



ARTICLE 19 PROTESTS AGAINST SEVEN YEAR SENTENCE HANDED DOWN TO UZBEK JOURNALIST

UMIDA NIYAZOVA

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ARTICLE 19, the Global Campaign for Free Expression, is very alarmed at the news of yesterday's sentencing to seven years imprisonment of Uzbek journalist and human rights defender Umida Niyazova for smuggling and distribution of subversive literature.¹

Ms Niyazova has been in detention since being arrested in Tashkent on 22 January. On 21 December 2006, Ms Niyazova's computer and passport were confiscated upon her arrival in Tashkent from Kyrgyzstan. The customs officials claimed that her computer contained 'anti-constitutional' materials. The documents included interviews with witnesses of the Andijan massacre of 13 May 2005, where Uzbek law-enforcement officials killed hundreds of people participating in a peaceful demonstration in the city of Andijan. A criminal case was initiated against Ms Niyazova for violation of Articles 233 ("illegal crossing of the border") and 246 ("illegal importation of banned materials") of the Criminal Code. Later, Ms Niyazova was also charged with "collection and distribution of materials threatening public security" under Article 244.

Umida Niyazova worked for the Moscow-based Center for Journalism in Extreme Situations since 2000, and for the Central Asian internet magazine "Oasis", since 2005. She has also worked for Internews Uzbekistan and Freedom House, and as a translator for Human Rights Watch.

Ms Niyazova was sentenced following a trial that was conducted unfairly. Among other things, the hearing was announced suddenly, and the defendant's lawyer was only given half an hour to prepare for it. In addition, the judge reportedly did not provide the defence with sufficient time to answer questions. Access to the trial was severely restricted to the public, and closed to the press altogether.

Ms Niyazova has ten days to appeal as of 1 May 2007.

The repression of the independent media in Uzbekistan has recently increased. In particular, there has been a crackdown on foreign journalists and Uzbek journalists cooperating with the foreign media, after their coverage of the Uzbek authorities' human rights violations in Andijan.

¹ ARTICLE 19 first issued a statement on this case in February 2007, available at <http://www.article19.org/pdfs/press/uzbekistan-journalist-umida-niyazova.pdf>.

ARTICLE 19 strongly condemns the sentencing of Ms Niyazova, which appears to be connected to her work researching and documenting human rights violations by the Uzbek authorities. The very harsh sentence for illegal importation and distribution of banned literature is also a matter of grave concern.

We also recall that Uzbekistan is a party to the *International Covenant on Civil and Political Rights* (ICCPR), a binding treaty, Article 19 of which requires the authorities to respect and protect freedom of expression. This right applies “regardless of frontiers” and therefore, without a strong justification, States may not prohibit the importing of any type of material containing information or ideas. The ICCPR also protects the right to fair trial in Article 14.

ARTICLE 19 strongly urges the Uzbek authorities to:

- immediately release Ms Niyazova;
- ensure that journalists are able to report on matters of public concern without fear of persecution;
- ensure the right of fair trial is respected in all cases;
- end the repression of journalists cooperating with foreign media and institutions;
- review the way Article 246 of the Criminal Code applies to documents and other records for its compatibility with the ICCPR.