in detail for prison records.

Authorities reportedly treated individuals suspected of extreme Islamist political sympathies, notably pretrial detainees who were alleged members of Hizb ut-Tahrir (HT), a banned extremist political organization, more harshly than ordinary criminals, subjecting them to particularly severe interrogation. Local human rights workers reported that authorities often paid or otherwise induced common criminals to beat suspected extremists and others who opposed the government. As in previous years, there were credible reports that prison officials abused HT 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, the government beat or sent into solitary confinement inmates who refused to write letters disavowing their connection to HT.

On February 12, a court sentenced Furkat Sagdiev to 12 years' imprisonment for murder and robbery after a trial in which his lawyer claimed that Sagdiev was tortured into confessing his guilt.

On April 6, the Tashkent City Criminal Court sentenced Saimjon Umarov to 16 years' imprisonment for robbery based on a confession that was reportedly elicited through torture. According to an investigation carried out by human rights activists, officers from Tashkent's Chilanzar region police station beat Umarov, threatened him with long-term imprisonment, and forced him to confess. At trial Umarov reportedly refuted his confession, and the alleged victim stated that Umarov was not

among the robbers.

On November 30, Ihtiyor Hamroyev, an imprisoned member of HRSU and son of well-known human rights supporter Bakhtiyor Hamroyev, stabbed himself in protest after being beaten by prison guards. In January authorities transferred him to the Zafarabad district hospital when he was diagnosed with a stomach ulcer reportedly caused or exacerbated by beatings to his midsection. In September 2006 authorities sentenced Hamroyev to three years in prison on charges of hooliganism.

In separate incidents in November, three men who had been convicted of membership in HT died at a prison in Andijon. Police delivered the bodies of Fitrat Salakhiddinov and Takhir Nurmukhammedov to their families on November 13 and 15, respectively. Family members reported signs of torture on the bodies. A third unnamed prisoner died on or about November 29. Human rights activists claimed the number of deaths in custody was higher than reported, but this could not be measured accurately due to lack of independent prison monitoring.

Before their June 2006 sentencing to nine years' imprisonment for extortion, interrogators held Alisher Karamatov and Azam Farmonov of the Human Rights Society of Uzbekistan (HRSU) incommunicado for one month and reportedly subjected them to torture and abuse. After the verdict, Farmonov became the first human rights activist sent to Jaslyk prison, established in 1997 to house religious prisoners, and Karamatov was sent to Karshi prison. According to family members, Farmonov was tortured in prison. Between May 23 and June 19, Farmonov was held in solitary confinement, where prison guards allegedly beat him daily on the feet and head. Between October 10 and 20, Farmonov was again held in solitary confinement, during which time five guards reportedly beat him unconscious.

There were no developments in the 2005 torture in detention cases of two Sufi Muslims or of Yakubjon Aliev.

There were several confirmed instances of politically motivated medical abuse. As in past years, law enforcement authorities had local political and human rights activists committed to psychiatric institutions to stop their activities. Victims could request through legal counsel that their cases be reviewed by an expert medical board; however, in practice such bodies generally supported the decisions of law enforcement authorities.

On April 13, authorities extended for another six months the detention of journalist Jamshid Karimov, a nephew of President Karimov. In September 2006 a court committed Jamshid to the Samarkand Psychiatric Hospital, despite doctors' admission that he was "stable, in good health, intelligent, and educated." In May Karimov's family noted that he was malnourished and had a persistent fever. In July Karimov reported in a message allegedly smuggled out of the hospital that his health was declining, including memory loss, difficulty concentrating, and partial loss of vision from being forced to take psychotropic drugs.

Authorities often forcibly detained female human rights activists in psychiatric hospitals. In March and May 2006, police reportedly twice arrested human rights activist Shokhida Yuldosheva and subjected her to three weeks of forced treatment at a psychiatric institution in Karshi. Yuldosheva was involved in monitoring trials of regime opponents, and human rights activists believed her detention was politically motivated.

Prison and Detention Center Conditions

According to prison officials, approximately 34,000 inmates were held at 53 detention facilities. Prison conditions remained poor and life threatening, and there continued to be reports of severe abuses in prisons. According to reports by human rights activists and relatives of prisoners, prison overcrowding remained a problem. Tuberculosis (TB) and hepatitis were endemic in the prisons, making even short periods of incarceration potentially life threatening. Prison officials stated that approximately 1,000 inmates were infected with TB. This number could not be confirmed by international health and other organizations, to which the government did not grant access to prison facilities. Prisoners often relied on visits of relatives for food and medicine, which were reportedly in short supply in several prisons. Family members frequently reported that officials stole food and medicine that they tried to deliver to prisoners. There were reports of inmates working in harsh circumstances and, in some cases, being beaten in detention facilities.

Human rights activists reported that authorities held political prisoners and those convicted of membership in banned religious extremist organizations in specially demarcated sections of prisons and subjected these prisoners to harsher conditions and treatment than other prisoners. There were reports that authorities did not release prisoners, especially those convicted of religious extremism, at the end of their terms; instead, prison authorities frequently contrived to extend inmates' terms by accusing them of additional crimes, and these accusations were not subject to judicial review.

On April 5, former Surkhandarya Province military prosecutor Bakhtiyor Khasanov, who was sentenced in 2000 to 17 years in prison for narcotics smuggling, died after another inmate beat him at labor colony 64-21.

On July 18, Shuhrat Diyorov, an alleged HT member who was sentenced in 2000 to nine years in prison for attempting to overthrow the constitutional order, died of TB at the hospital of prison 64-36 in Karshi. Family members claimed that

authorities refused Diyorov proper treatment for his illness.

In July Inomjon Yoqubov, who was sentenced to 18 years in prison in 1998 for membership in HT, died in uncertain circumstances in prison. On July 29, authorities delivered the body to his family, who reported that it was marked by several wounds.

In mid-August, according to human rights sources, several hundred inmates convicted of religious extremism at prison 64-78 in the town of Zarafshon in Navoi assembled to protest prison conditions and the persecution of Muslims. Prison authorities reportedly intervened and allegedly killed and injured an indefinite number of prisoners. Afterwards authorities delivered the body of Ortikjon Mukhammedov, an inmate convicted of HT membership, to his family in Tashkent and ordered that the body be buried immediately. Family members reported that the body was covered with bruises and wounds.

Independent human rights organizations did not visit detention facilities to monitor conditions. Throughout the year the International Committee of the Red Cross (ICRC) negotiated with the government to secure access to all detained persons consistent with ICRC's usual practices, but no agreement was reached.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention; however, these practices remained problems.

Role of the Police and Security Apparatus

The MOI controls the police, which are responsible for law enforcement and maintenance of order. The NSS, headed by a chairman who is answerable directly to the president, deals with a broad range of national security questions, including corruption, organized crime, and narcotics. Corruption among law enforcement personnel remained a problem. Police routinely and arbitrarily detained citizens to extort bribes. Impunity remained a problem, and the government rarely punished officials responsible for abuses. The MOI's main investigations directorate has procedures to investigate abuse internally and discipline officers accused of rights violations and has done so in several isolated cases. The human rights ombudsman's office, affiliated with the parliament, also has the power to investigate such cases. However, there was no independent body charged with investigating such allegations on a systematic basis. The MOI main investigations directorate incorporated human rights training into officers' career development.

On July 4, the MOI signed a memorandum of understanding with the Organization for Security and Cooperation in Europe (OSCE) on developing new curriculum and modern training methodologies for the MOI's training academy. The methodologies are designed to encourage the MOI to adopt Western models of community policing and cooperation. In September the OSCE Strategic Police Matters Unit and the MOI held a four-day training course for MOI academy personnel led by experts from the International Law Enforcement Academy in Hungary and the National Police Academy of Ireland.

Arrest and Detention

The law does not require the judiciary to issue warrants and grants wide discretion regarding the proper basis for an arrest, but the law requires the arresting authority to forward a report justifying the arrest to a prosecutor within 24 hours of a person being taken into custody. The law also mandates that all detainees, whether they are considered suspects or accused, be questioned within 24 hours. Suspects have the right to remain silent. There is no judicial determination of detention. Detention without formal charges is limited to 72 hours, although a prosecutor may extend it for an additional seven days, at which time the person must either be charged or released. In practice authorities continued detaining suspects after the allowable period through various means, including filing false charges. There were several cases in which individuals were detained initially as witnesses and later falsely charged with a crime. Once charges are filed, a suspect may be held in pretrial detention at the prosecutor's discretion during an investigation. A prosecutor may release a prisoner on bond pending trial, although in practice authorities frequently ignored these legal protections. Those arrested and charged with a crime may be released until trial on the condition that they provide assurance that they will appear at trial. In such cases the accused is not required to post bail, but he or she must register each day at a local police station.

On June 29, parliament adopted a new law on habeas corpus that transfers the power to issue arrest warrants from the Prosecutor's Office to the judiciary. The law states that the judge conducting the arrest hearing is not allowed to sit on the panel of judges during the person's trial, and that persons detained will have the right to request a hearing with a judge to determine whether they should remain incarcerated or be released.

A supreme court decree provides for a defendant's right to counsel from the moment of detention. In practice authorities often denied or delayed access to counsel and denied communication with their families. Investigators often pressured defendants to sign statements refusing the services of private attorneys whom family members had hired. In their place authorities appointed state attorneys who did not provide effective defense.

During the year police frequently and arbitrarily arrested or detained individuals for expressing views critical of the government. For example, on January 14, border guards detained Andijon-based human rights activist and forensic pathologist Gulbahor Turayeva at a border checkpoint as she returned from Kyrgyzstan. Turayeva had reported to international organizations on the killing of civilians during the 2005 Andijon unrest and alleged that doctors in the Ferghana Valley had performed medically unnecessary hysterectomies on women without their knowledge or consent. On April 24, an Andijon court sentenced Turayeva to six years' imprisonment for anticonstitutional activities, slander, and producing and spreading materials that threaten public order. In a second trial on May 7, the court convicted Turayeva of additional slander charges and fined her \$510 (648,000 soum). On June 12, an appeals court in Andijon commuted her six-year prison term to a six-year suspended sentence and three years' probation; the fine remained intact.

On January 22, authorities arrested HRW staffer and journalist Umida Niyazova while she attempted to return from Kyrgyzstan and held her incommunicado for four days. On May 1, Tashkent's Sergeli District Criminal Court sentenced Niyazova to seven years' imprisonment on charges of illegal border crossing, smuggling, and producing and spreading materials that threaten public order. On May 8, a Tashkent appeals court commuted her prison term to a seven-year suspended sentence and three years' probation and released her from custody.

Human rights observers maintained that the charges against Turayeva and Niyazova were politically motivated and that they were forced to confess in order to win their release. Since her appeal, Niyazova was subject to official and unofficial restrictions on her movement.

There were reports that police arrested persons on false charges as an intimidation tactic to prevent them or their family members from exposing corruption or interfering in local criminal activities. In many such cases, authorities resorted to false charges of economic crimes such as extortion or tax evasion.

Authorities continued to arrest persons arbitrarily on charges of extremist sentiments or activities, or association with banned religious groups. Local human rights activists reported that police and security service officers, acting under pressure to break up HT cells, frequently detained family members and close associates of suspected members. Authorities made little distinction between actual members and those with marginal affiliation with HT, such as persons who had attended Koranic study sessions with the group.

Unlike in previous years, there were few reports that authorities arrested and prosecuted persons based on the possession of HT literature.

Coerced confessions and testimony were commonplace. Even persons generally known to belong to HT stated that the cases against them were built not on actual evidence, but on planted material or false testimony.

Police harassed and sometimes arbitrarily detained members of the opposition Birlik, Free Farmers, and Erk parties.

During the year pretrial detention typically ranged from one to three months. Prison officials estimated that approximately 3,400 persons were held in pretrial detention at any one time.

In general prosecutors exercised near total discretion over most aspects of criminal procedure, including pretrial detention. Detainees had no access to a court to challenge the length or validity of pretrial detention. Even when no charges were filed, police and prosecutors sought to evade restrictions on the duration a person could be held without charges by holding persons as witnesses rather than as suspects.

Local police regularly employed house arrest to stifle dissent. In most cases police surrounded the homes of human rights activists and government critics to prevent them from participating in public demonstrations or other activities. Bakhtiyor Hamroyev of the HRSU and other human rights activists in Jizzakh Province reported that local police surrounded their homes on a regular basis to prevent their departure. Tashkent-based human rights activist Surat Ikramov reported similar surveillance of his home to prevent him from monitoring trials of religious extremists in Tashkent.

Amnesty

Between November 2006 and February, the government carried out the completion of the annual amnesty declared in November 2006. Prison officials stated that they released 3,661 inmates under the amnesty, including 26 minors and 72 persons in pretrial detention, and reduced the prison terms of another 9,482 persons. The government announced that the amnesty applied to convicts sentenced for up to 10 years' imprisonment for membership in banned organizations and for crimes against peace and security. As in previous years, the amnesty resolution specifically excluded those who "systematically violate prison rules." Allegations of prison disciplinary violations were not subject to review by an independent judiciary, nor were they upheld by hearings that were open to outside observers. Human rights activists reported that prison authorities cited selected prisoners for repeated violations of internal discipline specifically to render them ineligible. Cases in which this tactic was suspected included those of human rights activist Mutabar Tojiboyeva, Ikhtiyor Hamroyev, and political opposition figure Sanjar Umarov.

Those released included: Uktir Pardayev, the brother of Jizzakh-based human rights activist Uktam Pardayev, arrested and convicted in 2006 on hooliganism charges that human rights activists maintained were politically motivated; Yodgor Turlibekov, sentenced to three and one-half years in prison in October 2006 for insult and slander after he distributed leaflets critical of government policies; and Abdulgapur Dadabayev, the chair of the Andijon provincial branch of Ezgulik, detained for 18 months without charge after he was arrested crossing the Kyrgyz border in 2005.

As in previous amnesties, authorities reportedly forced prisoners 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, and there were accounts of authorities not releasing many inmates, even after they had signed such letters. Local prison authorities had considerable discretion in determining who was reviewed for amnesty, despite established conditions allowing release, and, as in previous years, there were reports of corruption. In the past amnestied prisoners stated that government-approved imams were sent to some prisons to make the final determination whether a prisoner had truly repented. Authorities reportedly used such a procedure frequently in consultation with local "mahalla" (neighborhood) committees.

In December President Karimov approved an amnesty resolution adopted by the senate on November 30 in honor of the 15th anniversary of the constitution.

e. Denial of Fair Public Trial

While the constitution provides for an independent judiciary, the judicial branch took its direction from the executive branch, particularly the General Prosecutor's Office, and exercised little independence in practice.

Under the law the president appoints all judges for five-year terms. Removal of supreme court judges must be confirmed by parliament, which is obedient to the president's wishes.

There are supreme criminal courts with jurisdiction over the Karakalpakstan Autonomous Republic. Decisions of district and provincial courts may be appealed to the next level within 10 days of a ruling. In addition a constitutional court reviews laws, decrees, and judicial decisions to ensure compliance with the constitution. Military courts handle all civil and criminal matters that occur within the military. The Supreme Court is a court of general jurisdiction which handles selected cases of national significance.

Trial Procedures

Most trials are officially open to the public, although access was often restricted in practice. Trials may be closed in exceptional cases, such as those involving state secrets, or to protect victims and witnesses. Courts often demanded that observers obtain written permission from the court chairman or from the Supreme Court. Permission was difficult and time-consuming to obtain, with the result that international observers in many cases missed important portions of trial proceedings. Local and international observers, including foreign diplomats, were often barred entry into trials.

The government generally 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.

Either committees of worker collectives or neighborhood committees select the three-judge panels of one professional judge and two lay assessors that generally preside over trials. The lay judges rarely speak, and the professional judge usually defers to the recommendations of the prosecutor on legal and other matters. There are no jury trials.

Defendants have the right to attend court proceedings, confront witnesses, and present evidence. These rights were generally observed, including in high-profile human rights and political cases. In almost all criminal cases that prosecutors brought to court, 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 routinely acted in the interest of the government rather than of their clients. Authorities often violated the right to an attorney during pretrial detention, and judges in several cases denied defendants the right to an attorney of choice. There were several reports that investigators pressured defendants to refuse legal counsel. Defense counsel was often incompetent and, in most cases, the role of defense counsel was limited to submitting confessions and pleas for mercy. Several private law firms provided pro bono defense counsel, some financed through international contributions.

Government prosecutors order arrests, direct investigations, prepare criminal cases, and recommend sentences. Defendants do not enjoy a presumption of innocence. If a judge's sentence does not correspond with the prosecutor's recommendation, the prosecutor has a right to appeal the sentence to a higher court. Verdicts are often based solely on confessions and witness testimony often reportedly extracted through torture, threats to family members or other means of coercion. On the rare occasions when a guilty verdict is not pronounced, the judge seldom acquits the defendant; rather, the case is sent back for further investigation. Legal protections against double jeopardy do not apply in practice.

On May 14, the government convicted Irfan Hamidov, a member of the Jehovah's Witnesses Samarkand congregation, of

illegally teaching religion and sentenced him to two years' detention in a labor camp after a trial in which witnesses' testimony favorable to his case was erased from the record.

The law provides a right of appeal to defendants. Appeals did not result in convictions being reversed but in several cases resulted in a reduced sentence or suspended sentence.

Defense attorneys had limited access in some cases to government-held evidence relevant to their clients' cases. However, in most cases a prosecution was based solely upon defendants' confessions or incriminating testimony from state witnesses, particularly those cases involving suspected HT members. Lawyers may, and occasionally did, call on judges to reject confessions and to investigate claims of torture. Judges routinely ignored such claims or dismissed them as groundless.

Political Prisoners and Detainees

It was impossible to estimate the number of political prisoners or detainees. Human rights activists believed that the number of political prisoners continued to rise during the year as the number of new prisoners sentenced likely exceeded the number of prisoners who were amnestied or completed their sentences. Most persons convicted of political crimes were charged with the crime for which they were arrested, such as anticonstitutional activity, involvement in illegal organizations, or preparation or distribution of material that threatened public security. However, courts convicted several human rights activists and journalists on politically motivated charges for crimes such as extortion and hooliganism. During the year courts convicted and imprisoned several human rights activists, journalists, and Andijon residents for speaking about the 2005 events or matters related to that incident. The government did not allow independent monitoring groups to visit political prisoners or detainees during the year.

On February 19, a criminal court in Andijon Province sentenced Isroil Kholdorov, an Erk opposition party activist, to six years' imprisonment on charges of illegal border crossing, anticonstitutional activity, membership in an illegal organization, and distribution of materials constituting a threat to public order. Kholdorov had fled to Kyrgyzstan after the 2005 Andijon events. Kyrgyz human rights defenders, including the official Kyrgyz ombudsman, accused security agents of having kidnapped Kholdorov, along with other Andijon refugees.

On September 24, a Tashkent military court convicted former Ministry of Defense official Erkin Musaev of corruption. The conviction was Musaev's third in two years, and his prison sentence was lengthened from 16 to 20 years. In March authorities reportedly transferred Musaev from Bekabad Prison in Tashkent Province to the headquarters of the National Security Service in Tashkent, where he was ordered to serve as a witness against several border guards. When Musaev refused, he allegedly was made a defendant in the same case. His second conviction in connection with his work for the UN Development Program (UNDP) in Tashkent rendered Musaev ineligible for inclusion in the annual amnesty and added one more year to his prison sentence. Relatives and outside observers maintained that the charges against Musaev were false and politically motivated. Musaev reported suffering torture in detention during his interrogation for the first case, including severe beatings to his head, chest, and feet. After he refused to participate as a witness in the third trial, interrogators reportedly beat Musaev on the head, causing a severe concussion.

There were no developments in the case of human rights activist Saidjahon Zaynabitdinov, sentenced to seven years' imprisonment in January 2006 by the Tashkent Province Criminal Court for extremist activity in connection with the 2005 Andijon events. The government denied or failed to respond to several requests from foreign diplomatic missions for access to Zaynabitdinov. In August 2006 authorities transferred him, after he served five months in the Karshi City Colony, to the Tashkent Prison and then in December 2006 to a prison colony in Zagatinskiy District outside of Tashkent. There he was able to meet with his lawyer, who reported that Zaynabitdinov was in satisfactory condition.

During the year authorities held Sanjar Umarov in a prison colony in Navoi region. His relatives reportedly had only two opportunities to visit him. Family members reported that his health declined considerably after being held in solitary confinement for over a year. At year's end he was being held among the general prison population. In two separate trials in March 2006, the Tashkent City Criminal Court convicted Umarov and Nodira Khidoyatova, cofounders of the political opposition Sunshine Coalition, of tax evasion and illegal commodities trading and sentenced them to 10 years' and 14 and a half years' imprisonment respectively. Authorities released Khidoyatova after a Tashkent appeals court commuted her sentence in May 2006, and they reduced on humanitarian grounds Umarov's sentence to seven years and eight months. The court also fined Umarov \$8.2 million (10.4 billion soum). Human rights NGO observers criticized the two trials as politically motivated.

On August 14, the government acknowledged that human rights activist Mutabar Tojiboyeva, arrested in 2005 and sentenced in March 2006 to eight years in prison, had seen her family members four times and her lawyer once since she was imprisoned. According to her family, she made repeated but unsuccessful requests for additional visits. On January 15, a few days after Tojiboyeva's brother visited her, unknown persons reportedly threatened that he would be accused of membership in HT and imprisoned if he tried to see his sister again. In July 2006 Tashkent Prison authorities committed Tojiboyeva to a prison psychiatric ward for 10 days, where doctors reportedly administered oral medications.

Civil courts operate on the city or district level, as well as the interdistrict and provincial levels. Criminal courts operate on the city or district level. There are also supreme civil courts with jurisdiction over the Karakalpakstan Autonomous Republic.

Economic courts with jurisdiction over the individual provinces, the City of Tashkent, and the Karakalpakstan Autonomous Republic handle commercial disputes between legal entities. Decisions of these courts may be appealed to the Supreme Economic Court.

Civil and Judicial Procedures and Remedies

Although the constitution provides for it, the judiciary is not independent or impartial in civil matters. Citizens may file suit in civil courts, if appropriate, on cases of alleged human rights violations. There were reported cases in which courts decided in favor of plaintiffs in such cases. However, there were also many reports that bribes to judges influenced decisions in civil court cases.

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

The constitution and law prohibit arbitrary interference with privacy, family, home or correspondence; however, in practice authorities did not respect these prohibitions. The law requires a search warrant for electronic surveillance by the prosecutor, but there is no provision for a judicial review of such warrants. Citizens generally assumed that security agencies routinely monitored telephone calls and employed surveillance and wiretaps of persons involved in opposition political activities.

There were numerous reports during the year of police and other security forces entering homes of human rights activists and religious figures without authorization of a representative of an independent judiciary. Members of Protestant churches who held worship services in private homes reported that on several occasions armed security officers raided worship services and detained church members on suspicion of illegal religious activity.

On September 24, a group of approximately 20 women and children forcibly entered the home of Saida Kurbanova in the Pakhtakor District of Jizzakh Province during a visit by Tashkent-based human rights activist Elena Urayeva and attacked Kurbanova and Urayeva; police reportedly witnessed the scene but failed to render assistance. Human rights activists claimed that the attack was carried out in collaboration with police.

The government continued to use an estimated 12,000 local mahalla committees as a source of information on potential extremists. Committees served varied social support functions, but they also functioned as a link between local society, government, and law enforcement. Mahalla committees in rural areas tended to be much more influential than those in cities. Each committee assigned a "posbon" (neighborhood guardian) whose job was to ensure public order and maintain a proper moral climate in the neighborhood. In practice posbons prevented young persons from joining extremist Islamic groups. Neighborhood committees also frequently identified for police those residents who appeared suspicious and, working with local MOI and NSS representatives, reportedly paid particular attention to recently amnestied prisoners and the families of individuals jailed for alleged extremism. During the year there were also several reports that neighborhood committees, on orders from the NSS, monitored individual religious practices and discouraged residents from associating with Protestant Christian churches.

Authorities frequently detained and mistreated family members of persons wanted or jailed for Islamic extremist activities, even if there was limited evidence of their involvement. There were numerous credible reports that police, employers, and neighborhood committees also harassed and arrested family members of human rights activists. There were no new reports that officials harassed relatives of residents who fled to Kyrgyzstan after the Andijon unrest in 2005.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution and law provide for freedom of speech and the press; however, the government generally did not respect these rights in practice.

The law limits criticism of the president, and public insult to the president is a crime punishable by up to five years in prison. The law specifically prohibits articles that incite religious confrontation and ethnic discord or advocate subverting or overthrowing the constitutional order.

The government continued to characterize the distribution of pamphlets by the banned HT as incitement for political and terrorist purposes. During the year police reportedly arrested some individuals for possessing HT literature.

The Uzbekistan News Agency (UNA) cooperated closely with presidential staff to prepare and distribute all officially sanctioned news and information. The government's press and information agency is responsible for monitoring all media. The Cabinet of Ministers owned and controlled three of the country's most influential national daily newspapers, *Pravda Vostoka* (Russian language), *Halq So'zi* (Uzbek language), and *Narodnoe Slovo* (Russian language). The government, or its government-controlled political parties or social movements, and the Tashkent municipal government and regional "hokimiyats" (administrations) owned or controlled several other daily and weekly publications. The government also published news stories on official Internet sites including Uza.uz, operated by the National News Agency of Uzbekistan, and Jahon.mfa.uz, operated by the Ministry of Foreign Affairs (MFA). A few Web sites, most notably Press-uz.info, Gazeta.uz, and C-Asia.org, purported to be independent, yet their reporting reflected the government's viewpoint.

There were a few private printing houses producing local newspapers with limited circulation. Government-owned printing houses generally printed a majority of newspapers. The government allowed private newspapers containing advertising, horoscopes, and similar features but no substantive local news or editorial content. Three private national Russian-language newspapers--*Novosti Uzbekistana*, *Noviy Vek*, and *Biznes Vestnik Vostoka*--carried news and editorials favorable to the government, as did two Uzbek-language newspapers, *Hurriyat* (owned by the Journalists' Association) and *Mohiyat* (owned by Turkiston-Press, a nongovernmental information agency loyal to the state). 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, and a very modest selection of foreign periodicals was available in major hotels and at other locations in Tashkent.

On January 11, the government granted a new publishing license to the editors of the legal affairs newspaper *Advokat Press* with the requirement that the publication change its name to *Huquq Jarayoni* (Legal Process) and cleared all future staff appointments with government authorities. In 2005 the Uzbekistan Press and Information Agency ordered the newspaper to close after it published a series of articles criticizing government officials for violations of the law.

On January 15, President Karimov signed legislation that placed further restrictions on mass media organizations than the March 2006 resolution that prohibited journalists from working without accreditation or working for unaccredited media outlets. The new law holds all foreign and domestic media organizations accountable for the "objectivity" of their reporting, bans foreign journalists from working in the country without official accreditation, and requires that foreign media outlets operating in the country be subject to mass media laws. It also prohibits the promotion of religious extremism, separatism, and fundamentalism, as well as the instigation of ethnic and religious hatred. It bars legal entities with more than 30 percent foreign ownership from establishing media outlets in the country.

On July 31, authorities closed the independent *Odam Orasida*, a popular Islamic-oriented weekly, citing alleged breaches of the media law. The weekly had discussed social issues such as infant mortality, homosexuality, and prostitution from a Muslim viewpoint, competing with government-supported newspapers or publications that limited their content to mostly entertainment and celebrity gossip. Since its launch in February, it increased its circulation in Tashkent to 24,000, higher than that of most official publications.

The four state-run channels, all fully supporting the government, dominated television broadcasting. There were 24 privately owned regional television stations and 14 privately owned radio stations. The government tightly controlled broadcast and print media. Journalists and senior editorial staff in state media organizations reported there were officials at the national television stations and newspapers whose responsibilities included actual black-pen censorship. Nevertheless, there were also reports that regional television media outlets were able to broadcast some moderately critical stories on local issues.

The government continued to refuse Radio Free Europe/Radio Liberty and BBC World Service permission to broadcast from within the country. It also refused to accredit foreign journalists for those or other Western media.

The wave of government harassment against journalists sparked by the 2005 Andijon events continued during the year. Police and security services subjected print and broadcast journalists to arrest, harassment, intimidation, and violence, as well as bureaucratic restrictions on their activity.

In March prosecutors opened criminal proceedings against Nataliya Bushuyeva, a local reporter working for German broadcaster Deutsche Welle, for alleged tax evasion and operating without a license from the Foreign Ministry. Fearing that she would not receive a fair trial, Bushuyeva fled to a foreign country.

In April the government charged three additional Deutsche Welle reporters with working without a license: Yuri Chernogayev, Sayyora Rozikulova, and Obid Shabanov. On June 4, the Tashkent Prosecutor's Office dropped charges against the three after announcing that they were covered by the November 2006 amnesty.

On June 14, a Samarkand court fined Kamiljon Ashoruv, head of the Center for Human Rights Initiatives, \$1,575 (2 million soums) for publishing an article questioning whether President Karimov could legally seek reelection in December. On August 31, court bailiffs seized office equipment from Ashoruv's center as part of its collection efforts.

On October 11, two men who allegedly identified themselves as NSS officers assaulted Sid Yanyshv, a Tashkent-based correspondent for the Institute for War and Peace Reporting (IWPR) and the independent Ferghana.ru website. They attacked Yanyshv in Tashkent after he returned from the town of Chirchiq, where he was covering protests over bread shortages and the rising cost of wheat.

During the year there were reports that the government harassed journalists from state-run media outlets in retaliation for their contacts with foreign diplomats. State-controlled media organizations warned some journalists not to attend discussions or participate in other programs sponsored by foreign embassies.

The Interagency Coordination Committee issues the required broadcast and mass media licenses to approved media outlets and could revoke licenses and close media outlets without a court judgment. The Center for Electromagnetic Compatibility issues frequency licenses.

The National Association of Electronic Mass Media (NAESMI) reportedly used its directors' close relations with the government to coerce local television stations to join the association and restrict the content of their programming. The government subjected stations that resisted joining NAESMI to tax inspections and, in some cases, forfeiture of broadcast licenses. In many cases NAESMI required affiliated local stations to broadcast prescribed programming instead of locally produced content.

Government security services and other offices regularly gave publishers articles and letters to publish under fictitious bylines, as well as explicit instructions about the types of stories permitted for publication. Often there was little distinction between the editorial content of a government or privately owned newspaper. There was very little, if any, independent investigative reporting. During the year self-censorship remained standard practice. The number of critical newspaper articles remained very low and their scope extremely narrow.

The law establishes the right of government-accepted newspaper boards of directors to influence the editorial content of media reports. These legal provisions establish mechanisms by which the government can indirectly influence media content and further encourage members of the media to practice self-censorship. Television and radio stations practiced self-censorship and carried critical reporting only occasionally.

In 2005 amendments to the criminal and administrative liability codes significantly increased fines for libel and defamation. In general the government used charges of libel, slander, and defamation to punish journalists, human rights activists, and others who criticized the president or government.

Internet Freedom

The government allowed access to the Internet, although Internet service providers, at the government's request, routinely blocked access to Web sites the government considered objectionable. The government blocked several news Web sites and those operated by opposition political parties, although some remained available through proxy servers. There were reports that officials from the national telecommunications operator, Uzbektele.com, regularly visited Internet cafes to monitor which Web sites customers were using.

The amended media law signed by President Karimov on January 15 defines Web sites as media outlets, meaning that they fall under legislation requiring all local and foreign media to register with the authorities and inform them of the names of their founder, chief editor, and staff members. They also must provide the authorities with copies of each publication. According to local journalists, since the amended law came into force, Internet providers started blocking access to blogs that discuss any aspect of the country.

In October 2006 the Cabinet of Ministers passed a decree requiring that all Web sites seeking a ".uz" domain register with the state Agency for Press and Information. The decree generally affected only government-owned or government-controlled Web sites. Opposition Web sites and those operated by international NGOs or media outlets tended to have domain names registered outside the country.

On October 26, the government blocked access to Web sites that reported on the murder of ethnic Uzbek journalist Alisher Saipov in Osh, Kyrgyzstan.

Academic Freedom and Cultural Events

The government limited academic freedom. Authorities often required department head approval for university lectures or lecture notes. Although authorities implemented the requirement inconsistently, university professors generally practiced self-censorship. Numerous university students reported that universities taught mandatory courses on "Karimov studies" devoted to books and speeches by the president and that missing any of these seminars constituted grounds for expulsion. A 2005 ministry of higher education decree effectively prohibited any cooperation between higher educational institutions and foreign organizations without explicit prior approval by the government. During the year the government

pressured teachers and students not to participate in conferences sponsored by diplomatic missions or academic exchange programs. There were reports that students chose not to participate in international exchange programs after being threatened with the loss of scholarships. Others who participated in exchange programs reported losing their jobs at educational institutions upon their return to their country. There were numerous reports that government officials pressured local nationals to prevent them from participating in cultural events sponsored by foreign diplomatic missions.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The constitution and law provide for freedom of assembly, but in practice the government often restricted this right. Authorities also have the right to suspend or prohibit rallies, meetings, and demonstrations on security grounds. The government did not routinely grant the required permits for demonstrations. Under 2005 amendments to the criminal and administrative liability codes, citizens are liable to large fines for facilitating unsanctioned rallies, meetings, or demonstrations by providing space or other facilities or materials. The amendments also significantly increased fines for violations of procedures concerning the organizing of meetings, rallies, and demonstrations.

In several cases authorities used a variety of tactics to prevent or stop peaceful protests. On January 2, Tashkent police broke up a demonstration in front of the General Prosecutor's Office by several human rights activists demanding the release of political prisoners. On January 31, police detained six persons attempting to petition Chairman of the Supreme Court Buritosh Mustafayev and reportedly forced them to sign a written pledge that they would not again participate in public demonstrations. Authorities allegedly beat one of the petitioners, Larisa Kuznetsova.

On February 21, Tashkent police broke up a protest by two human rights activists who were calling for the resignation of Foreign Minister Vladimir Norov. Three unknown women also reportedly assaulted the two activists; police detained the activists and charged them with assaulting the three women.

On March 8, International Women's Day, authorities disrupted a planned solidarity action in support of imprisoned female human rights defenders by placing dozens of opposition and human rights activists under house arrest. On March 21, police detained and beat Elena Urlaeva on her way to a demonstration at Tashkent's Hadra Square in support of the rights of persons with disabilities. Police detained nine other activists who planned to participate in the demonstration, and placed under house arrest activists Jahongir Shosalimov and Rasul Tajiboyev several days before the protest.

In several other cases, however, human rights activists reported that local residents protested economic conditions, apparently without prior permission of the authorities, but did not face police pressure.

Freedom of Association

While the law provides for freedom of association, the government continued to restrict this right in practice. The government sought to control completely all NGO activity. The law broadly limits the types of groups that may form and requires that all organizations be registered formally with the government. The law allows for a six-month grace period for new organizations to operate while awaiting registration, during which time they are classified officially as "initiative groups." Registration of NGOs and other public associations was difficult and time consuming, with many opportunities for government obstruction. The government allowed nonpolitical associations and social organizations to register, but complicated rules and a cumbersome government bureaucracy made the process difficult. The government compelled most local NGOs to register with a government-controlled NGO association, whose purpose was to control all funding and NGO activities.

On January 3, President Karimov signed legislation that immediately went into effect stipulating the rights and freedoms guaranteed by the state to NGOs. Provisions include a guarantee of state protection of NGOs and the right to conduct "any type of activity not prohibited by law and in line with the purposes set by their charters." The legislation also prohibits interfering with the activities of such organizations, provides for property rights and the rights of NGOs to "to seek, receive, research, disseminate, use, and keep information in accordance with legislation." The government remains the arbiter of whether an organization's activities violate the law.

On April 28, the Cabinet of Ministers adopted a new decree, under which officially registered NGOs engaging in "socially significant activity" for at least one year are eligible to receive state funding in the form of subsidies, grants, and "state social orders." Grants and state social orders essentially are government contracts awarded competitively to NGOs to defray their basic operating expenses for the fulfillment of social projects. However, the funding is only available to officially registered NGOs, the majority of which are controlled by the government.

Amendments to the administrative liability code in 2005 impose large fines for violations of procedures governing NGO activity, as well as for "involving others" in illegal NGOs. The law does not specify whether "illegal NGOs" are those that were forcibly suspended or closed or those that were simply unregistered. The amendments also increased penalties

against international NGOs for engaging in political activities, activities inconsistent with their charters, or activities not approved in advance by the government. The government enforced the 2004 banking decree, although ostensibly designed to combat money laundering, to prevent registered and unregistered NGOs involved in human rights or political work from receiving outside funding.

The law allows independent political parties, but it also gives the Ministry of Justice (MOJ) broad powers to interfere with parties and to withhold financial and legal support to those opposed to the government. Registered parties received funding from the government. The government controlled all five registered political parties.

The law criminalizes membership in organizations the government deems extremist. The law banned the extremist Islamist political organization HT for promoting hate and praising acts of terrorism. Although HT maintained that it was committed to nonviolence, the party's virulently anti-Semitic and anti-Western literature called for the overthrow of secular governments, including those in Central Asia, to be replaced with a worldwide Islamic government.

The government has pressured and prosecuted members of the Islamic group Akromiya (Akromiylar) since 1997. Independent religious experts claimed that Akromiya was an informal association promoting business along Islamic religious principles, while the government claimed that it was a branch of HT and that it attempted, together with the Islamic Movement of Uzbekistan, to overthrow the government through armed rebellion in the 2005 Andijon demonstrations.

During the year the Women's Committee, a government-controlled organization, monitored and often hampered the activities of women's NGOs, particularly those promoting women's political participation.

In May a court order suspended the operations of two international NGOs. In July the government refused to renew the accreditation of HRW's remaining foreign staff member in the country, forcing HRW to close its office in Tashkent. In February Mercy Corps voluntarily departed from the country after completing its final contract. None of the 15-plus foreign-funded organizations closed temporarily or permanently by court decisions in 2006 reopened during the year. In the past two years, the government closed more than 300 local NGOs.

The government followed a policy of auditing all international NGOs. Generally following an audit, the MOJ sent each audited NGO a letter outlining the violations discovered during the process, with a 30-day time limit to resolve the violations.

The government insisted that NGOs coordinate their training sessions or seminars with government authorities. NGO managers believed this amounted to a requirement for prior official permission from the government for all NGO program activities. NGOs under the auspices of the government-controlled Institute for the Study of Civil Society successfully conducted their events.

c. Freedom of Religion

While the constitution and law provide for freedom of religion and separation of church and state, in practice the government restricted religious activity. The government supported the country's Muslim heritage by funding an Islamic university, supporting preservation of historic Islamic sites, and providing logistical support for citizens' participation in the hajj. During the year, to mark Tashkent's designation as one of four capitals of Islamic culture by the Islamic Educational, Scientific, and Cultural Organization (ISESCO), the government funded a major expansion of the Muslim Board of Uzbekistan (the Muftiate) offices and a large new mosque and library in the complex. The government sought to promote what it considered a moderate version of Islam through the control and financing of the Muftiate, which in turn controlled the Islamic hierarchy, the content of imams' sermons, and published Islamic materials. The Committee for Religious Affairs (CRA), under the Cabinet of Ministers, oversaw registered religious activity and approved all religious literature. The government allowed a small number of unofficial, independent mosques to operate under the watch of government-sanctioned imams.

The law requires all religious groups and congregations to register and provides strict and burdensome registration criteria, including that each group present to the MOJ a list of at least 100 national citizen members and that a congregation already have a valid legal address. These and numerous other provisions enabled the government to cite technical grounds for denying a group's registration petition, such as grammatical errors in a group's charter. The process suppressed the activities of Muslims who sought to worship outside the system of state-sponsored mosques, as well as members of unregistered Christian churches and other groups.

Any religious service conducted by an unregistered religious organization is illegal. Police occasionally broke up meetings of unregistered groups, which were generally held in private homes. Authorities occasionally detained and beat members of some Christian evangelical congregations.

Under law the practice of proselytizing is a crime, which has resulted in several prosecutions, particularly of evangelical

Baptists and Jehovah's Witnesses. Using 2006 criminal statutes, the government sentenced a Christian pastor on criminal charges for religious activities. On March 9, the Andijon Province Criminal Court convicted Pastor Dmitry Shestakov, leader of a registered Full Gospel Pentecostal congregation, and sentenced him to four years in an open labor colony on charges of organizing an illegal religious group, inciting religious hatred, and distributing religious extremist literature. After a second trial on May 25, authorities transferred Shestakov to a harsher labor camp in Navoi province.

During the year the number of registered religious congregations increased by three to 2,229, of which 2,048 were Muslim. Several Protestant churches remained unregistered, including churches in Tashkent, Chirchiq, Samarkand, Nukus, Gulistan, Andijon, and Gazalkent. Some, particularly evangelical churches, did not apply because they did not expect local officials to register them, and they were afraid to give the authorities a list of their members, especially ethnic Uzbeks. Other groups, including those with too few members, reported that they preferred not to bring themselves to the attention of authorities by submitting a registration application that obviously would not meet legal requirements.

Jehovah's Witnesses applied for registration at local, regional, and national levels and received either denials or no official answer.

Most Muslims arrested for religious reasons 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 on this charge were accused of HT membership. The government also arrested members of other groups that it broadly labeled Wahhabi. Individuals arrested on suspicion of extremism often faced severe mistreatment including torture, beatings, and particularly harsh prison conditions. They were typically sentenced to between seven and 12 years imprisonment and suffered job loss. 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. Authorities reportedly punished inmates who attempted to fulfill their religious obligations despite prison rules, or who protested the rules themselves, with solitary confinement and beatings.

Unlike in previous years, there were no reports of arrests or harassment of Muslim believers based on outward expressions of their religious belief such as beards, veils, or mosque attendance. The law prohibits the wearing of "cult robes" (religious clothing) in public except by those serving in religious organizations; however, this provision did not appear to be enforced. There were reports that authorities distributed instructions to imams about the undesirability of children attending mosques, especially during Ramadan, and police occasionally prevented children from attending Friday prayers.

On February 28, the Tashkent Province Criminal Court convicted Abdumalik Ibragimov of membership in Akromiya and sentenced him to eight years' imprisonment. In December the General Prosecutor's Office in Andijon charged Anvarjon Mahsadaliyev with membership in Akromiya and complicity in the 2005 Andijon events.

On April 18, the Tashkent City Criminal Court convicted Gulnora Valijonova of HT membership and sentenced her to six years' imprisonment. Seven other female defendants in the same trial were convicted of HT membership but were given suspended sentences. According to human rights activists who monitored the trial, the government failed to provide persuasive proof of their membership in HT, and it appeared that they were targeted because each had family members in prison on extremist charges. On April 11, police in the Chinoz region of Tashkent Province detained seven other women on charges of membership in HT. Like the women tried in Tashkent, those in Chinoz were all wives, mothers, or other close relatives of men convicted of extremism.

In October a court in Bukhara sentenced eight men to between three and 10 years' imprisonment for membership in HT. According to observers, police tortured the men during pretrial investigation.

In December a court in Khorezm province convicted three men of membership in Tabligh Jamaat, an Islamic group with origins in South Asia, and sentenced each of them to between 11 and 14 years in prison.

In public statements the government referred to all persons on trial, in prison, and those killed on May 13, 2005, as religious extremists. In 2006 approximately 70 persons were convicted of various charges, including Islamic extremism, murder, terrorism, and anticonstitutional activity, in connection with the Andijon events, in addition to the 187 convicted in 2005. All Andijon-related trials were closed to outside observers, and details of the cases, including names of defendants and lengths of sentences, were not available.

There were no developments in the cases of the followers of former Tashkent imam Abidkhan Nazarov, seven of whom were tried, convicted and sentenced to an average of six years' imprisonment on charges of Islamic extremism. A court committed an eighth follower, Shoirmat Shorakhmetov, to an institution for the criminally insane, while it sentenced a ninth, former Tashkent imam Rukhitdin Fakhrutdinov, in September 2006 to 17 years on charges of extremism and involvement in the 1999 Tashkent car bombings.

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 law prohibits proselytizing and

severely restricts activities such as the importation and dissemination of religious literature.

On January 15, police in Nukus raided a Presbyterian church service held in a private home and arrested 18 worshipers. Authorities charged several on violations of the administrative code and fined them. On May 10, the Nukus Criminal Court convicted one detainee, Salavat Serikbayev, on criminal charges of teaching religion illegally, but released him with a two-year suspended sentence, which was later reduced to one year.

Jehovah's Witnesses came under particular scrutiny and occasionally faced arbitrary fines and arrest on charges of proselytizing. On June 6, the government sentenced Dilafruz Arziyeva of the Jehovah's Witness Samarkand congregation to two years of corrective labor for illegally teaching religion.

On November 29, the Pap District Criminal Court in Namangan Province sentenced Nikolai Zulfikarov, the leader of a small unregistered Baptist church in Khalkabad, near Pap, to two years of corrective labor for illegally teaching religion. On December 27, the Namangan Criminal Case Appeal Court amnestied Zulfikarov.

The law limits religious instruction to officially sanctioned religious schools and state-approved instructors and does not permit private instruction or the teaching of religion to minors without parental consent. While the country has several functioning institutions that train clergy, there are very few options for those wishing to learn about their faith without pursuing a career in a religious institution.

The government controlled the publication, importation, and distribution of religious literature, discouraging and occasionally blocking the production or importation of literature that religious censors deemed objectionable. The government required a statement in every domestic publication indicating the source of its publication authority. Possession of literature deemed extremist could lead to arrest and prosecution. Illegal production, storage, importation or distribution of religious materials could result in fines of 100 to 200 times the minimum monthly wage or "corrective labor" of up to three years. The government confiscated and destroyed religious literature imported illegally. Other criminal and administrative codes punish the production and distribution of "literature promoting racial and religious hatred."

Societal Abuses and Discrimination

Society is generally tolerant of religious diversity but not of proselytizing. In particular, Muslim, Russian Orthodox, Roman Catholic, and Jewish leaders reported high levels of acceptance in society. Evangelical or Pentecostal Christian churches and churches with ethnic Uzbek converts encountered difficulties stemming from social prejudices. There were persistent reports of discrimination against and harassment of ethnic Uzbek Muslims who converted to Christianity.

There were no reports of anti-Semitic acts or patterns of discrimination against Jews. There were eight registered Jewish congregations, and observers estimated the Jewish population to be approximately 15,000 to 20,000 persons, concentrated mostly in Tashkent, Samarkand, and Bukhara. Their numbers were declining due to emigration, largely for economic reasons. There were no reports during the year of HT members distributing anti-Semitic fliers. Although the international press carried initial stories speculating on possible anti-Semitic motives for the unsolved September 6 killing of well-known Ilhom theater director Mark Weil, there was no evidence that anti-Semitism was a motive.

For a more detailed discussion, see the [2007 International Religious Freedom Report](#).

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees and Stateless Persons

The constitution and law provide for free movement within the country and across its borders, although the government severely limited this right in practice. Permission from local authorities is 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 \$80 (100,000 soum) to obtain registration documents required to move.

The government required citizens to obtain exit visas for foreign travel or emigration, and while it generally granted these, local officials often demanded a small bribe. In 2005 the government introduced a registration system requiring citizens to obtain a special stamp from local authorities in their place of residence to leave the country. Citizens continued generally to be able to travel to neighboring states, and the new stamp requirement was not uniformly enforced. Land travel to Afghanistan, however, remained difficult, as the government maintained travel restrictions on large parts of Surkhandarya Province bordering Afghanistan, including the border city of Termez. Citizens needed permission from the NSS to cross the border, while Afghans did not need permission, aside from a visa, to enter the country to trade.

In January authorities reportedly seized the passport of Akhmadjon Madmarov, a human rights activist who was planning to travel to a conference in Turkey. A few days before, an unknown attacker beat and robbed activist Salima Kadirova, taking her passport and airline ticket.

From March through year's end, authorities refused to renew the passport of Birlik opposition party leader and citizen Pulat

Akhunov, who permanently resides in Sweden. Akhunov traveled to Andijon to apply for a new passport, as regulations require citizens to renew their passports at 25 and 45 years of age. Authorities reportedly delayed renewing the passport without offering an explanation, rendering Akhunov unable to return to Sweden.

In May authorities denied an exit visa for the second time to journalist Alo Khojayev, former editor in chief of the news site Tribune.uz. In May 2006 authorities denied an exit visit to Khojayev and another journalist, Alisher Taksanov. Khojayev closed down the Tribune.uz Web site after his wife became the victim of a hit-and-run accident in July 2006, shortly after he received a warning to shut down his Web site.

Foreigners with valid visas generally could move within the country without restriction; however, visitors required special permission to travel to Surkhandarya Province, which borders Afghanistan.

The law does not explicitly prohibit forced exile, but the government did not generally employ it. At year's end several opposition political figures and human rights activists remained in voluntary exile.

Emigration and repatriation were restricted in that the law does not provide for dual citizenship. In practice returning citizens had to prove to authorities that they did not acquire foreign citizenship while abroad, or face prosecution. In practice citizens often possessed dual citizenship and traveled without issue. In some cases individuals who had previously emigrated and/or acquired foreign citizenship while abroad and who were traveling in former Soviet countries that enforced the Uzbek exit permission regime experienced difficulty departing those countries.

Protection of Refugees

The law does not provide for the granting of asylum or refugee status in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol, and the government has not established a system for providing protection to refugees. In practice the government provided some protection against "refoulement," the return of persons to a country where there is reason to believe they feared persecution. However, between January and March and again between August and September, there were several reported cases in which the government forced Afghans who had been given refugee status by the UNHCR to leave the country. In practice the government did not cooperate with the UNHCR in allowing it to provide assistance to refugees and asylum seekers.

During the year the UNDP continued to assist with monitoring and resettlement of the approximately 1,000 Afghan refugees who remained in the country. The UNDP also performed some of the UNHCR's humanitarian functions, as it has done since the government forced the UNHCR office to close in April 2006. The UNHCR assisted Uzbek refugees who had fled into Kyrgyzstan following the 2005 unrest in Andijon.

In March the MFA informed the UNDP that UNHCR mandate certificates would not be considered as the basis for extended legal residence, and persons carrying such certificates must apply for the appropriate visa or face possible deportation. The government appeared to be effectively ending an agreement with the UNHCR in place since 1999, under which the government had tolerated the presence of mandate refugees despite not having ratified the 1951 Convention on Refugees and its 1967 protocol.

The government considered the Afghan and Tajik refugee populations economic migrants and subjected them to harassment and bribery when they sought to regularize their status as legal residents. Such persons could be deported if their residency documents were not in order. Most Tajik refugees were ethnic Uzbeks; unlike their Afghan counterparts, Tajik refugees were able to integrate into and were supported by the local population. Although most Tajik refugees did not face societal discrimination, many of them faced the possibility of becoming officially stateless, as many carried only old Soviet passports rather than Tajik passports.

During the year the harassment of Afghan refugees increased noticeably. In March and February, there were at least one dozen reported instances in which police detained Afghan refugees and tore up their UNHCR refugee certificates, stating that they were meaningless. Between January and March, there were four reported cases of the refoulement of Afghan refugees. Two of the deported Afghans reportedly returned to Uzbekistan by year's end. In August and September, there were additional reported cases of the refoulement of Afghan refugees.

The UNHCR reported that Afghan refugees had no access to the legal labor force and, therefore, had limited means to earn a livelihood.

In February a court in Urumqi, China, charged Husein Dzhelil, a UNHCR-mandated refugee, with fomenting terrorism. Dzhelil testified that he was tortured into signing a confession after being extradited to China in June 2006. Dzhelil, a Canadian citizen, was visiting his wife's family in the country when he was arrested. He originally fled China to Central Asia in the mid-1990s after being detained for his political activities, including advocating the rights of the Uigher minority in China.

The government pressured several other countries to return forcibly citizens who were under UNHCR protection in those countries. For example, in May the Russian Federal Migration Service refused to allow 12 citizens to remain in Russia after their March 5 release from the Ivanovo region detention facility, where they were held for almost 20 months. Uzbek authorities accused the 12 of involvement in the 2005 violence in Andijon and demanded their extradition. Their lawyers filed a case with the European Court of Human Rights. On June 13, according to AI, apparent members of the Uzbek NSS detained Mukhamadsolikh Abutov outside his apartment in Krasnogorsk, Moscow region, and transferred him to the local police. Although Abutov had applied for refugee status with the UNHCR, police reportedly refused to return his application. On June 26, the city court ordered his detention to continue so that he could be deported to Uzbekistan. After being transferred to a pretrial detention center, he applied for asylum in the Russian Federation. On August 30, a Moscow district court ordered the extradition of Yashin Dzhurayev, who claimed that he had been persecuted for religious reasons in Uzbekistan. On December 5, Russian officials in Tyumen deported Abdugani Kamaliev to Uzbekistan, where he was wanted on religious extremism charges since 1999. Kamaliev was stripped of his Russian citizenship and forcibly returned to Uzbekistan despite objections from the European Court of Human Rights that he might be subjected to torture.

There were no developments in the following refoulement cases: the February 2006 return by Ukrainian authorities of 10 citizen asylum seekers whom the government accused of involvement in the Andijon events; the August 2006 deportation by Kyrgyz authorities of four Uzbek UNHCR-mandate refugees and one asylum-seeker who had fled after the Andijon events; and the 2005 return by Kazakh authorities of nine Uzbek asylum seekers, some of whom had registered with the UNHCR.

There have been problems in the past with a few individuals whose status was unclear. They were often those who failed to arrange their documents properly with authorities following independence and now face recurring difficulties.

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

The constitution and law provide citizens with the right to change their government; in practice this was not possible through peaceful and democratic means. The government severely restricted freedom of expression and repressed the political opposition. The government was highly centralized and 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.

Elections and Political Participation

On December 23, President Karimov was reelected to a third term. The election manifested some procedural elements of the democratic process but overall fell short of international democratic norms. In December the OSCE deployed a limited election observation mission (LEOM) to monitor the election and noted that there were more candidates than in previous elections (a total of four), including a female candidate and a non-partisan candidate nominated by an initiative group. However, the LEOM concluded that the electorate was deprived of a genuine choice, as all candidates publicly endorsed the incumbent's policies and the campaign itself was characterized by the absence of any real competition of ideas and political views. Administrative hurdles kept other potential candidates off the ballot, and the government tightly controlled the media. The LEOM noted procedural problems and irregularities in vote tabulation. Other observers labeled the election free and fair, but their comments lacked credibility.

A 2002 parliamentary resolution established the December 23 election date. Some human rights and opposition activists argued that the resolution was unconstitutional, as President Karimov's authority ended either on January 9, the seven-year anniversary of his reelection, or on January 22, the seven-year anniversary of his last inauguration. The constitution prohibits presidents from seeking a third term in office, an apparent contradiction never publicly addressed by the government.

In 2000 President Karimov was reelected to a second term. The OSCE declined to monitor the election, determining preconditions did not exist for it to be free and fair. A 2002 referendum, which multilateral organizations and foreign embassies also refused to observe, extended presidential terms from five to seven years.

On August 30, President Karimov announced that the next parliamentary elections would be held in 2009. The OSCE found that the 2004 elections for the lower house of the parliament fell significantly short of international standards for democratic elections, resulting in the majority of seats being held by progovernment political parties. In 2005 President Karimov personally appointed the 16 of 84 members of the new upper chamber, or senate; provincial assemblies selected those to occupy the remaining seats.

The law makes it extremely difficult for opposition parties to organize, nominate candidates, and campaign. To register a new party requires 20,000 signatures. The procedures to register a candidate are burdensome, and the Central Election Commission (CEC) may deny registration; for example, the CEC may deny registration of presidential candidates if they would "harm the health and morality of the people." CEC decisions cannot be appealed. The law allows the MOJ to suspend parties for up to six months without a court order. The government also exercised control over established parties by controlling their financing. A 2005 Cabinet of Ministers decree allows the MOJ to adjust state funding to parties

according to the size of a party's parliamentary caucus and the ministry's judgment whether the party is acting in accordance with its charter, among other factors.

In addition to registered political parties, only citizen initiative groups with 300 or more members may nominate candidates. Initiative groups may nominate parliamentary candidates by submitting signatures of at least 8 percent of the voters in an election district. For presidential candidates, initiative groups must submit signatures of at least 5 percent of voters—but no more than 8 percent from one province—in at least eight provinces, two of which must be Tashkent and Karakalpakstan. The CEC stated in September that a total of 300,000 signatures would be required, but higher estimates range from almost 700,000 by human rights activists to nearly 815,000 on a state-controlled Web site. Nominations for presidential candidates may be submitted only between 45 and 65 days prior to the election. Two of the registered, government-supported political parties failed to get a sufficient number of signatures to qualify their candidates. Thus, there were four presidential candidates, three from registered, government-supported parties, including the incumbent President Karimov, and one nominated by an "initiative" group.

With the exception of registered political parties or initiative groups, the law prohibited organizations from campaigning, and candidates were allowed to meet with voters only in forums organized by precinct election commissions. 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 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; those that promote war, or social, national, or religious hostility, and those that seek to overthrow the government.

On January 31, police detained the wife of Human Rights Alliance member Jahongir Shosalimov for seven hours shortly before Shosalimov was to hold a press conference announcing his candidacy for president. Police reportedly told Shosalimov to cancel his press conference in exchange for his wife's freedom. Earlier in January Shosalimov attempted to file suit in the Supreme Court contesting President Karimov's right to remain in office until the presidential elections in December. The court rejected the suit, stating that it would not consider actions filed by private citizens.

In November 2006 the Birlik opposition political party applied with the MOJ for registration for the sixth time, but it did not receive a response. Authorities most recently denied registration to the party in 2005. Birlik members were among those arrested and detained in connection with the 2005 Andijon events. The leaders of three of the four unregistered opposition political parties--Mohammed Solikh of Erk (convicted on terrorism charges in absentia in 1999), Abdurakhim Polat of Birlik, and Babur Malikov of the Free Farmers Party--remained in voluntary exile. One of the cofounders of the fourth unregistered opposition party--Sanjar Umarov of the Sunshine Coalition--was imprisoned.

There were 21 women in the 120-member lower chamber of the parliament and 15 women in the 100-member senate. There was one woman in the 28-member cabinet.

There were nine members of ethnic minorities in the lower house of parliament and 15 minorities in the senate; the number of members of ethnic minorities in the cabinet was unknown.

Government Corruption and Transparency

There was a widespread public perception of corruption throughout society, including in the executive branch. It was generally accepted that applicants could buy admission to prestigious educational institutions with bribes. Likewise, bribery was widespread in the traffic enforcement system, and there were several reports that bribes to judges influenced the outcomes of civil suits. It was also reported that authorities removed local administrative or police officials from office in isolated cases in response to charges of corruption. The World Bank's Worldwide Governance Indicators reflected that corruption was a severe problem.

The law states that all government agencies must provide citizens with the opportunity to examine documents, decisions, and other materials affecting their freedoms. In practice the government seldom respected these rights. The public generally did not have access to government information, and information normally considered in the public domain was seldom reported. In 2004 the NGO Article 19 Global Campaign for Free Expression released an analysis of the country's secrecy and freedom of information laws, concluding 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.

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, although they were hampered by a fear of official retaliation. The government frequently harassed, arrested, and prosecuted human rights activists.

Two domestic NGOs--Ezgulik and the Independent Human Rights Organization of Uzbekistan--were registered with the government; others were unable to register but continued to function at both the national and local levels. The government continued to deny registration to organizations such as the Human Rights Society of Uzbekistan (HRSU), Mazlum ("Oppressed"), and Mothers against the Death Penalty and Torture. The government denied registration for a variety of reasons, including grammatical errors in applications. These organizations did not exist as legal entities but continued to function, although they had difficulty renting offices or conducting financial transactions and could not open bank accounts, making it virtually impossible to receive funds legally. Operating an unregistered group was technically subject to government prosecution.

Government officials occasionally met with domestic human rights defenders, some of whom noted that they were able to resolve some cases of abuse through direct engagement with authorities. A foreign NGO continued to provide a forum for domestic human rights defenders to meet with members of the police, prison directorate, and security services. The government cooperated on a limited basis with the NGO.

Police and security forces continued to harass domestic human rights activists and NGOs during the year. Security forces regularly threatened and intimidated human rights activists to prevent their activities. Unknown assailants frequently attacked human rights activists. Authorities regularly detained or arrested human rights activists and subjected them to house arrest, occasional involuntary psychiatric treatment, or false criminal charges. Additionally, government officials publicly accused specific activists of conspiring with international journalists to discredit the government.

On March 15, a court in Namangan sentenced Mukhamadali Karabaev, a local leader of the Birlik opposition party, to six years in prison for extortion and fraud. Human rights observers maintain that the charges were politically motivated. On March 20, police detained Ezgulik leader Vasila Inoyatova one hour before she was to meet with a delegation from the European Parliament to discuss human rights abuses.

In May several articles aimed at discrediting the Pakhtakor branch of the HRSU in Jizzakh Province appeared in regional newspapers. The articles, allegedly written by "war veterans," called for the criminal prosecution of HRSU members. On May 27, at a communal meeting the hokim (mayor) of the Pakhtakor District declared Saida Kurbonova, the Pakhtakor HRSU leader, a "traitor of the motherland."

In September well-known human rights activist Yodgor Turlibekov fled the country and applied for refugee status with the UNHCR after authorities in Kashkadarya Province threatened to arrest him for his work as a human rights activist. On May 20, police detained Turlibekov, accusing him of orally insulting the honor and dignity of the president. In July 2006 police arrested Turlibekov on what human rights groups maintained were fabricated charges; he was amnestied in December 2006.

On December 3, a court in Gulistan in Syrdarya Province convicted local Ezgulik leader Karim Bozorboev to three and a half years' imprisonment on politically motivated charges of fraud. Police originally arrested Bozorboev on October 23, one day after he tried to mediate a public protest by market traders. He was later amnestied and released under the December amnesty.

In February Lieutenant Otabek Mahkamov, a lecturer at the MOI academy, was reportedly detained on espionage charges after attending without permission from his superiors a February 12-14 human rights workshop at the Budapest-based International Law Enforcement Academy.

During the year authorities at Navoi prison 64-29 reportedly tortured Dilmurod Muhitdinov, a local Ezgulik leader in Andijon who was sentenced to five years' imprisonment in January 2006 on what appeared to be politically motivated charges of anticonstitutional activity. There were no developments in the case of Ezgulik activist Mamarajab Nazarov, convicted in July 2006 of extortion and sentenced to three and a half years' imprisonment. He was held in a prison in Jizzakh Province.

Since the 2005 Andijon events, the government severely restricted the activities of international human rights NGOs and subjected their employees to frequent harassment and intimidation. Government officials and the government-controlled press frequently accused international NGOs of participating in an international "information war" against the country.

The government continued to restrict the work of international bodies and foreign diplomatic missions and severely criticized their human rights monitoring activities and policies. The government refused to reopen the Tashkent office of the UNHCR, which was forced to close in March 2006, and has not agreed to expand the OSCE office, whose mission it forced in July 2006 to reorganize, with a substantially reduced emphasis on human rights programming. On several occasions, police and other government agents harassed and threatened human rights activists who met with foreign diplomats and ordered the activists to cease contact with foreigners. In previous years the government denied accreditation to some foreign diplomats, thus forcing them to leave the country. During the year the government criticized some diplomats for meeting with members of unregistered organizations, especially those outside of Tashkent.

The government continued to ignore earlier demands by foreign governments, the UN, the OSCE, the European Union (EU), and other international organizations for an independent international investigation into the 2005 Andijon unrest. A

2005 UNHCR report on the Andijon violence concluded that "consistent, credible eyewitness testimony strongly suggests that grave human rights violations...were committed by Uzbek military and security forces... it is not excluded... that the incidents amounted to a mass killing."

There was a limited formal discussion of the Andijon events and human rights abuses between the EU and the government. A delegation of EU representatives visited the country in April following up on a visit in December 2006. At year's end neither party had published results of the talks. The EU and the government also conducted a formal discussion on human rights abuses on May 9 under the auspices of the Joint EU/Uzbekistan Consultative Council's Subcommittee on Justice, Interior, and Human Rights. The EU and the government agreed to an annual discussion of human rights issues.

The human rights ombudsman's office, affiliated with the parliament, had the stated goals of promoting observance and public awareness of fundamental human rights, assisting in shaping legislation to bring it into accordance with international human rights norms, and resolving cases of alleged abuse. The ombudsman could mediate disputes between citizens and the government and make recommendations to modify or uphold decisions of government agencies, but its recommendations were not binding. The ombudsman had offices in all provinces of the country, as well as in the Karakalpakstan Autonomous Republic and Tashkent. During the year the office handled hundreds of cases, a 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.

Throughout the year the ombudsman's office hosted meetings and conferences with law enforcement, judicial representatives, and limited international NGO participation, to discuss its mediation work and means of facilitating protection of human rights. In February the office monitored the observance of women's labor rights in the textile industry in several provinces and made recommendations for improvements in legal protections for women in the industry. In June the ombudsman held meetings to discuss religious freedom issues with a representative of the Jehovah's Witnesses and a representative of a diplomatic mission. In July as part of a two-day conference in Andijon Province, the ombudsmen's office met with farmers to discuss problems they faced and exchange views on farmers' rights. In August as part of a workshop on improving conditions at penitentiaries, the ombudsman visited a Nukus detention facility to monitor conditions and meet with detainees.

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. According to 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 race, gender, disability, language, or social status; the constitution prohibits discrimination on the basis of race, gender, disability, and language, but does not specifically prohibit discrimination on the basis of disability. Societal discrimination against women and persons with disabilities existed, and child abuse persisted.

Women

The law prohibits rape. Marital rape is implicitly prohibited under the law, although there were no cases known to have been tried in court. Cultural norms discouraged women and their families from speaking openly about rape, and instances were almost never reported in the press.

The law does not specifically prohibit domestic violence, which remained common. 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. Wife beating was considered a personal affair rather than a criminal act; such cases were usually handled by family members or elders within the neighborhood committee and rarely came to court. Local authorities emphasized reconciling husband and wife, rather than addressing the abuse. NGOs working on domestic violence reported that local government officials cooperated on education programs, with a number of initiatives taken to increase cooperation with neighborhood committees. Some police and religious leaders participated in NGO training.

As in past years, there were many reported cases in which women attempted or committed suicide as a result of domestic violence. Information indicates that 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 reason for suicide. NGOs assisting survivors of suicide attempts reported inconsistent cooperation from officials and neighborhood committees.

The law prohibits prostitution; however, it was an increasing problem, particularly among ethnic minorities. Police enforced the laws against prostitution unevenly; some police officers harassed and threatened prostitutes with prosecution to extort money.

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. Women were severely underrepresented in high-level positions and in the industrial sector. The government charged a deputy prime minister at the cabinet level with furthering the role of women in society and headed the National Women's Committee. In practice the committee was widely viewed as ineffective and at times even obstructed the work of NGOs promoting women's rights.

Children

The government was generally committed to children's rights and welfare.

The law provides for children's rights and for free compulsory education for 12 years through basic and secondary school. In practice shortages and budget difficulties meant that many families had to pay education expenses. Teachers earned extremely low salaries and routinely demanded regular payments from students and their parents. According to government statistics, 98 percent of children completed nine years of education. However, anecdotal evidence indicated that children increasingly dropped out of middle and high schools for economic reasons.

The government subsidized health care, including for children, and boys and girls enjoyed equal access. As with education, low wages for doctors and poor funding of the health sector led to a widespread system of informal payments for services; in some cases this was a barrier to access for the poor. With some exceptions, those without an officially registered address, such as street children and children of migrant workers, did not have access to government health facilities.

Child abuse was a problem that was generally considered an internal family matter, although elders on neighborhood committees frequently took an interest at the local level in line with the committees' responsibilities to maintain harmony and order within the local community. There were no government-led campaigns against child abuse, although efforts against trafficking involved the protection of underage victims.

Child marriage was not prevalent, although in some rural areas girls as young as 15 sometimes married in religious ceremonies not officially recognized by the state. According to a 2006 report endorsed by UNICEF and the Uzbek State Statistical Committee, 5 percent of women aged 15 to 19 were married.

There were reports that girls were trafficked from the country for the purpose of sexual exploitation and that girls were engaged in forced prostitution.

During the cotton harvest, many school children, particularly in rural areas, were forced to work in the cotton fields.

Trafficking in Persons

The law prohibits trafficking in persons; however, the constitution does not specifically prohibit it. Trafficking continued to be a significant problem. The government took some modest steps to combat it, although it did not fully comply with minimum standards for elimination of trafficking.

There was at least one report of prosecution of a corrupt official involved in trafficking. On February 28, the state-controlled newspaper *Hurriyat* reported that Tashkent Airport-based Ministry of Internal Affairs Lieutenant Colonel Jaloliddin Khojiev was convicted and sentenced to 10 years in prison for soliciting a bribe from a trafficking victim.

The country was primarily a source and, to a lesser extent, a transit country for the trafficking of women and girls for the purpose of sexual exploitation and men for labor exploitation. There were no reliable statistics on the extent of the problem, although NGOs and the government reported labor trafficking was much more prevalent than trafficking for sexual exploitation and was likely rising due to poor economic conditions.

There were credible reports that women traveled to the United Arab Emirates (UAE), Kuwait, Bahrain, India, Israel, Georgia, Malaysia, Russia, South Korea, Thailand, Turkey, Japan, and Western Europe for the purpose of prostitution; some of them reportedly were trafficking victims. Major transit countries were identified as Kyrgyzstan, Kazakhstan, Russia, Georgia, Armenia, Azerbaijan, and Ukraine. Labor trafficking victims were typically trafficked to Kazakhstan and Russia to work in the construction, agricultural, and service sectors. 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, South Korea, and the UAE. Women between the ages of 17 and 30 were highly vulnerable to sexual exploitation, and men of all ages were targets for labor trafficking. A local antitrafficking NGO registered a total of 497 cases of human trafficking during the year, a decrease from 527 cases in 2006 and 874 cases in 2005.

Traffickers operating within nightclubs, restaurants, or prostitution rings solicited women, many of whom had engaged in prostitution. In large cities such as Tashkent and Samarkand, traffickers used newspaper advertisements for marriage and fraudulent work opportunities abroad to lure victims. Travel agencies promising tour packages and work in Turkey, Thailand, and the UAE were also used to recruit victims. In most cases traffickers confiscated travel documents once the women reached the destination country. Victims of labor trafficking were typically recruited in local regions and driven to Kazakhstan or Russia where they were often sold to "employers." Traffickers held victims in a form of debt bondage, particularly in the case of those trafficked for sexual exploitation.

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

The law prohibits all forms of trafficking and provides for prison sentences of five to eight years for international trafficking. Recruitment for trafficking is punishable by six months' to three years' imprisonment and fines of up to approximately \$708 (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 continued to focus on trafficking offenses, and state television ran numerous public service announcements and similar programs on state television regarding human trafficking. Enforcement was not generally effective; convicted traffickers with sentences under 10 years were amnestied and served little or no jail time. According to the MFA, during the year two individuals convicted of trafficking-related crimes were amnestied and released from prison, while another 15 persons had their prison terms reduced. Convicted traffickers often were women, who were less likely to receive jail time than men.

According to the MFA, during the year authorities investigated 273 cases of alleged trafficking, while in 2006 authorities investigated 259 cases of alleged trafficking. At year's end, 66 persons were imprisoned on trafficking-related charges.

Government offices with responsibility for fighting trafficking included the MOI's Office for Combating Trafficking, Crime Prevention Department, and Department of Entry-Exit and Citizenship; the NSS's office for Fighting Organized Crime, Terrorism, and Drugs; the Office of the Prosecutor General; the Ministry of Labor; the Consular Department of the Ministry of Foreign Affairs; and the State Women's Committee. The government formed an antitrafficking working group that met monthly and consisted of representatives from the government entities listed above.

In June the government instituted an interim antitrafficking action plan.

There were no reports that the government prosecuted victims of trafficking for illegal migration in the course of being trafficked. In previous years, some local officials working at the MOI, customs, and border guards reportedly accepted bribes in return for ignoring instructions to deny exit to young women suspected to be traveling to work as prostitutes. In previous years local sources claimed that officials were involved in document fraud and accepted bribes from persons attempting to travel illegally or from the traffickers themselves.

Repatriated victims often faced societal and familial problems upon return. At year's end internationally-supported NGOs operated two shelters to help victims reintegrate into society. The shelter in Tashkent provided assistance to more than 200 trafficking victims since opening in 2004, while the shelter in Bukhara supported 46 trafficking victims since opening in 2006. There were no reports of local police harassing shelter residents. From June 2005 through January, officials from the Tashkent City hokimiyat Women's Committee provided a trafficking victim with free lodging at a government-run hostel in Tashkent's Sergeli District. In February the victim reportedly moved into a rented apartment.

According to the MFA, during the year the government cooperated with the International Organization for Migration (IOM) to provide assistance to 21 repatriated trafficking victims. IOM also reported that police, consular officials, and border guards referred women returning from abroad who appeared to be trafficking victims to the organization for services. The government routinely allowed IOM to assist groups of returning women at the airport, help them through entry processing, and participate in the preliminary statements the victims gave to the MOI.

During the year the government registered a local antitrafficking NGO in Urgench and provided office space free of charge to a registered local antitrafficking NGO in Jizzakh. In previous years, the government registered such local NGOs in Tashkent, Andijon, Bukhara, Samarkand, Gulistan, and Termez.

In several different regions of the country, antitrafficking NGOs, with the participation of law enforcement and local government officials, conducted seminars for orphanages, secondary schools, and higher education institutions; placed antitrafficking notices in local newspapers; and developed informational brochures and educational manuals for teachers and students. These NGOs also worked with Uzbekistan's mahallas to raise awareness about trafficking, especially in rural areas. During the summer the NGOs organized about 70 antitrafficking summer camps for 6,000 youth.

During the year the government continued to focus on trafficking prevention. A specialized antitrafficking unit in the MOI established in 2004 continued to cooperate with NGOs on antitrafficking training for law enforcement and consular officials;

the unit also supported victims who testified against traffickers and organized public awareness campaigns.

On June 28, the state-controlled Institute for the Study of Civil Society organized an antitrafficking roundtable attended by representatives from the MOJ, MOI, parliament, and NGOs. The roundtable noted that human trafficking was an "urgent" problem and recommended further cooperation with NGOs to prevent trafficking and provide assistance to victims.

Government-controlled newspapers carried targeted articles on trafficked women and prostitution. During the year there were 1,337 items in the state-controlled media, including 184 items on radio, 793 on television, and 360 in newspapers and magazines, compared with 2006 numbers of 1,277 public service announcements and longer programs, including 831 items on radio, 151 on television, and 295 in newspapers and magazines.

Government radio continued a weekly call-in program for women who were involved in the sex trade and broadcast antitrafficking public service announcements. The government television broadcast numerous documentary features on trafficking. Government-owned television stations worked with local NGOs to broadcast antitrafficking messages and to publicize the regional NGO hot lines that counseled actual and potential victims. The government worked with NGOs to place posters on trafficking hazards on public buses, in passport offices, and in consular offices abroad. The IOM reported an increase in the number of calls to its 10 antitrafficking hot lines that were directed at victim assistance. The hot lines received more than 17,000 calls during the year, but fewer than 1,000 of the calls dealt with specific trafficking cases, while the majority of the calls were from individuals inquiring about opportunities to work abroad.

Persons with Disabilities

Although the law prohibits discrimination against persons with disabilities in the workplace and in education, the constitution does not specifically prohibit it, and there is no law specifically prohibiting such discrimination in housing or in access to state services. There was some societal discrimination against persons with disabilities, and the government generally placed children with disabilities in separate schools. The government provided care 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 effective safeguards against arbitrary or involuntary institutionalization. The Ministry of Health controlled access to health care for persons with disabilities, and the Ministry of Labor and Social Protection facilitated employment of persons with disabilities.

National/Racial/Ethnic Minorities

The population was mainly Uzbek, with significant numbers of Russians, Tajiks, Tatars, Kazakhs, and Karakalpaks, as well as ethnic Koreans and Uighers.

The law prohibits employment discrimination on the basis of ethnicity or national origin; while the constitution does not specifically prohibit such discrimination, it does provide for the right of all citizens to work and to choose their occupation. However, 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 Uzbek language ability to obtain citizenship; however, language remained a sensitive issue. Uzbek is the state language, and the constitution requires that the president speak it. The law also 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.

Other Societal Abuses and Discrimination

There was social stigma against HIV/AIDS patients. Persons living with HIV reported social isolation by neighbors, public agency workers, health personnel, law enforcement officers, landlords, and employers after their HIV status became known. Recruits in the armed services found to be HIV-positive were summarily expelled. The MOI's Department of Corrections made greater efforts to raise awareness about the realities of HIV/AIDS in its training for prison staff. The government's restrictions on local NGOs left only a handful of functioning NGOs to assist and protect the rights of persons with HIV/AIDS.

Nearly all of the risk behaviors associated with being HIV-positive, including prostitution, injecting drug use, and homosexual activity, are crimes. Homosexual activity is punishable by up to three years' imprisonment. Some homosexuals reportedly left the country due to the restrictive environment.

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. In practice unions remained centralized and dependent on the government. The state-run Board of the Trade Union Federation of Uzbekistan was the largest union. All regional and industrial trade unions at the local level were state-owned. 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 activities without interference from the government. The law provides the right to organize and to bargain collectively; in practice the government did not respect these rights. 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, but because unions were heavily influenced by the state, collective bargaining in any meaningful sense did not occur. The Ministry of Labor and Social Protection and the Ministry of Finance, in consultation with the Council of the Federation of Trade Unions (CFTU), set wages for government employees. In the small private sector, management established wages or negotiated them individually with persons who contracted for employment. There is no state institution responsible for labor arbitration.

The law neither provides for nor prohibits the right to strike. The law gives unions oversight for individual and collective labor disputes.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The constitution and law prohibit forced or compulsory labor, including by children, except as legal punishment such as for robbery, fraud or tax evasion, or as specified by law; however, there were reports that such practices occurred, particularly during the cotton harvest.

d. Prohibition of Child Labor and Minimum Age for Employment

The government did not effectively implement laws and policies to protect children from exploitation in the workplace. The national labor code establishes the minimum working age at 16 and provides that work must not interfere with the studies of those under 18. The law establishes a right to a part-time job beginning at age 14, and children with permission from their parents may work a maximum of 24 hours per week when school is not in session and 12 hours per week when school is in session. Children between the ages of 16 and 18 may work 36 hours per week while school is not in session and 18 hours per week while school is in session. A 2001 government decree prohibits those under age 18 from engaging in manual cotton harvesting and other jobs with unhealthy working conditions; however, in rural areas children often helped to harvest cotton and other crops. Children as young as seven or eight routinely worked in family businesses in cities during school holidays and vacations, and children also worked in street vending, services, construction, building materials manufacturing, and transportation.

The large-scale compulsory mobilization of youth and students to help in the fall cotton harvest continued in most rural areas. Such labor was poorly paid; living conditions were poor, and children were forced to inhale harmful chemicals and pesticides sprayed on the fields. There were reports from human rights activists that local officials in some areas pressured teachers into releasing students from class to help in the harvest and, in many areas, schools closed for the harvest. Although most of the students involved in the cotton harvest were older than 15, there were occasional reports from human rights sources that children as young as 11 also participated. The latest available statistics from 2006 on the percentage of children involved in labor ranged from 2 to 19 percent. Much child labor was concentrated in family-organized cotton harvesting.

Current legislation does not explicitly provide jurisdiction for inspectors from the Ministry of Labor and Social Protection to focus on child labor enforcement. Enforcement of child labor laws is implicitly under the jurisdiction of the Ministry of Labor, the prosecutor general, and the MOI and its general criminal investigators. The law provides both criminal and administrative sanctions against violators, but authorities did not punish violations related to the cotton harvest, and there were no reports of inspections resulting in prosecutions or administrative sanctions. Enforcement was lacking due in part to long-standing societal acceptance of child labor as a cheap method of cotton harvesting.

e. Acceptable Conditions of Work

The Ministry of Labor and Social Protection, in consultation with the CFTU, sets and enforces the minimum wage. At year's end the minimum wage was approximately \$12 (15,525 soum) per month, which did not provide a decent standard of living

for a worker and family.

The law establishes a standard workweek of 40 hours and requires a 24-hour rest period. Overtime pay exists in theory, but it was rarely paid in practice.

The Ministry of Labor and Social Protection establishes and enforces occupational health and safety standards in consultation with unions. Reports suggested that enforcement was not effective. 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 legally may remove themselves from hazardous work without jeopardizing their employment, although few workers, if any, attempted to exercise this right, as it was not effectively enforced. In July the country signed bilateral labor migration agreements with Russia to increase protections on a range of labor rights for Uzbek labor migrants.

