

Human Rights in Uzbekistan— A Record that Jeopardizes Security

Report by

The International Helsinki Federation for Human Rights (IHF)
and
The Human Rights Society of Uzbekistan (HRSU)

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The IHF has consultative status with the United Nations and the Council of Europe.

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Introduction

Uzbekistan's human rights record is among the worst in the Organization for Security and Cooperation on Europe (OSCE) region. Human rights violations in Uzbekistan are increasingly giving rise to an unstable social, economic and political environment posing a threat to the security of the region, as citizens facing destitution and disillusionment manifest signs of resistance to authoritarian rule.

In the course of the international anti-terrorism campaign, 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 more human rights protections and democracy, the government's involvement in the coalition granted it a pretext to continue its crackdown on religious, political and civil opposition—a pretext that appears to have been largely accepted by the international community.

Over the past months some positive steps have been taken, including the conviction of seven police officers for torture, 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 appear as token steps meant to please the country's western allies and to dull criticism of the gross human rights problems that persist in the country.

Referring to the need to protect national security, the government has arrested and abused new scores of Muslims exercising their beliefs beyond strict state control. Torture is routinely used to coerce targeted believers to make confessions, which often serve as the sole basis for convictions during trial - including when the death penalty is imposed. Unlike in previous years, a considerable number of female believers are now prosecuted. The government continues to clamp down on relatives of religious prisoners, as well as others, who attempt publicly to call for changes in government policies.

While prison conditions on the whole are inhuman and degrading, Muslim prisoners suffer particularly harsh treatment. Numerous cases are documented where imprisoned Muslims evidently die due to torture.

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

Although state censorship has been officially abolished, the government retains a tight grip on the media. Everything that is published is closely monitored, and media outlets and journalists who are critical of government policies face repressive measures.

Freedom of Expression and the Media

In the first months of 2003, a number of arrests of independent journalists suggest a new wave of repression.

- Ghairat Mekhliboev, 24, was arrested in July 2002 and sentenced on 18 February 2003 to seven years in prison for inciting religious intolerance, attempting to undermine the state system, and participating in mass unrest.
- Tokhtamurad Toshev, the chief-editor of Adolat, the newspaper of the Social Democratic Party, was arrested on 20 February 2003. He was refused access to legal counsel and the accusations against him are still unknown.
- Ergash Bobojonov, was arrested on 22 February 2003 and charged with the disclosure of state secrets, criminal defamation, and other crimes. He had been critical of the

Uzbek government and raised issues of local government corruption. He has been released from detention but the charges have not been dropped.

- On 2 February 2003, Oleg Sarapulov was arrested and detained for two days, and questioned by police about articles in his possession critical of the Uzbek government.

Media work under heavy restraints. The government enjoys a monopoly on newspaper printing and distribution and controls the major newspapers in the country.¹

In May 2002, 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 continues to prevail. Thus, editors frequently decide against publishing material that could be interpreted as criticism of the government out of fear of repercussions.²

Shortly after state censorship was eliminated, the authorities reportedly warned the chief-editors of the six major newspapers in the country that newspaper content would now 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 encouraged by the fact that media outlets and journalists who ventured to engage in critical reporting were intimidated and harassed.³

- On July 19, 2002, 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, 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.⁴

According to official information, 860 political and religious prisoners were released in January 2002 under an amnesty act passed in 2001.⁵ However, those released frequently face persistent pressure or are rearrested.⁶ While some local and international nongovernmental analysts estimate that at least 7,000 people remain imprisoned because of their opinions or religious convictions, the Human Rights Society of Uzbekistan claims that the number is considerably higher.

- Yusuf Dzhumaev and his family remain 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.⁷ However, after his release the National

¹ Committee to Protect Journalists, *Special report on Uzbekistan: Back in the USSR*, October 2002, at http://www.cpj.org/Briefings/2002/uzbek_oct02/uzbek_oct02.html.

² IFEX, “State censorship eliminated, self-censorship continues,” June 4, 2002, at <http://www.ifex.org/alerts/view.html?id=10731>.

³ Committee to Protect Journalists, *Special report on Uzbekistan: Back in the USSR*, October 2002, RFE/RL, “Press and Information Agency Launched,” in *RFE/RL Media Matters*, Vol. 2, No. 31, August 16, 2002.

⁴ Committee to Protect Journalists, *Special report on Uzbekistan: Back in the USSR*, October 2002; RFE/RL, “Pressing the Limits of Tolerance,” in *RFE/RL Media Matters*, Vol. 2, No. 33, August 30, 2002.

⁵ HRSU press release February 2002.

⁶ *Human Rights Watch World Report 2003*, at <http://www.hrw.org/wr2k3/europe16.html>.

⁷ 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 <http://www.ihf-hr.org/reports/AR2002/country%20links/Uzbekistan.htm>.

Security Service (NSS) reportedly placed his home in Bukhara under surveillance. In February 2002, 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 2002, 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.⁸ He eventually returned to his home.

The Right to Peaceful Assembly

The Uzbek constitution provides for the right to peaceful assembly, but authorities severely impede this right. Police and the NSS regularly use force to prevent relatives of people imprisoned for their religious beliefs from staging 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 have been harassed, arrested and subjected to physical abuse.⁹

- On July 1, 2002, 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 into a bus that brought them to a local police station.¹⁰ 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.
- On August 27, 2002, 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 being released, including Olga Krasnova. Two other participants, Larisa Vdovina and Elena Urlaeva, both HRSU members, were directly brought to a psychiatric hospital for compulsory treatment.¹¹ It was the second time that Urlaeva, chair of the Tashkent HRSU branch, had been subjected to such treatment; in 2001, she was held three months in a psychiatric hospital.¹² Elena Urlaeva was released on 30 December 2002, and Larisa Vdovina was released on 28 January 2003.

On some exceptional occasions, peaceful protests were allowed take place without the authorities intervening.¹³

⁸ Information from HRSU; Union of Independent Journalists of Uzbekistan (UIJU) and HRSU joint appeal March 27, 2002; International Freedom of Expression Exchange (IFEX), "Poet Yusuf Dzhuhmaev goes into hiding", April 4, 2002;

⁹ Information from the HRSU to the IHF.

¹⁰ Ibid.

¹¹ Information from the HRSU to the IHF; and RFE/RL, "Protestors rally in Tashkent," in *RFE/RL Central Asia Report*, Volume 2, Number 22, August 29, 2002.

¹² 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).

¹³ Information from the HRSU to the IHF.

The Right to a Fair Trial¹⁴

Trials are carried out in gross violation of international due process and fair trial standards. Judges routinely admit as evidence confessions extracted under torture, which often serve as the sole basis for convictions. In particular, judges tend to be prejudiced against members of the political and religious opposition as well as human rights defenders. Lawyers hesitate to risk defending victims of human rights violations, as they may be expelled from lawyers associations.

Commenting on the verdict in a case involving a person sentenced to death on “religious extremism” and “terrorism” allegations, Mikhail Ardzinov, chairman of the Independent Human Rights Organization of Uzbekistan (IHROU) said: “I have heard most of the text hundreds of times at previous trials. It’s just copied and pasted from previous verdicts”.¹⁵ Court decisions in favor of defendants are often not implemented.

- On September 18, 2002, 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 2003.¹⁶

Torture, Ill-treatment and Police Misconduct

Torture remains 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.¹⁷

The CAT also deplored 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.¹⁸

¹⁴ See also Torture, Ill-treatment and Police Misconduct and Death Penalty.

¹⁵ Amnesty International appeal, November 28, 2002.

¹⁶ Information from the HRSU; Human Rights Watch, “Uzbek Human Rights Defender Sentenced to Imprisonment,” September 18, 2002, at <http://www.hrw.org/press/2002/09/uzbek0918.htm>; Human Rights Watch, “Uzbekistan: Release more Human Rights Defenders,” 10 January 2003, at <http://hrw.org/press/2003/01/uzbek011003.htm>; Institute for War and Peace Reporting, Galima Bukharbaeva, “Activist Jailed After ‘Sham’ Trial,” in *Reporting Central Asia*, No 148, September 23, 2002, at http://www.iwpr.net/index.pl?archive/rca/rca_200206_125_3_eng.txt.

¹⁷ Conclusions and Recommendations of the UN Committee against Torture: Uzbekistan, 6 June 2002.

¹⁸ 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 in prison 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.¹⁹

Five months later this case was followed by a second case:

- On June 6, 2002, 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. After he died, the convicted officers dumped his body into a canal, and informed his family that he had escaped from custody.²⁰

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

- On February 7, 2002, Ikrom Aliev was reportedly taken back 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 his head with a heavy object.²¹
- On August 8, 2002, 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 viewing of Alimov's body, with the police accompanying the corpse and being present during the funeral. In a statement published in September, 2002, 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.²²

- On October 9, 2002, 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 died as a result of torture.²³

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 years. The Rapporteur visited Uzbekistan for two weeks in November/December. Before his departure Boven told journalists

¹⁹ For more information see the IHF, *Human Rights in the OSCE Region: the Balkans, the Caucasus, Europe, Central Asia and North America – Report 2002* (events of 2001).

²⁰ *RFE/RL Newslines* June 7, 2002; and Institute for War and Peace Reporting, Galima Bukharbaeva, "Officers Jailed over Torture Death," in *Reporting Central Asia*, No 125, 21 June 2002.

²¹ Human Rights Watch World Report 2003.

²² 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 <http://www.ihf-hr.org/reports/osce02/IHF%20InterventionsOSCEWar02%20.pdf>.

²³ Information from the HRSU to the IHF.

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.”²⁴

The Rapporteur deplored that he was prevented from visiting the NSS investigative jail in Tashkent. He also was not granted the opportunity to visit several other prison facilities, including the Jazlyk prison camp: the official reason was “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.”²⁵ is expected that a report from the Rapporteur will be published in March 2003.²⁶

Conditions in Prisons and Detention Facilities

The country’s penitentiaries are grossly overcrowded, and sometimes accommodate up to five times the number of inmates they were built for. Inmates are 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 are widespread, and frequently result in deaths of prisoners. For example, an average of ten people reportedly died in the Tashkent hospital colony Uja 64/18 every day.²⁷

Inmates are often subjected to torture. In particular, people imprisoned for their religious activities suffer this fate: prison guards routinely abuse Muslim prisoners in order to force them to disavow their religious convictions and to swear loyalty to the government. During the last year there were numerous cases where 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.²⁸

Religious Intolerance²⁹

Muslims

Muslim institutions that were registered with the authorities remain under strict state control. At the same time the authorities continue their relentless campaign against Muslims not affiliated with such institutions. While this campaign is officially waged to combat religious extremism, the authorities have consistently failed from its onset to make any distinction between the small minority of independent Muslims who advocate violent means and the vast majority who exercise their beliefs peacefully. Independent and peaceful Muslims continued to be arrested, tortured, and convicted in unfair trials for various “extremist” activities.

In April 2002, President Karimov vowed to continue the struggle against Hizb-ut-Tahrir (the Party of Liberation) – that advocates the establishment of an Islamic Caliphate in Central Asia – until the movement has been entirely eliminated.³⁰ 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.³¹ Those convicted received relatively lenient sentences. However, the mere fact that they were imprisoned showed that the

²⁴ Institute for War and Peace Reporting, Olga Borisova, “Widespread Torture Uncovered,” in *Reporting Central Asia*, No 169, December 13, 2002, at http://www.iwpr.net/index.pl?archive/rca/rca_200212_169_1_eng.txt.

²⁵ Information from the HRSU to the IHF.

²⁶ See UN Press release, “Special Rapporteur on Torture Completes Mission to Uzbekistan,” December 11, 2002.

²⁷ Information from the HRSU to the IHF.

²⁸ Human Rights Watch, 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>.

²⁹ See also Torture, Ill-treatment and Police Misconduct; Prison Conditions; and Death Penalty.

³⁰ Institute for War and Peace Reporting, Galima Bukharbaeva, “Karimov Steps up War on Islamists,” in *Reporting Central Asia*, No. 118, May 2, 2002, at http://www.iwpr.net/index.pl?archive/rca/rca_200205_118_1_eng.txt.

³¹ Information from the HRSU to the IHF.

authorities did no longer hesitate to go against the traditional attitudes in Uzbek society, which render it a very harsh measure to detain women.³²

By early November, 2002, Human Rights Watch had registered 167 cases where 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.³³ The IOHRU estimates that a total of about 5,000 Hizb-ut-Tahrir activists remain imprisoned.³⁴

- On March 26, 2002, the Fergana Province Court convicted a group of fourteen people charged with “Wahhabism” and sentenced them to between 3,5 and 13,5 years in prison.³⁵ 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.³⁶
- On April 24, 2002, 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.³⁷
- On July 16, 2002, 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 the widow of Farhad Usmanov, a well-known Muslim activist, who was tortured to death in police custody in 1999.³⁸

Other religious communities

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

Among the communities targeted are various Protestant churches. The authorities particularly single out Jehovah’s Witnesses, who face harassment almost daily. According to an official expert study used as evidence in the trial against Marat Mudarisov (see below), Jehovah’s Witnesses are considered to hold religious beliefs threatening national security. This conclusion is based on the fact that they refuse to serve in state offices or in the military.³⁹

³² Human Rights Watch, Briefing Paper: Religious Persecution of Independent Muslims in Uzbekistan from September to July 2002, August 20, 2002.

³³ Human Rights Watch World Report 2003.

³⁴ Institute for War and Peace Reporting, Galima Bukharbaeva, “Karimov Steps up War on Islamists,” in *Reporting Central Asia*, No. 118, May 2, 2002.

³⁵ *BBS Monitoring Service*, March 26, 2002, citing Birlik website March 25, 2002.

³⁶ Human Rights Watch, Briefing Paper: Religious Persecution of Independent Muslims in Uzbekistan from September to July 2002, August 20, 2002.

³⁷ Human Rights Watch, “Round-up of Women Linked to Islamic Groups,” May 1, 2002, at <http://hrw.org/press/2002/05/uzbek-women.htm>.

³⁸ Human Rights Watch, Briefing Paper: Religious Persecution of Independent Muslims in Uzbekistan from September to July 2002, August 20, 2002; Human Rights World Report 2003.

³⁹ Human Rights without Frontiers, “Conviction of Jehovah’s Witness sets religious precedent,” December 5, 2002.

- On October 30, 2002, 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 on the kidneys 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.⁴⁰
- On November 29, 2002, a Tashkent district court found Marat Mudarisov, a Jehovah's Witness, guilty of "inciting religious hatred" (article 156 of the Criminal Code) and handed him 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 also reportedly was 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.⁴¹ On February 7, 2003, an appeals court upheld the ruling against Mudarisov.⁴²

The Death Penalty

The death penalty is still in use, giving 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 are extracted under duress.

- On November 28, 2002, 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.⁴³ According to Khudoiberganov: "they tied my hands from behind, hit me with truncheons and chairs and kicked me on 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."⁴⁴ 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 in prison on the basis of confessions

⁴⁰ Keston Institute, Igor Rotar, "Police beat up teenage Jehovah's Witness," from *Keston News Service*, November 8, 2002.

⁴¹ Keston Institute, Igor Rotar: "Guilty of religious activity," from *Keston News Service*, August 23, 2002; Keston Institute, Igor Rotar: "Contradictory evidence at Jehovah's Witness trial," from *Keston News Service*, November 1, 2002; Keston Institute, Igor Rotar: "Jehovah's Witness freed, but trial continues," from *Keston News Service*, November 28, 2002; Human Rights without Frontiers, "Conviction of Jehovah's Witness sets religious precedent," December 5, 2002.

⁴² RFE/RL, "Uzbek Crime Watch", in *RFE/RL Central Asia Report*, Vol. 3, No. 7, February 14, 2003.

⁴³ Amnesty International, Appeal: Uzbekistan, November 28, 2002; Human Rights Watch, "Alleged Torture Victim Sentenced to Death," December 4, 2002.

⁴⁴ Amnesty International, Appeal: Uzbekistan, November 20, 2002.

that allegedly were obtained under duress.⁴⁵ On January 28, 2002, the sentence against Khudoiberganov was upheld on appeal.⁴⁶

Human Rights Defenders

In an unprecedented move, the authorities registered the IHROU in March, 2002, shortly before President Karimov visited the United States. However, while this was a welcome development, other human rights groups continue to be denied legal status. For example, in January 2002, the authorities for the fifth time rejected an application for registration by the HRSU.

Numerous other civil society organizations, which seek legal status in order to work openly and fulfill their mandates, have been repeatedly denied registration.

The authorities exercise heavy pressure on human rights defenders. Human rights groups experience serious difficulties in conducting meetings as well as in publishing and distributing information. At the same time their members routinely face intimidation and harassment and are detained on trumped-up charges.

A total of seven members of the HRSU were imprisoned in 2002 alone, two of whom were forcibly confined in a psychiatric institution. During the Soviet era compulsory psychiatric treatment was frequently used to silence human rights activists. 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.⁴⁷

- On September 16, 2002, 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 in prison, respectively, on allegedly fabricated charges of “hooliganism” and other violent crimes. On appeal, the sentences were reduced to five years for Muradov, and four for Hamraev and Radjapov. 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.⁴⁸
- On November 30, 2002, 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. Already in 1996 Utamuratov was sentenced to five years in prison on allegedly fabricated charges and amnestied in 1997.⁴⁹

⁴⁵ Amnesty International, Appeal: Uzbekistan, November 28, 2002; Human Rights Watch, “Alleged Torture Victim Sentenced to Death,” December 4, 2002, at <http://hrw.org/press/2002/12/uzbek1204.htm>.

⁴⁶ *RFE/RL Reporting Central Asia*, Volume 3, Number 6, February 6, 2003.

⁴⁷ 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 <http://www.ihf-hr.org/appeals/021116.htm>.

⁴⁸ RFE/RL, “Activists Sentenced after Complaining about Corruption,” in *RFE/RL (Un)Civil Societies*, Volume 3, No 38, September 18, 2002.

⁴⁹ Information from the HRSU to the IHF.