

Uzbekistan

IHF FOCUS: elections and referenda; freedom of expression and freedom of the media; peaceful assembly; fair trial; torture, ill-treatment and police misconduct; conditions in prisons and detention facilities; religious intolerance; death penalty; human rights defenders.

Following the September 11 events, the Uzbek government was able to significantly raise its international profile by backing the multinational coalition against terrorism that was launched by the United States. While many Uzbeks hoped and expected that stronger Western engagement would bring further human rights protection and democratic developments, the government's involvement in the coalition granted it a pretext to continue its crackdown on religious, political and civil opposition – a pretext that appeared to have been largely accepted by the international community.

During the year 2002 some positive steps were taken, including the conviction of seven police officers for torture and the registration of the Independent Human Rights Organization of Uzbekistan (IHROU), and, in some regions, the amnesty of persons unjustly imprisoned for their religious beliefs. However, viewed in a broader perspective, these steps appeared as token steps aimed at pleasing the country's western allies and at dulling criticism of the gross human rights problems that persisted in the country.

Referring to the need to protect national security, the government arrested and abused new scores of Muslims exercising their beliefs beyond strict state control. Torture was routinely used to coerce targeted believers into making confessions, which often served as the sole basis for convictions during trial – including when the death penalty was imposed. Unlike in previous years, a considerable number of female believers were prosecuted. The government also continued to clamp down on relatives of religious prisoners, as well as others, who attempted to stage protests to call for changes in government policies.

While prison conditions on the whole were inhuman and degrading, devoted Muslim prisoners suffered particularly harsh treatment. Numerous cases were documented in which they allegedly died due to torture.

Persecution of human rights defenders was increasingly justified by security concerns. In particular, the Human Rights Society of Uzbekistan (HRSU, an IHF cooperating organization) was subjected to a wave of repression: during the year, nine of its members were locked up. In an unprecedented ruling, a Jehovah's Witness was convicted for his religious activities under the Criminal Code in late 2002. This conviction gave rise to fear that the government would expand its campaign against "extremism" full scale to minority religious communities.

Although state censorship was officially abolished, the government retained a tight grip on the media. Everything that was published was closely monitored, and media outlets and journalists who were critical of government policies faced repressive measures.

At the beginning of 2002 a flawed referendum on constitutional amendments was held. Its outcome makes it possible for President Karimov to stay in office beyond 2005, when his current term ends. President Karimov has ruled the country with an iron hand ever since independence, thereby driving its citizens into ever-greater destitution and disillusion.

Elections and Referenda

On January 27, two proposals put to vote in a nation-wide referendum were overwhelmingly approved. According to official information, 94% of the voters were in favor of the establishment of a bicameral parliament, while 92% backed the proposal to extend the president's constitutional term in office from five to seven years. The voter turnout was allegedly over 90 percent.¹

The referendum did not enable the voters to make a free and informed choice.² No public debate about the proposals took place, and hardly any information about their impact was available. As a result, many voters were confused and did not know exactly what they were supposed to decide on.³

Moreover, the voting procedure was organized in a way that indirectly discouraged the voters to vote against the two proposals. Those who voted "yes" could simply drop their ballots into the ballot box. However, those who wanted to vote "no" were requested to specifically mark their preference on their ballots before casting them. Accordingly, only those who opposed the proposals needed to use the voting booths. Reportedly, voters were also sometimes allowed to vote on behalf of others.⁴

Freedom of Expression and the Media⁵

Media continued to work under harsh restrictions. The government enjoyed a monopoly over newspaper printing and distribution and controlled the major newspapers in the country.⁶

In May it was announced that state censorship would be abolished and that newspapers no longer needed approval before they were published. However, while this was an important step, self-censorship continued to prevail. Thus, editors frequently decided against publishing material that could be interpreted as criticism of the government fearing repercussions.⁷

Shortly after state censorship was eliminated the authorities reportedly warned the chief editors of the six major newspapers in the country that newspaper content now would be reviewed after publication. In July, a new state-run press agency, the Uzbek Press and Information Agency, was established to monitor observance of the media laws. As the new agency was authorized to suspend media licenses if it discovers "systematic" violations of such legislation, its monitoring increased pressure on editors to remove controversial material prior to publication. Some editors reportedly responded to this pressure by hiring former government censors to review articles they planned to publish. Self-censorship was further

¹ RFE/RL *Newsline*, February 4, 2002.

² See IHF, HRSU and the Center for Democratic Initiatives, "Uzbekistan: A Referendum to Prolong Presidential Term," January 25, 2002, at www.ihf-hr.org/appeals/020125uzb.htm

³ RFE/RL, "Uzbek referendum proposals approved by landslide," *RFE/RL Central Asia Report*, Vol. 2, No. 5, January 31, 2002.

⁴ RFE/RL, "Uzbek referendum proposals approved by landslide," *RFE/RL Central Asia Report*, Vol. 2, No. 5, January 31, 2002; and Institute for War and Peace Reporting, Galima Bukharbaeva, "Referendum slated," *Reporting Central Asia*, No. 102, February 1, 2002.

⁵ See also Religious Intolerance.

⁶ Committee to Protect Journalists (CPJ), *Special report on Uzbekistan: Back in the USSR*, October 2002, at www.cpj.org/Briefings/2002/uzbek_oct02/uzbek_oct02.html

⁷ IFEX, "State censorship eliminated, self-censorship continues," June 4, 2002, at www.ifex.org/alerts/view.html?id=10731

encouraged by the fact that media outlets and journalists who ventured to engage in critical reporting were intimidated and harassed.⁸

- On July 19, an article called “I’ll be Killed if I Say, I’ll Die if I Do Not” was published in the newspaper *Mokhiyat*. The article, which was written by the famous journalist Karim Bakhriev who has been blacklisted by the government, discussed why totalitarian and authoritarian regimes are opposed to journalists revealing the truth. Following the publication of the article, *Mokhiyat*’s editor-in chief was reportedly removed from his post and the newspaper’s founder had to sign a written pledge never to allow the publication of similar articles again. It was believed that the government took these measures to show that the abolishment of state censorship did not give media free leeway.⁹

According to official information, 860 political and religious prisoners were released in January under an amnesty act passed in 2001.¹⁰ However, those released frequently faced persistent pressure or were rearrested.¹¹ While some local and international NGO analysts estimated that at least 7,000 people remained imprisoned because of their opinions or religious convictions, the Human Rights Society of Uzbekistan claimed that the number was considerably higher.¹²

- Yusuf Dzhumaev and his family remained under pressure by the authorities. In December 2001, the well-known poet was sentenced to three years imprisonment on charges related to one of his poems which was considered to encourage an overthrow of the constitutional order of the country. In what was believed to be a response to international protests, the sentence was suspended and Dzhumaev was immediately released.¹³ However, after his release the National Security Service (NSS) reportedly placed his home in Bukhara under surveillance. In February Dzhumaev’s son was brutally attacked by three unknown perpetrators who allegedly reminded him that “they had warned him once before.” The young Dzhumaev was also attacked in 2001 when he campaigned for his father’s release from pre-trial detention. In March, Dzhumaev was reportedly accused of theft and ordered to appear before the regional branch of the Ministry of Interior. Fearing further persecution, Dzhumaev did not comply with the order but went into hiding in Tashkent together with his son. During the following months local police reportedly paid repeated visits to Dzhumaev’s wife and demanded that she reveal the exact location of her husband. Reportedly Dzhumaev eventually returned home.¹⁴

The authorities continued to intimidate, harass and detain people critical of government polices.

⁸ CPJ, op.cit.; and RFE/RL, “Press and Information Agency Launched,” *RFE/RL Media Matters*, Vol. 2, No. 31, August 16, 2002.

⁹ CPJ, op.cit.; and RFE/RL, “Pressing the Limits of Tolerance”, *RFE/RL Media Matters*, Vol. 2, No. 33, August 30, 2002.

¹⁰ HRSU press release, February 2002.

¹¹ *Human Rights Watch World Report 2003*, at www.hrw.org/wr2k3/europe16.html

¹² Information from HRSU to the IHF.

¹³ For more information see IHF, *Human Rights in the OSCE Region: the Balkans, the Caucasus, Europe, Central Asia and North America, Report 2002 (Events of 2001)*, at www.ihf-hr.org/reports/AR2002/country%20links/Uzbekistan.htm

¹⁴ Union of Independent Journalists of Uzbekistan (UIJU) letter to Uzbek President Islam Karimov, March 21, 2002; UIJU and HRSU joint appeal March 27, 2002; and UIJU press release April 11, 2002.

Peaceful Assembly

The Uzbek constitution provides for the right to peaceful assembly. However, as in previous years, the authorities severely restricted this right in 2002. On numerous occasions police and the NSS used brutal force to prevent relatives of people imprisoned for their religious beliefs to stage demonstrations to protest prison conditions and to demand for the release of their loved ones. Participants in pickets organized to protest other human rights problems in the country were also harassed, arrested and subjected to physical abuse.¹⁵

- On July 1, more than 100 female relatives of imprisoned members of Hizb-ut-Tahrir attempted to organize a protest meeting in the city of Andijan to demand that their relatives be released and that the authorities stop persecuting people who peacefully exercise their religious beliefs. As the women gathered, groups of policemen immediately arrived at the spot, surrounded the women and pushed them onto a bus that brought them to a local police station. The women were released only after having been forced to sign documents in which they pledged never again to take part in such demonstrations. In addition, a number of them were fined.¹⁶
- On August 27, a group of human rights advocates gathered outside the Ministry of Justice in Tashkent to protest the general human rights situation in the country. However, the protest had hardly begun, when police and officers from the city administration forcefully dispersed it and arrested the participants. Reportedly some of the participants were beaten before released, including Olga Krasnova. Two other participants, Larisa Vdovina and Elena Urlaeva, both HRSU members, were brought to a psychiatric hospital for compulsory treatment.¹⁷ It was already the second time that Urlaeva, chair of the Tashkent HRSU branch, was subjected to such treatment: in 2001 she was held three months in a psychiatric hospital.¹⁸ Elena Urlaeva was released on December 30, 2002, and Larisa Vdovina was released on January 28, 2003.¹⁹

On some exceptional occasions peaceful protests were allowed take place without the authorities intervening.²⁰

Fair Trial²¹

Trials continued to be carried out in gross violation of international due process and fair trial standards. Those on trial were in most cases presumed guilty. In addition, judges routinely admitted as evidence confessions extracted under torture, which often served as the sole basis for convictions. In particular, judges had a prejudiced attitude toward members of the political and religious opposition as well as human rights defenders. These persons also reportedly experienced great difficulties in obtaining legal counsel since many lawyers were hesitant to take on their cases, citing their fears of being excluded from lawyers' associations.²²

¹⁵ Information from the HRSU to the IHF.

¹⁶ Ibid.

¹⁷ Information from the HRSU to the IHF; and RFE/RL, "Protestors rally in Tashkent," *RFE/RL Central Asia Report*, Vol. 2, No. 22, August 29, 2002.

¹⁸ For more information see IHF, op.cit.

¹⁹ Information from the HRSU to the IHF.

²⁰ Ibid.

²¹ See also Torture, Ill-Treatment and Police Misconduct and Death Penalty.

²² Information from the HRSU to the IHF.

Commenting on the verdict in a case involving a person sentenced to death on “religious extremism” and “terrorism” allegations (see section on the death penalty), Michail Ardzinov, chairman of the IHROU said: “I have heard most of the text hundreds of times at previous trials. It’s just copied and pasted from previous verdicts.”²³

- On September 18, a Tashkent district court sentenced Yuldash Rasulev, a member of the Kashkadaria HRSU branch, to seven years in prison on charges of attempting to overthrow the constitutional order, membership in a criminal organization and distributing “extremist” material. The HRSU called the proceedings a sham trial and believed that Rasulev was targeted because he has helped Muslims persecuted for their religious beliefs and is himself a practicing Muslim. According to the verdict, Rasulev had contributed to spreading “Wahhabist” ideas in the country, including by cooperating with *imams* and militants blacklisted by the government. However, during the trial no evidence to support these claims was put forward. The prosecution was only able to show that Rasulev prays five times a day and had listened to tapes discussing moral dilemmas of Islam. The prosecution also claimed that Rasulev had admitted to involvement in “extremist” activities during the investigations. However, Rasulev said that he had been abused and pressurized into signing self-incriminating statements. After the final hearing in the trial the judge only used 15 minutes to consider the case before he returned with the ten-page verdict, thus suggesting that it had been prepared in advance. After serving almost four months of his sentence, Rasulev was released under a general amnesty in early 2003.²⁴

Torture, Ill-treatment and Police Misconduct²⁵

Torture remained endemic in Uzbekistan. In spring 2002 the UN Committee against Torture (CAT) examined the second report submitted by Uzbekistan under the UN Convention Against Torture. In its conclusions the CAT expressed concern about “the particularly numerous, ongoing and consistent allegations of particularly brutal acts of torture and other cruel, inhuman or degrading treatment or punishment committed by law enforcement personnel” in the country.²⁶

The CAT also deplored the fact that judges routinely refused to take into account evidence of torture and ill-treatment presented by defendants, while they readily handed out convictions on the basis of confessions. It noted that this attitude on the part of judges, in combination with the practice to promote law enforcement officers on the basis of how many crimes they have solved, encouraged the use of coercive methods to extract confessions. Moreover, the CAT urged the government to review all convictions handed down since Uzbekistan became party to the Convention against Torture (in 1995) that were based solely on confessions.²⁷

²³ Amnesty International (AI) appeal, November 28, 2002.

²⁴ Information from the HRSU; Human Rights Watch (HRW), “Uzbek Human Rights Defender Sentenced to Imprisonment,” September 18, 2002, at www.hrw.org/press/2002/09/uzbek0918.htm; HRW, “Uzbekistan: Release more Human Rights Defenders,” January 10, 2003, at <http://hrw.org/press/2003/01/uzbek011003.htm>; and Institute for War and Peace Reporting, Galima Bukharbaeva, “Activist Jailed After ‘Sham’ Trial,” *Reporting Central Asia*, No. 148, September 23, 2002, at www.iwpr.net/index.pl?archive/rca/rca_200206_125_3_eng.txt

²⁵ See also Conditions in Prisons, Religious Intolerance and Death Penalty.

²⁶ *Conclusions and Recommendations of the UN Committee against Torture: Uzbekistan*, June 6, 2002.

²⁷ *Ibid.*

During the year there were two cases where law enforcement officials were found guilty of torture. In January, four police officers were sentenced to 20 years imprisonment for abusing two brothers who were arrested on suspicion of membership in Hizb-ut-Tahrir in October 2001, thereby killing one of them and disabling the other.²⁸ Five months later this case was followed by a second case:

- On June 6, three NSS officers were sentenced to five to fifteen years in prison for inflicting fatal injuries on Alimukhammad Mamadaliev. Mamadaliev, who also was arrested on suspicions of involvement in Hizb-ut-Tahrir, was beaten and kicked for several hours in the Margilan NSS department in November 2001. As a result, he contracted a fractured neck and spinal cord injuries, which caused his death. Following his death, the convicted officers dumped his body into a canal, and informed his family that he had escaped from custody.²⁹

While the guilty sentences in these two cases were welcome, numerous other cases of suspicious deaths in custody and countless cases of torture were neither investigated nor punished.

- On February 7, Ikrom Aliev was reportedly taken to his family from the Navoi prison, where he had been detained on charges related to his religious activities. Two days later he died. According to Aliev's relatives he was unable to move the right side of his body, had a swollen head and could not speak when he was returned from prison. The authorities claimed that this was due to tuberculosis, but a doctor later confirmed that he had been beaten on the head with a heavy object.³⁰
- On August 8, the bodies of Husnidin Alimov and Muzafar Avazov were returned to their relatives for burial. Both men had been imprisoned for their religious activities in the infamous Jazlyk prison camp. Sixty to seventy percent of Avazov's body bore clear signs of burns, apparently from immersion in boiling water. According to his relatives the back of his head also had a gaping wound and his hands had no fingernails. The IHF is in the possession of photographs attesting to the gravity of the injuries. The prosecutor also warned the family of Avazov against giving information about the case to the media and others. Moreover, the authorities reportedly restricted the viewing of Alimov's body, with the police accompanying the corpse and being present during the funeral. In a statement published in September, the IHF criticized the inadequate investigations into the circumstances of these two deaths, and expressed disappointment with claims by Uzbek officials that the two men had sustained their deadly injuries as a result of fighting.³¹
- On October 9, Izatullo Muminov, a father of four, died in detention facilities held by the Ministry of Interior in Tashkent. Two days before he had been arrested on robbery allegations. According to the police he hanged himself, but the HRSU believed that he had died as a result of torture.³²

In late 2002, the Uzbek government finally agreed to allow the UN Special Rapporteur on Torture, Theo van Boven, to visit the country after refusing to do so for several

²⁸ For more information see the IHF, op.cit.

²⁹ *RFE/RL Newslines* June 7, 2002; and Institute for War and Peace Reporting, Galima Bukharbaeva, "Officers Jailed over Torture Death," *Reporting Central Asia*, No. 125, June 21, 2002.

³⁰ *Human Rights Watch World Report 2003*

³¹ See IHF, "Death by torture in Uzbekistan," September 23, 2002; and *IHF Statements to the OSCE Human Dimension Implementation Meeting in Warsaw 9-19 September 2002*, at www.ihf-hr.org/reports/osce02/IHF%20InterventionsOSCEWar02%20.pdf

³² Information from the HRSU to the IHF.

years. The Rapporteur visited Uzbekistan for two weeks in November-December. Before his departure Boven told journalists that the use of torture was systematic in the country. He concluded that: “confessions are gained by use of torture and other forms of callous treatment, and are then used as evidence of guilt at trials which deliver harsh sentences – including the death penalty.”³³

The rapporteur deplored the fact that he was prevented from visiting the NSS investigative jail in Tashkent. He was also not granted the opportunity to visit several other prison facilities, including the Jazlyk prison camp; the official reason being “bad weather conditions.” According to the HRSU, the failure of the authorities to cooperate fully with the UN special rapporteur indicated that they “have a lot to hide from the international community.”³⁴ It was expected that a report from the rapporteur’s visit be published in March 2003.³⁵

Conditions in Prisons and Detention Facilities

The country’s penitentiaries were grossly overcrowded, and sometimes accommodated up to five times the number of inmates they were built for. At the same time inmates were treated in a degrading way and regularly deprived of basic needs, including sufficient food and medical care. As a consequence, undernourishment and diseases such as tuberculosis and hepatitis were widespread, and frequently resulted in the deaths of prisoners. For example, an average of ten people reportedly died in the Tashkent colony Uja 64/18 every day.³⁶

Inmates were also often subjected to torture. In particular, people imprisoned for their religious activities suffered this fate: prison guards routinely abused devoted Muslim prisoners in order to force them to disavow their religious convictions and to swear loyalty to the government. During the year there were numerous cases in which inmates died under circumstances that raised suspicions that they had been tortured to death. The authorities failed to undertake any proper investigations into these cases.³⁷

Religious Intolerance³⁸

Muslims

Muslim institutions that were registered with the authorities remained under strict state control. At the same time the authorities continued – for the fifth year – their relentless campaign against Muslims who were not affiliated with such institutions. While this campaign was officially waged to combat “religious extremism,” the authorities failed from the onset to make any distinction between the small minority of independent Muslims who advocated violent means and the vast majority who exercised their beliefs peacefully. As in

³³ Institute for War and Peace Reporting, Olga Borisova, “Widespread Torture Uncovered,” in *Reporting Central Asia*, No. 169, December 13, 2002, at www.iwpr.net/index.pl?archive/rca/rca_200212_169_1_eng.txt

³⁴ Information from the HRSU to the IHF.

³⁵ See UN Press release, “Special Rapporteur on Torture Completes Mission to Uzbekistan,” December 11, 2002.

³⁶ Information from the HRSU to the IHF.

³⁷ HRW, *Briefing Paper: Religious Persecution of Independent Muslims in Uzbekistan from September to July 2002*, August 20, 2002, at <http://hrw.org/backgrounder/eca/uzbek-aug/uzbek-brief0820.pdf>

³⁸ See also Torture, Ill-Treatment and Police Misconduct, Prison Conditions, and Death Penalty.

previous years, also in 2002 independent and peaceful Muslims were arrested, tortured and during unfair trials convicted for various “extremist” activities.

In April President Karimov vowed to continue the struggle against Hizb-ut-Tahrir (the Party of Liberation) – which advocates the establishment of an Islamic Caliphate in Central Asia – until the movement has been entirely eliminated.³⁹ Ever since the authorities began their large-scale clampdown on “fundamentalist” Muslims in 1997, this movement has been a major target. In a new trend, numerous female members of the movement were detained and prosecuted, apparently because most male members already were imprisoned or had gone underground.⁴⁰ Those female Muslims that were convicted received relatively lenient sentences. However, the mere fact that they were imprisoned showed that the authorities no longer hesitated going against the traditional attitudes in Uzbek society, which render it a very harsh measure to detain women.⁴¹

By early November, Human Rights Watch had registered 167 cases in which independent Muslims had been convicted or charged for the exercise of their religious beliefs since the beginning of the year. However, it was believed that the actual number of such convictions and charges were much higher.⁴² The IOHRU estimated that a total of about 5,000 Hizb-ut-Tahrir activists remained imprisoned.⁴³

- On March 26, the Fergana Province Court convicted a group of fourteen people charged with “Wahhabism” and sentenced them to between 3.5 and 13.5 years imprisonment.⁴⁴ The sentences were primarily based on self-incriminatory statements that the defendants had made during the investigation into their cases. The defendants claimed that police had used torture to coerce them to confess their guilt and therefore retracted their confessions during the trial. However, the judge dismissed these claims, arguing that the defendants only tried to avoid punishment.⁴⁵
- On April 24, a Tashkent court convicted four women for membership in Hizb-ut-Tahrir and handed down sentences ranging between two years of probation to four years in prison to them. According to the women, their religious activities had solely amounted to meeting in private homes for prayer and study. One of the women alleged that police had used physical violence in an attempt to coerce her and her co-defendants to confess, but these allegations were not taken into account by the court.⁴⁶
- On July 16, a Tashkent court found Musharraf Usmanova guilty of chairing a female Hizb-ut-Tahrir group and gave her a suspended two-year prison sentence. The trial lasted only one day. The verdict was based on rumours and testimonies that allegedly had been obtained by coercion and that were retracted in court. Prior to trial Usmanova was held in *incommunicado* detention for about two weeks. Usmanova is

³⁹ Institute for War and Peace Reporting, Galima Bukharbaeva, “Karimov Steps up War on Islamists,” *Reporting Central Asia*, No. 118, May 2, 2002, at www.iwpr.net/index.pl?archive/rca/rca_200205_118_1_eng.txt

⁴⁰ Information from the HRSU to the IHF

⁴¹ HRW, *Briefing Paper: Religious Persecution of Independent Muslims in Uzbekistan from September to July 2002*, August 20, 2002.

⁴² *Human Rights Watch World Report 2003*

⁴³ Institute for War and Peace Reporting, Galima Bukharbaeva, “Karimov Steps up War on Islamists,” *Reporting Central Asia*, No. 118, May 2, 2002.

⁴⁴ *BBS Monitoring Service*, March 26, 2002, citing Birlik website March 25, 2002.

⁴⁵ HRW, *Briefing Paper: Religious Persecution of Independent Muslims in Uzbekistan from September to July 2002*, August 20, 2002.

⁴⁶ HRW, “Round-up of Women Linked to Islamic Groups,” May 1, 2002, at <http://hrw.org/press/2002/05/uzbek-women.htm>

the widow of Farhad Usmanov, a well-known Muslim activist, who was tortured to death in police custody in 1999.⁴⁷

Other Religious Communities

During the year the authorities increasingly harassed unregistered non-Muslim minority religious communities, while continuing to deny them registration. By law, religious communities only needed to register in order to act as public organizations. However, in reality the authorities used the lack of registration as a pretext to crack down on believers who conducted meetings in private homes. Following such raids, numerous people were fined for participating in “illegal” religious activities or possessing “illegal” religious material.

Among the communities targeted were various Protestant churches. However, the authorities particularly singled out Jehovah’s Witnesses, who faced harassment almost daily. According to an official expert study used as evidence in the trial against Marat Mudarisov (see below), Jehovah’s Witnesses were considered to hold religious beliefs threatening national security. This conclusion was *inter alia* motivated by the fact that they refused to serve in state offices or in the military.⁴⁸

- On October 30, police officers arrested Aleksei Rajabov, a 17-year-old Jehovah’s Witness, in the town of Kagan in the western part of Uzbekistan. According to the police, he was arrested because he was found to possess copies of the Jehovah’s Witnesses magazines *The Watchtower* and *Awake!* Following the arrest, he was taken to the local police station, where the police officers reportedly beat him in his kidney area and around the head and forced him to lie in a strained position on a cold floor for several hours. Rajabov was only released about 12 hours later.⁴⁹
- On November 29, a Tashkent district court found Marat Mudarisov, a Jehovah’s Witness, guilty of “inciting religious hatred” (article 156 of the Criminal Code) and handed down a three-year suspended prison sentence. The charges against Mudarisov were related to a leaflet that had been found in his possession and that was considered to contain ideas irreverent to Islam. However, the defense argued that the leaflet had been planted on Mudarisov, who is an ethnic Tatar and does not speak Uzbek. Moreover, police had reportedly warned Mudarisov in advance that unless he pledged never to attend Jehovah’s Witnesses meetings again they would find “illegal” literature in his possession. Although Mudarisov was also reportedly beaten, he did not agree to make such a pledge. Mudarisov was the first member of a minority religious community in the country to be convicted on criminal charges directly related to his religious activities.⁵⁰ On February 7, 2003, an appeals court upheld the ruling against Mudarisov.⁵¹

⁴⁷ HRW, *Briefing Paper: Religious Persecution of Independent Muslims in Uzbekistan from September to July 2002*, August 20, 2002; *Human Rights Watch World Report 2003*.

⁴⁸ Human Rights Without Frontiers, “Conviction of Jehovah’s Witness sets religious precedent,” December 5, 2002.

⁴⁹ Keston Institute, Igor Rotar, “Police beat up teenage Jehovah’s Witness,” *Keston News Service*, November 8, 2002.

⁵⁰ Keston Institute, Igor Rotar: “Guilty of religious activity,” *Keston News Service*, August 23, 2002; Igor Rotar: “Contradictory evidence at Jehovah’s Witness trial,” *Keston News Service*, November 1, 2002; Igor Rotar: “Jehovah’s Witness freed, but trial continues,” *Keston News Service*, November 28, 2002; Human Rights Without Frontiers, “Conviction of Jehovah’s Witness sets religious precedent,” December 5, 2002.

⁵¹ RFE/RL, “Uzbek Crime Watch”, *RFE/RL Central Asia Report*, Vol. 3, No. 7, February 14, 2003.

Death Penalty

The death penalty remained in use. This gave rise to particular concern given the widespread use of torture in the country and the practice of sentencing defendants on the basis of self-incriminating statements that were extracted under duress.

- On November 28, the Tashkent city court sentenced Iskandar Khudoiberganov to death on charges of “religious extremism” and various anti-state activities, including terrorism. During the trial, no concrete evidence to support the charges against Khudoiberganov was presented. The verdict against him was primarily based on a confession that he claimed had been extracted under torture while he was held in pre-trial detention.⁵² According to Khudoiberganov: “they tied my hands from behind, hit me with truncheons and chairs and kicked me in the kidneys. They didn’t let me sleep. For weeks they didn’t give me food to force me to confess. They said: ‘think of your relatives, your mother, your wife, your sister, think of their honour. We’ll bring them here and rape them in front of your eyes’. Only then I gave in and signed what they wanted me to sign.”⁵³ The judge entirely dismissed all allegations of torture and reportedly told Khudoiberganov that the Ministry of Interior “is not a holiday resort.” In the same trial five other men were also found guilty of “religious extremism” and sentenced to between six and 16 years imprisonment on the basis of confessions that allegedly were obtained under duress.⁵⁴ On January 28, the sentence against Khudoiberganov was upheld on appeal.⁵⁵

Human Rights Defenders

In an unprecedented but welcome move, the authorities registered the IHROU in March, shortly before President Karimov visited the United States. However, numerous other civil society and human rights groups, which sought legal status to work openly and fulfill their mandates, continued to be denied legal status. For example, in February, the authorities for the fifth time rejected an application for registration by the HRSU.

Moreover, the authorities exercised heavy pressure on human rights defenders throughout the year. Human rights groups experienced great difficulties in conducting meetings as well as in publishing and distributing information. At the same time their members faced intimidation and harassment and were detained on trumped-up charges.

During the year a total of seven members of the HRSU were imprisoned and two were forcibly confined in a psychiatric institution⁵⁶. In an appeal to President Karimov, the participants of the November IHF general assembly called for the release of the detained HRSU members. The general assembly participants emphasized that nobody should be prosecuted for their beliefs and/or human rights activities.⁵⁷

⁵² AI Appeal, Uzbekistan, November 28, 2002; HRW, “Alleged Torture Victim Sentenced to Death,” December 4, 2002.

⁵³ AI Appeal, Uzbekistan, November 20, 2002.

⁵⁴ AI Appeal, Uzbekistan, November 28, 2002; HRW, “Alleged Torture Victim Sentenced to Death,” December 4, 2002, at <http://hrw.org/press/2002/12/uzbek1204.htm>

⁵⁵ *RFE/RL Reporting Central Asia*, Vol. 3, No. 6, February 6, 2003.

⁵⁶ See Peaceful Assembly.

⁵⁷ IHF, “Participants of the IHF General Assembly Meeting Express Their Concern about the Fate of Human Rights Activists in Uzbekistan to the President of the Republic of Uzbekistan, Mr. Islam Karimov,” November 16, 2002, at www.ihf-hr.org/appeals/021116.htm.

- On September 16, the Nishansky district court in the region of Kaskha-Darya sentenced Jura Muradov, Musulmonkul Hamraev and Norpulat Radjapov, all members of the regional HRSU branch, to six, five and a half and five years imprisonment, respectively, on allegedly fabricated charges of “hooliganism” and other violent crimes. The Kaskha-Darya HRSU branch, which was founded only in May 2002, had actively monitored and criticized abuse of power on the part of local authorities and police.⁵⁸
- On November 30, Tursinbay Utamuratov, chair of the Karakalpakistan HRSU branch, was sentenced to nine years in prison on charges of tax evasion and violations of commerce legislation. According to the HRSU, the charges against Utamuratov were motivated by the fact that he had worked to shed light on local corruption. In 1996, Utamuratov had already been sentenced to five years imprisonment on allegedly fabricated charges and was granted amnesty in 1997.⁵⁹

⁵⁸ RFE/RL, “Activists Sentenced after Complaining about Corruption,” *(Un)Civil Societies*, Vol. 3, No. 38, September 18, 2002.

⁵⁹ Information from the HRSU to the IHF.