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# UZBEKISTAN

OBSERVATORY FOR THE PROTECTION OF HUMAN RIGHTS DEFENDERS  
ANNUAL REPORT 2011

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In 2010-2011, human rights defenders remained seriously threatened through the authoritarian rule of President Islam Karimov. Many defenders continued to serve long prison terms and were subjected to poor conditions of detention and obstacles to their visiting rights. Others remained in exile. Human rights defenders faced serious obstacles to exercise their freedoms of expression, association and peaceful assembly. The general lack of space for any form of political or social dissent, the widespread corruption and the lack of an independent judiciary created an environment in which defenders were regularly harassed by law enforcement and State security agencies without any recourse.

## Political context

In 2010-2011, freedoms of expression, peaceful assembly and association remained highly restricted, including under the pretext of the fight against terrorism and religious extremism. The control of the Government over broadcast media was again tightened. Major independent websites were partially or completely blocked. Social networks were also periodically cut off<sup>1</sup>. Journalists, civil society activists and opposition members continued to be harassed, ill-treated and prosecuted for attempting to communicate information on the country's socio-political situation or voicing an opinion dissenting with Government's policy. The Government's security policy also permitted close surveillance of the population, in particular civil society activists, who were followed in the street, their communications monitored and their homes placed under surveillance. Again, no human rights organisation nor any political party was registered in the course of the year.

With a judiciary lacking independence, there was no check on the Executive. Impunity thus remained the rule. There were no independent investigation into human rights violations. This remained also true in regards to the May 2005 Andijan massacre. The criminal justice system, which is not only corrupted but also subject to the orders and control of the executive and security services, made possible an increase of arrests and convictions on political grounds. As of April 2011, dozens of Government critics and political opponents, including several human rights defenders,

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1/ See Reporters Without Borders (RSF) Report, *Internet Enemies 2011 - Uzbekistan*, March 11, 2011.

continued to serve long prison terms on trumped-up charges<sup>2</sup>. In addition, reports of torture or other ill-treatment of detainees continued with no accountability.

### **Continuing arbitrary detention of human rights defenders in inhuman conditions**

While Mr. **Farkhad (Farkhodhon) Mukhtarov**, a member of the Uzbekistan Human Rights Alliance (*Pravozashchitni Alians Uzbekistana - PAU*), was released on the eve of a visit to Uzbekistan of the United States Secretary of State, Ms. Hillary Clinton, on December 2, 2010, after having served sixteen months of a four-year sentence on charges of “fraud” and “bribery”, as of April 2011 several human rights defenders were still serving long prison terms following unfair trials. None of them was included in the amnesties granted on the eve of the Independence Day, on September 1, or of the Constitution Day, on December 8<sup>3</sup>. Those detained included: Mr. **Solijon Abdurahmanov**, a journalist detained since 2008 in prison colony U/Ya 64/61, near Karshi, Kashkadarya region; Mr. **Yusufjon Jumaev** (alias **Yusuf Jumaev**), poet, writer and Head of the human rights organisation “Sahroi Sherlar” (Lions of the Deserts), detained since 2007 and held in prison colony U/Ya 64/71, Jaslyk, Karakalpak Republic<sup>4</sup>; Mr. **Agzam Turgunov**, Executive Director and Founder of “Mazlum” (Suppressed) Human Rights Centre, detained since 2008 and held in prison colony U/Ya 64/49 of Karshi; Mr. **Abdurasul Hudonazarov**, Chairman of the Angren city branch of the human rights organisation “Ezgulik” (Solidarity), detained since 2006 and held in the U/Ya 64/21 strict regime prison colony in Bekabad, Tashkent region; Mr. **Nasim Isakov**, member of the Jizzakh regional branch of the Human Rights Society of Uzbekistan (HRSU), detained since 2005 and held in prison colony U/Ya 64/3 in Tavaskai, Tashkent region; Mr. **Jamshid Karimov**, member of the Jizzakh regional branch of HRSU, detained in a psychiatric hospital since 2006 and held at Samarkand psychiatric hospital; Mr. **Zafar Rahimov**, a member of the Kashkadarya regional branch of HRSU, detained since 2007; Mr. **Yuldash Rasulov**, a member of the Kashkadarya regional branch of HRSU detained since 2007 and held in prison colony U/Ya 64/25, Bukhara region; Mr. **Ganikhon Mamatkhanov**, a member of the Committee for the Protection of Individual Rights and of the Independent Human Rights Society in Uzbekistan, detained since 2009 and held in prison colony

2/ See Human Rights Society of Uzbekistan (HRSU).

3/ They were commonly attributed by the colony administration fabricated violations of “prison internal rules” to be considered in breach of amnesty criteria. See HRSU.

4/ Mr. Jumaev was released on May 19, 2011 and left for the USA to be reunited with his family after being forced to give up his Uzbek citizenship.

U/Ya 64/47, in Kiziltepa near Kharshi; Mr. **Azamjon Formonov**, Chairman of the Syrdarya regional branch of HRSU, detained since 2006 and held in strict regime prison colony U/Ya 64/71, Jasylyk; Mr. **Maxim Popov**, Educator and Director of the Uzbek NGO Izis working on HIV prevention, detained since 2009 and held in prison colony U/Ya 64/29, in Navoi; Mr. **Khabibilla Okpulatov**, a member of the Ishtikhan regional branch of HRSU, detained since 2005 and held in the U/Ya 64/45 strict regime prison colony in Almalik, Tashkent region<sup>5</sup>; Mr. **Norboy Kholjigitov**, member of the Ishtikhan regional branch of HRSU, detained since 2005 and held in prison colony U/Ya 64/61 in the village of Shaihali near Karshi; Mr. **Alisher Karamatov**, Head of the Mirzaabad regional branch of HRSU, detained since 2006 and held in the U/Ya 64/18 medical facility until January 2011 when he was transferred to prison colony U/Ya 64/49 of Karshi; Mr. **Gaybullo Jalilov**, a member of the Karshi regional branch of HRSU and a fighter for the right to freedom of conscience in Uzbekistan, who was sentenced on January 18, 2010 to nine years in prison, held in the strict regime colony in Sadovyi, Tashkent region<sup>6</sup>; Mr. **Dilmurod Saidov**, a journalist and member of Ezzulik, detained since 2009 and held in prison colony of strict regime U/Ya 64/36 in Navoi.

Moreover, the above-mentioned defenders continued to serve their prison sentences in very poor conditions of detention and were subjected to ill-treatment, resulting amongst others in the serious deterioration of their health. In addition, during inspections conducted by the International Committee of the Red Cross (ICRC), human rights defenders in poor health were hidden by the colony's administration. Visiting rights of their relatives were also severely restricted. For example, Mr. Gaybullo Jalilov's health seriously deteriorated. During the summer of 2010, Mr. Jalilov, who suffers from a nervous breakdown and kidney disease, reportedly received a heavy blow by a colony guard in the ear that left him nearly deaf on both ears after he refused to sing with other prisoners the hymn of the Republic of Uzbekistan. As to Mr. Norboy Kholjigitov, he was interrogated about a letter he sent to the President on May 5, 2010 asking to be transferred to a prison clinic for medical treatment, and subsequently accused of violating eight internal rules of the prison<sup>7</sup>. On August 11, 2010, his wife who was visiting him in the prison was interrogated by the National Security Services (SNB)

5/ On December 25, 2009, his lawyer sent an appeal to the Supreme Court of Uzbekistan. As of April 2011, he had not received any reply.

6/ On August 4, 2010, Mr. Jalilov received an extension of his sentence to an additional two years, one month and five days under Articles 159.3 and 244.2 Part 1 of the Criminal Code, based on a new witness testimony. On September 28, 2010, the Kashkadarya Regional Criminal Court upheld in appeal this sentence.

7/ For example "wearing dirty clothes".

about the letter her husband had sent to the President, and threatened. She was then requested to leave the prison after the first day of her two-day visit. During a visit of the ICRC representatives conducted from January 24 to 28, 2011 to the prison colony U/Ya 64/61, Mr. Kholjigitov was placed in a solitary confinement cell of the Kasan local police precinct of Kashkadarya region, where he was kept until January 28, before being brought back to the U/Ya 64/61 colony. At the same period, the colony's chief medical practitioner had prescribed him to be placed in a medical facility, but the head of the colony administration refused. Similarly, on January 22, 2011, Mr. Azamjon Formonov was transferred for a few days to the U/Ya 64/SI-9 prison in Nukus, Karakalpak Republic, at the time of an ICRC visit<sup>8</sup>. The health of Mr. Alisher Karamatov, who suffers from tuberculosis he developed in detention, continued to deteriorate throughout 2010 as he did not receive appropriate medical care. In addition, he was not authorised to call home whereas each prisoner is normally entitled to four calls per year. On August 10, 2010, his wife was permitted to visit him for 40 minutes instead of the three-day visit she was normally entitled to, allegedly because of "a too great number of visitors"<sup>9</sup>. In December 2010, after meeting with ICRC representatives, Mr. Karamatov was harassed by law-enforcement agencies<sup>10</sup>. Mr. Khabibilla Okpulatov's health also deteriorated. His eyesight became worse, he lost a lot of weight and had difficulty to walk due to the numbness of his right leg. Besides, Mr. Okpulatov was subjected to constant acts of harassment and humiliation<sup>11</sup>.

### Ongoing judicial harassment against human rights defenders

Human rights defenders also continued to be subjected to persecution and judicial harassment as reprisals for their human rights activities. On February 10, 2010, Ms. **Umida Ahmedova**, a photographer and filmmaker, was found guilty by the Mirabad District Court in Tashkent of "slander" and "insult", under Articles 139 and 140 of the Criminal Code respectively, regarding her book of photographs entitled "Women and Men:

8/ See Jizzakh regional branch of HRSU Press Release, February 24, 2011.

9/ There are 18 visiting rooms for 3,000 prisoners. Similarly, on January 5, 2010, instead of three days, she could only see him one day. See Jizzakh regional branch of HRSU Press Release, January 12, 2010.

10/ He received a visit from an officer of the SNB, who asked many questions about his relatives. The Superintendent of the colony U/Ya 64/49 also met him, asking why he had spoken badly about the conditions in the colony to the ICRC representatives. See Jizzakh regional branch of HRSU Press Release, January 12, 2010. When the ICRC visited Mr. Karamatov again mid-March 2011, they were this time accompanied by three members of the Uzbek police. See HRSU.

11/ For instance, he was not allowed to write and receive letters, neither to use the library nor pray. On the eve of the amnesty dedicated to the Day of Independence on September 1, 2010, the administration of the colony attributed two violations of internal rules to him. They allegedly found a cigarette butt in his bed and accused him of growing a beard. At the end of December, he received five similar accusations, among them one for allegedly using a dirty towel.

From Dawn to Dusk” as well as her documentary films “Women and Men in Customs” and “Rituals and Virginity Code”. The judge announced that he would not apply a sentence as she was amnestied in honour of the 18<sup>th</sup> anniversary of Uzbekistan’s independence. On March 11, 2010, Ms. Ahmedova appealed the conviction before the District Court of Appeals of Tashkent. Ten days later, she lodged another appeal before the Supreme Court of Uzbekistan. As of April 2011, she still had not received any reply. On February 7, 2011, Mr. **Tursunbek Turazode**, a member of the Tashkent regional branch of Ezgulik and a journalist, was arrested by policemen of the Internal Affairs Directorate of Syrdarya district on accusations of “fraud”. On April 8, the investigation was closed and the case was referred for trial. No date had been scheduled as of the end of April 2011<sup>12</sup>.

### Harassment of human rights defenders by law-enforcement agencies

In 2010-2011, human rights defenders and their relatives were again constantly harassed by law-enforcement agencies, in particular by SNB agents, and were imposed heavy fines exceeding by dozens their income that they were not able to pay. They most often received summons that did not specify what they were accused of and stood trial *in absentia*, receiving court decisions by post. Human rights defenders regularly brought complaints before the Prosecutor General’s office and other institutions, but none of them responded to their queries<sup>13</sup>. For instance, on April 21, 2010, Ms. **Tatyana Dovlatova**, a member of PAU, received a visit of five policemen in plain clothes, who tried to enter her house, saying they were gas workers. When she requested a receipt, they said she was on the “wanted” list and demanded her to come to the Khamzinsky police department of Tashkent. When she refused to let them in, they entered the house by force without a search warrant. They tried to make her go to the police department, despite the fact that she was recovering from a serious surgery. They left her alone only when doctors arrived in an ambulance and said she could not be transported. The following days, Ms. Dovlatova received several visits by the district police but she refused to go to the Khamzinsky police department because of her health condition<sup>14</sup>. In some cases, SNB agents attempted to intimidate specifically women human rights defenders through pressures against their family members. For example, at the end of February 2011, members of the SNB of Kashkadarya region asked relatives of Ms. **Bashorat Khidirova**, a member of the human rights NGO “Birdamlik” (Solidarity) in Karshi,

12/ See Ezgulik Press Release, February 9, 2011.

13/ See Jizzakh regional branch of HRSU and PAU.

14/ See PAU.

to beat her and her colleague Ms. **Gulshan Karaeva**<sup>15</sup>. On February 23, 2011, two officers from the Municipal Department of the Interior of Jizzakh visited the home of Mr. **Bakhtiyor Hamraev**, a human rights defender in Jizzakh, and without providing any reason asked to check all of Mr. Hamraev's documents, including his passport and title deed for his house. They left after he refused to provide these documents<sup>16</sup>. In March 2011, Ms. **Saida Kurbanova**, Chairwoman of Pahtakor district branch of HRSU, Jizzakh region, was subjected to pressure on several occasions following the publication of an article related to poor conditions in Pahtakor birth centre. On March 15, 2011, a police officer of the village of Chamanzor came to Ms. Kurbanova's house and demanded her to accompany him to the Head of the Pahtakor District Department of Interior. Ms. Kurbanova refused to go without receiving a summon and without being accompanied by a lawyer. The police came three times to the house of Ms. Kurbanova and requested her to come to the police department to write a letter of explanation about the articles she had written but she refused<sup>17</sup>.

Human rights defenders were also regularly searched at the border, on some occasions in the absence of witnesses and on others in the presence of non-independent witnesses. For instance, on March 24, 2011, members of PAU Ms. **Elena Urlaeva**, Chairwoman, Ms. **Gavkhar Berdieva**, Ms. **Sharifa Tuychibaeva**, Ms. **Victoria Bajenova**, Messrs. **Vladimir Husainov**, **Akramhodja Mukhiddinov**, **Hayitboy Yakubov** and **Yuldash Ali Husainov** as well as **Bakhodir Namazov**, Chair of the Committee for the Release of Prisoners of Conscience and Director of HRSU, were searched at the passport control and customs of Tashkent airport while returning from a human rights seminar in Kazakhstan. Ms. Bazenova was searched by a policewoman and an employee of the customs for an hour in the presence of two witnesses. During the search of Mr. Husainov's luggage, a customs officer took away his notebook. He confiscated all business cards that Mr. Husainov had received during the seminar. He read through the notes he had taken and returned them. Ms. Urlaeva was brought to a special interrogation facility, where there was a camera and a recorder. A policewoman started unpacking Ms. Urlaeva's bags shouting at her. Ms. Urlaeva felt sick and asked for a doctor. The policewoman ignored her request but, when her state of health became critical, she called an ambulance. The policewoman gave her a copy of the search protocol that read that nothing illegal had been found. They were all allowed to leave<sup>18</sup>.

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15/ See PAU Press Release, February 27, 2011.

16/ See Jizzakh regional branch of HRSU Press Releases, February 23 and March 17, 2011.

17/ See Jizzakh regional branch of HRSU Press Release, March 15, 2011.

18/ See PAU Press Release, March 24, 2011.

## Violations of freedom of movement, including the right to leave one's own country

Human rights defenders continued to regularly face difficulties in obtaining an exit visa that is required for leaving Uzbekistan. For instance, **Mr. Dmitry Tikhonov**, a member of PAU, who provides legal assistance to victims of human rights violations in the town of Angren, Tashkent region, was not able to obtain an exit visa from the Ministry of Internal Affairs for almost ten months. On May 26, 2010, he applied to the Department of Exit and Entry and Citizenship of the Department of Interior of Tashkent region for a temporary exit visa. As he did not receive a reply, he renewed his request several times. On November 4, he appealed to the Mirza-Ulukbek Civil Court of Tashkent against the three administrations responsible for the grant of visas. On March 23, the Tashkent Region Court of Appeals rejected his complaint. However, a day prior to the hearing, Mr. Tikhonov received a phone call from the administration of the Department of Exit and Entry and Citizenship of Tashkent region according to which the Interior Ministry had granted him a visa, which he received on March 24<sup>19</sup>. As of April 2011, several human rights defenders had not received an exit visa, including Ms. Saida Kurbanova, who has been waiting for such a visa since April 2008, Mr. **Mamir Azimov**, Chairman of the Jizzakh regional branch of HRSU, and Mr. **Uktam Pardaev**, Chairman of the Jizzakh regional branch of the Independent Human Rights Association of Uzbekistan<sup>20</sup>.

## Violations of freedom of peaceful assembly

On the eve of May 13, 2010, the day of commemoration of Andijan events, as well as on national holidays and days of visits by foreign politicians, such as the visit in April 2010 and 2011 of the United Nations Secretary General Ban Ki-moon, human rights defenders in Tashkent were systematically prevented by law-enforcement agents from leaving their homes or impeded to access meetings organised to denounce the human rights situation in the country. They were also kept in police department until the evening and then released without charges. Human rights defenders working in the regions were often impeded from coming to the demonstrations that took place in the capital. They were forced to leave buses or cars and brought back home by the police. For instance, on May 13, 2010, officers of the special forces prevented Ms. **Salomata Boimatova**, Ms. **Zoe Yangurazova**, Ms. **Gavkhar Ismoilova**, Ms. Tatyana Dovlatova, Messrs. **Rasuljon Tadjibaev**, Akramhodja Mukhiddinov, Vladimir Husainov, members of PAU, and Mr. **Anatolii Baraksin**, a member of

19/ See PAU.

20/ See Jizzakh regional branch of HRSU.

HRSU, Ms. Elena Urlaeva as well as Mr. Bakhodir Namazov, from leaving their homes. For example, Ms. Urlaeva tried to leave her house but she was stopped by policemen and brought back home, where she was guarded by the Chief of Mirzo-Ulukbek Interior District Anti-Terrorism Department of Tashkent and two of his colleagues. Again, on August 31 and September 1, 2010, Ms. Elena Urlaeva, Ms. Tatyana Dovlatova, Messrs. **Gulshan Karaeva**, member of PAU in Karshi, Bakhodir Namazov, Akramkhodja Mukhiddinov and **Abdullo Tadjibai-Ugly**, active in promoting fair and transparent elections, were put under house arrest or placed under strict control by secret services agents. On September 2, 2010, Ms. Urlaeva sent a collective complaint to the Presidential Administration and the General Prosecutor's office but, as of April 2011, she had not received any reply.

### Closure of HRW office in Uzbekistan

While no independent Uzbek human rights NGO was registered in 2010-2011, on March 10, 2011, the international NGO Human Rights Watch (HRW) was informed about the closure of its office in Tashkent after 15 years in Uzbekistan. The Government had been trying to interfere with its work for years by denying visas and work accreditation to its staff. In December 2010, Mr. **Steve Swerdlow**, Director of HRW Tashkent office, was denied accreditation by the Ministry of Justice to represent HRW in the country. These acts may be related to HRW's role in collecting evidence on human rights abuses committed during and since the 2005 Andijan repression<sup>21</sup>.

### Urgent Interventions issued by The Observatory from January 2010 to April 2011

Name	Violations / Follow-up	Reference	Date of Issuance
Messrs. <b>Norboy Kholjigitov, Khabibulla Okpulatov, Salijon Abdurahmanov, Yusuf Juma, Alisher Karamatov, Agzam Turgunov, Abdurasul Hudoynazarov, Nasim Isaqov, Jamshid Karimov, Mashrab Jumaev, Zafar Rahimov, Yuldash Rasulev, Dilmurod Sayidov, Farkhodkhon Mukhtorov, Ganikhon Mamatkhanov and Gaybullo Jalilov</b>	Arbitrary detention / Bad health conditions	Open Letter to the authorities	January 27, 2010
		Open Letter to the authorities	September 16, 2010



Name	Violations / Follow-up	Reference	Date of Issuance
Mr. Gaybullo Jalilov	Sentencing / Judicial harassment / Arbitrary detention	Urgent Appeal UZB 010/1209/OBS 183.1	December 3, 2010
Ms. Umida Ahmedova	Judicial harassment	Urgent Appeal UZB 011/1209/OBS 197.1	February 16, 2010
Mr. Dmitry Tikhonov	Assault	Urgent Appeal UZB 001/0310/OBS 030	March 4, 2010
Ms. Salomat Baymatova, Ms. Zoe Yangurazova, Ms. Gavkhar Ismoilova, Ms. Elena Urlaeva, Ms. Tatyana Dovlatova, Messrs. Rasuljon Tadjibaev, Akramkhodja Mukhiddinov, Anatolii Baraksin, Bakhodir Namazov, Vladimir Khusainov, Gaybullo Jalilov, Nasim Isakov, Norboy Kholjigitov, Khabibilla Okpulatov, Yuldosh Rasulov, Azamjon Formonov, Jamshid Karimov, Zafar Rakhimov, Alisher Karamatov, Salijon Abdurakhmanov, Yusuf Jumaef, Agzam Turgunov, Dilmurod Saidov, Farkhad Mukhtarov, Abdurasul Khudoynazarov, Ganikhon Mamatkhanov and Maxim Popov	Acts of harassment	Press Release	May 26, 2010
Messrs. Gulchan Karaev, Bakhodir Namazov, Akramkhodja Mukhiddinov, Dmitry Tikhonov, Abdullo Tadjibai-Ugly, Ms. Tatyana Dovlatova and Ms. Elena Urlaeva	Obstacles to the freedom of peaceful assembly / Arbitrary arrest / Release / Threats / House arrest	Open Letter to the authorities	September 16, 2010