



## Uzbekistan

The Uzbek government's human rights record remains atrocious. In October 2008 the European Union lifted a visa ban against several Uzbek officials, citing progress in human rights. Yet in the wake of that decision the Uzbek authorities intensified their crackdown on civil society activists, members of the opposition, and independent journalists. Torture and ill-treatment remain rampant and occur in a culture of impunity. A January 2008 law on habeas corpus has failed to protect detainees from torture.

Authorities continue to persecute religious believers who worship outside state controls, and freedom of expression remains severely limited. Government-initiated forced child labor during the cotton season continues.

The Uzbek judiciary lacks independence, and parliament is too weak to curtail the reach of executive power. The Uzbek government has ignored repeated calls for an independent inquiry into the May 2005 Andijan massacre, when state security forces killed hundreds of protestors, most of them unarmed.

### Human Rights Defenders and Independent Journalists

The Uzbek authorities continue to intimidate, imprison, and torture human rights defenders, independent journalists, and other peaceful civil society activists, and they intensified repression following the EU's easing of sanctions in October 2008. At this writing the Uzbek government holds at least 14 civil society activists in prison because of their legitimate work. They include Gaibullo Jalilov, a member of the Human Rights Society of Uzbekistan whose human rights work focuses on independent Muslims, who was charged in September 2009 with upsetting the constitutional order and disseminating religious extremist materials; at this writing Jalilov is in pretrial detention. Sanjar Umarov, leader of the Sunshine Coalition, was released on amnesty on November 7, 2009, because of his health.

Farkhad Mukhtarov, a member of the Human Rights Alliance of Uzbekistan, was sentenced to five years in prison on October 2, on charges of fraud and bribery. Local defenders believe the charges were fabricated in retaliation for his human rights activities.

The government has moved vigorously to silence activists who oppose official corruption and abuse of power. On July 30 the Tailak district court sentenced Dilmurod Saidov, an independent journalist, to 12½ years in prison on trumped-up charges of extortion and forgery. Local activists believe Saidov was imprisoned because of his investigations into official corruption in Samarkand region and his advocacy for farmers' rights. Also in late July, authorities arrested Oyazimhon Hidirova, chair of the Arnasai branch of the International Human Rights Society of Uzbekistan, on charges of hooliganism, fraud, and tax evasion. In early June Hidirova had written to various officials protesting repeated, unlawful land confiscation and resale by the head of

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the regional government. Hidirova was released under an amnesty on August 30. In early October Ferghana-based human rights defender Ganihon Mamatkhanov was arrested on trumped-up charges of fraud and bribery. Mamatkhanov works for social and economic rights, including the rights of farmers, a number of whom were the victims of unlawful land confiscation earlier in 2009. Local rights defenders believe that his arrest was in retaliation for his public criticism of the government and his human rights activities.

In several incidents during April and May, five members of the Human Rights Alliance of Uzbekistan were attacked, threatened, and detained. On the morning of April 15, Alliance member Elena Urlaeva was leaving home with her five-year-old son, Mukhammad, when two men assaulted her. Shouting profanities, they told Urlaeva that she "should have left the country long ago." A week later an unknown assailant attacked Mukhammad, beating him repeatedly on the head with a stick and leaving him hospitalized with concussion. On May 27 Urlaeva and fellow Alliance members Salomat Boimatova and Ilnur Abdulov were detained as they travelled to the United Nations office in Tashkent to deliver their recent report on the status of human rights defenders in Uzbekistan. When they objected, Abdulov was severely beaten. Urlaeva was forced to sign a statement that she would cease human rights activities until after June 10, when EU and Uzbek representatives were scheduled to meet in Tashkent for their annual human rights dialogue.

From November 7 to 14, local authorities in six locations detained at least seven activists for attempting to meet with leaders of the Birdamlik opposition movement. Two Jizzakh-based human rights defenders, Mamir Azimov and Bakhtior Khamroev, were beaten by law enforcement officers for meeting with the opposition leaders.

### **Criminal Justice, Torture, and Ill-Treatment**

Torture and ill-treatment remain endemic to the criminal justice system. The Uzbek authorities have failed to address the culture of impunity for torture or to implement recommendations to combat torture made by the UN special rapporteur in 2003. In January 2008 a much-touted habeas corpus law went into effect in Uzbekistan, but the reform has done little to bolster the rights of defendants or prevent torture and ill-treatment in detention.

Human Rights Watch continued to receive numerous, credible reports of torture and ill-treatment, particularly during pretrial detention. Yet judges routinely ignored allegations of torture and refused to examine such claims. Kushodbek Usmonov, a 67-year-old independent journalist, testified during his trial in March 2009 that he had been beaten with hard objects in the groin and abdomen and had been threatened with rape after being forced to lie face down, naked. The judge reportedly ignored these allegations.

On December 30, 2008, Uzbek prison officials tried to force Alisher Karamatov, an imprisoned human rights activist, to sign a confession regarding a disciplinary violation. After he refused and threatened to complain to the Prosecutor's Office, officials forced Karamatov, who had recently suffered from tuberculosis, to stand outside in sub-freezing weather dressed only in his thin prison uniform. After three hours in the cold, Karamatov signed.

In mid-June 2009 officials at Jaslyk prison put the jailed dissident and poet Yusuf Jumaev in an isolation cell for eight days. His family said that during that time prison guards burned him by holding a hot electric teapot to his shoulders, and for at least two days denied him food and water, as well as use of a toilet.

## **Freedom of Religion**

Although Uzbekistan's constitution ensures freedom of religion, authorities fiercely suppress any religious group that functions outside state control. In particular, authorities have intimidated, beaten, and imprisoned on false charges Muslims who are affiliated with independent organizations and clerics.

In two separate trials in June and July 2009, 21 followers of the late Turkish Muslim theologian Said Nursi were sentenced to prison terms ranging from 5 to 11 years for religious extremism. This brings to at least 47 the number of Nursi followers who have been imprisoned since late 2008.

Up to 60 pious Muslims in Shakhrihan district, Andijan region, were detained in June 2009 on suspicion of illegal religious activity. In August, 11 pious Muslim men were put on trial on religious extremism charges in Karshi. In November, at least 12 pious Muslim women were detained in Karshi, one of whom is a leader in a local mosque; the charges against them are not known.

Authorities continue to arrest members of minority religions for their peaceful religious activity. Three Jehovah's Witnesses and Pentecostal minister Dmitry Shestakov continue to serve lengthy prison sentences. According to Forum 18, an independent, international religious freedom group, on August 21, 2009, anti-terror police in Tashkent raided the worship service of the registered Donam Protestant church. Seven church members were arrested and four, including the pastor, were sentenced to 15-day prison terms. Christian literature was confiscated during the raid and later destroyed on court order.

## **The Andijan Massacre and the Situation of Refugees**

The government has persisted in its refusal to investigate the 2005 massacre of hundreds of citizens in Andijan, or to prosecute those responsible for it. Instead, authorities have clamped down on any individual they believe to have participated in the events or who may know the truth about what occurred. The government's reliance on surveillance, interrogations, ostracism, and threats against survivors of Andijan and their families continues to trigger further refugees from the area.

On May 26, 2009, hours after a series of violent acts in the Andijan area, including at least one suicide bombing, police visited at least three homes of relatives of individuals imprisoned for alleged involvement in the May 2005 events or who had fled Uzbekistan in their wake.

The Uzbek government continues to work with Kyrgyz authorities to forcibly return Uzbek asylum seekers to Uzbekistan. Since 2005 more than a dozen people have been returned against their will. Haiatjon Juraboev, who was snatched off the streets of Bishkek, Kyrgyzstan, in September 2008, was sentenced in Tashkent to 13 years' imprisonment in February 2009 for religious extremism and illegal border crossing.

## **Child Labor**

Forced child labor in the cotton industry remains a serious concern. Although since mid-2008 Uzbekistan has ratified two conventions prohibiting child labor, the government continues to force hundreds of thousands of schoolchildren into the fields to pick cotton and weed cotton fields.

Children as young as 10 pick cotton for two months a year. They live in filthy conditions, contract illnesses, miss school, and

work from early morning until evening daily for little or no money. Hunger, exhaustion, and heat stroke are common. At least five children died during the 2008 harvest, according to the Environmental Justice Foundation.

### **Key International Actors**

The Uzbek government remains uncooperative with international institutions, particularly UN bodies. It has refused to allow access to eight special rapporteurs, including those on torture and human rights defenders.

In December 2008 Uzbekistan's human rights record was reviewed under the Universal Periodic Review mechanism of the UN Human Rights Council. The government denied the existence of a number of well-documented human rights problems and rejected numerous recommendations, including that it release imprisoned human rights defenders and end harassment and intimidation of civil society activists.

The European Union's position on human rights in Uzbekistan remained disappointingly weak. Following a nearly year-long silence in the face of Tashkent's deteriorating rights record, EU foreign ministers on October 27, 2009, lifted the arms embargo against Uzbekistan, removing the last remaining component of the sanctions the EU had imposed after the Andijan massacre in 2005. The June 2009 human rights dialogue between the EU and Uzbekistan yielded no known results.

The United States government also appeared to have weakened its engagement on human rights in Uzbekistan, interpreted by many as a conscious choice to safeguard other interests being pursued by the administration. There were no known policy consequences stemming from new legislation introduced by congress in 2008, which provided for targeted sanctions and spelled out concrete human rights benchmarks the Uzbek government would need to meet in order to normalize relations with the US.

In September 2009 the director of the Organization for Security and Co-operation in Europe's Office for Democratic Institutions and Human Rights (OSCE/ODIHR), Janez Lenarcic, praised the Uzbek government for adhering to commitments it had made as an OSCE member state, including the release of some human rights activists and improvement of detention conditions, despite overwhelming evidence to the contrary.

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