



## **UZBEKISTAN**

A Call for Human Rights Council Action



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# UZBEKISTAN

## A Call for Human Rights Council Action

**Despite appearing only rarely in global headlines, Uzbekistan’s atrocious human rights record requires an urgent and coordinated international response. Its authoritarian government severely limits freedom of expression, assembly, association, and religion; has imprisoned thousands on politically motivated charges; and continues to wage an unrelenting crackdown on human rights work, independent journalism, peaceful opposition, and civic activity. Torture in Uzbekistan is widespread and systematic. Individuals who attempt to assert rights, or act in ways deemed contrary to state interests, face arbitrary detention, harassment, ill-treatment, and torture. The government also uses systematic forced labor in the cotton sector, forcibly mobilizing millions of people to pick cotton in abusive conditions for little or no pay, violating international labor laws.**

On May 13, 2005, government forces shot into a crowd of mostly unarmed protestors in the eastern city of Andijan, killing hundreds. The government has blocked numerous calls for an independent investigation into the killings and has relentlessly persecuted those it suspects of having witnessed or participated in the events. In the 10 years since the massacre, the government has closed Uzbekistan to outside scrutiny of any kind—banning or interfering with the work of domestic and international human rights groups, independent media, and experts.

The Uzbek government also stands out for its lack of cooperation with United Nations (UN) human rights mechanisms, particularly the special procedures that report to the UN Human Rights Council (Council). Tashkent has for years persistently refused to implement crucial recommendations and decisions by UN human rights bodies regarding violations of the prohibition against torture, freedom of expression, assembly, association, religion, and other core human rights norms.

Members of the Council should mark the 10th anniversary of the Andijan massacre by taking action to address the appalling state of human rights in Uzbekistan. The Uzbek government’s serious, systematic violations and persistent refusal to cooperate with the UN’s human rights mechanisms—including by denying access to special procedures, and failing to implement key recommendations made by treaty bodies and UN member states under the Universal Periodic Review—warrant resolute Human Rights Council action.

In line with its mandate to “address situations of violations of human rights, including gross and systematic violations and make recommendations thereon,” the Council should establish a special rapporteur on the human rights situation in Uzbekistan to hold the government accountable for ongoing, egregious abuses and to ensure sustained scrutiny and public reporting on human rights developments in the country.

## Systematic Human Rights Violations

### Torture

Torture is both widespread and systematic in Uzbekistan’s criminal justice system, where authorities torture with impunity. Law enforcement officials routinely use torture—including beating with batons and plastic bottles filled with water, hanging by wrists and ankles, rape, and sexual humiliation—to coerce confessions. Despite “numerous, ongoing and consistent allegations” of torture, the government regularly denies its existence and has failed to make meaningful progress on recommendations made by the UN special rapporteur on torture in 2003 and other international bodies over the past decade.<sup>1</sup>

Although the government introduced habeas corpus (judicial review of detention) in 2008, there has been no perceptible reduction in the use of torture in pretrial custody or enhanced due process for detainees. Judges routinely ignore torture allegations, admit torture-tainted evidence, and convict solely on the basis of confessions.

In April 2013, the International Committee of the Red Cross (ICRC) took the unusual step of announcing publicly its decision to end prison visits to detainees in Uzbekistan, citing its inability to follow the organization’s standard working procedures for such visits, including being able to access all detainees of ICRC concern and to speak to detainees in private. The organization’s practice of confidentially reporting its findings to governments means



## SYSTEMATIC HUMAN RIGHTS VIOLATIONS

that even the most authoritarian governments usually allow it to conduct prison visits in accordance with its own procedure.

### *Imprisonment on Politically-Motivated Charges*

The Uzbek government has imprisoned thousands of persons on politically motivated charges, targeting human rights and opposition activists, journalists, religious believers, artists, and other perceived critics. Among them are some of the world's longest imprisoned journalists, including Muhammad Bekjanov and Yusuf Ruzimurodov, imprisoned in 1999 for 16 years, and political activists, including Samandar Kukanov, imprisoned in 1992 for 23 years.

Many people in prison for political reasons suffer torture, denial of access to counsel, incommunicado detention, solitary confinement, lack of appropriate medical care, and arbitrary extension of their prison sentences for many years—all serious violations of Uzbekistan's domestic and international commitments. During its Universal Periodic Review and review by the UN Committee against Torture in 2013, Uzbek government officials categorically declared that "[t]here are no political prisoners in Uzbekistan."

The government's campaign of religious persecution has resulted in the arrest, torture, and incarceration of thousands people.<sup>2</sup> Memorial, a leading Russian human rights organization that has monitored politically motivated imprisonment in Uzbekistan for many years, estimates that



Individuals formerly or currently imprisoned on politically-motivated charges in Uzbekistan.

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## UZBEKISTAN: A CALL FOR HUMAN RIGHTS COUNCIL ACTION

over 7,000 “political prisoners” are currently imprisoned in the country on charges of religious extremism and other related so-called anti-state crimes.<sup>3</sup> In April 2015, the Tashkent-based Initiative Group of Independent Human Rights Defenders, led by rights activist Surat Ikramov, estimated the total number to be over 10,000, with over 200 convicted in 2014 alone.<sup>4</sup> Sentences can range from 6 to 20 years and are often extended by a substantial number of years shortly before prisoners’ terms are up.

### *Freedom of Religion*

Uzbek authorities severely curtail freedom of religion, imposing tight restrictions on freedom of worship, conscience, and belief. Thousands of Uzbekistan’s independent Muslims—those who practice their faith outside strict state controls or belong to unregistered religious organizations—have been sentenced to lengthy prison terms. Many have been sentenced under vague, overbroad, and ill-defined crimes of so-called anti-constitutional activity, participation in “banned religious, extremist” groups, or for possessing “banned literature.” Since the mid-1990s, authorities have imprisoned or driven into exile nearly every independent Muslim leader in the country, including clerics, imams, commentators, and philosophers representing diverse schools of Islamic thought. Authorities also harass and fine for administrative offenses Christians who conduct religious activities, such as illegal religious teaching.

### *Civil Society and Freedom of Expression*

The Uzbek government represses civil society activism and actively harasses and prosecutes independent rights defenders and journalists on an array of trumped-up charges. The smallest public picket and peaceful demonstration is met with immediate arrest, detention, fines, and imprisonment.

Authorities criminalize independent human rights work, journalism, and peaceful political activism by refusing to register, accredit, or allow the operation of any local rights groups, news outlets, or independent political parties. The vast majority of peaceful activists have been imprisoned, fled the country, or been forced to withdraw from their work due to government persecution over the past two decades.

This has been compounded by authorities systematically trying to close the country to outside scrutiny. Beginning in 2004, and increasing rapidly after the 2005 Andijan massacre, authorities forced the closure of numerous foreign and international nongovernmental organizations, and media outlets, including the Open Society Institute, the *BBC*, *Deutsche Welle*, *Radio Free Europe/Radio Liberty*,

Forced laborers picking cotton in September 2012, Suyima Pakhtakor, Jizzakh.

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SYSTEMATIC HUMAN RIGHTS VIOLATIONS



## UZBEKISTAN: A CALL FOR HUMAN RIGHTS COUNCIL ACTION

*Internews*, Freedom House, Counterpart International, the American Bar Association, and many others. In June 2011, the government closed Human Rights Watch's Tashkent office, ending its 15-year field presence in the country. None of the organizations or media outlets that were forced to end their operations have been able to resume activities in Uzbekistan.

### *Sexual Orientation and Gender Identity*

Consensual sexual relations between men are criminalized with a maximum prison sentence of three years. Activists report that police use blackmail and extortion against gay men due to their sexual orientation, threatening to out or imprison them. LGBT community members face deep-rooted homophobia and discrimination.

### *Forced Labor*

State-organized forced labor in the cotton sector remains widespread. The Uzbek authorities systematically force millions to harvest cotton for up to two months each autumn and to plant and weed in the spring and summer, disrupting the provision of essential health, education, and other services. Human rights activists who report on these practices face harassment and retaliation. Despite a reduction in the government's use of children to pick cotton in 2014, the forced labor system did not change and the mobilization of forced adult labor actually increased.

### *Forced Sterilization*

Human Rights Watch has interviewed Uzbek gynecologists, rights activists, and women in various regions of the country who report that the Uzbek Ministry of Health orders some doctors to perform a certain number of forced sterilizations of women each month. Some women who have given birth to two or more children have been targeted for involuntary sterilization, especially in rural areas. Gynecologists further reported that surgical sterilizations are performed without women's informed consent and in unsafe medical facilities.

### *Andijan Massacre*

For a decade, the Uzbek government has refused an independent investigation into the 2005 massacre in Andijan, where government forces shot and killed hundreds of largely unarmed protesters. The violence drove hundreds of people across the border into Kyrgyzstan. The government continues to persecute anyone suspected of having witnessed the atrocities or attempting to speak about them publicly. Authorities charged and sentenced hundreds of individuals to lengthy prison terms on suspicion of having participated in the events in flawed trials often conducted on the basis of forced confessions obtained through torture.

During its Universal Periodic Review in 2013, the Uzbek government delegation declared that "the issue of Andijan is closed for us!" and categorically rejected recommendations by numerous governments to allow an independent, international inquiry to investigate the killings.

### *Failure to Cooperate with UN Human Rights Mechanisms*

Uzbekistan's record of cooperation with UN human rights mechanisms is among the worst in the world. The UN special rapporteur on torture visited the country in 2002, the first and only special procedure mandate holder to be able to do so. For the past 13 years, the government has ignored requests for access by 13 UN human rights experts and has rejected virtually all of the recommendations for human rights improvements that UN monitoring bodies and the Universal Periodic Review has made.

The Council has a clear mandate to "address situations of violations of human rights, including gross and systematic violations, and [to] make recommendations thereon."<sup>5</sup> It should not remain silent in face of Uzbekistan's deteriorating human rights situation and the government's continued refusal to uphold its international human rights commitments or allow independent scrutiny.

The Council should create a country-specific special procedure without delay to monitor the human rights situation in Uzbekistan and to advise the Council on appropriate further action.

Creating such a monitoring mechanism for Uzbekistan will help give voice to victims of rights violations in Uzbekistan and send a powerful message that the Council and its members will not tolerate chronic situations of severe, widespread human rights violations or the non-cooperation with UN mechanisms that allows such crises to deepen.

## SYSTEMATIC HUMAN RIGHTS VIOLATIONS



A woman cries near small numbered plaques marking fresh anonymous graves of massacre victims in a cemetery on the outskirts of Andijan, Uzbekistan.

© 2005 AP Photo/Misha Japaridze

# RECOMMENDATIONS

## TO THE UN HUMAN RIGHTS COUNCIL AND ALL MEMBER STATES

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- **Condemn in the strongest possible terms Uzbekistan’s gross and systematic human rights violations.**
- **Use every opportunity to highlight concerns and request information from the Uzbek government on action taken to remedy abuses.**
- **Establish a country-specific mechanism in the form of a special rapporteur on the situation of human rights in Uzbekistan to report to the Human Rights Council.**
- **Urge the Uzbek government to grant access to UN special rapporteurs to visit Uzbekistan and to cooperate with UN human rights mechanisms.**

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1 UN Committee against Torture, “Concluding observations on the fourth periodic report of Uzbekistan,” CAT/C/UZB/CO/4, December 10, 2013, [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CAT%2fC%2fUZB%2fCO%2f4&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CAT%2fC%2fUZB%2fCO%2f4&Lang=en) (accessed April 6, 2015)

2 Human Rights Watch, *Creating Enemies of the State: Religious Persecution in Uzbekistan*, March 2004, <http://www.hrw.org/reports/2004/03/29/creating-enemies-state>.

3 Interview with Vitaly Ponomarev, Memorial Human Rights Center, Bishkek, April 20, 2015.

4 Human Rights Watch interview with Surat Ikramov, Bishkek, April 22, 2015.

5 UN General Assembly, “Human Rights Council,” Resolution 60/251 (2006). A/RES/60/25 (2006), para. 3, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/No5/502/66/PDF/No550266.pdf?OpenElement> (accessed April 21, 2015).





(above) Men charged in the Andijan uprising sit in a metal defendants' cage in the courtroom in Tashkent, 20 September 2005.

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(front cover) A man mourning at the funeral for his brother, who was killed during the Andijan events.

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