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Time for deeds, not words: achieving positive human rights change in Uzbekistan

On the occasion of the EU-Uzbekistan Cooperation Council meeting, which will take place in Brussels on 17 July 2017, the Association for Human Rights in Central Asia (AHRCA), International Partnership for Human Rights (IPHR) and Amnesty International urge the EU to emphasise the need for concrete changes in the human rights situation in Uzbekistan.

Uzbekistan's government has recently taken certain positive steps that may reflect greater openness to engaging on human rights and facilitating external, independent scrutiny of the situation in the country under President Shavkat Mirziyoyev, who took office last year. However, the AHRCA, IPHR and Amnesty International urge the EU and its member states to closely monitor further developments and insist on tangible progress and long-term improvement in human rights protection in Uzbekistan.

On 5 July 2017, Uzbekistan's foreign minister indicated that the government may accept a Human Rights Watch delegation visit to the country. This would be the first such visit since 2014, when the director of the organization's Europe and Central Asia division was granted a visa. In 2011, the activities of Human Rights Watch were suspended in Uzbekistan. Earlier this year, the foreign minister said that the BBC's request for re-accreditation of its Uzbek service, which was forced to leave the country in 2005, was under review. At the beginning of July, the BBC announced a re-launch of its activities in Uzbekistan and advertised for a correspondent based in Tashkent.

In May this year, Zeid Raad Al Hussein became the first UN High Commissioner for Human Rights to visit Uzbekistan. He urged the government to release those imprisoned for speaking out against the government and to work to end systematic torture. He also noted that none of the 14 UN human rights experts who have asked to visit the country had been allowed to visit since 2002. During his visit, the High Commissioner announced that an invitation to visit Uzbekistan has been extended to the UN Special Rapporteur on freedom of religion or belief.

An action strategy on judicial reform, approved by a presidential decree of February 2017¹ sets out several priorities for such reform, including ensuring genuine judicial independence; increasing the effectiveness and authority of the judiciary; and ensuring robust judicial protection of the rights and freedoms of citizens. These priorities are welcome and important. However, the AHRCA, IPHR and Amnesty International are concerned that the Supreme Judicial Council² created as part of the judicial reform to oversee the judiciary will be comprised of representatives of law enforcement authorities, in addition to acting judges and external experts. Thus, representatives of law enforcement authorities will be involved in the selection of judges, disciplinary proceedings, and in bringing judges to criminal responsibility. In this way, the new body perpetuates the problem of influence of the executive on the judiciary, which jeopardizes the right to a fair trial and contributes to entrenched problems of impunity for human rights violations.

AHRCA, IPHR and Amnesty International are further concerned that many government initiatives for reform have remained unfulfilled in Uzbekistan in the past. Any reforms must first and foremost be implemented in practice in order to achieve positive change. It is therefore crucial that mechanisms to ensure the implementation of reforms are put in place alongside transparent conditions to allow for independent scrutiny by both Uzbekistani human rights defenders and international experts.

AHRCA, IPHR and Amnesty International urge the EU to raise these issues with the Uzbekistani authorities and to closely monitor the implementation of the announced reforms and the pledges to ensure access for international monitors and media to the country. In addition, we urge the EU and the broader international community to request other concrete evidence from the Uzbekistani authorities of their willingness to improve the country's human rights record. Such evidence would include:

- An end to persecution of human rights defenders, journalists and dissident voices; and the immediate and unconditional release of all those who have been detained solely for peacefully exercising their rights to freedom of expression, association and assembly, including Azam Farmonov, Isroil Kholdorov, Solidzhon Abdurakhmanov and Dilorom Abdukodirova;
- Issuing invitations to all the UN Special Rapporteurs who have asked for permission to visit the country, particularly the UN Special Rapporteur on torture and in the meantime ensuring that the 22 recommendations he made in 2002 are fully implemented in practice;

¹ Presidential decree "On Measures for the Fundamental Improvement of the Structure and Improving the Performance of the Judicial System of the Republic of Uzbekistan", 21 February 2017, at <http://jahonnews.uz/ru/politika/138/31336/>.

² Law on the Supreme Judiciary Council (Collected Legislation of the Republic of Uzbekistan, 2017, No. 14, Article 214), adopted by the Legislative Chamber on 18 March 2017 and approved by the Senate on 28 March 2017, at http://www.lex.uz/Pages/GetPage.aspx?lact_id=3153671.

- Effectively investigate allegations of human violations with a view to bringing the perpetrators to justice in fair trials;
- Ensuring that domestic and international media can operate freely and independently inside the country, without risk of persecution or adverse state interference in their professional activities;
- Ensuring that an enabling legal and practical environment is created for the civil society to operate in the country and ceasing state persecution of those who criticize the functioning or record of Uzbekistani authorities, both from abroad and in Uzbekistan;
- Allowing an independent, international enquiry into the events of Andizhan in 2005 when security forces used unlawful lethal force against a gathering of protesters, ensuring that witnesses and their families are not subjected to reprisals from the state, and that all those found responsible for using force unlawfully and other violations in relation to the Andizhan events are brought to justice in a fair trial;
- Lifting travel restrictions on individuals previously imprisoned on politically motivated grounds, in particular on Murad Dzhuraev and Muhammed Bekzhanov and ensure that they are allowed to travel abroad for urgent medical treatment. Travel restrictions had tragic consequences in the case of human rights lawyer Polina Braunerg who died from a stroke on 19 May this year after being repeatedly refused permission to travel abroad for medical treatment since 2014.

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