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WATCH

“Until the Very End”

Politically Motivated Imprisonment in Uzbekistan





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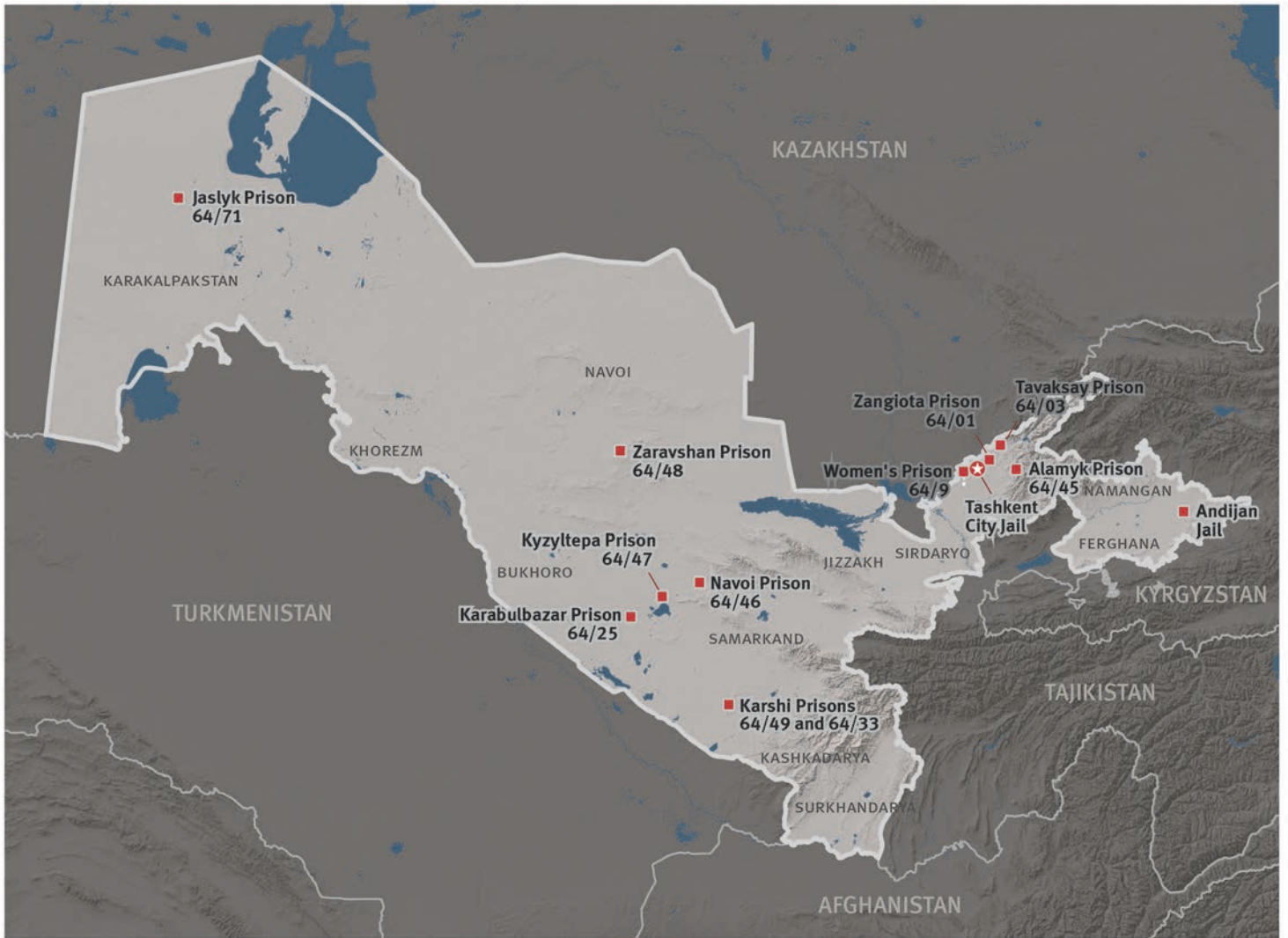
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Map of Prisons in Uzbekistan



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Summary

Agents of Uzbekistan's feared National Security Services, the "SNB," kidnapped Muhammad Bekjanov from his apartment in Kiev, Ukraine in 1999. A prominent member of the peaceful political opposition party *Erk* (Freedom) and editor of one of Uzbekistan's leading independent newspapers, Bekjanov had fled Tashkent two years earlier in response to a wide-ranging crackdown on Uzbekistan's political opposition led by the country's authoritarian president, Islam Karimov. Forcibly returned to Uzbekistan without a hearing, Bekjanov was tried in a closed courtroom amidst allegations that Uzbek authorities had subjected him to electric shocks, beatings with batons, and temporary suffocation. A Tashkent court sentenced him to thirteen years on various charges, including for "threatening the constitutional order."

At the end of January 2012, just days before Bekjanov's prison sentence was set to expire, he was given an additional five-year sentence for alleged and unspecified "violations of prison rules." Along with another jailed Uzbek journalist and opposition activist, Bekjanov has been imprisoned longer than any other reporter in the world. Bekjanov's alleged crime, like so many other individuals imprisoned on politically motivated charges in Uzbekistan, was his peaceful exercise of fundamental rights, including freedom of speech, association, and assembly. Like other such prisoners, there is no evidence that he has ever committed any act of violence.

Bekjanov is just one of thousands of actual or perceived government opponents and critics the Uzbek government has imprisoned on politically motivated charges to enforce its repressive rule since the early 1990s. The victims span broad categories, including human rights activists, journalists, political opposition activists, religious leaders and believers, cultural figures, artists, entrepreneurs, and others, imprisoned for no other reason than their peaceful exercise of the right to freedom of expression and the government's identification of them as "enemies of the state."

Based on more than 150 in-depth interviews with the relatives of such prisoners, their lawyers, human rights activists, scholars, and former Uzbek government officials, this report examines the cases of 34 of Uzbekistan's most prominent individuals imprisoned on politically motivated charges. The interviewees also included individuals previously imprisoned on such

charges. Human Rights Watch documents the egregious abuses they face in custody and calls on the Uzbek government for their immediate and unconditional release.

Fifteen of those whose cases this report documents are rights activists: Azam Farmonov, Mehriniso Hamdamova, Zulhumor Hamdamova, Isroiljon Kholdorov, Nosim Isakov, Gaybullo Jalilov, Nuriddin Jumaniyazov, Matluba Kamilova, Ganikhon Mamatkhanov, Chuyan Mamatkulov, Zafarjon Rahimov, Yuldash Rasulov, Bobomurod Razzokov, Fahriddin Tillaev, and Akzam Turgunov. Five are journalists: Solijon Abdurakhmanov, Muhammad Bekjanov, Gayrat Mikhliboev, Yusuf Ruzimuradov, and Dilmurod Saidov. Four are opposition activists: Murod Juraev, Samandar Kukanov, Kudratbek Rasulov, and Rustam Usmanov. Three are independent religious figures: Ruhiddin Fahriddinov, Hayrullo Hamidov, and Akram Yuldashev. Seven others are various perceived critics of the government or witnesses to the May 13, 2005 Andijan massacre, when Uzbek government forces shot and killed hundreds of mainly peaceful protesters: Dilorom Abdukodirova, Botirbek Eshkuziev, Bahrom Ibragimov, Davron Kabilov, Erkin Musaev, Davron Tojiev, and Ravshanbek Vafoev.

The cases here do not constitute an exhaustive list of all persons convicted on politically motivated charges in Uzbekistan, nor is their selection meant to privilege some cases over others. Instead, these 34 prisoners, who come from every region of the country, shed light on larger trends of political repression in Uzbekistan and on the government's attempt to suppress a wide range of independent activity that occurs beyond strict state control. At the same time, many cases illustrate the remarkable talent, creativity, and contributions of Uzbekistan's independent civil society to the country's civic development, as well as the immense loss that is caused by their continuing imprisonment.

Human Rights Watch research demonstrates that individuals imprisoned on politically motivated charges experience a wide range of human rights abuses. Of the 34 prisoners whose cases this report documents:

- At least 29 have made credible allegations of torture or ill-treatment during their pretrial custody or in prison;
- At least 18 have been denied access to counsel at critical stages of the investigation or trial, including following conviction when additional prison terms have been added to their original sentences;

- At least eight have been held in incommunicado detention for at least some period of time longer than allowed by Uzbek and international law;
- At least 6 have been imprisoned for 15 years or longer, with 2 of them, Murod Juraev and Samandar Kukanov, behind bars for more than 20 years, and 22 receiving sentences that are at least 10 years or longer;
- At least 9 are over 60 years old and 4 are women, making these 13 eligible by law for an annual government amnesty, but all have been repeatedly denied amnesty, often on pretexts of committing minor infractions of prison rules;
- At least 11 have had their prison terms arbitrarily extended while in prison on the basis of unpublished, vague, and overly broad “violations of prison rules,” with some prison sentences extended multiple times, including one case where the sentence has been extended on four separate occasions;
- At least 15 have suffered or are currently suffering from critical health problems such as tuberculosis, nerve damage, broken bones, hypertension, heart attacks, and ulcers;
- At least nine allege they have been denied access to urgently needed medical care;
- At least 12 say they have been subjected to cruel, inhuman, and degrading punishment through extended exposure to hot and cold elements or held in isolation cells in solitary confinement for long periods;
- At least four are either serving or have served periods of their sentence at Uzbekistan’s “Jaslyk” prison, well-known for more than a decade for high-profile reports of torture and ill-treatment over a decade and for the calls by various governments and international bodies for its closure;
- Five were kidnapped from the territory of other countries, including Kazakhstan, Kyrgyzstan, and Ukraine, and forcibly returned to Uzbekistan either in the absence of legal proceedings or in proceedings that did not conform to international human rights norms, and;
- In at least one case, authorities have forcibly disappeared a prisoner, failing to reveal the whereabouts or condition of the prisoner for such a lengthy period of time that it is unclear whether the person is dead or alive.

This report presents an individual profile of each of the 34 individuals currently imprisoned on politically motivated charges. It highlights the most up-to-date information available on the nature of their work prior to imprisonment, the charges brought against them, reports of torture or ill-treatment in pretrial custody and after conviction, their current whereabouts, and the state of their health.

In a separate section, the report also analyzes by category the extent to which specific abuses that persons imprisoned on politically motivated charges in Uzbekistan experience violate legally binding international standards. This section draws both on the experiences of the 34 prisoners profiled in the report and on interviews with 10 additional individuals who were formerly imprisoned on politically motivated charges, several of whom were released in the last year.

The abuses suffered by those imprisoned on politically motivated charges in Uzbekistan include denial of access to counsel, incommunicado detention, pretrial and post-conviction torture, solitary confinement, the denial of appropriate medical care, and the arbitrary denial of amnesty and extension of prison sentences. These are all serious violations of Uzbekistan's domestic and international human rights obligations.

Information gathered by Human Rights Watch shows that in many cases the conditions in which persons imprisoned on politically motivated charges are held—overcrowded cells, poor quality and insufficient food and water, and inadequate medical treatment—do not meet international prison standards. Authorities have routinely denied these prisoners treatment for serious medical problems, many of which emerged over the course of prolonged imprisonment. Authorities neither monitor nor remedy the poor prison conditions that may have caused and then exacerbated such health problems in violation of Uzbekistan's core international human rights obligations. Failure to provide adequate health care or medical treatment to a detainee in prison may contribute to conditions amounting to inhuman or degrading treatment.

Human Rights Watch research indicates that prison officials have wide discretion over who to release under amnesty and sometimes receive instructions from government officials to find justifications to keep persons imprisoned on politically motivated charges incarcerated despite their ostensible eligibility for amnesty.

We also found that prison authorities regularly extend the sentences of those imprisoned on politically motivated charges for so-called “violations of prison rules.” Of 34 current prisoners and 10 former prisoners profiled in this report, at least 14 have had their sentences arbitrarily extended in prison, many more than once—four times in the case of political opposition figure Murod Juraev—often in proceedings that occur without due process.

Uzbekistan’s Criminal Code creates the offense of “disobedience to legitimate orders of administration of institution of execution of penalty” (article 221), often referred to as “violations of prison rules,” on which authorities base the extensions of prisoners’ sentences. However, while the general regulations on the administration of prisons, issued by the Ministry of Internal Affairs, set out a range of behaviors that prisoners are both required to and prohibited from engaging in, they leave wide scope for determining what constitutes a “legitimate order” that should not be disobeyed. The guidelines also are not comprehensive as to what would constitute “violations” for the purpose of article 221. Human Rights Watch is not aware of any publicly available source that alerts prisoners to what all these “violations” might be. The government did not reply to a request for such information and none of the former prisoners, family members of prisoners, or their lawyers could provide Human Rights Watch with any source that sets out or defines the full scope of potential “violations”.

Human Rights Watch’s research indicates that authorities have based multi-year extensions of sentences on minor, insignificant, or absurd alleged infractions, such as “failure to lift a heavy object,” “wearing a white shirt,” “failing to properly place one’s shoes in the corner,” and “failing to properly sweep the cell.” Our interviews with numerous former prisoners, their lawyers, civil society activists, and a senior prison official demonstrate that prison officials interpret broad regulations arbitrarily and in an entirely ad hoc fashion, as a pretext to extend sentences or deny amnesty eligibility and thereby punish those imprisoned on politically motivated charges.

Compounding the above abuses, there is no adequate monitoring of places of detention in Uzbekistan and all individuals imprisoned on politically motivated charges lack access to meaningful complaint mechanisms. These problems have only grown worse since the International Committee of the Red Cross (ICRC) was forced to end its visits to detainees and prisoners in April 2013 due to Uzbek government interference in its standard operating procedures. Deplorable incarceration conditions include beatings and torture, solitary

confinement, sexual humiliation, exposure to harsh climactic conditions, tuberculosis, and other infectious diseases that cause psychological and physical damage to inmates.

Despite the commitments Uzbekistan has made relating to the protection of human rights, including the freedoms of expression, assembly, association, and religion guaranteed in the International Covenant on Civil and Political Rights, and the prohibition on torture enshrined in the Convention against Torture, it has faced virtually no consequences for its persistent refusal to acknowledge the existence of any individuals imprisoned on politically motivated charges, release them from prison, improve their treatment in custody, or end the cycle of crackdown, arrests, and convictions. Nor has the government paid any real cost for its systematic failure to cooperate with international institutions, including eleven special procedures of the United Nations Human Rights Council, various UN treaty bodies such as the Human Rights Committee and Committee against Torture, or the ICRC.

The governments traditionally viewed as champions of the cause of human rights in Uzbekistan—the United States, the European Union, and several EU member states—have publicly criticized Uzbekistan’s atrocious rights record in past years, most strongly in the immediate aftermath of the Andijan massacre by placing sanctions and restrictions on the Uzbek government. EU and US officials have raised the cases of some of the current and former prisoners described in this report; however, in the past five years they have muted their criticisms and softened their human rights policies with respect to politically motivated imprisonment. Unfortunately, the Uzbek government’s continued failure to release persons convicted on politically motivated grounds has not had a substantial impact on these international actors’ relations with Uzbekistan, on which they continue to rely for its geostrategic importance as a transit route in the context of the war in Afghanistan.

Significantly, when the Uzbek government has faced sustained external pressure, including sanctions, restrictions on military assistance, and other robust, public, specific criticism from its international partners, it has responded by taking incremental steps to improve human rights, including by releasing some individuals imprisoned on politically motivated charges on the eve of key bilateral summits or high-level visits. But in the absence of such pressure, the Uzbek government has defied international calls for human rights improvements, even denying that any problems exist.

In September 2013, for example, during the Universal Periodic Review (UPR) of Uzbekistan—an examination of Uzbekistan’s human rights record before the UN Human Rights Council—Akmal Saidov, head of the Uzbek delegation, ignored the chorus of recommendations from governments and nongovernmental organizations (NGOs) to release immediately and unconditionally Uzbekistan’s political prisoners, even declaring that “there are no political prisoners in Uzbekistan.” Refusing to acknowledge the existence of even a single wrongfully imprisoned individual, Saidov instead pounded his fists on the table, defiantly dismissing the recommendations as based on “misinformation and lies” designed by “politically motivated” NGOs solely to tarnish Uzbekistan’s reputation.

Despite the Uzbek government’s resistance to acknowledge the problem, international pressure can be extremely effective in securing the release of persons imprisoned on politically motivated charges. The findings of this report should remind Uzbekistan’s international partners, including members of the UN Human Rights Council, the US and the EU, and other concerned governments, regional bodies, and international financial institutions of the urgent need to focus on the crisis of politically motivated imprisonment in Uzbekistan and to redouble efforts to secure these and other wrongfully detained individuals’ immediate and unconditional release.

Human Rights Watch strongly believes that the Uzbek government’s continued refusal to release wrongfully imprisoned individuals and lack of any meaningful progress on human rights for more than a decade should trigger in key capitals such as Washington, Brussels, Berlin, and London and at the UN Human Rights Council an assessment of their current strategies for pursuing improvements in Uzbekistan. Given president Islam Karimov’s long record of defying calls to implement meaningful reform, years after Western governments had eased sanctions on the country as a way to encourage reform, Uzbekistan’s international partners should convey a clear and consistent message to Tashkent, both in public and in private, about the urgent need for measureable, concrete steps, including the release of all those imprisoned on politically motivated charges, in addition to steps to address other serious human rights violations. They should also publicly acknowledge Tashkent’s systematic retrenchment on rights and be ready to follow through with meaningful policy consequences, some which Human Rights Watch outlines below, should the Uzbek government continue to commit widespread human rights abuses.

Without a fundamental shift in approach in Tashkent and with absent sustained, robust, and public international pressure, the atrocious situation in Uzbekistan will continue and the suffering of Muhammad Bekjanov, Yusuf Ruzimuradov, Murod Juraev, Samandar Kukanov, Dilorom Abdukodirova, their families, the others profiled in this report, and countless others, is sure to get worse.

Key Recommendations

To the Government of Uzbekistan

- **Immediately and unconditionally release** all persons whose cases are detailed in this report and all other prisoners held for peaceful expression of their political views, civil society activism, journalistic activity, or religious views. To the extent that any such individuals are also alleged to have engaged in acts of violence, they should be granted a new and fair trial according to international standards.
- **Take immediate steps to eliminate** torture and ill-treatment in pretrial detention and penal facilities, including by ensuring unhindered access to counsel at all stages of investigations, ensuring prompt access to appropriate medical care and re-establishing the independent monitoring of prisons.
- **Provide families of all prisoners** with full information regarding the location and current health conditions of their relatives. **Rigorously investigate all allegations of intimidation or reprisals** against family members and prisoners who communicate with journalists, human rights defenders, and nongovernmental organizations (NGOs).
- **Investigate and hold to account** all officials, security service personnel, and penal system staff alleged to have tortured or ill-treated prisoners and detainees or denied requests for medical care.
- **Comply with the United Nations Convention against Torture** and Other Cruel, Inhuman or Degrading Treatment or Punishment and **ratify the Optional Protocol to the Convention against Torture**, which requires Uzbekistan to permit visits by the Subcommittee on Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (SPT) and to establish an independent national preventive mechanism for the prevention of torture at the domestic level.
- **Immediately and fully implement** the November 2013 recommendations of the UN Committee against Torture and the **February 2003 recommendations issued by the UN special rapporteur on torture** following his visit to Uzbekistan in 2002, including the **immediate closure of Jaslyk prison 64/71**.
- Approve the pending requests by 11 UN special procedures to visit Uzbekistan, including the UN special rapporteur on torture; allow unimpeded independent

monitoring of prisons by the International Committee of the Red Cross and other independent monitors.

- **Cease the practice of arbitrarily exempting prisoners held on politically motivated charges** who qualify for amnesty from annual amnesty declarations and of **arbitrarily lengthening prison** sentences for minor offences or “violations of prison rules” under article 221 of the criminal code on “disobedience to the terms of punishment.”
- **Clarify and bring into line with international standards** overbroad criminal articles, such as article 158 on “threatening the president,” article 159 on “threatening the constitutional order,” and article 244 on “forming, leading, or membership in an extremist, fundamentalist, or otherwise banned organization,” which are frequently manipulated to target people expressing their legitimate rights to the freedoms of expression, speech, or religion.

To the European Union, the United States, the United Nations Human Rights Council, and Other International Partners of Uzbekistan

- In the capitals of Uzbekistan’s international partners, given Uzbekistan’s persistent failure to meet the human rights demands articulated in various pieces of US legislation and in joint statements by EU foreign ministers, the US, EU, and EU member states **should urgently take up the human rights situation in Uzbekistan with a view to devising an appropriate policy response.**
- **Set a timeline for the Uzbek government to address longstanding human rights violations**, including by releasing persons imprisoned on politically motivated charges, **and consider the specific policy consequences that would follow should it not**, such as instituting targeted restrictive measures against Uzbek government entities and individuals responsible for grave human rights violations in the country. Such measures should include imposing visa bans and asset freezes with respect to individuals responsible for the use of politically motivated imprisonment, the torture or ill-treatment of prisoners, including the denial of appropriate medical care and arbitrary extension of sentences, and the repression and harassment of independent civil society.
- At the **UN Human Rights Council**, given the Uzbek government’s longstanding and systematic failure to cooperate with UN human rights bodies, including non-

implementation of recommendations by treaty bodies and special procedures and refusal of access despite the latter's repeated requests, **members of the council should support the establishment of a country-specific mechanism in the form of a special rapporteur on the situation of human rights in Uzbekistan.**

- When visiting Uzbekistan, **foreign officials should insist on meeting individually in prison with imprisoned rights activists**, journalists, political opposition figures, religious figures, and other persons imprisoned on politically motivated charges and with their relatives to solicit their views and show support for their freedom and courageous and important work.
- Convey in public diplomacy and in private settings **that the Uzbek government should demonstrate a commitment to human rights by allowing civil society to function without undue interference.**
- In pursuing any dialogue with the Uzbek authorities, whether on economic development, trade, or human rights, **concerned governments, regional bodies, and international institutions should consult with civil society activists**, particularly with Uzbek human rights activists, on an ongoing basis in order to ensure that policies reflect and address their concerns.
- The release of persons imprisoned on politically motivated charges and other human rights abuses **should be explicitly tied to any engagement** with the Uzbek government **over the sale or provision of military assistance.**

Methodology

Human Rights Watch has continuously monitored the human rights situation in Uzbekistan, including the situation for human rights activists, journalists, peaceful opposition activists, independent Muslims, and others imprisoned on politically motivated charges since Uzbekistan gained its independence in 1991. This report is based on more than 150 in-depth interviews with human rights activists, journalists, lawyers, former political prisoners, family members of current prisoners, members of unregistered political and religious groups, and other Uzbek citizens between October 2010 and July 2014. The report also draws on some Human Rights Watch interviews and publications from earlier periods. Some interviews were conducted in person during a mission to Uzbekistan from October to December 2010. Others were conducted subsequently by phone with individuals inside Uzbekistan. Interviews were also conducted in person and by phone with individuals in other countries, including in Kyrgyzstan, Ukraine, Ireland, France, and the United States, where formerly imprisoned activists, relatives of current prisoners, their lawyers, and other activists now reside.

Human Rights Watch was able to obtain copies of dozens of documents, including indictments of persons convicted on politically motivated charges and court judgments. Human Rights Watch acquired these from family members, unofficial civil society groups, and local rights defenders. The documents, which help to corroborate the patterns of abuse established by the accounts of abuse presented in this report, are on file with Human Rights Watch. In addition, we conducted an in-depth review of Uzbekistan's laws, which provide the legal underpinnings for criminalizing dissent. Finally, we researched press accounts— both from the state-sponsored media and from independent (and thus illegal) media—as well as reports produced by local groups and international bodies such as the United Nations.

Human Rights Watch has researched the cases of some of the individuals profiled in this report for many years. That research included interviewing victims and witnesses to abuses, speaking with the prisoners' lawyers, and monitoring other media reports about their conditions in prison. Other cases were identified by our close colleague human rights organizations in and outside of Uzbekistan, including the Association for Human Rights in Central Asia, Memorial, the Fiery Hearts Club, the Human Rights Society of Uzbekistan, the Human Rights Alliance, the Initiative Group of Independent Human Rights Defenders, Frontline, the Committee to Protect Journalists, the International Federation for Human

Rights, and Amnesty International. The contribution of these groups to this research has been invaluable.

Interviews were conducted in English and in Russian by researchers who are fluent in both languages. Some interviews were conducted in Uzbek, during which a translator for Human Rights Watch (a native speaker of Uzbek) translated into English and Russian. Researchers explained to each interviewee the purpose of the interview and how the information gathered would be used. No compensation was offered or paid for any interview.

Human Rights Watch carried out the research for this report in the face of the Uzbek government's aggressive efforts to prevent Uzbeks and others from documenting rights abuses in the country or sharing information with the outside world. Nearly all prisoners' trials are closed to independent observers and foreign diplomats, and individuals prosecuted or imprisoned are consistently denied documentation of their cases.

In July 2014 Human Rights Watch requested meetings with the Uzbek government to discuss and obtain their response to the findings documented in this report, directing information requests to Uzbekistan's minister of internal affairs, prosecutor general, minister of justice, minister of foreign affairs, ombudsperson for human rights, and the National Human Rights Center, a government institution. We also requested permission to visit Uzbekistan, in hopes that the government would break with its practice of denying international human rights delegations access to the country. At the time this report went to press, Uzbek officials had not responded to any of these requests.

To protect their security, all individuals with whom Human Rights Watch spoke were given the option to remain anonymous in the report, to exclude information that might reveal their identities, or to leave their stories out of the report altogether. Where in-person or telephone interviews in Uzbekistan are cited in the report, some names, dates, and locations of sources have been omitted. While most interviewees' real names are used, others' identities have been withheld due to concern for their security or at their own request. These interviewees have been assigned a pseudonym consisting of a randomly chosen first name and a last initial that is the same as the first letter of the first name (for example, "Alisher A."). There is no continuity between pseudonyms used in this report and those used in other Human Rights Watch reports on Uzbekistan.

I. Politically Motivated Imprisonment in Context: 25 Years of Repression

Political repression, including the arrest, torture, and imprisonment of actual or perceived government opponents, has been a constant feature of life in Uzbekistan since Islam Karimov first became the Communist Party secretary of the Uzbek Soviet Socialist Republic in 1989 and following independence when he became the country's president.¹ While the denial of fundamental freedoms over the past two decades has been unrelenting, the government has pursued campaigns of persecution in waves.

These campaigns of repression can be broken down into roughly four periods: the crackdown on the political opposition (1992-1997); the persecution of independent Muslims (1997-present); the May 13, 2005 Andijan massacre and its aftermath (2005-2007); and the period since 2008, when authorities continued to persecute earlier targets but also focused on new perceived critics, including followers of the late Turkish theologian Said Nursi and those suspected of affiliations with Western and other governments. The campaigns have not been mutually exclusive but have overlapped with and reinforced one another.

Dismantling the Political Opposition (1992-1997)

Beginning in 1992, authorities waged a campaign to eradicate political opposition. The campaign took the form of politically motivated arrests, beatings, and harassment, primarily targeting leading members of the secular political groups opposed to President Karimov's party, the Uzbekistan Liberal Democratic Party. These groups included the Popular Movement *Birlik* (Unity), the *Birlik* Party, the Democratic Party *Erk* (Freedom/Will), the Islamic Renaissance Party, *Adolat* (Justice), and the Human Rights Society of Uzbekistan (HRSU), which first operated as a political party and later grew to become a human rights group.²

¹ Human Rights Watch, *Human Rights in Uzbekistan*, May 1993, <http://www.hrw.org/reports/1993/05/01/human-rights-uzbekistan>.

² Human Rights Watch, *Uzbekistan: Persistent Human Rights Violations and Prospects for Improvement*, vol. 8, no.5 (D), May 1996, <http://www.hrw.org/reports/1996/UZBEK.htm>.

Some opposition figures were jailed or blacklisted; others disappeared, were beaten, or were forced to flee the country.³ Members of the Uzbek parliament who spoke out against Karimov's consolidation of power, such as Samandar Kukanov, Murod Juraev, and Shohruh Ruzimuradov, faced prosecution and imprisonment.⁴ Uzbekistan's former vice president, Shukrullo Mirsaidov, who resigned in September 1992 after warning in an open letter that "democracy and a policy of openness [were] being replaced by an authoritarian regime," survived a car bombing in 1992 and then was severely beaten along with his son several weeks later. Mirsaidov claimed officers of the National Security Service (SNB) followed him for several days before beating him up.⁵

Opposition activist and parliamentary deputy Meli Kobilov photographed while being detained by Uzbekistan's secret police in Tashkent in 1993. © 1993 Bahtiyor Hamraev



³ In 1992, the government banned the IRP, presaging its wider campaign against religious believers a few years later. The IRP's leader, Imam Abdulla Utaev, disappeared in late 1992, prompting some observers to suspect foul play on the part of the authorities. *1994: Uzbekistan*, (New York: Human Rights Watch, 1994), <http://www.hrw.org/reports/1994/WR94/Helsinki-24.htm>. *Birlik* co-chairman Abdurahim Pulatov suffered a similar attack in June 1992. *Erk's* general secretary, Samad Murad, was badly beaten in Karshi within days of his election.

⁴ Shohruh Ruzimuradov died after being tortured in custody in 2002. Human Rights Watch telephone interview with Tashpulat Yuldashev, St. Louis, September 26, 2013 and email correspondence with Tolib Yakubov, France, August 27, 2013. In 1993 at least 10 individuals, all of whom had publicly criticized Karimov, were prosecuted and convicted for criminal offenses, ranging from violating the president's "honor and dignity" to narcotics possession. In all cases, the defendants were given prison sentences; all but one case ended in immediate release (in August 1993, Pulatjon Okhunov, a teacher and local opposition movement leader, was sentenced to three years in a prison labor camp on narcotics and assault charges, which were likely to have been fabricated). Human Rights Watch, *World Report 1994: Uzbekistan*, (New York: Human Rights Watch, 1994), <http://www.hrw.org/reports/1994/WR94/Helsinki-24.htm>

⁵ Human Rights Watch, *World Report 1994* (New York: Human Rights Watch, 1994), Uzbekistan chapter, <http://www.hrw.org/reports/1994/WR94/Helsinki-24.htm>.

Under extreme pressure, opposition party structures largely disintegrated and organized political activity lapsed.⁶ In January 1993 Uzbekistan's Supreme Court ordered *Birlik* closed for three months. Authorities sealed *Erk's* headquarters and confiscated its property in 1992, suspending its activities in early 1993. By April that year, authorities opened a criminal case against *Erk's* chairman, the poet Muhammad Solih, who subsequently fled into exile.⁷ The persecution and imprisonment of individuals affiliated with these now banned parties and movements continues through the present.⁸

Persecution of Independent Muslims (1997-present)

In the mid-1990 Karimov's repression quickly spread to the suppression of independent religious expression.⁹ The government justified the tightening of control on independent Islam as an effort to prevent the chaos that was gripping neighboring Tajikistan, which was in the midst of a civil war.¹⁰ In 1998, in the name of preventing extremism, Uzbekistan adopted the region's most restrictive religion laws. Following the events of September 11, 2001, the government framed its persecution of religious Muslims in the context of the global campaign against terrorism.¹¹

The government aimed to eliminate a perceived threat of Islamic fundamentalism and extremism by arbitrarily detaining and imprisoning thousands of Muslims and key

⁶ Human Rights Watch, *Uzbekistan: Leaving No Witnesses: Uzbekistan's Campaign Against Rights Defenders*, vol.12, no. 4(D), March 2000, http://www.hrw.org/legacy/reports/2000/uzbekistan/Uzbek003-02.htm#P108_9310.

⁷ Human Rights Watch, *Human Rights in Uzbekistan*, p.14. Three of Solih's brothers who remained in Uzbekistan were jailed and tortured repeatedly in the ensuing years. One of them, Muhammad Bekjanov, is still incarcerated.

⁸ In addition to Muhammad Bekjanov, at least seven other *Erk*-affiliated individuals remain in prison, including Murod Juraev, Akzam Turgunov, Yusuf Ruzimuradov, Samandar Kukanov, Fahriddin Tillaev, Nuriddin Jumaniyazov, and Bobomurod Razzokov. Businessman Rustam Usmanov, who voiced support for *Erk*, has also been imprisoned since 1998.

⁹ In 1993 the government empowered two institutions, the Muslim Spiritual Board and the Cabinet of Ministers' Committee on Religious Affairs, with defining acceptable Islamic practices and weeding out Islamic leaders who refused to conform to them. The Muslim Spiritual Board retained much of its Soviet predecessor's authority. It could register mosques and *medressehs*, appoint and dismiss individual imams, dictate the content of sermons, and issue religious edicts. Human Rights Watch, *Creating Enemies of the State: Religious Persecution in Uzbekistan*, March 2004, <http://www.hrw.org/reports/2004/03/29/creating-enemies-state>.

¹⁰ Even after the Tajik civil war ended, Karimov continued to refer to Islamic fundamentalist activity in Tajikistan in justifying draconian controls on religion. Human Rights Watch, *Creating Enemies of the State*, p.20

¹¹ *Ibid*, p.1. By fall 2000, officials routinely justified the campaign to arrest independent Muslims as necessary to protect the country from violent attack by the Islamic Movement of Uzbekistan (IMU). An armed, militant organization, the IMU sought the overthrow of the Karimov government through violent means. In August 2000, the US government designated the IMU a terrorist organization. A little more than a year later, following the attacks on the US on September 11, 2001, President George W. Bush and other world leaders revealed the IMU's close cooperation with the Taliban and Osama Bin Laden's al-Qaeda organization. The Uzbek government has frequently claimed that the IMU, and Hizb ut-Tahrir together with those it refers to as Wahhabis, form a united movement, though it has never presented any material evidence to prove this is the case.

independent religious leaders who practiced their religion outside strict state control.¹² Independent religious leaders' acts of what the government called insubordination included a failure to heed the government's ban on loudspeakers to call people to prayer, failure to praise the president during sermons, open discussion of the benefits of an Islamic state, and refusal to inform on congregation members to the SNB. Inappropriately labeling many religious leaders as Wahhabis, authorities arrested anyone with close or even casual connection to them.¹³ Those arrested included members of congregations, including those who had occasionally attended services, the imams' students, mosque employees, and their relatives.¹⁴ Any observant Muslim who engaged in private prayer, studied or proselytized Islam, shunned alcohol, prayed five times per day, observed religious holidays, learned Arabic to study the Koran, or wore beards or headscarves could be labelled as an extremist.¹⁵ By the end of 2003, according to Memorial, the government had already imprisoned at least 5,900 persons on political or religious grounds, many of whom were adherents of *Hizb ut-Tahrir* (Party of Liberation). The government labels *Hizb ut-Tahrir's* teachings in favor of an Islamic state as extremist but has not produced credible evidence that its members have engaged in or espoused violence.¹⁶ The government's campaign against independent Muslims and various Islamic groups continues with hundreds of new arrests each year.

Andijan and its Aftermath

On May 13, 2005, government forces shot and killed hundreds of largely unarmed protesters in Andijan to suppress mass demonstrations on the city's main square that included up to 10,000 people.¹⁷ Authorities sought to justify the violent response to the

¹² For a detailed analysis of the Uzbek government's multi-year campaign against independent Muslims through 2004, see Human Rights Watch, *Creating Enemies of the State*.

¹³ There is a common misconception, encouraged by Uzbek authorities, that within Islam there are three schools: Sunni, Shi'a, and Wahhabi. In fact, Wahhabism, a revivalist movement that grew out of the Hanbali school, is a Sunni Muslim movement practiced in Saudi Arabia and elsewhere. The name derives from its eighteenth century founder, Muhammad ibn 'Abd al-Wahhab (1703-1792). Wahhabism advocates a purification of Islam, rejects Islamic theology and philosophy developed after the death of the Prophet Muhammad, and calls for strict adherence to the letter of the Koran and hadith (the recorded sayings and practices of the Prophet). In promoting what its adherents view as the precepts of early Islam, Wahhabism maintains a strict and puritanical view of religious rites. Mehrdad Haghayeghi, *Islam and Politics in Central Asia*, (New York: St. Martin's Press, 1995).

¹⁴ Human Rights Watch, *Creating Enemies*, p.6

¹⁵ Human Rights Watch, *Creating Enemies*, p.22

¹⁶ Vitaly Ponomarev, "List of Persons Arrested on Political or Religious Motives in Uzbekistan (January 2004-December 2008)," Memorial Human Rights Center, (Moscow: 2009), p. 10.

¹⁷ Mike Yardley, "Thousands of Uzbeks Fleeing," *CNN*, May 15, 2005, <http://edition.cnn.com/2005/WORLD/asiapcf/05/14/uzbekistan/index.html?eref=sitesearch> (accessed September 11, 2014).

protests by casting the events in the context of terrorism and claimed that all of the dead were killed by gunmen among the protesters. The government propagated the view that the protest's organizers were Islamic fanatics and militants who sought to overthrow the government.¹⁸ Extensive Human Rights Watch research found no evidence that the protesters or the gunmen had an Islamist agenda.¹⁹

The tragedy marked a further turning point in government repression, which resulted in the European Union and the United States imposing sanctions on Uzbekistan and calling on Tashkent to allow an international independent investigation, demands that President Karimov proudly defied. In the wake of the Andijan massacre the Uzbek government unleashed an unprecedented crackdown on civil society, pursuing and prosecuting anyone believed to have either participated in or witnessed the events. The string of criminal cases against witnesses and victims of the events included numerous human rights activists and journalists, including Azam Farmonov, Isroiljon Kholdorov, and Nosim Isakov, all of whom remain imprisoned.

Searching for New Enemies

In the years since the Andijan massacre, authorities have continued to persecute human rights groups, activists, journalists, independent lawyers, and independent Muslims, dismantling Uzbekistan's civil society and perpetuating a climate of fear for the few that continue to work in the country. But authorities have also added new targets among various segments of the population, increasingly relying on a narrative that Western or foreign powers and their internal agents are attempting to import alien social, cultural, or religious phenomena or destabilize the country.

For example, in 2009, amid worsening relations with Turkey over Ankara's unwillingness to extradite opposition leader Muhammad Solih, authorities launched a round of arrests against followers of Turkish-Kurdish theologian Said Nursi (*Nurchilar* in Uzbek) and former students of prestigious Turkish *lycées* that had been founded by Fethullah Gulen in the early 1990s across Central Asia. The government also imprisoned alleged spies among

¹⁸ Ibid; Human Rights Watch, *Saving Its Secrets: Government Repression in Andijan*, May 2008, <http://www.hrw.org/reports/2008/uzbekistan0508/4.htm>, p.42.

¹⁹ Interviews with numerous witnesses revealed that protesters spoke about economic conditions in Andijan, government repression, and unfair trials—and not the creation of an Islamic state. Human Rights Watch, *Saving Its Secrets*, p. 4.

Uzbek citizens working in international organizations or for foreign embassies.²⁰ The authorities imprisoned other journalists, activists, and ordinary citizens for raising other politically sensitive topics such as corruption, ecological problems, and the legal status of the autonomous republic of Karakalpakstan.²¹

A poster in Nukus, Karakalpakstan in northwestern Uzbekistan in 2014 shows dozens of persons wanted on charges of “threatening the constitutional order.” © 2013 Private



How Many People Are Imprisoned on Politically Motivated Charges?

This report uses the term “politically motivated” to describe the charges, prosecution, and imprisonment of a variety of human rights activists, political opposition figures, journalists, religious believers and leaders, ethnic minority activists, perceived government critics, and others. As the evidence presented in this report shows, these individuals’ nonviolent

²⁰ The cases of Erkin Musaev and Kayum Ortikov, discussed below, are two leading examples. OHCHR, “Joint letter of the of the Chair-Rapporteur of the Working Group on Arbitrary Detention and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment to the government of Uzbekistan” (“Joint letter on Erkin Musaev”), UA G/SO 218/2 G/SO 214 (53-24) UZB 5/2012, May 3, 2012, [https://spdb.ohchr.org/hrdb/21st/UA_Uzbekistan_03.05.12_\(5.2012\).pdf](https://spdb.ohchr.org/hrdb/21st/UA_Uzbekistan_03.05.12_(5.2012).pdf) (accessed September 11, 2014); “Third Strike for Former Defense Official Erkin Musaev,” Wikileaks, January 15, 2008, <http://cablegatesearch.net/cable.php?id=o8TASHKENT49&q=erkin%20musaev> (accessed September 11, 2014); “Human Rights Watch Submission to the United Nations Committee Against Torture on Uzbekistan,” October 2013, <http://www.hrw.org/news/2013/10/28/human-rights-watch-submission-united-nations-committee-against-torture-uzbekistan>.

²¹ Rights activist Akzam Turgunov and journalist Solijon Abdurakhmanov were both arrested in connection with their work on cases in Karakalpakstan. Furthermore, Human Rights Watch has learned from Karakalpak activists that authorities also began a campaign in 2011 to arrest and imprison dozens of peaceful political activists in Karakalpakstan whom the government accuses of separatism.

expression of political opinion, or opinion on politically sensitive issues, in various formats was the catalyst for their prosecution by government authorities.

In addition to rights activists, political opposition figures, journalists, religious figures, and other perceived government critics, there are many individuals prosecuted for the legitimate exercise of civil and political rights (such as freedoms of thought, expression, and assembly) using provisions in Uzbekistan’s criminal code such as “anti-constitutional activity” (article 159), participation in “banned religious, extremist” groups, or possession of “banned literature” (articles 216, 242, and 244), statutes which contain provisions so vague and overbroad that they are wholly incompatible with international human rights norms.

The 34 current and 10 former prisoners whose cases are documented in this report therefore represent only a fraction of the thousands of persons in Uzbekistan whose imprisonment is politically motivated. Establishing the total number of such prisoners in the country is challenging for many reasons, including the fact that Uzbekistan has become virtually closed to independent scrutiny since the Andijan massacre of 2005, does not allow local or international rights groups to operate in the country, and does not make publicly available any information on the overall number or location of prisoners convicted on various charges.



A prisoner at an unidentified prison in Uzbekistan. © date unknown, Fiery Hearts Club

Another barrier to determining a total number is the fact that the government's campaign to imprison hundreds of individuals, mostly Muslims but also some Christians, on vague, overbroad, and ill-defined charges of so-called "religious extremism" each year is ongoing. In fact, during the writing of this report between September 2013 and July 2014, authorities arrested and convicted at least 6 additional rights activists and political activists and imprisoned well over 100 religious believers from across Uzbekistan.²²

In 2004 Human Rights Watch found that the government's campaign of religious persecution had already resulted in the arrest, torture, and incarceration of an estimated 7,000 people.²³ Memorial, a leading Russian human rights organization, which has monitored politically motivated imprisonment in Uzbekistan for many years, estimates that there are now approximately 10,000 "political prisoners" in the country currently imprisoned on charges of religious extremism and other related so-called "anti-state" crimes.²⁴ In July 2014 the Tashkent-based Initiative Group of Independent Human Rights Defenders, led by rights activist Surat Ikramov, estimated the total number to be closer to 12,000 persons imprisoned on such charges, with over 200 newly convicted in 2013 alone.²⁵ Ikramov noted the length of sentences handed to prisoners convicted on such crimes and the authorities' practice, especially since the Andijan massacre, of finding various pretexts to prolong such prisoners' incarceration by substantial numbers of years.

²² In 2013, authorities imprisoned at least three activists: Bobomurod Razzokov, a representative of the human rights organization *Ezgulik* ("Compassion") in Bukhara; Nematjon Siddikov, a member of the Human Rights Alliance in the Fergana Valley; and Turaboi Juraboev, a Jizzakh-based rights defender and a frequent contributor to *Ozodlik*, the Uzbek service of Radio Free Europe/Radio Liberty. Another activist, Kudratbek Rasulov, a member of the political opposition movement, the People's Movement of Uzbekistan, was detained in October 2013 on unspecified charges and remains in detention. None are involved in violence.

²³ Human Rights Watch, *Creating Enemies of the State*, p. 1.

²⁴ Interview with Vitaly Ponomarev, Memorial Human Rights Center, Brussels, March 20, 2014; Vitaly Ponomarev, "List of Persons Arrested and Convicted on Political or Religious Motives in Uzbekistan (January 2004-December 2008)," Memorial Human Rights Center, (Moscow: 2009), on file with Human Rights Watch, p.10. Combining Memorial compilations of "Lists of Persons" imprisoned on political or religious grounds in Uzbekistan from 1997-2003, 2004-2008, 2009-2010, and the as of yet unpublished compilation for 2011-2014, it is probable that the number of persons imprisoned on such charges is likely within the range estimated by Memorial and Ikramov.

²⁵ Human Rights Watch interviews with Surat Ikramov, Bishkek and Tashkent, July 18 and January 22, 2014.

II. Profiles of Individuals Imprisoned on Politically Motivated Charges

I am at peace with the life I have lived. The life I still have left holds no interest for me any longer! If by chance or by destiny I die in this place, please do as I asked. Do not bury my body in Tashkent, but in Bulungur, next to my beloved Barno and Ruhshona!!!

—Imprisoned journalist Dilmurod Saidov, who suffers from tuberculosis, speaking of his late wife and daughter during a prison visit with his brother in 2014

This section profiles 34 of Uzbekistan’s most prominent individuals currently in prison on politically motivated charges and sets out the urgent need for their immediate and unconditional release. The profiles contain the most up-to-date information known about the prisoners’ activities prior to imprisonment, the nature of the charges brought against them, reports of due process violations and torture in pretrial custody and after conviction, and their current whereabouts and conditions in prison.

The various, sometimes overlapping, categories of prisoners illustrate that the government does not only imprison opposition activists, rights defenders, or journalists but will target anyone they perceive as government critics from any sphere of Uzbekistan’s society, including religious communities, entrepreneurs, cultural figures, or even professionals who work in international organizations. At the same time, the profiles of these individuals show the remarkable contributions, talent, and creativity of Uzbekistan’s diverse civil society despite constant pressure and intimidation by authorities.

Human Rights Activists

Dear Mr. Minister Inoyatov,

Is it really that difficult to find justice in this country?! ... I thought the Stalinist period had long passed, no?! If one of your [prison] officials struck my husband, who will answer for this? Or does the law not apply to prisoners in this country?

—Public letter of Dilorom Mamanova, wife of imprisoned rights activist Chuyan Mamatkulov, to the head of Uzbekistan’s National Security Services, Rustam Inoyatov, after learning her husband had been beaten in prison after complaining about the lack of adequate medical care, July 2, 2014

Uzbekistan’s rights activists face the constant threat of severe government reprisal, including imprisonment, torture, harassment, and other forms of pressure. The government routinely interferes in the activities of both domestic and international rights groups, making it nearly impossible for them to carry out their work. This includes: preventing groups from gaining registration, making it illegal for them to accept any kind of grants or other assistance or funding; denying activists exit visas to prevent them from participating in trainings or international conferences; placing activists under surveillance; and frequently subjecting activists to beatings, arbitrary detention and house arrest. Authorities also block international rights groups, including Human Rights Watch, from operating in Uzbekistan and have aggressively pursued rights activists living in exile.

International Standards on the Protection of Human Rights Defenders

The international community has recognized the importance of protecting human rights defenders and has established a set of standards for doing so. The UN Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms explicitly recognizes the rights of human rights defenders to associate, disseminate information, and seek the realization of human rights through criticizing governments and advocating for change.²⁶ Moreover, the declaration requires states to protect human rights defenders from retaliation and violence related to their work and to promote human rights through enacting legislation. A UN special rapporteur has a mandate to help states give effect to the declaration and investigate alleged violations by governments and non-state actors.²⁷

²⁶ UN General Assembly, Resolution 53/144, A/RES/53/144, March 8, 1999, <http://olddoc.ishr.ch/hrdo/documents/DeclarationHRD.pdf> (accessed September 11, 2014)

²⁷ UN General Assembly, “Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms,” A/RES/53/144, March 8, 1999, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N99/770/89/PDF/N9977089.pdf?OpenElement> (accessed September 11, 2014).

While not directly binding on Uzbekistan, the Council of Europe has also emphasized its commitment to protecting the work of human rights defenders by issuing a 2008 declaration calling for the commissioner for human rights to intervene when necessary to protect human rights defenders and calling on such institutions as the European Court of Human Rights to pay close attention to their plight.²⁸ More recently, in June 2014, the Organization for Security and Cooperation in Europe (OSCE), of which Uzbekistan is a member, adopted “Guidelines on the Protection of Human Rights Defenders,” which, among other areas, emphasizes,

States should not subject human rights defenders to arbitrary deprivation of liberty because of their engagement in human rights activity.... Human rights defenders arbitrarily detained should be immediately released.... Human rights defenders deprived of their liberty must always be treated with respect for and in accordance with international standards ... [and] should not be singled out for selective treatment to punish them for or discourage them from their human rights work.²⁹

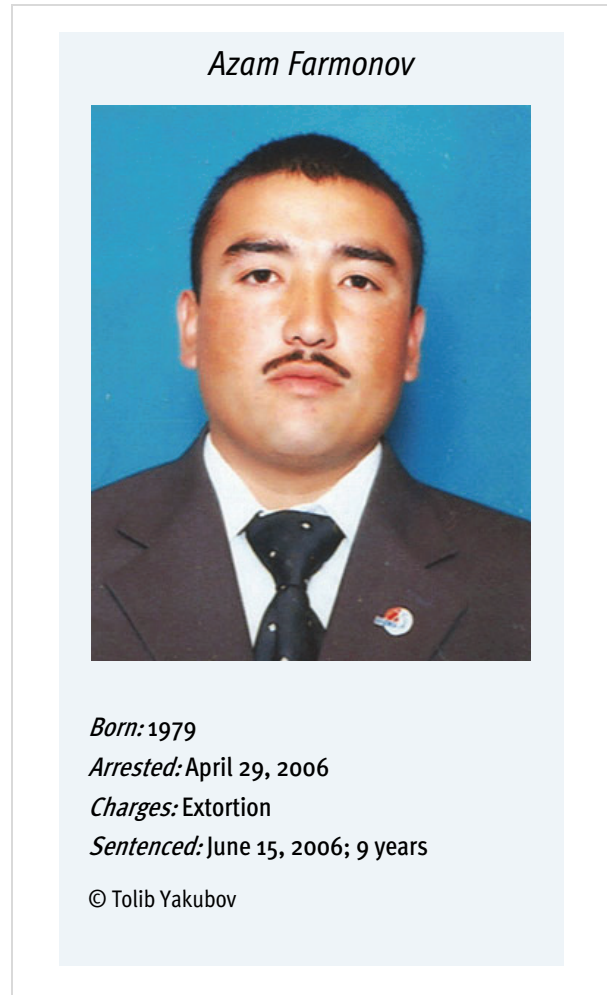
Taken together, these standards express the strong interest of regional and international bodies in ensuring that human rights defenders are able to carry out their work safely and without interference, which is not the case in Uzbekistan. At time of writing, the Uzbek government holds in prison at least 15 human rights activists on wrongful charges and has imprisoned or brought charges against hundreds of others for no reason other than their legitimate human rights work.

²⁸ Council of Europe, Steering Committee for Human Rights (CDDH), 1017 Meeting, CM(2008)/5, February 6, 2008, <http://wcd.coe.int/ViewDoc.jsp?Ref=CM%282008%295&Language=lanEnglish&Ver=add&Site=CM&BackColorIntranet=9999CC&BackColorIntranet=FFBB55&BackColorLogged=FFAC75> (accessed September 11, 2014)

²⁹ OSCE, “Guidelines on the Protection of Human Rights Defenders,” June 10, 2014, <http://www.osce.org/cio/119655> (accessed September 11, 2014).

Azam Farmonov, 34, is a father of two children and was chairperson of the Human Rights Society of Uzbekistan (HRSU) in Gulistan, Syrdaryo province. He monitored violations of social and economic rights with a particular emphasis on the rights of farmers and people with disabilities.³⁰ He also defended them in court as a lay public defender. He was arrested on April 29, 2006 alongside rights activist Alisher Karamatov on fabricated charges of extortion.³¹

Due process violations marred Farmonov's pretrial detention and trial. Authorities held both him and Karamatov incommunicado for the first few days of their detention and subjected them to torture. Officers of the National Security Service (SNB) placed sealed gas masks on their heads to simulate suffocation and beat their legs and feet, pressuring them to "confess."³² Farmonov told his lawyer that he was beaten on the head with plastic bottles filled with water and that SNB officers threatened to drive nails into his toes and to harm his loved ones.³³ During a search of his home on the day of his arrest, police beat Farmonov's then-pregnant wife, Ozoda Yakubova.³⁴



³⁰ "Uzbekistan's Imprisoned Human Rights Defenders," Human Rights Watch news release, May 13, 2011, <http://www.hrw.org/news/2011/05/12/uzbekistans-imprisoned-human-rights-defenders>.

³¹ Human Rights Watch telephone interviews with Abdurakhmon Tashanov, *Ezgulik* activist, Tashkent, October 21, 2013 and April 29, 2014.

³² Human Rights Watch interview with Ozoda Yakubova, Tashkent, November 12, 2010; telephone interview with Abdurakhmon Tashanov, October 21, 2013; email correspondence with the Human Rights Society of Uzbekistan, August 27, 2013.

³³ *Ibid.*

³⁴ *Ibid.*

Farmonov was not represented by independent counsel at his trial.³⁵ On June 15, 2006, the Yangiyo'l City Court sentenced him to nine years in prison, sending him to Jaslyk prison colony, in northwestern Uzbekistan, which enforces what is termed a "strict" regime even though his sentence specified he should serve his sentence in a "general" regime prison. According to his wife, Farmonov said to her at his sentencing, "I will hold out until the very end."³⁶



Ozoda Yakubova, wife of imprisoned rights activist Azam Farmonov, together with her children, reads a letter from her husband in Jaslyk prison. © 2012 Bahtiyor Hamraev

Farmonov has reported that authorities tortured him frequently in the first years of his sentence, including stripping him of his overclothing, handcuffing him, and leaving him in an unheated punishment cell for 23 days in January 2008, when temperatures reached approximately -20 C.³⁷ In 2011 prison guards bound and beat him for refusing to write that he had never been tortured.³⁸ According to the Association of Christians Against Torture (ACAT)-France, authorities repeatedly transferred him between a prison in Nukus (a city in a neighboring region)

and back to Jaslyk when they became aware that representatives of the International Committee of the Red Cross representatives planned to make a prison visit.³⁹

Farmonov's relatives and rights defenders believe that his lengthy prison term and abuses he has suffered have caused serious damage to his health.⁴⁰ In a July 2013 meeting with

³⁵ Human Rights Watch interview with Ozoda Yakubova, Tashkent, November 12, 2010.

³⁶ Human Rights Watch telephone interviews with Abdurakhmon Tashanov, October 21, 2013 and April 29, 2014.

³⁷ "Uzbekistan's Imprisoned Human Rights Defenders," Human Rights Watch news release, May 13, 2011, <http://www.hrw.org/news/2011/05/12/uzbekistans-imprisoned-human-rights-defenders>.

³⁸ International Federation for Human Rights, "Torture in detention of Mr. Azamjon Farmonov - UZB 002 / 1111 / OBS 131," November 29, 2011, <http://www.fidh.org/en/Eastern-Europe-Central-Asia/Uzbekistan,287/Torture-in-detention-of-Mr-Azamjon> (accessed September 11, 2014).

³⁹ Action by Association of Christians Against Torture – France, "ACAT-France statement – Uzbekistan," March 7, 2011.

⁴⁰ Human Rights Watch telephone interview with Ozoda Yakubova, Tashkent, August 23, 2013.

his wife, he complained of constant tooth pain and the appearance of a number of hard lumps in various places on his body.⁴¹ Beyond routine check-ups, prison authorities have denied Farmonov’s repeated requests for medical and dental care.⁴²

Farmonov’s family told Human Rights Watch that authorities have blocked his eligibility for an early release by charging him with multiple “violations of prison rules,” including “helping prisoners write appeals,” often shortly before the government’s Constitution Day amnesty declaration, at which time eligible prisoners are announced.⁴³

Mehriniso Hamdamova, 45, and Zulhumor Hamdamova, 54, are sisters from the city of Karshi, in the southern province of Kashkadarya, and members of HRSU. Zulhumor is a mother of four children. Mehriniso received a religious education and worked at Karshi’s Kuk Gumbaz mosque, where she was responsible for coordinating the mosque’s outreach with women and youth.⁴⁴ According to fellow HRSU members, she and her sister took an active role in civil society, participating in demonstrations against the persecution of independent Muslims. According to an HRSU leader, the sisters were effective because of their ability to gather testimony on abuses from religious women who would not communicate with men.⁴⁵

Mehriniso and Zulhumor Hamdamova

Born: 1969 and 1960, respectively

Arrested: November 5, 2009

Charges: “Threatening the President,” “threatening the constitutional order,” “forming, leading, or membership in an extremist, fundamentalist, or otherwise banned organization,” and “holding unsanctioned religious gatherings”

Sentenced: April 12, 2010; 6.5-7 years

On November 5, 2009, police arrested them with their relative and fellow HRSU member Shahlo Rahmonova and around 30 other women for holding “unsanctioned religious

⁴¹ Ibid.

⁴² Ibid.

⁴³ Human Rights Watch telephone interview with Ozoda Yakubova, August 23, 2013; email correspondence with Tolib Yakubov of the Human Rights Society of Uzbekistan, August 27, 2013.

⁴⁴ Vitaly Ponomarev, “Political Repression in Uzbekistan in 2009-2010,” Memorial Human Rights Center, Moscow, March 2011, on file with Human Rights Watch, p.53.

⁴⁵ Human Rights Watch telephone interviews with Tulkin Karaev, Sweden, October 28, 2013, Gulshan Karaeva, Karshi, September 5, 2013, and Abdualil Boymatov, Dublin, August 29, 2013.

gatherings” in their homes. According to the warrant, the meetings’ purpose was to organize underground religious congregations (*jamoats*).⁴⁶

According to rights activists, SNB officers ill-treated the sisters and Shahlo Rahmonova in pretrial detention, stripping them naked and threatening them with rape.⁴⁷ They were charged with “threatening the President,” “threatening the constitutional order,” and “forming, leading, or membership in an extremist, fundamentalist, or otherwise banned organization.” A relative who attended the trial reported that the accusations were based on the testimony of two witnesses who alleged that the defendants said, “We are returning to the true form of Islam,” and that they were “building a Caliphate.”⁴⁸ The defendants, including the sisters, denied the accusations, stating that the case was entirely fabricated.

On April 12, 2010, the Kashkadarya Criminal Court sentenced the sisters and Rahmonova to terms ranging from six and a half to seven years of incarceration.⁴⁹

HRSU leaders, rights defender Surat Ikramov, and other observers suggested that the charges and the severe sentences were in retaliation for the women’s independent religious practice and active rights work, in particular their monitoring of cases brought against people on grounds of religious extremism.⁵⁰

In 2012 Rahmonova was released pursuant to an amnesty, but the Hamdamova sisters remain in prison.⁵¹ Rights activists report that SNB officers have intimidated the sisters’

⁴⁶ “Interview with Latofat Orzikulova, daughter of Zulhumor Hamdamova” (in Uzbek), *Ozodlik*, April 14, 2010, translated by Human Rights Watch. Broadcast available at www.ozodlik.org/schedule/20100414.html, text summary available at www.ozodlik.org/content/article/2012224.html. Purported members of groups the government consider as banned fundamentalist Islamic movements have been jailed and persecuted since the mid-1990s in Uzbekistan. The Hizb-ut-Tahrir movement faced particular repression often because of its radical opposition to secularism and its stated ideal of forming a pan-Islamic caliphate in Central Asia, even though the organization expressly rejected the use of violence towards that goal. Human Rights Watch, *Creating Enemies of the State*.

⁴⁷ European Court of Human Rights, *Umirov v. Russia*, (Application no. 17455/11), Judgment of 18 September 2012, available at www.echr.coe.int; para. 85; “Interview with Latofat Orzikulova, daughter of Zulhumor Hamdamova” (in Uzbek), *Ozodlik*, April 14, 2010.

⁴⁸ European Court of Human Rights, *Umirov v. Russia*, (Application no. 17455/11), judgment of 18 September 2012; available at www.echr.coe.int; para. 85..

⁴⁹ *Ibid.*

⁵⁰ Human Rights Watch telephone interview with Abdujalil Boymatov, Dublin, August 29, 2013; Human Rights Watch email correspondence with Tolib Yakubov, Dublin, August 29, 2013; Human Rights Watch telephone interview with Surat Ikramov, January 28, 2014.

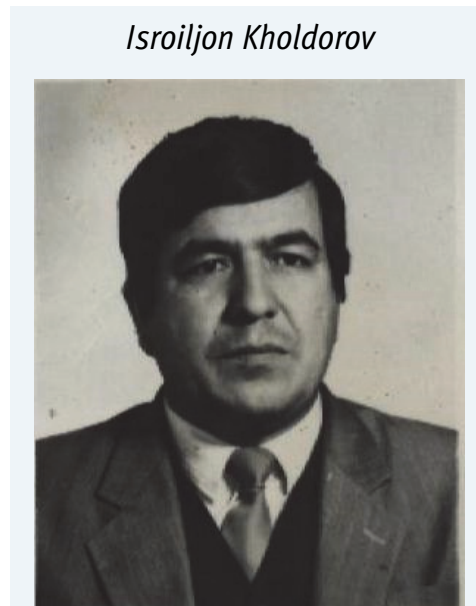
⁵¹ Human Rights Watch telephone interview with Nadejda Atayeva, Paris, September 12, 2013.

relatives, warning them not to speak with anyone about their plight.⁵² In February 2014 Mehriniso's relatives told Human Rights Watch and Forum 18, an independent international religious freedom group, that she is gravely ill and in urgent need of an operation to remove an apparent myoma.⁵³ Both Mehriniso and her sister Zulhumor are currently being held at Zangiota prison 64/1 in Tashkent province.

Isroiljon Kholdorov, 63, is the former chairperson of the Andijan branch of *Ezgulik*, the only registered human rights organization in Uzbekistan. He is also a regional *Erk* party leader and an independent journalist. He is known for exposing police abuse, assisting victims in filing appeals with the authorities and representing them in court, and publishing articles critical of the government.⁵⁴

Following the May 2005 Andijan massacre, Kholdorov spoke to international media about mass graves in and around Andijan, including in the Bogishamol district, which, according to eyewitnesses, authorities had secretly organized.⁵⁵

On October 18, 2005, police searched Kholdorov's home in Andijan, confiscating books, documents, and letters. The authorities subsequently issued an order forbidding him to leave Uzbekistan. He fled to neighboring



Born: August 23, 1951

Kidnapped from Kyrgyzstan: June 10, 2006

Charges: "Threatening the constitutional order," "unlawful entry or exit into Uzbekistan," and "preparing or distributing documents that threaten the public order"

Sentenced: February 2007; 6 years; extended by 3 years

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⁵² Human Rights Watch telephone interviews with Gulshan Karaeva, Karshi, September 5, 2013, and Abdujalil Boymatov, Dublin, August 29, 2013.

⁵³ Human Rights Watch telephone interview with (name withheld), February 3, 2014; Human Rights Watch telephone interview with Gulshan Karaeva, Human Rights Society of Uzbekistan, Karshi, September 5, 2013.

⁵⁴ Human Rights Watch telephone interview with Musajon Babajonov, Andijan, September 13, 2013.

⁵⁵ Human Rights Watch telephone interview with Musajon Babajonov, September 13, 2013.

Kyrgyzstan, where he applied for refugee status with the office of the UN High Commissioner for Refugees (UNHCR).⁵⁶ On November 2, 2005, SNB officers opened a criminal case against him for “threatening the constitutional order,” “unlawful entry into or exit from Uzbekistan,” and “preparing or distributing documents that threaten the public order.”⁵⁷

On June 10, 2006, Uzbek security services kidnapped Kholdorov in the city of Osh, Kyrgyzstan on his way home from the UNHCR office and forcibly returned him to Uzbekistan.⁵⁸ The circumstances of his kidnapping and treatment in the first months of his detention are unclear; officials claim that Kholdorov came of his own free will to the police station in Andijan on September 7, 2006 with a statement admitting his guilt.⁵⁹ According to *Ezgulik*, SNB officers held Kholdorov under guard for six months at an undisclosed, unofficial place of detention with boarded windows. He was allowed to exit only to use the outhouse, led by a handler and with his head covered with a sack.⁶⁰ In February 2007 the Andijan Criminal Court convicted him on all counts, sentencing him to six years in prison, not including time served in pretrial detention.⁶¹

Kholdorov has long suffered from serious health problems, including a severe spinal hernia. According to his family, his health has deteriorated significantly in prison.⁶² On July 15, 2012, with less than a year left on his prison term, prison authorities sentenced Kholdorov to an additional three years for “violations of prison rules” for such infractions as “not getting up when called” and refusing to lift a heavy object when asked to by a prison guard.⁶³ Because such hearings are closed, little is known about the trial on the additional charges, including whether he had access to a lawyer or a meaningful opportunity to appeal. Kholdorov’s family fears the authorities will add more time to his sentence before it expires in 2016.⁶⁴

⁵⁶ Human Rights Watch interview with Vitaliy Ponomarev, Bishkek, September 17, 2013; Vitaliy Ponomarev’s monograph addressing this question, “Refugees from Uzbekistan in CIS Countries: The Risk of Extradition (May 2005-August 2007) [Bezidentsy iz Uzbekistana v stranakh SNG: ugroza ekstraditsii (mai 2005 g. – avgust 2007 g.)],” Memorial Human Rights Center, September 2007, <http://www.memo.ru/2007/09/26/2609071.htm> (accessed September 11, 2014).

⁵⁷ Human Rights Watch interview with Vitaliy Ponomarev, Bishkek, September 17, 2013; Vitaliy Ponomarev, “Refugees from Uzbekistan in CIS Countries: The Risk of Extradition (May 2005-August 2007).”

⁵⁸ Ibid.

⁵⁹ Ibid.

⁶⁰ Human Rights Watch telephone interview with Musajon Babajonov, *Ezgulik*, Andijan, September 13, 2013.

⁶¹ Vitaliy Ponomarev, “Refugees from Uzbekistan in CIS Countries: The Risk of Extradition (May 2005-August 2007).”

⁶² Human Rights Watch telephone interview with Musajon Babajonov, September 13, 2013.

⁶³ Ibid.

⁶⁴ Human Rights Watch telephone interview with Musajon Babajonov, September 13, 2013.

Nosim Isakov, 47, is a father of three children and a member of HRSU in Jizzakh, central Uzbekistan.⁶⁵ He wrote public letters and complaints to officials, including President Karimov, regarding the official abuse of power and corruption in Jizzakh province. In January 2005 Isakov took up the case of Askhad Yakubov, who died allegedly from being tortured in custody by the Jizzakh police.⁶⁶

Nosim Isakov

Born: November 12, 1966

Arrested: October 27, 2005

Charges: “Hooliganism” and extortion

Sentenced: December 2005; 8 years;
sentence extended for unspecified period

On October 27, 2005, the head of the SNB branch in Jizzakh summoned Isakov and his wife to the police station, ostensibly to discuss a letter Isakov had written to the president. After separating him from his wife, an investigator asked Isakov if he had come with a lawyer and immediately arrested him without showing a warrant.

Prosecutors charged him with “hooliganism” and extortion, charges that appeared fabricated. His trial was marred by due process violations.⁶⁷ The prosecution based the hooliganism charge on the allegation of Isakov’s neighbor, a fifth-grade girl, that he had made a lewd gesture toward her. According to Isakov’s *Ezgulik* colleague, the extortion charge was based on the testimony of a former classmate who claimed Isakov demanded a television set in exchange for agreeing not to expose corruption on the part of the owners of a local flour mill.

At his trial, which began on December 15, 2005, Isakov maintained his innocence and told the judge that police beat him on the head with a bottle filled with water, causing headaches and hearing loss during pretrial detention, but the judge refused to investigate his allegations.⁶⁸

⁶⁵ “Uzbekistan’s Imprisoned Human Rights Defenders,” Human Rights Watch news release, May 13, 2011, <http://www.hrw.org/news/2011/05/12/uzbekistans-imprisoned-human-rights-defenders>.

⁶⁶ Human Rights Watch telephone interview with Abdurakhmon Tashanov, October 21, 2013.

⁶⁷ Ibid; “Uzbekistan’s Imprisoned Human Rights Defenders,” Human Rights Watch news release, May 13, 2011, <http://www.hrw.org/news/2011/05/12/uzbekistans-imprisoned-human-rights-defenders>.

⁶⁸ Human Rights Watch telephone interviews with Abdurakhmon Tashanov, *Ezgulik* activist, Tashkent, October 21, 2013 and April 29, 2014.

The court sentenced Isakov to eight years in prison. He was to have been released last year, but authorities extended his sentence for unspecified “violations of prison rules” and he continues to serve a prison term in Tavaksay, Tashkent province. According to rights activists, authorities have intimidated his family members over the years, warning them not to make any complaints about Isakov’s imprisonment.⁶⁹

Gaybullo Jalilov



Born: August 24, 1964

Arrested: June 8, 2009

Charges: “Hooliganism” and extortion

Sentenced: August 4, 2010; 11 years, 1 month, 5 days

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Gaybullo Jalilov, 50, is a human rights activist from Karshi in the southern province of Kashkadarya and the father of two children. A member of HRSU since 2003, he focused on the crackdown on independent Muslims. By the time he was taken into custody on June 8, 2009, he had collected information on over 200 arrests of independent Muslims in the region.⁷⁰ Jalilov had severe medical problems prior to prison; he is missing one of his lungs and requires constant medical supervision. His health has worsened since he has been in detention.⁷¹

On January 18, 2010, the Kashkadarya Criminal Court sentenced Jalilov to nine years in prison on charges of “anti-constitutional activity,” “production and distribution of banned material,” and “membership in a banned religious organization.” Jalilov’s trial violated fair trial standards and he was allegedly tortured in pretrial detention. The prosecution’s case

⁶⁹ Human Rights Watch telephone interview with Abdurakhmon Tashanov, *Ezgulik*, September 11, 2013; Human Rights Watch email correspondence with Tolib Yakubov, Dublin, August 29, 2013.

⁷⁰ “Uzbekistan’s Imprisoned Human Rights Defenders,” Human Rights Watch news release, May 13, 2011, <http://www.hrw.org/news/2011/05/12/uzbekistans-imprisoned-human-rights-defenders>.

⁷¹ *Ibid.*

against Jalilov centered on his alleged involvement in an extremist religious group and the preparation of terrorist attacks on a military base. However, it did not introduce any evidence in support of these allegations. The authorities' search of Jalilov's home produced no religious literature and no witnesses could recall him ever belonging to an extremist group or calling for violent action against the state.⁷² On March 9, 2010, Jalilov's nine-year sentence was upheld on appeal. Guards brought him to the hearing with a swollen eye, raising the possibility that he had been ill-treated in custody.⁷³

Seven months after his original conviction, on August 4, 2010, a court convicted Jalilov again and sentenced him to 11 years, one month, and five days on new charges of "attempting to overthrow the constitutional order of the state."⁷⁴ Authorities never notified his family of the investigation into his case and repeatedly denied their requests to visit him in detention. Upon sentencing, Jalilov was transferred to a prison in Zangiota.⁷⁵

After a two-day visit in January 2011, Jalilov's relatives told Human Rights Watch that Jalilov had been tortured, including by being beaten with a nightstick to such a degree that he has nearly total hearing loss. They also reported that Jalilov's lung causes him pain and that he is suffering from a vertebral hernia.⁷⁶

In late 2013 relatives and rights activists reported that Jalilov was in urgent need of medical care.⁷⁷ In 2012, without notifying his family, authorities moved him 450 kilometers from Zangiota prison in the northeast to a prison in Navoi, in central Uzbekistan.⁷⁸ Since 2013, in spite of his very poor health, prison authorities have made Jalilov work in a prison brick factory. It is also reported that he is not receiving enough food.⁷⁹

⁷² Human Rights Watch telephone interviews with Abdurakhmon Tashanov, October 21, 2013 and April 29, 2014, and Gulshan Karaeva, Karshi, March 15, 2014.

⁷³ "Uzbekistan's Imprisoned Human Rights Defenders," Human Rights Watch news release, May 13, 2011, <http://www.hrw.org/news/2011/05/12/uzbekistans-imprisoned-human-rights-defenders>.

⁷⁴ "Uzbekistan: Activist Hit With New Sentence: Stop Persecuting Human Rights Defenders," Human Rights Watch news release August 13, 2010, <http://www.hrw.org/news/2010/08/13/uzbekistan-activist-hit-new-sentence>.

⁷⁵ Ibid.

⁷⁶ Human Rights Watch telephone interview with Mukaddas Temirova, Karshi, February 2, 2011.

⁷⁷ Human Rights Watch telephone interview with Gulshan Karaeva, Karshi, October 16, 2013.

⁷⁸ Human Rights Watch telephone interview with Mukaddas Temirova, Karshi, October 14, 2013.

⁷⁹ Human Rights Watch telephone interview with Gulshan Karaeva, Karshi, September 5, 2013.

Matluba Kamilova

Born: 1960

Arrested: September 6, 2010

*Charges: Narcotics
possession*

Sentenced: 11 years

Matluba Kamilova, 54, is a mother, human rights activist, lawyer, and the former director of a technical college in Angren, Tashkent province. She was known for tackling corruption and assisting citizens to advocate for their rights. Her work led to the opening of two corruption cases against local officials.⁸⁰ On September 6, 2010, plainclothes officers who identified themselves as belonging to the SNB arrested her during a traffic stop on her way to work. Shohruhon,

Kamilova's 21-year-old son who was in the vehicle, told an activist that the officers said they found a five-gram bag of heroin, after which they took Kamilova and him into custody, beating them in the process.⁸¹ Police subsequently searched Kamilova's office where they said they uncovered another four grams of unspecified narcotics.

A few days later officers transferred Kamilova to the Tashkent city jail. A rights activist present at Kamilova's trial told Human Rights Watch that Kamilova testified that SNB officers took her out of her cell at the jail, where she was forced to listen to the screams of other prisoners being beaten to convince her to confess.⁸²

A rights activist who observed Kamilova's trial and interviewed her son told Human Rights Watch that SNB officers planted the drugs on Kamilova's person. In addition, officers provided contradictory testimony about the sequence of events during the search of the vehicle, including how and when the drugs were allegedly discovered.⁸³

A Tashkent regional court convicted Kamilova on narcotics possession, sentencing her to eleven years in prison. The ruling was upheld on appeal.⁸⁴ Few details are known about Kamilova's current condition or whereabouts in prison, but the narcotics conviction renders her ineligible for amnesty. Kamilova's relatives said SNB officers have repeatedly threatened them not to speak about the case.⁸⁵

⁸⁰ Human Rights Watch interviews with "Umid U.," Angren and Bishkek, September 19 and October 16, 2013.

⁸¹ Human Rights Watch telephone interview with Elena Urlaeva, Tashkent, October 10, 2013.

⁸² Human Rights Watch interview with "Umid U.," September 19 and October 16, 2013.

⁸³ Human Rights Watch telephone interview with Elena Urlaeva, September 19, 2013; Human Rights Watch telephone interview with "Bakhodir B.," January 21, 2014.


⁸⁴ Human Rights Watch telephone interview with Elena Urlaeva, September 19, 2013.

⁸⁵ Ibid.

Ganikhon Mamatkhanov, 63, the father of five children, was the leader of the local chapter of the International Society for Human Rights of Uzbekistan in his native Fergana province, in eastern Uzbekistan. He advocated for social and economic rights, especially those of farmers subjected to unlawful land confiscation as well as for adults and children forced to harvest cotton by government officials.⁸⁶ Before his arrest, Mamatkhanov regularly commented on rights abuses in his native region to the Uzbek service of Radio Free Europe/Radio Liberty and criticized the government's failed socio-economic policies on BBC radio.⁸⁷ Several days before his arrest, Mamatkhanov sent an open letter to President Karimov criticizing his agricultural reform program immediately before Karimov was to make a visit to Fergana province.⁸⁸

Police arrested Mamatkhanov on October 12, 2009, under circumstances that appear to have been staged to frame him for fraud and attempted bribery. He later told his son that he suffered two heart attacks in pretrial detention but that his request to the investigator for medical attention was denied.⁸⁹ His case was marred by severe procedural violations and witnesses claimed that the investigator instructed them what to say before and after Mamatkhanov's arrest.⁹⁰ On November 25, 2009, a court sentenced him to five years imprisonment and the authorities sent him to a penal colony in the Pskent district of Tashkent province. He suffered a third heart attack during trial.⁹¹

Ganikhon Mamatkhanov



Born: 1951
Arrested: October 12, 2009
Charges: Fraud and attempted bribery
Sentenced: November 25, 2009; 5 years; sentence extended for an unspecified period

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⁸⁶ "Uzbekistan's Imprisoned Human Rights Defenders," Human Rights Watch news release, May 13, 2011, <http://www.hrw.org/news/2011/05/12/uzbekistans-imprisoned-human-rights-defenders>.

⁸⁷ Human Rights Watch telephone interview with Abdurakhmon Tashanov, *Ezgulik* activist, Tashkent, October 21, 2013, and in-person interview, Washington, DC, April 29, 2014.

⁸⁸ *Ibid.*

⁸⁹ *Ibid.*

⁹⁰ "Imprisoned Human Rights Defenders in Uzbekistan," Human Rights Watch news release, February 5, 2010, <http://www.hrw.org/news/2010/12/18/imprisoned-human-rights-defenders-uzbekistan>.

⁹¹ Human Rights Watch telephone interview with Abdurakhmon Tashanov, *Ezgulik* activist, Tashkent, October 21, 2013, and in-person interview, Washington, DC, April 29, 2014.

In January 2010 a court reduced Mamatkhanov's five-year prison sentence to four and a half years on appeal.⁹² Mamatkhanov's lawyer reported that SNB officers obstructed an appeal by refusing to supply necessary documents and denied him opportunities to meet with Mamatkhanov. Authorities granted him just one meeting with Mamatkhanov throughout the appeal.⁹³

In spring 2010, after allegedly violating prison rules at his penal colony, authorities transferred Mamatkhanov to Kyzyltepa prison in Navoi, in central Uzbekistan, more than 700 kilometers from his Fergana home. During a January 2011 family visit, Mamatkhanov complained of heart pain and high blood pressure.⁹⁴ Visiting him in July 2013, his wife reported that his condition had further deteriorated, including increased hypertension and difficulty walking. Mamatkhanov requested that she urge rights groups and diplomats to advocate for his release as he fears he will die in prison due to his poor health.⁹⁵

Mamatkhanov was due to have been released on March 10, 2014, but authorities extended his sentence in the same month for unspecified "violations of prison rules" following a closed hearing.⁹⁶ According to Mamatkhanov's son, Jalolidin, and rights activists, authorities informed the family even prior to the hearing that Mamatkhanov's sentence would be inevitably lengthened and that they should "prepare for him to be moved to a prison in another region."⁹⁷ When Mamatkhanov's family attempted to visit him, prison officials denied them access. After returning home, they received a letter that he had been tried on March 4, two days before their arrival. The letter stated that a Navoi court had sentenced him to an additional term for "violation of prison rules" but did not state by how many years. "I called the court of the city of Navoi," said Jalolidin, to obtain

⁹² "Uzbekistan's Imprisoned Human Rights Defenders," Human Rights Watch news release, May 13, 2011, <http://www.hrw.org/news/2011/05/12/uzbekistans-imprisoned-human-rights-defenders>.

⁹³ Human Rights Watch telephone interview with Abdurakhmon Tashanov, *Ezgulik* activist, Tashkent, October 21, 2013, and in-person interview Washington, DC April 29, 2014.

⁹⁴ "Uzbekistan's Imprisoned Human Rights Defenders," Human Rights Watch news release, May 13, 2011, <http://www.hrw.org/news/2011/05/12/uzbekistans-imprisoned-human-rights-defenders>.

⁹⁵ Human Rights Watch telephone interview with Abdusalom Ergashev, Fergana, August 29, 2013.

⁹⁶ "Uzbek Rights Activist Remains in Jail, Even After Prison Term Ends," RFE/RL, March 24, 2014, <http://www.rferl.org/content/uzbekistan-activist-mamatkhanov-prison/25307888.html> (accessed September 11, 2014).

⁹⁷ Human Rights Watch interview with Mutabar Tajibaeva, Brussels, March 20, 2014; "Ganikhon Mamatkhanov Was Thrown Into a Punishment Cell for Going to the Toilet Three Times Without Permission," Fiery Hearts Club news release, March 4, 2014, <http://jarayon.com/en/index.php/human-rights/item/231-ganikhon-mamatkhanov-was-thrown-into-a-punishment-cell-for-going-to-toilet-three-times-without-permission> (accessed September 11, 2014).

information, “but they told me that they do not give information over the phone and asked to visit him in person!”

Mamatkhanov earlier warned authorities would find a justification to lengthen his sentence, as has occurred with others imprisoned on politically motivated charges. Prison officials placed Mamatkhanov in solitary confinement for several days in March 2014 ostensibly for “going to the bathroom on three occasions without asking permission.”⁹⁸

Chuyan Mamatkulov, 44, is a father, former sergeant in the army, and member of HRSU in Kashkadarya province and has represented citizens in court cases.⁹⁹ He has also assisted victims of fraud and written petitions to government bodies.¹⁰⁰ He rose to prominence in the early 2000s after filing several suits against President Karimov alleging his unlawful dismissal from active military service in 2000.¹⁰¹ He claimed that Karimov, as commander-in-chief, bore responsibility for his wrongful dismissal. Following the dismissal of his lawsuit three times, a

Chuyan Mamatkulov



Born: 1970

Arrested: August 2012

Charges: 12 different charges, including narcotics sale, extortion, kidnapping, religious extremism, and racketeering

Sentenced: March 12, 2013; 10 years

Imprisoned rights activist Chuyan Mamatkulov photographed with his two children in Kashkadarya province. © 2012 Private

⁹⁸ Human Rights Watch interview with Mutabar Tajibaeva, Brussels, March 20, 2014.

⁹⁹ Human Rights Society of Uzbekistan news release, “Regular victims of ‘justice’ in Kashkadar’inskiy oblast [Ocherednaya zhertva ‘pravosudiya’ v Kashkadar’inskoy oblasti],” March 13, 2013, <http://ru.hrsu.org/archives/4339> (accessed August 1, 2014).

¹⁰⁰ Human Rights Watch telephone interview with Abdujalil Boymatov, Dublin, August 28, 2013.

¹⁰¹ Karaev, Tulkin, “Discharged service members are suing the president of Uzbekistan [Uvolenniy voyenniy suditsya c prezidentom Uzbekistana],” Institute for War and Peace Reporting News Release, February 21, 2005, <http://iwpr.net/ru/report-news/уволенный-военный-судится-с-президентом-узбекистана> (accessed September 11, 2014).

Tashkent city court finally accepted the case in 2004, but no trial date was ever set. Mamatkulov's fearlessness and willingness to criticize President Karimov directly earned him respect among many in civil society and beyond.¹⁰²

Following the 2005 Andijan massacre, authorities pressured Mamatkulov to abandon his public criticism. In December 2012, rights defenders learned that authorities had arrested Mamatkulov in August of that year on 12 different charges, including narcotics sale, extortion, kidnapping, religious extremism, and racketeering.¹⁰³ A court convicted Mamatkulov on all counts on March 12, 2013 and sentenced him to 10 years in prison. No observers were allowed to be present at the trial.¹⁰⁴ The number of charges, nature of the accusations, and the fact that the religious organization Mamatkulov was accused of being a member of, *Jihodchilar*, does not appear to exist, contribute to the appearance of a politically motivated prosecution of a government critic and is consistent with other similar cases.¹⁰⁵

Mamatkulov is serving his sentence in Navoi.¹⁰⁶ In July 2014 Mamatkulov's wife told Human Rights Watch that on April 20 a prison captain named Sherali had repeatedly struck Mamatkulov on the head with a rubber truncheon in his office after Mamatkulov had asked to see a dentist.¹⁰⁷ Following the beating, prison authorities placed Mamatkulov in solitary confinement for 24 hours. His wife learned about the beating during a visit with her husband on June 19. At that time she also discovered that Mamatkulov has lost the majority of his teeth and has had problems with his vision since the April 2014 beating.¹⁰⁸

Karshi-based human rights activists Yuldash Rasulov, 46, and Zafarjon Rahimov, 45, are childhood friends, colleagues, and members of the Kashkadarya province branch of HRSU. Rahimov was a policeman until the early 1990s, when the government purged religious

¹⁰² Ibid.

¹⁰³ Human Rights Society of Uzbekistan news release, "Regular victims of 'justice' in Kashkadar'inskiy oblast." ("Ocherednaya zhertva 'pravosudiya' v Kashkadar'inskoy oblasti") March 13, 2013, <http://ru.hrsu.org/archives/4339> (accessed September 11, 2014).

¹⁰⁴ Human Rights Watch telephone interviews with Gulshan Karaeva, Human Rights Society of Uzbekistan, Karshi, September 5, 2013, April 25, 2013, and May 2, 2014.

¹⁰⁵ Human Rights Watch telephone interviews with Gulshan Karaeva, September 5, 2013, April 25, 2013, and May 2, 2014.

¹⁰⁶ Ibid.

¹⁰⁷ Human Rights Watch telephone interview with Dilorom Mamanova, Kasan district, village Obron, July 2, 2014.

¹⁰⁸ Ibid.

individuals from the Ministry of Internal Affairs and he was forced to leave his position. He then began working with Yuldash Rasulov as a mechanic at an auto shop, when both became involved with HRSU around 2001.¹⁰⁹

In the early 2000s, similar to Shahlo Rahmonova and Mehriniso and Zulhumor Hamdamova, Rasulov and Rahimov served as a link between religious Muslims and the secular HRSU. They gathered information about abuses against independent Muslims, focusing on freedom of belief and worship

and ill-treatment in custody. Rasulov and Rahimov also expanded the scope of HRSU's work in Kashkadarya province, arranging meetings with pious Muslims and farmers.¹¹⁰

On May 24, 2002, authorities arrested Rasulov on charges of "threatening the constitutional order," "distributing extremist literature," and "membership in a criminal organization." He was held incommunicado for a month after his arrest and stated in court that he had been beaten in pretrial detention.¹¹¹ The court convicted Rasulov and sentenced him to seven years in prison, but following sustained pressure from human rights organizations and diplomats, authorities released him seven months later.¹¹²

<i>Zafarjon Rahimov</i>	<i>Yuldash Rasulov</i>
	
<i>Born:</i> 1969 and 1968, respectively	
<i>Arrested:</i> April 2007	
<i>Charges:</i> "Threatening the constitutional order" and "membership in a banned religious organization"	
<i>Sentenced:</i> 2007; 6 and 10 years, respectively; Rahimov's sentence was extended for an unspecified period	
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¹⁰⁹ Human Rights Watch telephone interview with Tulkin Karaev, Sweden, September 18, 2013.

¹¹⁰ Ibid; Human Rights Watch telephone interview with Abdujalil Boymatov, Dublin, September 17, 2013.


¹¹¹ "Uzbek Rights Defender Sentenced to Imprisonment," Human Rights Watch news release, September 18, 2002, <http://www.hrw.org/news/2002/09/17/uzbek-rights-defender-sentenced-imprisonment>.

¹¹² Davidson Douglass, US Mission to the OSCE Statement to the OSCE Permanent Council, "Human Rights in Uzbekistan," March 13, 2003, <http://2001-2009.state.gov/p/eur/rls/rm/2003/19888.htm> (accessed September 11, 2014).

After Rasulov’s release in early 2003, he and Rahimov continued their work. In late April 2007, security forces arrested the pair in Karshi on charges that included “threatening the constitutional order” and “membership in a banned religious organization.”¹¹³ Rahimov received a six-year sentence and Rasulov was sentenced to ten years.¹¹⁴ Human Rights Watch received reports from the Uzbek human rights organization Fiery Hearts Club, who interviewed the men’s families, and rights activists who monitored the trial that both men were tortured during the investigation and after they were convicted.¹¹⁵

Rahimov’s sentence was set to expire in October 2013, but he remains in prison colony 64/25 in Karavulbazar in the southern province of Bukhara, leading his colleagues to assume that his sentence has been extended on undisclosed grounds.¹¹⁶ Rasulov also remains incarcerated.

Bobomurod Razzokov



Born: March 19, 1953
Arrested: July 10, 2013
Charges: human trafficking
Sentenced: September 24, 2013; 4 years

© Fiery Hearts Club

Bobomurod Razzokov, 61, is a father of six children, a farmer, a member of the *Erk* party, and was the head of *Ezgulik* in Bukhara province.¹¹⁷ He also worked as a correspondent for foreign media, including *Deutsche Welle*. With *Ezgulik*, Razzokov wrote complaints on corruption to the regional administration (*hokimiyat*), the prosecutor’s office, and the president. In the month before his arrest, Razzokov told media and rights groups that he came under increased pressure from the SNB over his work.

¹¹³ “Uzbekistan’s Imprisoned Human Rights Defenders,” Human Rights Watch news release, May 13, 2011, <http://www.hrw.org/news/2011/05/12/uzbekistans-imprisoned-human-rights-defenders>.

¹¹⁴ Human Rights Watch telephone interview with Tulkin Karaev, Sweden, September 18, 2013.

¹¹⁵ Human Rights Watch telephone interview with Nadejda Atayeva, President, Association for Human Rights in Central Asia, Le Mans, September 16, 2013.

¹¹⁶ “Uzbekistan’s Imprisoned Human Rights Defenders,” Human Rights Watch news release, May 13, 2011, <http://www.hrw.org/news/2011/05/12/uzbekistans-imprisoned-human-rights-defenders>.

¹¹⁷ Human Rights Watch telephone interview with Abdurakhmon Tashanov, *Ezgulik* activist, Tashkent, September 9-10, 2013.

On June 10, 2013, the head of Bukhara’s counterterrorism unit, Alisher Andaev, summoned him for a two-hour interrogation and ordered him to resign from *Ezgulik* and cease all contact with foreign media. Razzokov said that Andaev told him harm would come to him and his family if he did not stop his work.¹¹⁸

Authorities detained Razzokov on July 10, 2013 on human trafficking charges.¹¹⁹ The charge stemmed from the written complaint of a woman who accused Razzokov of forcing her into the custody of another individual, who pressed her into prostitution. According to Razzokov, the alleged victim approached him several days before his arrest requesting assistance in finding a relative who had gone missing in Russia. Razzokov’s relative claims that the SNB pressured the woman to testify against him.¹²⁰ A rights activist who monitored the proceedings and the authorities’ threats against Razzokov prior to his arrest told Human Rights Watch that he believes Razzokov’s prosecution was retaliation for his long record of civil society activism. He observed that the case fits a pattern of pressure against representatives of the *Ezgulik* human rights group in other regions of Uzbekistan.¹²¹

On September 24, 2013, the Bukhara Province Criminal Court sentenced Razzokov to four years’ imprisonment.¹²² Soon after the conviction, authorities transferred him to a Tavaksay labor colony, more than 600 kilometers to the northeast of his home, to serve out his sentence, where he remains.¹²³

¹¹⁸ “Uzbekistan: Trial of Activist on Trumped-Up Charges,” Human Rights Watch news release, September 24, 2013, <http://www.hrw.org/news/2013/09/24/uzbekistan-trial-activist-trumped-charges>.

¹¹⁹ Human Rights Watch telephone interview with Abdurakhmon Tashanov, September 9-10, 2013. Art. 135 of the Uzbek Criminal Code (“purchase or sale of persons, or their recruitment, transport, transfer, concealment, or receipt for the purpose of exploitation”).

¹²⁰ “Uzbekistan: Trial of Activist on Trumped-Up Charges,” Human Rights Watch news release, September 24, 2013, <http://www.hrw.org/news/2013/09/24/uzbekistan-trial-activist-trumped-charges>. More details at “Leader of Bukhara chapter of Ezgulik detained,” *UzNews.net*, July 12, 2013, http://www.uznews.net/news_single.php?lng=en&cid=3&nid=23360 (accessed September 11, 2014).

¹²¹ Human Rights Watch telephone interview with Abdurakhmon Tashanov, *Ezgulik* activist, Tashkent, October 21, 2013, and in-person interview, Washington, DC, April 29, 2014.

¹²² *Ibid.*

¹²³ Human Rights Watch telephone interviews with Abdurakhmon Tashanov, *Ezgulik*, Tashkent, October 25, 2013, and in-person interview, Washington, DC, April 29, 2014.

Fahriddin Tillaev



Nuriddin Jumaniyazov



Born: August 15, 1971 and October 8, 1948, respectively

Arrested: January 2, 2014

Charges: human trafficking

Sentenced: March 2014; 8 years, 3 months

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Fahriddin Tillaev, 43, and Nuriddin Jumaniyazov, 66, human rights activists and members of the *Erk* party, were sentenced in March 2014 to eight years and three months in prison on human trafficking charges.¹²⁴ Both Tillaev and Jumaniyazov also became members of *Mazlum* (“the oppressed”) Human Rights Center in 2003.¹²⁵ Since 2005 Tillaev has advocated for workers’ rights in Surkhandarya province in southeastern Uzbekistan.¹²⁶ In 2012 he helped found the

Union of Independent Trade Unions that protects the rights of labor migrants (*mardikorlar*), while Jumaniyazov headed its Tashkent chapter.¹²⁷

On December 28, 2013, Tashkent police interrogated Jumaniyazov because two Uzbek citizens, Farhod Pardaev and Erkin Erdanov, apparently alleged that Jumaniyazov and Tillaev arranged their employment in Kazakhstan, where they were mistreated.

Tillaev’s lawyer, Polina Braunberg, told Human Rights Watch that the investigation against the two was marred by serious procedural violations. Police arrested them both on January 2, 2014 and took them to a Tashkent prison but falsified materials to indicate January 4 as the date of arrest.¹²⁸ Investigators did not provide Tillaev’s or Jumaniyazov’s lawyers sufficient

¹²⁴ “Two Erk members sentenced for human trafficking in Tashkent,” *Uznews.net*, March 7, 2014, http://www.uznews.net/news_single.php?lng=en&sub=&cid=3&nid=25399 (accessed September 1, 2014).

¹²⁵ Human Rights Watch email correspondence with Nadejda Atayeva, Paris, February 18, 2014.

¹²⁶ Nadejda Atayeva, “Uzbekistan: Two Human Rights Defenders Imprisoned for 8 Years, 3 Months,” post to Nadejda Atayeva blog, March 8, 2014, <http://nadejda-atayeva-en.blogspot.com/2014/03/uzbekistan-two-human-rights-defenders.html> (accessed September 11, 2014).

¹²⁷ *Ibid.*

¹²⁸ Human Rights Watch email correspondence with Nadejda Atayeva, Paris, March 10, 2014.

time to review the evidence in the case, conducting all interrogations, including of the defendants, in a single day before advancing the case to trial.¹²⁹ The court completed the trial in just two hours, basing the conviction solely on the testimonies of two witnesses who admitted that they had never seen Tillaev nor had any relationship with him whatsoever.¹³⁰

According to their lawyer, police tortured both Tillaev and Jumaniyazov in pretrial custody.¹³¹ They stuck needles between Tillaev's fingers and toes, for example, and forced him to stand for hours under a faucet from which water dripped on his head, causing a severe headache. On January 21, 2014, during a meeting with her client Tillaev, Braunberg became convinced that Tillaev had been tortured and petitioned the investigator for a forensic medical examination. The investigator refused to answer her petition until just one day before the next court hearing, at which time the court denied the defense's request to open an investigation into the torture allegations on the basis that the petition was still being "processed."¹³² To date, no judicial or prison authorities have meaningfully investigated Tillaev's allegations of torture.

On August 1, 2014, Uzbekistan's Supreme Court rejected the appeal to overturn their convictions. Both Tillaev and Jumaniyazov remain in prison in Navoi.

Akzam Turgunov, 62, is the father of four children, the founder of *Mazlum* Human Rights Center in Tashkent and was a trial monitor and member of the *Erk* party.¹³³ Turgunov was well-known for taking on politically sensitive cases, including religious extremism cases, and also defended Tursinbai Etamuratov, head of HRSU's office in the autonomous republic of Karakalpakstan in northwestern Uzbekistan.¹³⁴ Turgunov earlier

Akzam Turgunov



Born: January 1, 1952

Arrested: July 8, 2008

Charges: extortion

Sentenced: October 23, 2008; 10 years

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¹²⁹ Human Rights Watch telephone interview with Polina Braunberg, Tashkent, April 10, 2014.

¹³⁰ Human Rights Watch email correspondence with Nadejda Atayeva, Paris, March 10, 2014.

¹³¹ Human Rights Watch telephone interview with Polina Braunberg, Tashkent, April 6, 2014.

¹³² Human Rights Watch email correspondence with Nadejda Atayeva, Paris, March 10, 2014.

¹³³ Human Rights Watch telephone interview with Abdurakhmon Tashanov, *Ezgulik* activist, Tashkent, October 21, 2013, and in-person interview, Washington, DC, April 29, 2014.

¹³⁴ Human Rights Watch email correspondence with Tolib Yakubov, London, August 29, 2013.

served a prison sentence from 1998 to 2000 for his involvement in the *Erk* party and experienced frequent intimidation and harassment from the authorities in the years after his release.¹³⁵ He was arrested again in Tashkent on July 8, 2008 on trumped-up charges of extortion after travelling to Karakalpakstan to assist in the settlement of a child support case.¹³⁶

Serious due process violations plagued Turgunov's trial, and security officials allegedly tortured him in custody.¹³⁷ On July 14, 2008, while he was in the Tashkent office of police investigator Salomat Ibragimov writing a statement, someone poured boiling water down his neck and back, causing him to lose consciousness and burning him severely.¹³⁸ Leaked United States State Department documents, which corroborate earlier interviews by Human Rights Watch regarding Turgunov's torture, suggest that he was tortured in an attempt to extract a confession.¹³⁹ Authorities ordered an investigation into Turgunov's torture only after he removed his shirt during a court hearing in Tashkent on September 16, 2008 to show the scars from the burns, which covered a large portion of his back and neck, extending past his waist.¹⁴⁰ A subsequent court-appointed forensic medical examiner concluded that Turgunov's burns were minor and did not warrant further investigation.¹⁴¹

During Turgunov's trial, a court clerk told observers that "even if BBC would come to this trial, Akzam Turgunov will get a long prison sentence," suggesting that the outcome of his trial was predetermined.¹⁴² The court sentenced him to 10 years' imprisonment on October

¹³⁵ Human Rights Watch telephone interview with Abdurakhmon Tashanov, *Ezgulik*, Tashkent, October 21, 2013; as well as "Akzam Turgunov, Uzbekistan," Freedom Now Campaigns, <http://www.freedom-now.org/campaign/akzam-turgunov/> (accessed September 11, 2014).

¹³⁶ Human Rights Watch telephone interview with Abdurakhmon Tashanov, *Ezgulik* activist, Tashkent, October 21, 2013, and in-person interview, Washington, DC, April 29, 2014.

¹³⁷ "Free Uzbekistan: Free Human Rights Activist, Government Critic Held on Fabricated Charges, Ill-Treated in Custody," Human Rights Watch news release, September 16, 2008, <http://www.hrw.org/news/2008/09/15/uzbekistan-free-human-rights-activist>.

¹³⁸ *Ibid.*

¹³⁹ "Uzbekistan: Ex-Police Officers Jailed For Kidnapping," Wikileaks, November 13, 2008, http://www.wikileaks.org/plusd/cables/o8TASHKENT1305_a.html (accessed September 11, 2014).

¹⁴⁰ "Uzbekistan: Free Human Rights Activist, Government Critic Held on Fabricated Charges, Ill-Treated in Custody," Human Rights Watch news release, September 16, 2008, <http://www.hrw.org/news/2008/09/15/uzbekistan-free-human-rights-activist>.

¹⁴¹ Human Rights Watch telephone interview with Abdurakhmon Tashanov, *Ezgulik*, Tashkent, October 21, 2013.

¹⁴² "Uzbekistan: Free Human Rights Activist," Human Rights Watch news release, September 16, 2008, <http://www.hrw.org/de/news/2008/09/15/uzbekistan-free-human-rights-activist>.

23, 2008, and authorities transferred him to a location that remained unknown to his family for several months.¹⁴³ He is currently at prison colony 64/49 near Karshi.¹⁴⁴ Turgunov's family told Human Rights Watch that he has lost significant weight and is in bad health. According to a Tashkent-based rights activist, his condition continues to worsen: he has limited mobility and suffers from a chronic cough, difficulty breathing, and a heart condition.¹⁴⁵ He is forced to work at a prison brick factory and has complained of severe leg pain as a result of this work, for which prison authorities have denied him treatment.¹⁴⁶ In November 2011 the United Nations Working Group on Arbitrary Detention issued an opinion calling for Turgunov's release and stating that his detention by the Uzbek government is arbitrary and in violation of international norms.¹⁴⁷

Journalists

We fully support our citizens' desire to freely use the Internet.... I would like to repeat this: we absolutely do not accept the erection of walls and restrictions around the world of information, leading to isolation.

—President Islam Karimov, addressing citizens on Media Workers Day, June 27, 2011¹⁴⁸

He is not just deprived of his freedom; they are slowly killing him in prison.

—Galima Bukharbaeva, a colleague of imprisoned journalist Solijon Abdurakhmanov, June 22, 2013

¹⁴³ "The family of Azam Turgunov can't find out where he is," Voice of Freedom, Regional Human Rights Portal, January 24, 2009, <http://vof.kg/?p=495> (accessed September 11, 2014).

¹⁴⁴ Human Rights Watch telephone interview with Abdurakhmon Tashanov, *Ezgulik* activist, Tashkent, October 21, 2013, and in-person interview, Washington, DC, April 29, 2014.

¹⁴⁵ Human Rights Watch email correspondence with Nadejda Atayeva, August 21, 2013; Human Rights Watch telephone interview with Abdurakhmon Tashanov, *Ezgulik*, Tashkent, October 21, 2013; Human Rights Watch interview with Abdurakhmon Tashanov, *Ezgulik*, Washington, DC, April 29, 2014.

¹⁴⁶ "Uzbekistan's Imprisoned Human Rights Defenders," Human Rights Watch news release, May 13, 2011, <http://www.hrw.org/news/2011/05/12/uzbekistans-imprisoned-human-rights-defenders>.

¹⁴⁷ UN Human Rights Council, Report of the Working Group on Arbitrary Detention, Chair-Rapporteur: El Hadji Malick Sow, A/HRC/19/57, December 26, 2011, http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session19/A-HRC-19-57_en.pdf (accessed September 11, 2014), p.9.

¹⁴⁸ "Propaganda, Islam Karimov, President, Uzbekistan," Reporters Without Borders news release, <http://en.rsf.org/predator-islam-karimov-president-uzbekistan,44537.html> (accessed September 11, 2014).

Despite legislation ostensibly protecting freedom of speech, in practice, censorship is the norm and freedom of expression in Uzbekistan is severely limited. Foreign correspondents and Uzbek citizens working for independent or foreign media are not allowed to operate without accreditation, which since the Andijan massacre in 2005, has been impossible to obtain in practice. The few independent journalists who continue to work in the country do so at great risk and are forced to self-censor due to harassment, detention, and threats of imprisonment for their work.¹⁴⁹

Uzbek websites providing critical information are blocked, including Fergananeews.com, Uznews.net, and Muslimuzbekistan.org. News agencies such as the New York Times, the BBC, Radio Free Europe/Radio Liberty, Voice of America, and Deutsche Welle are unable or forbidden to operate in Uzbekistan. Websites of international human rights organizations like Human Rights Watch and Amnesty International are blocked.

Uzbekistan’s International Obligations on Freedom of Expression

International human rights law recognizes freedom of expression as a fundamental human right, essential both to the effective functioning of a democratic society and to individual human dignity. Article 19 of the International Covenant on Civil and Political Rights (ICCPR), ratified by Uzbekistan in 1995, provides, “Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art or through any other media of his choice.”¹⁵⁰

The ICCPR permits states to restrict freedom of expression for the purpose of protecting the reputations of others, but there are strict conditions for such limitations. According to article 19(3), restrictions “shall only be such as are provided by law and are necessary: (a) For respect of the rights or reputations of others; (b) For the protection of national security or of public order (*ordre public*), or of public health or morals.”¹⁵¹

¹⁴⁹ Human Rights Watch, *World Report 2013*, (New York: Human Rights Watch, 2013), Uzbekistan chapter, http://www.hrw.org/sites/default/files/wr2013_web.pdf, p. 507.

¹⁵⁰ ICCPR, adopted December 16, 1966, G.A. Res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 52, U.N. Doc. A/6316 (1966), 999 U.N.T.S. 171, entered into force March 23, 1976, ratified by Uzbekistan on September 28, 1995, art. 19(2).

¹⁵¹ *Ibid.*, art. 19(3).

As the UN Human Rights Committee has noted, restrictions on the right to freedom of expression “may not put in jeopardy the right itself” and must satisfy three conditions: they must be clearly provided by law; designed to pursue one of the legitimate aims articulated in article 19(3); and be both proportional to the accomplishment of that objective and necessary for its accomplishment.¹⁵²

Credible information on developments in Uzbekistan, including on rights abuses and corruption, comes at extreme risk for those who attempt to report on them. At least five journalists are currently in prison in apparent retaliation for their independent reporting. At least another seven journalists profiled in other sections of this report are imprisoned on politically motivated grounds.

Solijon Abdurakhmanov, 64, is the father of six children, an outspoken journalist and rights activist with the organization, the Committee for the Protection of Individual Rights. Based in Karakalpakstan, an autonomous republic in northwestern Uzbekistan, he reported for the independent news portal Uznews.net, *Ozodlik* (the Uzbek service of Radio Free Europe/Radio Liberty), *Amerika Ovozi* (Voice of America), and the Institute for War and Peace Reporting.¹⁵³ He covered

Solijon Abdurakhmanov



Born: May 28, 1950

Arrested: June 7, 2008

Charges: narcotics possession

Sentenced: October 10, 2008; 10 years

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¹⁵² UN Human Rights Committee, General Comment No. 10, Freedom of Expression (Art. 19), Nineteenth session (1983), U.N. Doc. HRI/GEN/Rev.1 at 11 (1994), <http://www.ohchr.org/Documents/Issues/Opinion/CCPRGeneralCommentNo10.pdf> (accessed September 11, 2014).

¹⁵³ “Uzbekistan: Journalist Sentenced to 10 Years,” Human Rights Watch news release, October 20, 2008, <http://www.hrw.org/news/2008/10/20/uzbekistan-journalist-sentenced-10-years>.

sensitive issues such as social and economic justice, environmental problems of the Aral Sea, corruption, and the legal status of Karakalpakstan within Uzbekistan.¹⁵⁴

SNB officers arrested Abdurakhmanov on June 7, 2008 for possession and use of narcotics after they stopped him in traffic and allegedly found a small bag of an unknown substance in the trunk of his car. Abdurakhmanov's lawyer claims that the SNB officers themselves planted the drugs.¹⁵⁵ When Abdurakhmanov tested negative for drugs, the prosecution dropped the use of narcotics charge, and instead charged him with narcotics possession.¹⁵⁶ Even though the charges brought against him were drug-related, Abdurakhmanov told his lawyers that the investigator mostly questioned him about his journalistic work.¹⁵⁷ During pretrial detention, authorities denied Abdurakhmanov access to his legal team.¹⁵⁸

On October 10, 2008, a court sentenced Abdurakhmanov to 10 years in prison following a trial that did not meet fair trial standards.¹⁵⁹ After his conviction, both of Abdurakhmanov's defense lawyers, his brother Bahrom Abdurakhmanov and Rustam Tyuleganov, were disbarred by the government-controlled bar association following a re-attestation process that violated international norms on the independence of lawyers and appeared to be in retaliation for their work.¹⁶⁰

Abdurakhmanov is serving his sentence in Karshi, more than 700 kilometers from his home. Farkhodkhon Mukhtarov, a rights activist who served prison time with Abdurakhmanov, told Human Rights Watch that prison authorities have charged Abdurakhmanov with numerous "violations of prison rules" that render him ineligible for amnesty or early release. These alleged violations include "not marching correctly"

¹⁵⁴ Human Rights Watch telephone interview with Abdurakhmon Tashanov, *Ezgulik*, Tashkent, October 21, 2013.

¹⁵⁵ "Uzbekistan's Imprisoned Human Rights Defenders," Human Rights Watch news release, May 13, 2011, <http://www.hrw.org/news/2011/05/12/uzbekistans-imprisoned-human-rights-defenders>.

¹⁵⁶ Human Rights Watch telephone interview with Abdurakhmon Tashanov, *Ezgulik*, Tashkent, October 21, 2013.

¹⁵⁷ *Ibid.*

¹⁵⁸ "Uzbekistan: Release Independent Journalist," Human Rights Watch news release, September 12, 2008, <http://www.hrw.org/en/news/2008/09/11/uzbekistan-release-independent-journalist>.

¹⁵⁹ "Uzbekistan's Imprisoned Human Rights Defenders" Human Rights Watch news release, May 13, 2011, <http://www.hrw.org/news/2011/05/12/uzbekistans-imprisoned-human-rights-defenders>.

¹⁶⁰ Human Rights Watch, *No One Left to Witness: Torture, Habeas Corpus and the Silencing of Lawyers in Uzbekistan*, December 2011, <http://www.hrw.org/reports/2011/12/13/no-one-left-witness-o>, p. 92. The reforms resulted in the abolition of Uzbekistan's independent legal profession and the disbarment of numerous lawyers who had taken on politically sensitive cases.

and “not sweeping up his cell,” even though prison guards have never provided him with a broom.¹⁶¹

In June 2013, condemning Abdurakhmanov’s continued imprisonment, Reporters Without Borders (RSF) expressed grave concern about his worsening health.¹⁶² According to RSF, Abdurakhmanov has a severely aggravated stomach ulcer that has led to his repeated transfer between the Kashkadarya labor colony and a Tashkent prison hospital.¹⁶³ By 2013 he had developed an intestinal ulcer.¹⁶⁴ Abdurakhmanov’s family, rights groups, and independent media reported that prison authorities have also prevented International Committee of the Red Cross (ICRC) representatives from meeting him in prison. In fall 2012, prison officials attempted to pass off another prisoner as Abdurakhmanov when ICRC representatives visited the facility, a ruse quickly recognized by observers.¹⁶⁵



Imprisoned journalist Solijon Abdurakhmanov’s family lives in Karakalpakstan, an autonomous republic in northwestern Uzbekistan. Colleagues believe authorities targeted him because he wrote critical articles about Karakalpakstan. © Human Rights Alliance of Uzbekistan

¹⁶¹ “Uzbekistan’s Imprisoned Human Rights Defenders,” Human Rights Watch news release, May 13, 2011, <http://www.hrw.org/news/2011/05/12/uzbekistans-imprisoned-human-rights-defenders>.

¹⁶² “Journalist in Great Danger in Uzbek Prison System,” Reporters Without Borders, June 27, 2013, <http://en.rsf.org/uzbekistan-journalist-in-great-danger-in-26-06-2013,44858.html> (accessed September 11, 2014).

¹⁶³ *Ibid.*

¹⁶⁴ “Prisoner Solijon Abdurakhmanov is Critically Ill,” *Uznews.net*, October 14, 2013, http://www.uznews.net/news_single.php?lng=ru&cid=3&nid=24038 (accessed September 11, 2014).

¹⁶⁵ “Uzbekistan Hides Jailed Journalist from the Red Cross,” *Uznews.net*, November 19, 2012, http://www.uznews.net/news_single.php?lng=en&cid=3&nid=21331 (accessed September 11, 2014).

In 2013 Tashkent-based rights activists submitted a list of Uzbek officials involved in his unlawful imprisonment to the US State Department seeking the application of travel sanctions against them, drawing inspiration from the Magnitsky Act, a bill passed by the US Congress that applies a visa ban and asset freeze against Russian officials allegedly responsible for the death in custody of whistleblower and tax lawyer Sergei Magnitsky.

In December 2013, despite his age and poor health, authorities refused to release Abdurakhmanov under an annual amnesty that specifically applies to prisoners over 60 years old.¹⁶⁶ In June 2013 one of Abdurakhmanov's close colleagues said that Abdurakhmanov "is not just deprived of his freedom; they are slowly killing him in prison."¹⁶⁷

Muhammad Bekjanov, 60, and Yusuf Ruzimuradov, 56, are two of the world's longest-imprisoned journalists.¹⁶⁸ Bekjanov was a prominent member of the *Erk* party when he was kidnapped by Uzbek security services along with his party colleague Yusuf Ruzimuradov in March 1999 in Kyiv, Ukraine, where they had fled to live in exile and publish the banned party's newspaper. Bekjanov's older brother, Muhammad Solih, is *Erk's* leader, the head of the People's Movement of Uzbekistan (PMU), and a high-profile political rival of President Karimov. Driven into exile in 1994, Solih was the only person to oppose Karimov in the 1991 presidential elections.¹⁶⁹ Authorities pursued the two men against the backdrop of bombings in Tashkent in February 1999 that the Uzbek authorities linked to Solih and the *Erk* party.¹⁷⁰

The authorities charged Bekjanov with nine offenses including article 158 ("threatening the life of the president of Uzbekistan"), article 159 ("threatening the constitutional order of Uzbekistan"), article 216 ("organization of banned civil groups and religious organizations"), article 223(2) ("unlawful exit from or entry to the Republic of Uzbekistan"),

¹⁶⁶ "Journalist Salijon Abdurakhmanov transferred back to prison colony," *Uznews.net*, January 17, 2014, <http://www.uznews.net/en/human-rights/24816-journalist-salijon-abdurahmanov-transferred-back-to-prison-colony> (accessed September 11, 2014).

¹⁶⁷ "Imprisoned journalist Abdurakhmanov is gravely ill," *Uznews.net*, June 22, 2013, <http://www.uznews.net/en/human-rights/23118-imprisoned-journalist-abdurahmanov-is-gravely-ill> (accessed September 11, 2014).

¹⁶⁸ "Uzbek editor sentenced to jail while still in prison," Committee to Protect Journalists, January 25, 2012, <http://cpj.org/2012/01/days-before-his-release-jailed-uzbek-editor-given.php> (accessed September 11, 2014).

¹⁶⁹ "Uzbek Opposition Leader's Brother Disappears in Custody," Human Rights Watch news release, November 18, 1999, <http://www.hrw.org/news/1999/11/17/uzbek-opposition-leaders-brother-disappears-custody>.

¹⁷⁰ "Uzbek Torture Victims Sentenced to Prison Terms," Human Rights Watch news release, August 18, 1999, <https://www.hrw.org/news/1999/08/17/uzbek-torture-victims-sentenced-prison-terms>.

article 227(2) (“possession of, destruction of, damage to, or concealment of documents, stamps, seals, or letterhead”), and article 228(2)(3) (“preparation and use of counterfeit documents, stamps, seals, and official letterhead”). Ruzimuradov was charged with articles 158, 159, and 216.¹⁷¹

Authorities barred observers from attending the trial in Tashkent, which violated fair trial standards. Their lawyer reported that all six defendants were held incommunicado and tortured in pretrial detention to extract confessions. The defendants signed a statement reporting that they had been subjected to electric shocks, beatings with batons and plastic bottles filled with water, and temporary suffocation, called the “bag of death.” They also reported that authorities threatened to rape their wives.¹⁷²

On March 15, 1999, both men were sentenced to 15-year prison terms.¹⁷³ Authorities transferred Bekjanov to Jaslyk prison in the far northwest of Uzbekistan. Following Ruzimuradov’s sentencing, authorities made virtually no information publicly available regarding his location, health condition, or treatment in custody.¹⁷⁴

Muhammad Bekjanov and Yusuf Ruzimuradov



Born: October 1, 1954 and 1958, respectively

Kidnapped from Ukraine: March 1999

Charges: Various, including “threatening the life of the president,” “threatening the constitutional order,” and “organization of banned civil groups and religious organizations”

Sentenced: March 15, 1999; 15 years; sentences extended for an unspecified period

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¹⁷¹ Human Rights Watch email correspondence with Nadejda Atayeva, Paris, August 21, 2013.

¹⁷² Ibid.

¹⁷³ Ibid.

¹⁷⁴ Human Rights Watch interview with Vitaliy Ponomarev, Bishkek, September 18, 2013.

In 2003 an amnesty declaration was applied to Bekjanov's sentence, and it was reduced by three years and eight months. His release would have come in February 2012, but just days before his sentence was set to expire, a court convicted him on a new charge of "violations of prison rules" and sentenced him to a further five years, drawing widespread condemnation from international organizations and governments.¹⁷⁵

Prison guards have repeatedly tortured Bekjanov in prison, according to his relatives and human rights activists.¹⁷⁶ He has also contracted tuberculosis.¹⁷⁷ During a 2003 interview from prison with the Institute for War and Peace Reporting, Bekjanov described being denied medical attention after suffering a broken leg during a beating. He has also suffered severe hearing loss as the result of sustained ill-treatment.¹⁷⁸ In 2006 his wife, Nina Bekjanova, visited him and reported that he had lost most of his teeth from repeated beatings.¹⁷⁹ Bekjanov was later transferred to a prison in Navoi province. Following a meeting with her husband in prison in spring 2013, Bekjanova reported that he urgently needs medical attention. Bekjanov has a severe hernia and continues to suffer from tuberculosis.¹⁸⁰

On November 27 2013, Reporters Without Borders awarded Bekjanov its 2013 Press Freedom Prize.¹⁸¹ Bekjanov's daughter, Aygul, told Human Rights Watch, "My dad turns 50 this year [2014]. But instead of celebrating this occasion with us, his family, he is in prison,

¹⁷⁵ "EU statement [to OSCE Permanent Council Nrg01] on the sentence of the Uzbek editor Muhammad Bekjanov," PC.DEL/108/12, February 9, 2012, http://eeas.europa.eu/delegations/vienna/documents/eu_osce/permanent_council/2012/20120209_901_sentence_of_the_uzbek_en.pdf (accessed September 11, 2014); "United States Mission to the OSCE Statement on Muhammed Bekjanov's Appeal of Conviction," delivered by Ian Kelly, March 29, 2013, http://photos.state.gov/libraries/osce/242783/mar2012/MAR_29_12_Uzbekistan.pdf (accessed September 11, 2014).

¹⁷⁶ Human Rights Watch interview with Aygul Bekjanova, Washington, DC, April 29, 2014.

¹⁷⁷ Ibid.

¹⁷⁸ Bukharbaeva, Galima, "Jailed Uzbek Dissident Defiant," Institute for War and Peace Reporting, November 14, 2013, <http://iwpr.net/report-news/jailed-uzbek-dissident-defiant> (accessed September 11, 2014).

¹⁷⁹ "Uzbek editor sentenced to jail while still in prison," Committee to Protect Journalists, January 25, 2012, <http://cpj.org/2012/01/days-before-his-release-jailed-uzbek-editor-given.php> (accessed September 11, 2014).

¹⁸⁰ "Radio interview with Nina Bekjanova" (in Uzbek), *Ozodlik*, April 2, 2013, audio available at www.ozodlik.org/schedule/20130402.html, text summary available at www.ozodlik.org/content/article/24944985.html (accessed August 1, 2014).

¹⁸¹ "Press Freedom Prize Goes to Uzbek Journalist and Sri Lankan Daily," Reporters Without Borders, November 27, 2013, <https://en.rsf.org/press-freedom-prize-goes-to-uzbek-27-11-2013,45522.html> (accessed September 11, 2014). His daughters accepted the award in person on May 2, 2014, when Muhammad Bekjanov was honored by a coalition of groups, including the Association for Human Rights in Central Asia, the Cotton Campaign, and Human Rights Watch.

where he has been rotting and tortured for more than 15 years. Does my father have to die behind bars, or will something finally be done to set him free?”¹⁸²

In August 2014, shortly before this report went to press, Human Rights Watch learned that Yusuf Ruzimuradov is currently being held at a prison in Tavaksay prison colony in Tashkent province and is still suffering from tuberculosis. Similar to the case of Muhammad Bekjanov, although he was supposed to have been released in May 2014, authorities have extended his sentence for an undisclosed period of time on unspecified “violations of prison rules.”¹⁸³

Gayrat Mikhliboev, 35, is a prominent journalist who wrote for the newspapers *Respublika*, *Hurriyat*, and *Vatanparvar* until his arrest on July 24, 2002 at the age of 22.¹⁸⁴ On that day he was reporting on a protest at Tashkent’s Chorsu market by religious women advocating for the release of their imprisoned children. He approached a man filming the protest and asked him what media organization he worked for. When the protest dispersed, the man identified himself as an SNB officer and searched Mikhliboev. He allegedly found recordings of convicted members of the banned group *Hizb ut-Tahrir*, as well as the Internet address of the Wahhabi movement-affiliated Internet journal *Al-B’ai* and other religious materials.¹⁸⁵ Mikhliboev admitted in court that he had studied the ideas of *Hizb-ut-Tahrir* but denied that he was in possession of their materials.¹⁸⁶

Gayrat Mikhliboev

Born: September 27, 1979

Arrested: July 24, 2002

Charges: Various, including “inciting national, racial, ethnic, or religious tension,” “threatening the constitutional order,” and “founding, leading, or membership in a religious extremist, separatist, fundamentalist or other banned religious group”

Sentenced: February 18, 2003; 6 years; sentence extended for 5 years

¹⁸² Human Rights Watch interview with Aygul Bekjanova, Washington, DC, April 29, 2014.

¹⁸³ Human Rights Watch Telephone interview with Dilorom Iskhakova, Tashkent, August 21, 2014.

¹⁸⁴ Human Rights Watch telephone interview with Abdurakhmon Tashanov, *Ezgulik*, Tashkent, October 21, 2013, and in-person interview, Washington, DC, April 29, 2014.

¹⁸⁵ Sentence of Gayrat Mikhliboev, Shayhantaur district criminal court, decision of February 18, 2003, on file with Human Rights Watch.

¹⁸⁶ “Uzbekistan Silencing Critical Voices,” Human Rights Watch news release, February 26, 2003, <http://www.hrw.org/fr/news/2003/02/25/uzbekistan-silencing-critical-voices>.

Hizb-ut-Tahrir is a religious organization that advocates for the establishment of a pan-Islamic caliphate, as well as the observance of its interpretation of pious Islamic practice. The group's doctrine renounces violence in the achievement of this goal. It is currently banned in Uzbekistan and thousands of people have been jailed for belonging to the group since the early 2000s. At the heart of the government's persecution of *Hizb ut-Tahrir* is the contention that the group's support for an alternative form of Islamic government is a direct call to overthrow the state.¹⁸⁷

Mikhliboev's investigation and trial in a Tashkent court included several procedural violations. Authorities charged him with four offenses, including "inciting national, racial, ethnic, or religious tension," "threatening the constitutional order," "unlawful organization of social groups or religious organizations," and "founding, leading, or membership in a religious extremist, separatist, fundamentalist or other banned religious group." Mikhliboev's brother, Asliddin, told a local activist that SNB officers tortured his brother during pretrial custody, including by beating him on the feet with bottles filled with water.¹⁸⁸

During his trial, which was attended by a Human Rights Watch representative, Mikhliboev stated that he was beaten in pretrial detention.¹⁸⁹ The prosecution focused on his alleged membership in *Hizb-ut-Tahrir* and work as a journalist including an April 2001 article he published in the newspaper *Hurriyat* that the prosecution alleged constituted *Hizb-ut-Tahrir* propaganda.¹⁹⁰ Human Rights Watch has reviewed the article and confirmed that it does not constitute extremist propaganda or include any calls to violence. On February 18, 2003, the Shayhantaur District Court sentenced him to seven years' imprisonment. In March 2003 an appeals court reduced his sentence to six years.

On September 25, 2007, prison authorities at his Navoi prison colony added another five years to Mikhliboev's sentence. He was sentenced for allegedly promoting the ideas of *Hizb-ut-Tahrir* among the inmates of the prison colony.¹⁹¹ Mikhliboev's relatives reported to

¹⁸⁷ Human Rights Watch, *Creating Enemies of the State*, p.141.

¹⁸⁸ Human Rights Watch interview with Abdurakhmon Tashanov, *Ezgulik*, Washington, DC, April 29, 2014.

¹⁸⁹ "Uzbekistan Silencing Critical Voices," Human Rights Watch news release, February 26, 2003, <http://www.hrw.org/fr/news/2003/02/25/uzbekistan-silencing-critical-voices>.


¹⁹⁰ Sentence of Gayrat Mikhliboev, Shayhantaur district criminal court, decision of February 18, 2003, on file with Human Rights Watch; Human Rights Watch telephone interview with Abdurakhmon Tashanov, *Ezgulik*, Tashkent, October 21, 2013, and in-person interview, Washington, DC, April 29, 2014.

¹⁹¹ Human Rights Watch telephone interview with Abdurakhmon Tashanov, *Ezgulik*, Tashkent, October 21, 2013.

Ezgulik that prison guards have repeatedly subjected him to torture in prison and that they believe his life is in danger.

Dilmurod Saidov, 52, is an independent journalist and was a member of the Tashkent province branch of *Ezgulik*. Well-known for his investigative journalism and defense of farmers' rights in the province of Samarkand, Saidov exposed the corruption of local officials. His articles appeared in many outlets, including the Voice of Freedom and Uznews.net.¹⁹² In 2005 he criticized Uzbekistan's lack of political freedom in the newspaper *Advokat-Press*, which led to his immediate dismissal and the closure of the newspaper.¹⁹³ He was arrested in Tashkent on February 22, 2009 on charges of extortion and counterfeiting documents, and his case was transferred to the Samarkand Regional Criminal Court.¹⁹⁴

Dilmurod Saidov



Born: April 29, 1962
Arrested: February 22, 2009
Charges: Extortion and counterfeiting documents
Sentenced: July 30, 2009; 12.5 years

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Both the investigation and court proceedings were marred by procedural violations. According to Saidov's lawyer, more than half of the witnesses who testified against him later recanted, stating that they had been pressured to provide false evidence. The court repeatedly held hearings without notifying Saidov's lawyer.¹⁹⁵

¹⁹²; "Uzbekistan: Free Journalist Sentenced to over 12 Years," Human Rights Watch news release, August 3, 2009, <http://www.hrw.org/news/2009/08/03/uzbekistan-free-journalist-sentenced-12-years>.

¹⁹³ Human Rights Watch telephone interview with Abdurakhmon Tashanov, *Ezgulik*, Tashkent, October 21, 2013.

¹⁹⁴ Ibid.

¹⁹⁵ For example, on February 25, 2009, the Samarkand City Court held a habeas corpus hearing to determine whether there had been sufficient evidence for Saidov's arrest. However, in violation of Uzbek law, Saidov's lawyer was not even informed of the hearing and not present when the evidence was reviewed. He appealed the decision, but was not informed of that hearing either. Additionally, several documents presented as evidence by the defense went missing over the course of the trial.

On July 30, 2009, the Tailak District Court convicted Saidov in a closed hearing and sentenced him to twelve and a half years' imprisonment.¹⁹⁶ Authorities transferred him to a prison in Navoi. Saidov was already suffering from an acute form of tuberculosis.¹⁹⁷ According to a rights activist in Tashkent, his defense's requests for alternate forms of punishment taking his health into consideration were denied. Saidov's health quickly

deteriorated in pre-trial detention and he became very thin.¹⁹⁸ His sentence has been upheld twice on appeal. Authorities have ignored or rejected repeated applications by his family for a reconsideration of his sentence or for a humanitarian release.

On November 5, 2009, Saidov's wife, Barno Jumanova, and the couple's six-year-old daughter, Ruhshona, died in an automobile accident on the Tashkent-Samarkand highway. They had been traveling to Kyzyltepa to deliver Saidov's passport to the prison administration.¹⁹⁹ In 2010 authorities transferred him back and forth between a prison hospital in Tashkent and the prison colony in Navoi. By December 2010, Saidov's relatives reported grave concerns about his health, saying that he "has become a skeleton." Moreover, he appeared disoriented in meetings with family members.²⁰⁰

Аввокал Хасан Махмудов,
Ишонгани оқсаями! НЕГА?
Қўшимчада яна биринчи билим арвокал
Хасан Махмудовнинг асарларидан бири,
Тошкентнинг маданияти...
Ишонганига 2009-йили янги оғирлик
қамалганман. Анавда-қўрқаран таълим
ни ташкил қилдик "Уш" (Биринчи ташкил)
Биринчи ташкил!) бўлибди меннинг оғир-
лигимни арвокалликни билди. Биринчи...
"Уш"лар аднан Хасаннинг "ақли
масаларга" лари билан таълимнинг
қарқарига, қўшимчада, биринчи ташкил
қўли, таълим администратсияси.
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қўли билан мен билан, Аноробил Раҳонов
қўли Х. Махмудовнинг арвокалликни
билди. Қўшимчада, Қўрабови Қўрабов
қўли яна арвокалликни билди, қўли билди.
Қўлини Хасан Махмудови 22 қўли билди
Аноробил Раҳонов "Билан Қўрабови
Қўрабовига! Дилмурод Саидов "Дўшман"
таълимнинг ақли, бу таълим
қўрабови билан қўрабовига қўрабовига
таълимнинг ақли "Уш" билан арвокал,
қўрабови билди "Уш" билан арвокал
Х. Махмудовига "Уш" билан,
Биланнинг, Хасан билди "Дўшман"
қўли билди "Уш" билан қўрабовига
қўрабовига қўрабовига қўрабовига
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Хасан Махмудовнинг билди мен
қўрабовига, Саидовнинг қўрабовига,
Биланнинг, Д. Қўрабови билди
Қўрабовига, Қўрабовига, Биланнинг
қўрабовига қўрабовига билди

A copy of a letter written in prison by imprisoned journalist Dilmurod Saidov to his family describing prison officials' efforts to prevent him from filing appeals with the court. © Association for Human Rights in Central Asia.

¹⁹⁶ "Imprisoned Human Rights Defenders in Uzbekistan," Human Rights Watch news release, February 5, 2010, <http://www.hrw.org/news/2009/12/18/imprisoned-human-rights-defenders-uzbekistan>.
¹⁹⁷ Human Rights Watch interview with "Tokhtakhoja T.," Tashkent, November 27, 2010.
¹⁹⁸ Human Rights Watch telephone interview with Abdurakhmon Tashanov, *Ezgulik*, Tashkent, October 21, 2013, and in-person interview, Washington, DC, April 29, 2014.
¹⁹⁹ "Imprisoned Human Rights Defenders in Uzbekistan," Human Rights Watch news release, February 5, 2010, <http://www.hrw.org/news/2009/12/18/imprisoned-human-rights-defenders-uzbekistan>.
²⁰⁰ "Uzbekistan's Imprisoned Human Rights Defenders," Human Rights Watch news release, May 13, 2011, <http://www.hrw.org/news/2011/05/12/uzbekistans-imprisoned-human-rights-defenders>.

Prison authorities have punished Saidov multiple times for alleged “violations of prison rules,” which resulted in him being placed in solitary confinement and rendering him ineligible for amnesty. During a meeting with his lawyer in February 2010, Saidov asked him to submit a statement to the Supreme Court, but authorities confiscated the document. Saidov told his family that he was later punished for doing this.²⁰¹

In early 2013 an independent website published a letter written by Saidov describing his ill-treatment in custody and how prison authorities have tried to prevent him from writing.²⁰² On October 11, 2013, prison authorities transferred Saidov to a labor colony near Karshi (64/41).²⁰³ In April 2014 the Fiery Hearts Club reported that Saidov passed a farewell letter to his brother in a December 2013 meeting in which he wrote, “I have accepted the life I was able to live. I have lost all interest in my life. If it is my destiny to die in this place ... please bury me next to beloved Barno and Ruhshona,” his late wife and daughter.²⁰⁴

Political Opposition Activists

SOS! 15 years of waiting for a [fair] trial! Try me or kill me!

—Rustam Usmanov, political opposition figure imprisoned since 1998,
writing in his own blood on a prison handkerchief

In the 23 years since Uzbekistan gained independence from the Soviet Union, there has not been a single election deemed even remotely “free and fair” by international monitoring bodies. President Karimov, who in 2014 entered his twenty-fifth year of consecutive rule, uses the dominant executive branch to repress all political opposition. No opposition parties are allowed to participate in the political process. Karimov’s political opponents have either been forced to flee the country or are in prison. The government has

²⁰¹ Ibid.

²⁰² “Imprisoned Journalist Sayid Speaks of Torture and Abuses,” *Uznews.net*, February 12, 2013, http://www.uznews.net/news_single.php?lng=ru&cid=3&nid=22027 (accessed September 11, 2014).

²⁰³ Human Rights Watch telephone interview with Abdurakhmon Tashanov, Tashkent, October 21, 2013; “Dilmurod Sayid to be transferred to a labor colony,” *Uznews.net*, October 16, 2013, http://www.uznews.net/news_single.php?lng=en&sub=&cid=3&nid=24064 (accessed September 11, 2014).

²⁰⁴ “Well-known Journalist Has Lost Hope of Realizing His Freedom,” *Finansonet*, January 10, 2014, <http://www.finanso.net/world/7840-izvestnyy-v-uzbekistane-zhurnalists-poteryal-nadezhdu-uvidet-svoboddu.html> (accessed September 11, 2014).

aggressively jailed and extended the prison terms of opposition activists, some for over 20 years, making them some of the world’s longest serving political prisoners.

Murod Juraev



Born: September 5, 1952
Kidnapped from Kazakhstan: September 18, 1994

Charges: Various, including “high treason,” “conspiracy with a purpose of seizure of power,” and “calls for violent overthrow of constitutional order or forcible violation of the unity of the territory of the Republic of Uzbekistan”

Sentenced: May 31, 1995; 12 years; sentence extended on four occasions

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Murod Juraev, 62, is a father of three children, was a member of the parliament from 1991 to 1992, was a prominent member of the *Erk* opposition party, and served as the mayor of Mubarak in Kashkadarya province. Juraev earned President Karimov’s personal ire by being the first official to dissolve a city committee of the Communist Party after the fall of the Soviet Union.²⁰⁵

On September 18, 1994, he was detained in Kazakhstan and forcibly returned to Uzbekistan. He was beaten during his arrest. He suffered multiple concussions and a broken rib, but it is unclear whether these injuries were from the beating or from a car accident that occurred on the road following his arrest.²⁰⁶ On May 31, 1995, Juraev was convicted in a case in which a number of members of the banned *Erk* party were accused of having arranged military training for young Uzbeks in Turkey. Authorities alleged that they planned to overthrow the government.²⁰⁷ He was

²⁰⁵ Human Rights Watch email correspondence with Tolib Yakubov, France, August 27, 2013.

²⁰⁶ Human Rights Watch, *Republic of Uzbekistan—Crackdown in the Farghona Valley: Arbitrary Arrests and Religious Discrimination*, Vol.10, No.4 (D), May 1998, <http://www.hrw.org/reports/pdfs/u/uzbkistn/uzbek985.pdf>.

²⁰⁷ *Ibid.*

sentenced on various charges to 12 years' imprisonment and is currently held at prison 64/45 in Almalyk, Tashkent province.²⁰⁸

Authorities have extended Juraev's sentence on four separate occasions in 2004, 2006, 2009, and 2012 for "violations of prison rules." On each occasion the extension came just before the end of his sentence or before amnesty declarations that might have been applied to his case. Juraev's alleged prison offenses have included "incorrectly peeling carrots" in the prison kitchen and "non-removal of shoes when entering the barracks." In his most recent extension ruling, authorities only informed him of three of the four charges against him upon his arrival at the hearing, which was not attended by his attorney or family. During one hearing, he reportedly stated that the only thing that keeps him going is a sense of gratitude to his wife, who has continuously supported him throughout his incarceration.²⁰⁹

Juraev is badly in need of medical attention. In 2011 ACAT-France reported that Juraev had been severely tortured in prison, that he has become extremely thin, and that he has contracted tuberculosis.²¹⁰ Juraev's wife met with him in October 2013 and told a rights activist that he has lost all of his teeth, has trouble eating, suffers from constant headaches and stomach pain, and experiences periodic numbness in his right arm. Juraev also experiences high blood pressure that causes him to lose consciousness.²¹¹ Moreover, in spite of his poor health, he is subjected to daily heavy labor by working in a brick factory and complains of severe lower-back pain.²¹² The prison warden has repeatedly told him that his is a "special case," that he has been marked as a repeat offender, and that it is dangerous for other inmates even to communicate with him.²¹³

²⁰⁸ Human Rights Watch telephone interview with Nadejda Atayeva, Paris, October 10, 2013.

²⁰⁹ Ibid.

²¹⁰ "ACAT-France statement – Uzbekistan," Action by Christians for the Abolition of Torture – France, March 7, 2011, on file with Human Rights Watch.

²¹¹ Human Rights Watch telephone interview with Nadejda Atayeva, Paris, October 10, 2013 and September 3, 2014.

²¹² Ibid.

²¹³ Ibid.

Samandar Kukanov

Born: 1945

Arrested: June 1992

Charges: Economic crimes linked to alleged financing of the *Erk* opposition party

Sentenced: May 1993; 20 years; sentence extended for 3 years

Samandar Kukanov, 69, is a father of three children and was the vice chairman of the parliament following independence, and a successful businessman. In the early 1990s he rose to prominence in the oil and gas sector as director of a petroleum depot and owner of several gas stations. According to several *Erk* party members, he sat on *Erk's* executive committee and financed its activities.²¹⁴

In 1992, along with several opposition politicians, Kukanov took to the floor of parliament to protest President Karimov's announcement of plans to consolidate all security service divisions under his direct command. He was joined by other members of parliament, including Shovruh Ruzimuradov, a rights activist who suffered constant persecution by the SNB throughout the 1990s and died allegedly as a result of torture in July 2001 after his arrest a month earlier.²¹⁵

Security forces arrested Kukanov in June 1992 on charges of economic crimes linked to his alleged financing of the *Erk* opposition party. SNB officers held him incommunicado without access to counsel for an entire year in the basement of an SNB facility in Tashkent during which they allegedly tortured him before finally bringing him to trial.²¹⁶ Kukanov's relatives told Human Rights Watch that SNB officers arbitrarily detained two of his sons immediately following his arrest and conducted a number of nighttime raids on his home to instill fear in his family.²¹⁷ In 1993 he was sentenced to 20 years' imprisonment.

Kukanov is currently located at Zarafshan prison 64/48 in Navoi.²¹⁸ His family has been denied the right to visit him for much of the past 21 years.²¹⁹ Kukanov's family had expected his release in May 2013 but then learned that authorities extended his sentence

²¹⁴ Human Rights Watch telephone interview with Muhammad Solih, Turkey, September 23, 2013.

²¹⁵ Human Rights Watch telephone interview with Tashpulat Yuldashev, St. Louis, September 26, 2013.

²¹⁶ Human Rights Watch interview with "Nargiza N.," (Kukanov relative), Bishkek, Kyrgyzstan, June 17, 2014; Human Rights Watch email correspondence with Bahodir Namazov, Moscow, September 26, 2013.

²¹⁷ Human Rights Watch interview with "Ozoda O.," Bishkek, June 18, 2014.

²¹⁸ Human Rights Watch email correspondence with Nadejda Atayeva, Paris, August, 21, 2013

²¹⁹ Human Rights Watch email correspondence with Bahodir Namazov, Moscow, September 26, 2013.

through the year 2016.²²⁰ If Kukanov completes his current term and is released, he will have been in prison for 24 years, the longest known case of politically motivated imprisonment in Uzbekistan.

Kudratbek Rasulov, 44, based in Namangan, in the Fergana valley, was a jeweler and an active member of the political opposition group, the People's Movement of Uzbekistan (PMU).²²¹ The PMU was formed by a coalition of exiled opposition groups in mid-2011 inspired by the Arab Spring and has openly called for the ouster of President Karimov.²²² In 2013 Rasulov began publishing articles for the PMU on social and political issues and also met with members of the local community, passing out leaflets calling for greater political freedoms.²²³

On September 6, 2013, six men in black masks searched Rasulov's home on a warrant from SNB investigator Shonazar Ergashev. After allegedly uncovering disks with "suspicious" information that Rasulov had allegedly downloaded from the Internet, the officers arrested him and brought him to an SNB facility. On

Kudratbek Rasulov



Born: 1970

Arrested: September 6, 2013

Charges: "Threatening the constitutional order" and "production and dissemination of materials that contain threat to public safety and public order with foreign financial support"

Sentenced: December 27, 2013; 8 years

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²²⁰ Human Rights Watch interview with "Ozoda O.," Bishkek, June 18, 2014; Human Rights Watch telephone interview with Nadejda Atayeva, Paris, April 26, 2014.

²²¹ Human Rights Watch telephone interview with Tulkin Karaev, Sweden, October 16, 2013; "Uzbekistan: Free Political Prisoners, End Torture," Human Rights Watch news release, December 6, 2013, <http://www.hrw.org/news/2013/12/06/uzbekistan-free-political-prisoners-end-torture>.

²²² Human Rights Watch interview with Bakhodir Namazov, Moscow, September 17, 2013. The group was significant for bringing together members of religious communities with the secular opposition and held two party conferences in Berlin (2011) and then in Prague (2012). The Uzbek government has taken concrete measures to crack down on activists inside the country who appear to be cooperating with or sympathetic to the PMU.

²²³ Human Rights Watch telephone interview with Tulkin Karaev, Sweden, October 16, 2013.

September 11 he was charged with possession or dissemination of “banned materials of an extremist nature.” Rasulov’s wife and mother told a rights activist that after his arrest SNB investigator Ergashev threatened Rasulov’s wife and mother, warning them not to speak publicly about Rasulov’s arrest.²²⁴

On December 27, 2013, a Namangan court sentenced Rasulov to eight years’ imprisonment for “attempts to overthrow the constitutional order” and “production and dissemination of materials that contain threat to public safety and public order with foreign financial support.”²²⁵ The sentence states that the basis for Rasulov’s conviction were his correspondence via Skype, Facebook, and the Russian social networking site *Odnoklassniki* with “political groups that threaten Uzbekistan’s constitutional order” but provides no evidence that Rasulov advocated the use of or engaged in violence.²²⁶ In particular, the sentence accuses Rasulov of maintaining contact with two well-known opposition activists in exile, Tulkin Karaev and Muhammad Solih, with whom he allegedly discussed how to provoke a “revolution” inside the country.²²⁷ Commenting on her husband’s conviction to the press, Rasulov’s wife stated, “Even if he visited the website of the NDU [People’s Movement of Uzbekistan], is it justice to sentence a man to eight years [just for that]?”²²⁸

Rasulov is serving his sentence in Karshi, in the southern province of Kashkadarya. Rasulov’s relatives reported in July 2014 that prison officials have beaten and ill-treated Rasulov, labeling him a Wahhabi, and have prevented him from any eligibility to seek a pardon or amnesty from President Karimov. In April Rasulov was placed in solitary confinement for over a month, after which he declared a hunger strike. Prison guards beat him harshly in response, forcing him to end his hunger strike.²²⁹

²²⁴ Human Rights Watch written correspondence with Elena Urlaeva, Tashkent, October 19, 2013.

²²⁵ “Uzbekistan: Namangan Resident Sentenced to 8 Years for Having Contact with Opposition over the Internet,” *Fergana News*, January 20, 2014, <http://www.fergananews.com/news/21710> (accessed September 11, 2014).

²²⁶ Sentence of Kudratbek Rasulov, December 27, 2013, on file with Human Rights Watch.


²²⁷ The sentence further states Rasulov allegedly received \$420 dollars from Solih, with which he bought a color printer that he used to distribute and disseminate banned texts and reproduced duplications of the underground film, “The Freedom of an Unarmed Man.” “Uzbekistan: Namangan Resident Sentenced to 8 Years for Having Contact with Opposition over the Internet,” *Fergana News*, January 20, 2014, <http://www.fergananews.com/news/21710> (accessed September 11, 2014).

²²⁸ “Uzbekistan: Namangan Resident Sentenced to 8 Years for Having Contact with Opposition over the Internet,” *Fergana News*, January 20, 2014, <http://www.fergananews.com/news/21710> (accessed September 11, 2014).

²²⁹ Human Rights Watch email correspondence with Elena Urlaeva, Tashkent, July 19, 2014.

Rustam Usmanov, 66, is a native of Jalalabad, Kyrgyzstan. He is a father, economist, successful businessman, published author, and founder of Uzbekistan's first private bank, Rustambank, in 1992.²³⁰ In the early 1990s he announced his support of the *Erk* party and openly criticized police and SNB abuses. In 1994 he ran for parliament. According to his son, Usmanov's name was removed from the ballot after he refused to pay a large bribe to an official in charge of registering candidates. In 1995 security service officers detained him in Kyrgyzstan and forcibly returned him to Uzbekistan and held for several days before being released. Authorities detained Usmanov's son for nearly two weeks apparently to punish Usmanov for his support for the democratic opposition. After continued pressure by authorities, Usmanov left Uzbekistan and took up residence in Jalalabad, Kyrgyzstan, where he founded an economic research institute.²³¹

Rustam Usmanov



Born: 1948
Arrested: 1998
Charges: Extortion, unlawful transactions of foreign currency, abuse of authority, and forgery
Sentenced: 1998; 14 years; sentence extended by 5 years

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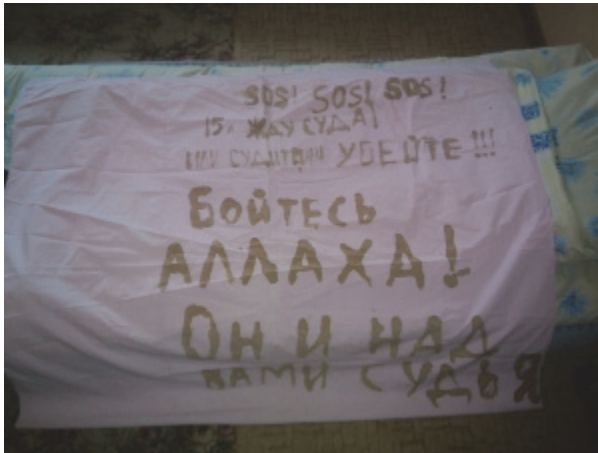
In 1998, while visiting his wife and three children in Tashkent, police arrested Usmanov on trumped-up charges of extortion, unlawful transactions of foreign currency, abuse of authority, and forgery. The Andijan Regional Court sentenced him to 14 years in prison.²³² Evidence shows that authorities brought the case in retaliation for his political ambitions. The case was marred by due process violations. The court allowed no oral argument at trial, Usmanov was not afforded a final statement, and the sentencing document lacked

²³⁰ "Rustam Usmanov: 'I am sacrificing my health and my life believing in the President,'" *Fergana News*, April 14, 2010, <http://www.fergananews.com/articles/6535> (accessed September 11, 2014). This is a letter written by Mr. Usmanov's son, published in *Fergana News*, based on an in-person visit to Usmanov on April 3, 2010.

²³¹ *Ibid.*

²³² *Ibid.*; Human Rights Watch telephone interview with Nadejda Atayeva, Paris, October 10, 2013.

the judge’s signature.²³³ In 2012, mere days before his sentence was due to end, he was convicted for “violations of prison rules” and sentenced to a further five years in prison. Authorities informed Usmanov’s relatives and his lawyer about the allegations and extension only after he was convicted.²³⁴



After authorities added five years to his prison sentence in 2012, political opposition figure Rustam Usmanov passed a handkerchief to his son on which he had written in blood, “SOS! 15 years of waiting for the court! Try me or kill me!” © Fiery Hearts Club

Usmanov told his relatives that he has been tortured in prison.²³⁵ In January 2009 he announced a hunger strike to protest his imprisonment and was beaten severely as a result. In March 2009, authorities transferred him from Karshi to Jaslyk prison, where his health and treatment by prison authorities worsened. On one occasion after his 2009 transfer, authorities placed him in solitary confinement in a cell where guards handcuffed him in a crucifixion position for four straight days.²³⁶

Later that year he announced another hunger strike, but prison guards pushed a feeding tube down his throat and plugged his nostrils until he began to suffocate, ending his strike. In late 2009 he claimed that he was called in for a meeting with prison officials who demanded US\$100,000, or else his sons would be harmed. When he refused to pay, he was beaten savagely.²³⁷

In an April 2010 meeting with his sons, his body was covered with bruises he claimed he sustained during beatings by prison guards. Usmanov said that he had been denied

²³³ “Rustam Usmanov: “I am sacrificing my health and my life believing in the President,” *Fergana News*, April 14, 2010, <http://www.fergananews.com/articles/6535> (accessed September 11, 2014).

²³⁴ “Son of Ex-banker Rustam Usmanov Asks for Asylum in Russia,” *Jarayon.com*, December 8, 2012, <http://jarayon.com/ru/index.php/2012-04-04-14-31-53/item/143-syn-eks-bankira-rustama-usmanova-prosit-ubezhishche-v-rossii> (accessed September 11, 2014).

²³⁵ “Rustam Usmanov: “I am sacrificing my health and my life believing in the President,” *Fergana News*, April 14, 2010, <http://www.fergananews.com/articles/6535> (accessed September 11, 2014).

²³⁶ *Ibid.*

²³⁷ *Ibid.*

medical assistance and that prison guards had confiscated medications brought by his relatives.²³⁸ When his family visited him in November 2012, eight months after the authorities had added an additional five years to his sentence, he was severely depressed and passed a handkerchief to his son, on which he had written in blood, “SOS! 15 years of waiting for the Court! Try me or Kill me!”²³⁹

Independent Religious Figures

His [Hayrullo Hamidov’s] life and fate are representative of hundreds of other young, religiously active Uzbeks caught up in waves of mass trials and repression. Persecution of popular cultural figures like Hamidov increases frustration and resentment among a population already dissatisfied with the pace of economic development and strict limits on the public expression.

—Independent Central Asia scholar, Noah Tucker, *Registan.net*

The most numerically significant category of politically motivated arrests and convictions in Uzbekistan is among the country’s independent Muslims; that is, those who practice their faith outside strict state controls or who belong to unregistered religious organizations. The government continues to wage an unrelenting, multi-year campaign of arbitrary detention, ill-treatment, and torture against them.²⁴⁰ Since 1999 thousands of independent Muslims have been incarcerated for nonviolent offenses.²⁴¹

Many have been sentenced under Criminal Code statutes for “anti-constitutional activity” (article 159), participation in “banned religious, extremist” groups, or possession of “banned literature” (articles 216, 242, and 244). These statutes contain provisions which are so vague and overbroad that they are wholly incompatible with international human rights norms.²⁴²

²³⁸ Ibid.

²³⁹ “Son of Ex-banker Rustam Usmanov Asks for Asylum in Russia,” *Jarayon.com*, December 8, 2012, <http://jarayon.com/ru/index.php/2012-04-04-14-31-53/item/143-syn-eks-bankira-rustama-usmanova-prosit-ubezhishche-v-rossii> (accessed September 11, 2014).

²⁴⁰ Human Rights Watch, *Creating Enemies of the State*.

²⁴¹ Ibid.

²⁴² The articles of the Criminal Code referred to above contain provisions that are incompatible with the freedoms set out in the ICCPR. In particular, any religious activity not sanctioned by the government is criminalized. Strict punishment is set out

In addition to imprisoning thousands on such charges, the government mobilizes its significant security apparatus to prevent any potential contest for influence between President Karimov and independent-minded Muslim leaders. Since the mid-1990s the government has imprisoned or driven into exile nearly every independent Muslim leader in the country, a group which includes clerics, imams, commentators, and philosophers representing diverse schools of Islamic thought. Significantly, the teachings of these figures continue to command significant authority and loyalty among the people, even from behind bars.²⁴³

Uzbekistan’s International Obligations to Ensure Freedom of Religion

Uzbekistan’s policies and practices are in direct violation of its international legal obligations on freedom of religion. The International Covenant on Civil and Political Rights (ICCPR) protects the right of the individual to “have ... a religion or belief of his choice, and [the] freedom, either individually or in community with others and in public or in private to manifest” it.²⁴⁴ Parties to the ICCPR undertake to ensure freedom of religion but also commit not to discriminate on the basis of religion.²⁴⁵ Uzbekistan’s practice of subjecting Muslims to regulation of their religion in severe terms violates this guarantee.

The covenant does allow exceptions where it is “necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others,” but the restrictions Uzbekistan imposes on Muslim religious practice far exceed anything that could reasonably be justified under the treaty.²⁴⁶

(up to 15 years imprisonment) for “extremism” and participation in “forbidden organizations,” in spite of these two terms having no basis or definition in national legislation and the absence of any official list of “forbidden organizations.” These statutes allow for arbitrary application of the law. The definition of “terrorism” is unnecessarily wide, expanding almost without limit the scope of those persons who may be charged. A number of Criminal Code provisions, for example, do not sufficiently differentiate between the qualification and the punishment of the preparation for or carrying out of a violent act on the one hand, and the mere expression of an opinion deemed extremist on the other. Nor do the statutes differentiate between direct and indirect participation in an “extremist” act. Other provisions regarding defamation and insults against the people and the president of Uzbekistan can be used to punish individuals who express opinions critical of the regime.

²⁴³ Human Rights Watch, *Creating Enemies*, p.5.

²⁴⁴ ICCPR, art. 18(1).

²⁴⁵ ICCPR, arts. 2 and 26 (1976).

²⁴⁶ ICCPR, art. 18(3).

Ruhiddin Fahriddinov, 47, is a father and religious scholar. Between 1992 and 1996 he was a widely popular, independent imam at several Tashkent mosques including S. Darbaza, Tohtaboi, and Hoja Nuriddin.²⁴⁷ A graduate of Tashkent State University with a degree in Arabic philology, he was a pupil of the prominent Imam Obidhon-qori Nazarov, who fled to Sweden in 1998 following persecution and is currently in a coma after an assassination attempt in February 2012.²⁴⁸

Fahriddinov fled to Kazakhstan in 1998, fearing for his safety because of the crackdown on independent Muslims and his prominence as an independent imam. In 2001 his wife was arrested, ill-treated, and sentenced to seven years in prison. His step-daughter was repeatedly detained and pressured to provide information about his whereabouts.²⁴⁹

On November 24, 2005, security service officers unlawfully detained Fahriddinov and four other men in Shymkent, Kazakhstan and forcibly returned them to Uzbekistan. Serious due process violations marred his trial in Tashkent.

Fahriddinov told his lawyer that SNB officers tortured him in custody, both in Kazakhstan and

Ruhiddin Fahriddinov



Born: 1967

Kidnapped from Kazakhstan:

November 24, 2005

Charges: 22 charges, among them terrorism, sabotage, organization of illegal religious groups, activity against the constitution, and the dissemination of materials that threaten state security

Sentenced: September 15, 2007;
17 years

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Central Asia

²⁴⁷ Human Rights Watch, *Uzbekistan: Persistent Human Rights Violations and Prospects for Improvement*, Vol. 8, No.5 (D), May 1996, <http://www.hrw.org/reports/1996/UZBEK.htm>.

²⁴⁸ In July 2012 Sweden's Chief Prosecutor Krister Petersson stated that Uzbekistan's security services were probably behind the attack. Human Rights Watch, *World Report 2013*, (New York: Human Rights Watch, 2013), Uzbekistan chapter, <http://www.hrw.org/world-report/2013/country-chapters/uzbekistan?page=2>.

²⁴⁹ Human Rights Watch, *Creating Enemies of the State*, "Kazakhstan: Uzbeks Sent Back at Risk of Torture," Human Rights Watch press release, December 3, 2005, <http://www.hrw.org/fr/news/2005/12/02/kazakhstan-uzbeks-sent-back-risk-torture>.

in Uzbekistan, and that he was pressured to sign an admission of guilt.²⁵⁰ He also said he was pressured to state that he had been arrested in Uzbekistan.²⁵¹ For two months authorities denied him access to his attorney of choice. Authorities announced an alternative version of his arrest, stating that he was detained on December 2, 2005 in the province of Tashkent as a result of an “anti-terror” operation.²⁵²

Authorities charged Fahriddinov with 22 criminal offenses, among them terrorism, sabotage, organization of illegal religious groups, activity against the constitution, and the dissemination of materials that threaten state security. They also accused him of recruiting and sending young people to “terrorist” training camps in Tajikistan and Pakistan, as well as controlling the collection and distribution of financial resources for adherents of Wahhabi extremist religious sects and the Islamic Movement of Uzbekistan.²⁵³ During trial, Fahriddinov’s wife, who had already been released, reported to several news sources and the Initiative Group of Independent Human Rights Defenders that a police officer raped the couple’s six-year old daughter, Oysha, on March 31, 2006.²⁵⁴ Court proceedings were closed to the public.²⁵⁵ Authorities denied even Fahriddinov’s relatives and lawyer, Rustam Tyuleganov, entry to the hearings.²⁵⁶

²⁵⁰ Vitaliy Ponomarev, “Refugees from Uzbekistan in the CIS Countries: Risk of Extradition (May 2005-August 2007),” Memorial Human Rights Center, September 2007, <http://www.memo.ru/2007/09/26/2609071.htm> (accessed September 11, 2014).

²⁵¹ “Uzbekistan: Trial of Imam Highlights Refoulement Concerns, Treatment in Custody,” Human Rights Watch news release, July 28, 2006, <http://www.hrw.org/news/2006/07/28/uzbekistan-trial-imam-highlights-refoulement-concerns-treatment-custody>.

²⁵² Human Rights Watch telephone interview with Surat Ikramov, Tashkent, July 14, 2014.

²⁵³ Sentence of Ruhiddin Fahriddinov (in Uzbek), Chirchik City Criminal Court, Decision of September 15, 2007, document on file with Human Rights Watch.

²⁵⁴ Surat Ikramov, “Report of the Initiative Group of Independent Human Rights Defenders of Uzbekistan (IGIHRD) on the Universal Periodic Review (UPR), December 2008 session on Human Rights [Доклад Инициативной Группы правозащитников Узбекистана (ИГНПУ) по Универсальному периодическому обзору (УПО) для предоставления Декабрьской Сессии по Правам Человека, декабрь 2008],” http://lib.ohchr.org/HRBodies/UPR/Documents/Session3/UZ/IGNPU_UZB_UPR_S3_2008_TheInitiativeGroupofIndependentHuman%20RightsDefendersofUzbekistan_RUS_uprsubmission.pdf (accessed September 11, 2014), p.5; “Uzbek Official Denies Knowledge Of Child-Rape Claim,” RFE/RL, July 4, 2006, <http://www.rferl.org/content/article/1069648.html> (accessed September 11, 2014).

²⁵⁵ Vitaliy Ponomarev, “Refugees from Uzbekistan in the CIS Countries: Risk of Extradition (May 2005-August 2007),” Memorial Human Rights Center, September 2007, <http://www.memo.ru/2007/09/26/2609071.htm> (accessed September 11, 2014).

²⁵⁶ Surat Ikramov, “Report of the Initiative Group of Independent Human Rights Defenders of Uzbekistan (IGIHRD) on the Universal Periodic Review (UPR), December 2008 session on Human Rights [Доклад Инициативной Группы правозащитников Узбекистана (ИГНПУ) по Универсальному периодическому обзору (УПО) для предоставления Декабрьской Сессии по Правам Человека, декабрь 2008],” http://lib.ohchr.org/HRBodies/UPR/Documents/Session3/UZ/IGNPU_UZB_UPR_S3_2008_TheInitiativeGroupofIndependentHuman%20RightsDefendersofUzbekistan_RUS_uprsubmission.pdf (accessed September 11, 2014)

Trial transcripts indicate that Fahriddinov denied involvement in any religious organizations espousing extremist ideology, and the published sentence lacked any specific evidence of Fahriddinov's guilt on any of the charges alleged. Three witnesses for the prosecution rejected their previous witness statements in court and said that investigators had intimidated them. Other witnesses on whose testimony the prosecution relied were not called to testify and could not be cross-examined by the defense. On September 15, 2007, the Chirchik Criminal Court in Tashkent province convicted Fahriddinov on 10 counts and sentenced him to 17 years in prison.²⁵⁷

Fahriddinov's relatives told Human Rights Watch that since his sentence began SNB and prison officials have tortured him repeatedly in custody and that he has developed serious health problems.²⁵⁸ According to several rights groups who met with Fahriddinov's relatives in 2009, prison authorities held Fahriddinov in an isolation cell for nine months during which period he contracted tuberculosis.²⁵⁹ ACAT-France and local groups reported that authorities transferred him to a medical facility on June 7, 2009 after he lost consciousness while carrying out hard physical labor with a fever.²⁶⁰

Fahriddinov's wife told Human Rights Watch that during a visit with Fahriddinov in mid-2010, he reported that other prisoners had ripped out two of his nails at the behest of prison guards. Fahriddinov said that on at least one occasion when he stated that he was too tired to work at the brick factory guards beat him unconscious with a shovel, revived him with water, and then beat him again. Other prisoners disfigured his right arm, admitting that they were forced to do this by prison guards. Fahriddinov said that the beatings and torture grew worse following visits to him by the ICRC. He is being held at Zangiota prison, Tashkent province.²⁶¹

²⁵⁷ Sentence of Ruhiddin Fahriddinov (in Uzbek), Chirchik City Criminal Court, decision of September 15, 2007, document on file with Human Rights Watch.

²⁵⁸ Human Rights Watch interview with "Dilafuz D.," Tashkent, December 7, 2010.

²⁵⁹ Ali Yunusov, "Imprisoned Uzbek Imam Infected with Tuberculosis in Prison and Needs Adequate Medical Care," *Voice of Freedom Regional Human Rights Portal*, July 16, 2009, <http://vof.kg/?p=3199> (accessed September 11, 2014).

²⁶⁰ Action by Christians for the Abolition of Torture – France, "ACAT-France statement – Uzbekistan," March 7, 2011, on file with Human Rights Watch.

²⁶¹ Human Rights Watch interview with Surat Ikramov, Bishkek, July 18, 2014; Human Rights Watch interview with "Dilafuz D.," Tashkent, November 13 and December 7, 2010.

Hayrullo Hamidov



Born: December 7, 1975

Arrested: January 23, 2010

Charges: “Membership in a banned religious-extremist organization” and “possession of materials containing ideas of religious extremism and threatening to public safety”

Sentenced: May 2010; 6 years

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Hayrullo Hamidov, 38, is a father of four children and was a widely popular journalist, poet, and radio host, known for his popular religious sermons. Hamidov was a sports commentator and correspondent for *Uzbekistan Football* and UzTV. Before his arrest in 2010, he wrote for *Interfootball* and *Champion* sports magazines and was the director of the socio-political journal *Odamlar Orasida* (Among the People), which was closed in 2007 by order of the Agency for Print Publications and Information. Alongside his journalistic endeavors, Hamidov hosted a series of radio programs on religious topics that became very popular among Uzbekistan’s youth.²⁶² One Western scholar dubbed him “Central Asia’s first independent religious celebrity.”²⁶³

In his shows, Hamidov offered advice on Islamic issues and confronted controversial topics such as public health, corruption, and prostitution.²⁶⁴ His sermons challenged official views about Uzbek society, dealing with issues of corruption, social decay, and systemic problems largely ignored in the state-controlled media. His sermons remain highly popular across Uzbekistan and are listened to on the Internet and circulated on copied CDs and MP3s.²⁶⁵ As his popularity grew, SNB officers began to intimidate him,

²⁶² Human Rights Watch telephone interview with Abdurakhmon Tashanov, *Ezgulik*, Tashkent, October 21, 2013, and in-person interview, Washington, DC, April 29, 2014.

²⁶³ Noah Tucker, “Domestic Shapers of Eurasia’s Islamic Futures: Sheikh, Scholar, Society, and the State,” policy paper from Islam in Eurasia Policy Conference, June 2013, on file with Human Rights Watch, p.24.

²⁶⁴ “Popular radio host arrested on religious extremism charge,” Reporters Without Borders, January 23, 2010, <http://en.rsf.org/uzbekistan-popular-radio-host-arrested-on-23-01-2010,36191.html> (accessed September 11, 2014).

²⁶⁵ Noah Tucker, “Domestic Shapers of Eurasia’s Islamic Futures: Sheikh, Scholar, Society, and the State,” policy paper from Islam in Eurasia Policy Conference, June 2013, on file with Human Rights Watch., p.24.

detaining him at least twice prior to arresting him and warned him he would be imprisoned if he continued to speak about religion.²⁶⁶

Police arrested Hamidov on January 23, 2010 in Tashkent on charges of “membership in a banned religious-extremist organization” and “possession of materials containing ideas of religious extremism and threatening to public safety.” During a search of his home, police allegedly found audio recordings of a prominent Uzbek Imam, Abduvali-qori Mirzaev, who disappeared in 1995, and whom the state has accused of spreading radical Islam.²⁶⁷ According to rights activists, no other evidence of Hamidov’s membership in “banned religious groups” was introduced at trial. Hamidov was summarily tried alongside 14 others in a closed trial.²⁶⁸

In May 2010 the court convicted Hamidov and all co-defendants for membership in the banned extremist Islamic group *Jihadchilar* (Jihadists) that rights groups and regional experts say never existed.²⁶⁹ The court sentenced the defendants to fines and prison terms of up to six years.²⁷⁰ Hamidov was sentenced to six years.

Hamidov elected not to appeal his sentence, reportedly telling his mother that there was no hope of overturning his conviction.²⁷¹ He is serving his sentence in a Kyzyltepa prison in the province of Navoi.²⁷²

²⁶⁶ Human Rights Watch interview with Abdurakhmon Tashanov, *Ezgulik*, Washington, DC, April 29, 2014.

²⁶⁷ Sentence of Hayrullo Hamidov (Uzbek), Tashkent Regional Criminal Court, decision of May 27, 2010, on file with Human Rights Watch.

²⁶⁸ Human Rights Watch telephone interview with Abdurakhmon Tashanov, *Ezgulik*, Tashkent, October 21, 2013, and in-person interview, Washington, DC, April 29, 2014.

²⁶⁹ Human Rights Watch telephone interview with Surat Ikramov, Tashkent, September 10, 2013; “Jailed Uzbek Sports Journalist Won’t Appeal Conviction,” RFE/RL, June 30, 2010, http://www.rferl.org/content/Jailed_Uzbek_Sports_Journalist_Not_To_Appeal_Conviction/2087102.html (accessed September 11, 2014).

²⁷⁰ “Jailed Uzbek Sports Journalist Won’t Appeal Conviction,” RFE/RL, June 30, 2010, http://www.rferl.org/content/Jailed_Uzbek_Sports_Journalist_Not_To_Appeal_Conviction/2087102.html (accessed September 11, 2014).

²⁷¹ Human Rights Watch telephone interview with Surat Ikramov, Tashkent, September 10, 2013; “Jailed Uzbek Sports Journalist Won’t Appeal Conviction,” RFE/RL, June 30, 2010, http://www.rferl.org/content/Jailed_Uzbek_Sports_Journalist_Not_To_Appeal_Conviction/2087102.html (accessed September 11, 2014).

²⁷² Human Rights Watch telephone interview with Abdurakhmon Tashanov, *Ezgulik*, Tashkent, October 21, 2013, and in-person interview, Washington, DC, April 29, 2014.

Akram Yuldashev



Born: July 25, 1963

Arrested: February 17, 1999

Charges: Various, including “terrorism,” “organization of banned civil groups and religious organizations,” “membership in a banned religious-extremist organization” and “possession of materials containing ideas of religious extremism and threatening to public safety”

Sentenced: March 1999; 17 years

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Akram Yuldashev, 51, is a father of four children and a former mathematics teacher who became a prominent religious and spiritual leader in Andijan and the Fergana valley in the 1990s.²⁷³ Yuldashev’s case plays a major role in the Uzbek government’s narrative about terrorism and Islamism, and he remains a central figure in the government’s official view of the Andijan massacre of May 13, 2005.

Though he lacked a formal religious education, in 1992 he published an essay entitled, “*lymonga yo’l* [The Path to Faith],” which sets out religious and philosophical ideas for how to live a faithful and morally sound existence in harmony with Islam.²⁷⁴ His teachings resonated with many, and around 1993 he began leading a religious study group in his Andijan home,

though authorities repeatedly denied him registration as a religious organization.²⁷⁵ As a result, the authorities briefly jailed him and 40 of his followers in 1995 for carrying out religious instruction without registration. SNB agents examined his essay but returned it without objections to the material.²⁷⁶

Yuldashev’s group, which included many local entrepreneurs, sparked the development of a grassroots business community in Andijan informed by Yuldashev’s philosophies in which

²⁷³ Human Rights Watch interview with “Rustam R.,” Washington, DC, February 22, 2013.

²⁷⁴ Akramjon Yo’ldashev, “The Path to Faith,” in *Uzbek Islamic Debates: Texts Translations, and Commentary*, ed. Allen J. Frank et al. (Springfield: Dunwoody Press, 2006), p.352-377.

²⁷⁵ Human Rights Watch interview with “Rustam R.,” Washington, DC, February 22, 2013.

²⁷⁶ Noah Tucker, “Akrom Yo’ldashev, the Myth of Akromiya, and Islam Karimov’s ‘War on Terror,’” from *Central Asia and the Caucasus Working Group*, October 9, 2007, on file with Human Rights Watch.

spiritual and moral issues were said to take precedence over monetary concerns.²⁷⁷ The group of businesses expanded rapidly, from 10 in 1993 to at least 40 separate companies by 2005, which included furniture factories, business supply companies, bakeries, tailoring firms, construction companies, and transportation firms that employed thousands of people in impoverished Andijan.²⁷⁸ The businesses in the network were well-known for both their equitable treatment of workers—providing social services and a minimum wage nearly three times the official monthly sum—and their charitable giving, in which a fifth of their profits were donated to the community. By 1998 Yuldashev’s adherents had swelled to several thousand and could be found in Andijan, Osh, Kokand, and Tashkent.²⁷⁹

Throughout the mid-1990s, the SNB repeatedly interrogated Yuldashev and in April 1998, authorities arrested him after an unnamed man began a fight with him in the Andijan market. The police brought him to the police station and alleged that they found a small quantity of heroin in his pocket, which Yuldashev later claimed was planted. Authorities prosecuted him for narcotics possession and the Andijan City Court sentenced him to two and a half years in prison.²⁸⁰ He was held in incommunicado detention for eight months until his release under a December 1998 amnesty and resumed his religious activities in Andijan.²⁸¹

On February 16, 1999, several bombs exploded in Tashkent, killing more than a dozen people and injuring many others. Authorities immediately assigned responsibility for the attacks to Islamic “extremists” and launched a wave of repression against independent Muslims, arresting thousands and subjecting them to torture, unfair trials, police raids, and threats against family members.²⁸² Police arrested Akram Yuldashev the day after the bombings. Authorities charged him with nine offenses, including terrorism (article 155), inciting national, racial, ethnic, or religious tension (article 156), threatening the constitutional order (article 159), sabotage (article 161), organization of banned civil groups and religious organizations (article 216), incitement of participation in illegal civil or religious groups (article 216(1)), organization of a criminal group (article 242),

²⁷⁷ Ibid.

²⁷⁸ Human Rights Watch, *“Bullets Were Falling Like Rain”: The Andijan Massacre, May 13, 2005*, vol. 17, no. 5(D), May 2005, http://www.hrw.org/reports/2005/uzbekistano605/4.htm#_Toc105632742.

²⁷⁹ Human Rights Watch Interview with “Rustam R.,” Washington, DC, February 22, 2013.

²⁸⁰ Ibid.

²⁸¹ Ibid.

²⁸² Human Rights Watch, *Creating Enemies of the State*, p.26-29.

production or dissemination of materials threatening the public order (article 244(1)), and possession of narcotics for the purpose of sale (article 276).²⁸³

During his trial, the prosecution argued that Yuldashev was a main organizer of the bombings.²⁸⁴ Authorities also blamed members of the unrelated *Erk* political opposition movement and members of other independent Muslim groups for the same crime. The prosecution accused Yuldashev of being the leader of a group called *Akromiya* which it characterized as an extremist group with the express goal of overthrowing the government and establishing a worldwide Islamic caliphate.²⁸⁵ Several scholars have written that the prosecution in Yuldashev's 1999 case was the first mention of any religious organization called *Akromiya*.²⁸⁶ Despite the SNB's earlier review, the court ordered a new analysis of Yuldashev's essay, "Path to Faith," which determined it to be an extremist document. But the "expert analysis" cited text that did not appear in the actual essay.²⁸⁷ According to Yuldashev's wife, after a hearing that lasted no more than an hour and in which no witnesses presented evidence, the court sentenced Yuldashev to 17 years' imprisonment in a high security facility.²⁸⁸

After his conviction, prison authorities transferred Yuldashev repeatedly from one prison to another. He spent time in Jaslyk prison, where he was subjected to severe beatings with rubber truncheons.²⁸⁹ By 2005 Yuldashev's health had deteriorated gravely and he had spent two years in a prison hospital in Tashkent suffering from tuberculosis.²⁹⁰

²⁸³ Noah Tucker, "Akrom Yo'ldashev, the Myth of Akromiya, and Islam Karimov's 'War on Terror,'" from *Central Asia and the Caucasus Working Group*, October 9, 2007, on file with Human Rights Watch; Sarah Kendzior, "Inventing Akromiya: The Role of Uzbek Propagandists in the Andijon Massacre," *Demokratizatsiya: The Journal of Post-Soviet Democratization*, vol. 14(4), 2006, p. 548.

²⁸⁴ Human Rights Watch interview with "Rustam R.," Washington, DC, February 22, 2013.

²⁸⁵ Saidjahon Zaynabitdinov, "The 'Akromiya' Community – A Tendentious Creation of Uzbek Security Services and Political Scientists," *Fergana News*, May 4, 2005, <http://www.fergananews.com/article.php?id=3629> (accessed September 11, 2014).

²⁸⁶ Noah Tucker, "Akrom Yo'ldashev, the Myth of Akromiya, and Islam Karimov's 'War on Terror,'" from *Central Asia and the Caucasus Working Group*, October 9, 2007, on file with Human Rights Watch.

²⁸⁷ *Ibid.*

²⁸⁸ Aizenman, N.C., "The Eye of the Uzbek Storm," *Washington Post*, May 29, 2005, http://www.washingtonpost.com/wp-dyn/content/article/2005/05/28/AR2005052800870_4.html (accessed September 11, 2014).

²⁸⁹ "On Torture and Arbitrary Detention in Uzbekistan and Turkmenistan, Report to UN Special Mechanisms Compiled by Partners in civil society from Uzbekistan and Turkmenistan," *Civicus*, March 3, 2011, <http://civicus.org/images/stories/Eurasia/ReporttoUNSR-UzTk.pdf> (accessed September 11, 2014).

²⁹⁰ Human Rights Watch Interview with "Rustam R.," Washington, DC, February 22, 2013.

After his imprisonment, the business network Yuldashev established in Andijan continued to grow until June 23, 2004, when police arrested 23 businessmen from the group for allegedly organizing a criminal organization and threatening the constitutional order of Uzbekistan. Their arrest, trial, and subsequent liberation from prison by gunmen in Andijan precipitated mass demonstrations during which Uzbek government forces shot and killed hundreds of peaceful, mostly unarmed protesters on May 13, 2005.²⁹¹

In the aftermath of the massacre, authorities pinned responsibility on the already imprisoned Akram Yuldashev, who in a taped confession dated July 2005 reportedly admitted to inciting his followers to break the businessmen out of jail using a mobile phone.²⁹² Experts have written that his confession fits a pattern of statements extracted through torture and coercion and cast doubt on its authenticity.²⁹³

Yuldashev's son told Human Rights Watch in mid-2013 that his family has been denied all contact with him since 2009, has no information about his whereabouts, and do not even know whether he is alive or has died in custody.²⁹⁴ The refusal to provide, or concealment of, information on the fate or whereabouts of a person deprived of their liberty constitutes an enforced disappearance, a crime under international law, and is absolutely prohibited in all circumstances.



Yodgoroi Yuldasheva is the wife of imprisoned spiritual leader Akram Yuldashev. Authorities accuse him of organizing the Andijan protests of May 2005, even though he has been imprisoned since 1999 on other politically motivated charges. Authorities refuse to disclose his current whereabouts. © 2008 Fergana News

²⁹¹ Human Rights Watch, *Bullets Were Falling Like Rain*.

²⁹² Human Rights Watch Interview with "Rustam R.," Washington, DC, February 22, 2013; Ian MacWilliam, "Uzbek 'inciter' Shown Confessing," BBC, October 19, 2005, <http://news.bbc.co.uk/2/hi/asia-pacific/4358746.stm> (accessed September 11, 2014).

²⁹³ Noah Tucker, "Akrom Yo'ldashev, the Myth of Akromiya, and Islam Karimov's 'War on Terror,'" October 9, 2007, on file with Human Rights Watch, p. 16.

²⁹⁴ Human Rights Watch Interview with "Rustam R.," Washington, DC, February 22, 2013.

Andijan and Other “Internal Enemies”

At first, you feel a terrible headache, then you see everything in red as if blood is pouring down your eyes, then you see black and white stripes. After a while it seems that your entire body has moved into your head, and your head hurts like hell. With that, you feel that your soul wants to break free of your body, and you want to help it (by tearing the body apart), but you don't feel your body.

—Imprisoned UN employee, Erkin Musaev.²⁹⁵

Since the Andijan massacre the government has aggressively pursued, detained, tortured, and prosecuted anyone believed to have either participated in or witnessed the events. The government has also taken steps to suppress and manipulate the truth about the massacre. Between September 2005 and July 2006, in 22 flawed and closed trials, courts convicted and sentenced at least 303 people to lengthy prison terms on various charges of extremism.²⁹⁶ Nearly all of these people, many of whom allege that they have been or continue to suffer torture in detention, remain in prison.²⁹⁷ The government also continues to aggressively pursue the return of individuals who fled the country following the atrocity. In some cases, it has sought to lure people back by providing assurances that no harm will come to them.²⁹⁸ In several cases where refugees agreed to return, including in the case of Dilorom Abdukodirova described below, those assurances proved false.

Tashkent has refused to comply with demands, mainly by Western governments, to allow an independent investigation into Andijan and to improve its human rights record. Instead,

²⁹⁵ This is an excerpt from a diary Erkin Musaev kept of the torture he suffered following his arrest in 2006 that he passed at a later date to his relatives and journalists.

²⁹⁶ Human Rights Watch, *Saving Its Secrets: Government Repression in Andijan*, May 2008, <http://www.hrw.org/reports/2008/uzbekistan0508/4.htm>, p.12.

²⁹⁷ “Human Rights Watch Submission to the United Nations Committee Against Torture on Uzbekistan,” Human Rights Watch statement, October 2013, <http://www.hrw.org/news/2013/10/28/human-rights-watch-submission-united-nations-committee-against-torture-uzbekistan>; Bahtiyor Muhtarov, “Andijan Refugees Speak Out,” Human Rights Society of Uzbekistan, November 2010, <http://en.hrsu.org/archives/836> (accessed September 11, 2014), including “List of Participants and Witnesses to the Events of 13 and 14 May 2005 Who Are Currently Imprisoned”; Vitaly Ponomarev, “List of Persons Arrested on Political or Religious Motives in Uzbekistan (January 2004-December 2008),” Memorial Human Rights Center, Moscow, 2009, p. 17-18.

²⁹⁸ Between 2005 and 2008, dozens of Uzbek refugees and asylum seekers who faced a grave risk of torture or ill-treatment were forcibly returned to Uzbekistan from Kyrgyzstan, Kazakhstan, Russia, and Ukraine. Human Rights Watch, *Saving Its Secrets: Government Repression in Andijan*, p.42.

the government has targeted for imprisonment those it perceives to have an affiliation with states that have adopted a critical stance on its behavior such as the United States and United Kingdom. As part of this campaign Uzbek authorities have charged with espionage a number of Uzbek nationals who worked or were associated with foreign embassies and international organizations and even some former government officials whose portfolio included contact with representatives of Western governments.

In recent years, the Uzbek government's apparent suspicion of individuals or organizations seen to have foreign affiliations extended as well to the graduates of some of Uzbekistan's most elite schools, Turkish-Uzbek *lycéés*, and to members of a peaceful religious movement known as *Nur* that authorities view as an instrument of the Turkish government.

Dilorom Abdukodirova, 48, is a mother and was an eye-witness to the Andijan massacre.²⁹⁹ On the day of the massacre Abdukodirova fled to Kyrgyzstan, leaving behind her husband and children. She was later resettled to Australia as a refugee.³⁰⁰ After Uzbek authorities made assurances to her family that she could return without fear of punishment or reprisal, Abdukodirova decided to return home.³⁰¹

On January 8, 2010, immediately upon arrival to the airport, security officials

Dilorom Abdukodirova



Born: 1966

Arrested: March 2010

Charges: Illegal border crossing and
"threatening the constitutional order"

Sentenced: April 30, 2010; 10 years, 2 months;
sentence extended by 8 years

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²⁹⁹ "EU must put pressure on Uzbekistan over Andizhan killings," Amnesty International, May 12, 2010, <http://www.amnesty.org/en/news-and-updates/eu-must-put-pressure-uzbekistan-over-andizhan-killings-2010-05-12> (accessed September 11, 2014).

³⁰⁰ "Uzbekistan: Stop Persecuting Andijan Refugees' Families," Human Rights Watch news release, May 4, 2010, <http://www.hrw.org/news/2010/05/04/uzbekistan-stop-persecuting-andijan-refugees-families%20>.

³⁰¹ "Uzbekistan: No Justice 7 Years after Andijan Massacre," Human Rights Watch news release, May 12, 2012, <http://www.hrw.org/news/2012/05/11/uzbekistan-no-justice-7-years-after-andijan-massacre>.

detained Abdukodirova.³⁰² She was released but taken into custody again in March.³⁰³ Initially, Abdukodirova did not have access to legal counsel, as her state-appointed lawyer was allegedly away on a business trip.³⁰⁴ The lawyer her family hired to represent her met with her once, then dropped the case.³⁰⁵

On April 30, 2010, the Andijan City Court convicted Abdukodirova on charges of illegal border crossing and anti-constitutional activity, sentencing her to 10 years and two months in prison.³⁰⁶ During her hearing on April 28, Abdukodirova, according to her relative, appeared with bruises on her face, had lost a lot of weight, and would not make eye contact with family members.³⁰⁷ During the same hearing, Abdukodirova reportedly confessed to all charges, including the prosecutor's accusation that she organized a busload of people to participate in the demonstration on May 13, 2005.³⁰⁸ However, at the next hearing, she again pleaded innocent to the charges, except for having unlawfully crossed the border into Kyrgyzstan in 2005.³⁰⁹

After Abdukodirova was arrested, the police summoned her relatives and warned them not to organize demonstrations in her defense.³¹⁰ Abdukodirova's relatives reported to Human Rights Watch that her sentence was extended by an additional eight years at some point in 2012 for alleged "violations of prison rules" following a closed trial inside her prison. Abdukodirova is serving her sentence at Tashkent women's prison.

³⁰² "EU must put pressure on Uzbekistan over Andizhan killings," Amnesty International, May 12, 2010, <http://www.amnesty.org/en/news-and-updates/eu-must-put-pressure-uzbekistan-over-andizhan-killings-2010-05-12> (accessed September 11, 2014).

³⁰³ "Uzbekistan: No Justice 7 Years after Andijan Massacre," Human Rights Watch news release, May 12, 2012, <http://www.hrw.org/news/2012/05/11/uzbekistan-no-justice-7-years-after-andijan-massacre>.

³⁰⁴ "Uzbekistan: Stop Persecuting Andijan Refugees' Families," Human Rights Watch news release, May 4, 2010, <http://www.hrw.org/news/2010/05/04/uzbekistan-stop-persecuting-andijan-refugees-families%20>.

³⁰⁵ Ibid.

³⁰⁶ "EU must put pressure on Uzbekistan over Andizhan killings," Amnesty International, May 12, 2010, <http://www.amnesty.org/en/news-and-updates/eu-must-put-pressure-uzbekistan-over-andizhan-killings-2010-05-12> (accessed September 11, 2014)

³⁰⁷ Ibid.

³⁰⁸ Ibid.

³⁰⁹ Ibid.

³¹⁰ Ibid.

Botir Eshkuziev, 36, Bahrom Ibragimov, 37, Davron Kabilov, 41, Davron Tojiev, 33, and Ravshanbek Vafoev, 43, all graduated from Uzbek-Turkish *lycéés* in the 1990s and founded an educational science magazine called *Irmoq* in early 2007.³¹¹ The magazine quickly gained popularity for its content and unique design. The men, along with colleague Abdulaziz Dadakhanov, were

Botirbek Eshkuziev, Bahrom Ibragimov, Davron Kabilov, Davron Tojiev, and Ravshanbek Vafoev

Born: 1978, 1977, 1973, 1981, and 1971, respectively

Arrested: June 27, 2008 (Ibragimov); August 16, 2008 (Eshkuziev, Kabilov, and Vafoev); September 27, 2008 (Tojiev)

Charges: Various, including “disseminating materials or information threatening to the public order” and “establishing, leading, or participation in a religious extremist, separatist, fundamentalist or other banned organization”

Sentenced: February 26, 2009; Ibragimov and Kabilov to 12 years, Vafoev to 10 years, and Eshkuziev to 8 years; April 8, 2009: Tojiev to 8 years

arrested in 2008 as part of a wider campaign against alleged adherents of the conservative, independent *Nur* religious movement, based on the philosophies of the Turkish-Kurdish theologian Said Nursi.³¹²

In the early years of Uzbekistan’s independence, a Nursi-influenced Turkish philanthropist and scholar, Fethullah Gulen, financed the establishment of Uzbek-Turkish *lycéés*, which quickly gained renown as elite institutions that taught English. In 1999, with tensions mounting in diplomatic relations between Turkey and Uzbekistan, Uzbek authorities closed the *lycéés*.³¹³ According to the authorities, the schools instilled a belief in the supremacy of the Turkish government and promoted Nursi’s teachings.³¹⁴ The closure of the schools came amid a continuing crackdown on independent Islam.³¹⁵ The deterioration of Uzbek-Turkish

³¹¹ Sentence of Botir Eshkuziev, Bahrom Ibragimov, Davron Kabilov, Ravshanbek Vafoev, and Abdulaziz Dadakhanov (b. 1977), Tashkent City Criminal Court, decision of February 26, 2009, on file with Human Rights Watch; “Uzbekistan: Reports of Crackdown on ‘Nur’ Religious Group,” Wikileaks, February 13, 2009, <http://cablegatesearch.net/cable.php?id=09TASHKENT177&q=irmoq> (accessed September 11, 2014).

³¹² “Uzbekistan: Reports of Crackdown on ‘Nur’ Religious Group,” Wikileaks, February 13, 2009, <http://cablegatesearch.net/cable.php?id=09TASHKENT177&q=irmoq> (accessed September 11, 2014).

³¹³ “Uzbekistan: Reports of Crackdown on ‘Nur’ Religious Group,” Wikileaks, February 13, 2009, <http://cablegatesearch.net/cable.php?id=09TASHKENT177&q=irmoq> (accessed September 11, 2014).

³¹⁴ Sentence of Botir Eshkuziev, Bahrom Ibragimov, Davron Kabilov, Ravshanbek Vafoev, Abdulaziz Dadakhanov (“Sentence of Eshkuziev and others”), Tashkent Criminal Court, decision of February 26, 2009, on file with Human Rights Watch.

³¹⁵ “Uzbekistan: Reports of Crackdown on ‘Nur’ Religious Group,” Wikileaks, February 13, 2009, <http://cablegatesearch.net/cable.php?id=09TASHKENT177&q=irmoq> (accessed September 11, 2014).

relations was also attributed to Ankara's refusal to extradite *Erk* party leader Muhammad Solih, whom Uzbek authorities tied to the February 1999 Tashkent bombings.³¹⁶

Police arrested Bahrom Ibragimov on June 27, 2008 on allegations that he actively recruited for the *Nur* movement among former classmates.³¹⁷ Eshkuziev, Kabilov, Vafoev, and Dadakhanov were detained on August 16, 2008, and all five were accused of receiving funding for *Irmoq* from radical *Nur* leaders in Kazakhstan.³¹⁸ They were also accused of engaging in proselytism and holding "unsanctioned religious meetings."³¹⁹ Another journalist associated with the group, Davron Tojiev, was arrested on September 27, 2008. Authorities ultimately charged all six with "disseminating materials or information threatening to the public order" and "establishing, leading, or participation in a religious extremist, separatist, fundamentalist or other banned organization."³²⁰ According to the indictment, the journalists founded *Irmoq* and its sister publication, *Yetti Iqlim*, to propagandize the banned *Nur* movement.³²¹ Prior to the trial, state-controlled television ran a piece on the *Nur* movement, its supposed goal of establishing a pan-Turkic state in Central Asia, and Ibragimov's alleged guilt in financing the movement's propaganda engine.³²²

According to court documents, US diplomatic cables, and trial monitors, the journalists denied the charges and alleged SNB officers tortured them during the investigation.³²³ They stated that officers beat them and stuck needles under their fingernails to extract confessions.³²⁴ As a result of this alleged torture, all five men ultimately signed "letters of regret," admitting partial guilt.³²⁵ Trial monitors reported that the trial was marred by other procedural violations, including the court's refusal to allow the defendants to challenge

³¹⁶ "Uzbek Authorities Are Carrying Out a Wide Campaign against the Followers of a Turkish Religious Movement," *Voice of Freedom Regional Human Rights Portal*, February 13, 2009, <http://vof.kg/?p=3082> (accessed September 11, 2014).

³¹⁷ "Uzbekistan: 'Nur' Religious Group Crackdown Continues," Wikileaks, March 13, 2009, <http://cablegatesearch.net/cable.php?id=09TASHKENT277&q=irmoq> (accessed August 1, 2014).

³¹⁸ *Ibid.*

³¹⁹ Sentence of Eshkuziev and others on file with Human Rights Watch.

³²⁰ Felix Corley, and Mushfig Bayram, "Uzbekistan: 'You Call White Black and Black White,'" *Forum 18*, February 27, 2009, http://www.forum18.org/archive.php?article_id=1262 (accessed September 11, 2014).

³²¹ Sentence of Eshkuziev and others, on file with Human Rights Watch.

³²² "Uzbekistan: Reports of Crackdown on 'Nur' Religious Group," Wikileaks, February 13, 2009, <http://cablegatesearch.net/cable.php?id=09TASHKENT177&q=irmoq> (accessed September 11, 2014).

³²³ Sentence of Eshkuziev and others, on file with Human Rights Watch.

³²⁴ "Uzbekistan: Reports of Crackdown on 'Nur' Religious Group," Wikileaks, February 13, 2009, <http://cablegatesearch.net/cable.php?id=09TASHKENT177&q=irmoq> (accessed September 11, 2014).


³²⁵ Sentence of Eshkuziev and others, on file with Human Rights Watch.

the state-appointed experts' testimony that *Irmog* is an "extremist" publication.³²⁶ A Tashkent court sentenced them to prison terms on February 26, 2009: Ibragimov and Kabilov to 12 years, Vafoev to 10 years, and Dadakhanov, Eshkuziev, and Tojiev to 8 years, and their sentences were upheld on appeal.³²⁷

After sustained diplomatic pressure and advocacy by international human rights groups, Dadakhanov was released in mid-2012. The others remain in prison.

Erkin Musaev, 47, is a UN employee and a former Uzbek government official in the Ministry of Defense's foreign trade department. He was an official involved in international cooperation programs with Western governments, including the US and the EU. The authorities accused him of espionage.³²⁸ Musaev's persecution and his relatives' proactive efforts to draw international attention to his plight have resulted in key statements and findings/conclusions by UN bodies. Musaev's imprisonment illustrates an increasing trend

Erkin Musaev



Born: May 9, 1967
Arrested: January 31, 2006
Charges: Various charges, including high treason, sharing government secrets, abuse of power, and neglect of duty
Sentenced: June 13 and 14, 2006; 16 years; sentence extended by 4 years

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³²⁶Felix Corley and Mushfig Bayram, "Uzbekistan: 'You Call White Black and Black White'," *Forum 18*, February 27, 2009, http://www.forum18.org/archive.php?article_id=1262 (accessed September 11, 2014); Ali Yunusov, "Tashkent Appellate Court Upheld Sentence against Founders and Publishers of a Popular Journal," *Voice of Freedom Regional Human Rights Portal*, March 31, 2009, <http://vof.kg/?p=3119> (accessed August 1, 2014).

³²⁷"Uzbekistan: Recent Religious Extremism and Terrorism Convictions," Wikileaks, April 13, 2009, <http://cablegatesearch.net/cable.php?id=09TASHKENT497&q=irmoq> (accessed September 11, 2014); Ali Yunusov, "Tashkent Appellate Court Upheld Sentence against Founders and Publishers of a Popular Journal," *Voice of Freedom Regional Human Rights Portal*, March 31, 2009, <http://vof.kg/?p=3119> (accessed September 11, 2014). Tojiev was tried separately and sentenced by the same court on April 8, 2009.

³²⁸"Third Strike for Former Defense Official Erkin Musaev," Wikileaks, January 15, 2008, <http://cablegatesearch.net/cable.php?id=08TASHKENT49&q=erkin%20musaev> (accessed September 11, 2014).

on the part of the Uzbek authorities to target persons the government perceives to be affiliated with external actors or outside powers Tashkent sees as hostile to Uzbekistan, including Western governments.

Musaev participated in a US government-sponsored exchange program in the mid-1990s, studying English at the Army Language Institute in San Antonio, Texas.³²⁹ From 1997 to 2001, Musaev represented the Uzbek government in Brussels at NATO and then, after leaving the government, became a project manager for the UN Development Programme's "Border Management in Central Asia" project.³³⁰

On January 31, 2006, border guards arrested Musaev at Tashkent airport, after allegedly uncovering a disk among his belongings containing "state secrets." Musaev wrote to his father that officials had planted the evidence during the search.³³¹ Musaev's mother testified to the UN Human Rights Committee that the search did not conform to due process standards.³³² In its 2007 Human Rights report on Uzbekistan, the US State Department reported that Musaev was tortured in detention, including severe beatings on his head, chest, and feet, and that he was held for two months without access to counsel or any visitors.³³³

According to a joint letter of the UN special rapporteur on torture and the head of the UN Working Group on Arbitrary Detention to President Karimov, Musaev sustained a broken jaw during one such beating.³³⁴ Authorities also coerced him to sign a confession that he had engaged in espionage for the US, the UK, and the UN.³³⁵ Various experts linked his arrest to President Karimov's anger at Western governments' reaction to the Andijan

³²⁹ Ibid.

³³⁰ Ibid.

³³¹ Phillip Shishkin, "The Enemy We Need: Washington Courts a Repressive Uzbekistan-Again," *World Affairs Journal*, January/February 2011, <http://www.worldaffairsjournal.org/article/enemy-we-need-washington-courts-repressive-uzbekistan%E2%80%94again> (accessed September 11, 2014).

³³² UN Human Rights Committee, Communications Nos. 1914, 1915 and 1916/2009, (One-Hundred Fourth Session, 2012), Views adopted by the Committee at its 104th session, March 12-30, 2012, CCPR/C/104/D/1914,1915&1916/2009, www.ccprcentre.org/wp-content/uploads/2012/07/english.doc, (accessed September 11, 2014), p.3.

³³³ US Department of State Bureau of Democracy, Human Rights, and Labor, "Country Report: Uzbekistan (2006)," March 6, 2007, <http://www.state.gov/j/drl/rls/hrrpt/2006/78848.htm> (accessed September 11, 2014).

³³⁴ UN OHCHR, "Joint letter on Erkin Musaev."

³³⁵ "Third Strike for Former Defense Official Erkin Musaev," Wikileaks, January 15, 2008, <http://cablegatesearch.net/cable.php?id=08TASHKENT49&q=erkin%20musaev> (accessed September 11, 2014).

massacre and his repeated assertions that there was a Western government-backed conspiracy to oust him through a “color” revolution.³³⁶

Authorities initially charged Musaev with high treason and sharing government secrets. On June 13, 2006, a Tashkent military court sentenced him to 15 years’ imprisonment. The day after his conviction, he was additionally charged with abuse of power and neglect of duty, and another year was added to his sentence.³³⁷ In the ensuing years, Musaev’s relatives reported to journalists and US embassy officials that he continued to suffer torture.³³⁸ In spring 2007, he was transferred to the SNB headquarters in Tashkent to testify against four border guards accused of espionage. According to his family, because Musaev refused to give false testimony, he was so severely beaten that he was hospitalized with significant blood loss.³³⁹ A court later tried and convicted him in another case where he had been originally called as a witness, adding four years to his sentence. His prison term is now set to expire on February 1, 2026.³⁴⁰

During the third trial, Musaev’s family reported that his health was deteriorating. In a 2008 letter published on Fergananeews.com, his wife stated he was in critical condition and that she learned during a recent visit that he had been beaten so severely that his face was unrecognizable.³⁴¹

In May 2008 the Working Group on Arbitrary Detention rendered an opinion finding Musaev’s imprisonment “arbitrary” and in contravention of several international

³³⁶ Phillip Shishkin, “The Enemy We Need: Washington Courts a Repressive Uzbekistan-Again,” *World Affairs Journal*, January/February 2011, <http://www.worldaffairsjournal.org/article/enemy-we-need-washington-courts-repressive-uzbekistan%E2%80%9494again> (accessed September 11, 2014).

³³⁷ Ibid.

³³⁸ Ibid; Raykhon Musaeva, “Uzbekistan: Wife of Sentenced Lieutenant E. Musaev Says Husband Has Been Tortured in Prison,” *Fergana News*, January 14, 2008, <http://www.fergananeews.com/news.php?id=8160> (accessed September 11, 2014).

³³⁹ “Third Strike for Former Defense Official Erkin Musaev,” Wikileaks, January 15, 2008, <http://cablegatesearch.net/cable.php?id=o8TASHKENT49&q=erkin%20musaev> (accessed September 11, 2014).

³⁴⁰ Permanent Mission of the Republic of Uzbekistan to the United Nations, “Information on the questions raised in the communication from the Chair-Rapporteur of the Working Group on Arbitrary Detention, Mr. El Hadji Malick Sow, and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Mr. Juan Méndez, regarding the convict, Mr. Erkin Musaev,” HRC/NONE/2012/107GE.12-15671 (E) 081012 091012, June 19, 2012, [https://spdb.ohchr.org/hrdb/21st/Uzbekistan_19.06.12_\(5.2012\)_Trans.pdf](https://spdb.ohchr.org/hrdb/21st/Uzbekistan_19.06.12_(5.2012)_Trans.pdf) (accessed September 11, 2014).

³⁴¹ Raykhon Musaeva, “Uzbekistan: Wife of Sentenced Lieutenant E. Musaev Says Husband Has Been Tortured in Prison,” *Fergana News*, January 14, 2008, <http://www.fergananeews.com/news.php?id=8160> (accessed September 11, 2014).

agreements to which Uzbekistan is a party.³⁴² By February 2011, authorities had transferred Musaev to a high security prison in Navoi province and his body showed signs of burns and wounds.³⁴³ In June 2012 the UN Human Rights Committee also rendered a judgment that the Uzbek government was in violation of ICCPR articles 7, 9, and 14, calling on Uzbekistan to provide him with an effective remedy.³⁴⁴ Musaev remains imprisoned.³⁴⁵

³⁴² UN Human Rights Council, Agenda Item 3 (tenth session, 2009), “Opinions Adopted by the Working Group on Arbitrary Detention,” A/HRC/10/21/Add.1, February 4, 2009, <http://www.refworld.org/pdfid/5062b12e2.pdf> (accessed September 11, 2014), p. 138.

³⁴³ OHCHR, “Joint letter on Erkin Musaev.”

³⁴⁴ UN Human Rights Committee, Communications Nos. 1914, 1915 and 1916/2009, Views adopted by the Committee at its 104th session, March 12-30, 2012, CCPR/C/104/D/1914,1915&1916/2009, www.ccprcentre.org/wp-content/uploads/2012/07/english.doc (accessed September 11, 2014), p.3.

³⁴⁵ “Tashkent’s Tidbits February 10, 2009,” Wikileaks, February 11, 2009, http://www.wikileaks.org/plusd/cables/09TASHKENT158_a.html (accessed September 11, 2014); OHCHR, “Joint letter on Erkin Musaev.”

III. Prison Abuses and the Arbitrary Extension of Sentences

There's not much time left [for me] to suffer.

—Imprisoned journalist Muhammad Bekjanov told his wife during her visit with him in prison in March 2013, one month after authorities extended his 13-year sentence by another 5 years

And you are going to tell us where to build our prisons, are you? Why are you so set on closing Jaslyk? Have you ever been there? Or how about any of those who constantly write about it? I've seen it with my own eyes. How would you know if Jaslyk meets international standards [on the treatment of prisoners]?

—Akmal Saidov, head of Uzbek government delegation to the UN Committee against Torture, responding to the committee's recommendation that the Jaslyk prison, known for torture, should be closed, October 30, 2013, Geneva

As the profiles of individuals imprisoned on politically motivated charges presented above show, severe abuses to which Uzbek authorities subject imprisoned human rights activists, journalists, political opposition activists, religious figures and believers, and other perceived critics include: denial of access to counsel, incommunicado detention, torture, the practice of solitary confinement, dire health problems, the denial of or inadequate medical care, arbitrary denial of entitled early release, and unlawful extension of prison sentences.

This chapter analyzes these different categories of abuse and identifies the international human rights laws and standards, and in some cases, Uzbekistan's own laws, which such abuses so egregiously violate. This chapter draws both on the 34 cases presented above and interviews with 10 additional individuals formerly imprisoned on politically motivated charges, some of whom have been released in the last year.³⁴⁶

³⁴⁶ The ten former prisoners are: Turaboi Juraboev, Norboi Kholjigitov, Abdurasul Khudoynazarov, Mahmadali Mahmudov, Farkhodkhon Mukhtarov, Kayum Ortikov, Nematjon Siddikov, Mutabar Tajibaeva, Sanjar Umarov, and Gulnaza Yuldasheva.

The new first-hand accounts of these 10 recently released former prisoners, combined with the 34 profiles above, underline the deplorable conditions in which individuals imprisoned on politically motivated charges are held. Serious concerns for the many that remain in prison have only grown more acute since April 2013 when, due to Uzbek government interference, the International Committee of the Red Cross was forced to terminate its visits with detainees and prisoners, leaving Uzbekistan's prisoners and places of detention without independent monitoring of any kind.

Due Process Violations

Denial of Access to Counsel

Lack of access to a lawyer and counsel of one's choice enable conditions that can amount to incommunicado detention. These rights are essential safeguards against torture in pretrial custody, which is especially critical for persons arrested on politically motivated charges. Accordingly, the International Covenant on Civil and Political Rights (ICCPR) affirms the right to counsel in legal proceedings, as well as the right "to have adequate time and facilities for the preparation of... [one's] defense and to communicate with counsel of his own choosing."³⁴⁷

The United Nations Basic Principles on the Role of Lawyers also echo these requirements and further clarify that legal assistance must be provided promptly (defined as within 48 hours of arrest), must be confidential, and must be given without outside interference.³⁴⁸

In January 2009 the Uzbek government expanded, in law at least, procedural rights for pretrial detainees, including a right of access to counsel and instructing police to administer United States-style "Miranda" warnings to suspects in custody. Under the amended article 49 of the Criminal Procedure Code, lawyers should be granted immediate access to their clients at any stage of the criminal process, including from the moment of arrest.³⁴⁹

³⁴⁷ ICCPR, art. 14(1) and 14(3)(b).

³⁴⁸ Basic Principles on the Role of Lawyers, adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, August 27 to September 7, 1990, U.N. Doc. A/CONF.144/28/Rev.1 at 118 (1990), Principles 1, 5, 6, 7 and 8. (Principle 7: "Governments shall further ensure that all persons arrested or detained, with or without criminal charge, shall have prompt access to a lawyer, and in any case not later than forty-eight hours from the time of arrest or detention." Principle 8: "All arrested, detained or imprisoned persons shall be provided with adequate opportunities, time and facilities to be visited by and to communicate and consult with a lawyer, without delay, interception or censorship and in full confidentiality. Such consultations may be within sight, but not within the hearing, of law enforcement officials.")

³⁴⁹ Instead of written authorization (*dopusk*), a lawyer must merely present proof of his representation order, such as a retainer agreement signed by the lawyer and the family, to gain access to a facility where a client is held. Were such a right

But despite improvements on paper, the amendments have not been implemented in practice and are routinely ignored by police, prosecutors, and judges. In the majority of cases, individuals imprisoned on politically motivated charges are either denied access to counsel during critical points of the proceedings or are provided with state-appointed lawyers who do not effectively represent them. As shown above, Azam Farmonov was tried entirely without his lawyer present. Authorities denied Ruhiddin Fahriddinov access to his lawyer, Rustam Tyuleganov, for two months following arrest and tried him in a closed trial which neither his lawyer nor family were allowed to attend.³⁵⁰ Similarly, Solijon Abdurakhmanov was denied access to counsel throughout his pretrial detention.³⁵¹

Lawyers report that even when they are allowed one or two meetings with their clients, authorities use a variety of methods to prevent them from meaningfully consulting with or representing them. Tactics include not being informed of the time and date of key hearings, witness interrogations, and refusals to allow them to meet with their clients confidentially. The experiences of former political prisoners also support this pattern.

For example, Nematjon Siddikov, a rights activist from the Fergana valley imprisoned in 2012 until his release under amnesty in 2013, was held for several months in pretrial detention with severely limited access to counsel, and all visitation requests made by family members were denied. Despite their continued requests for information, authorities notified Siddikov's relatives about his trial only on the day it was to begin. Since they live nearly 100 miles from the court, both Siddikov's



In 2013, Fergana valley-based activist Nematjon Siddikov was arrested after his family was assaulted at home by unknown assailants following his investigation into local police corruption. He was sentenced to six years but later released under amnesty. © 2013 Human Rights Alliance of Uzbekistan

guaranteed in practice, it would significantly reduce the amount of time detainees are left in incommunicado detention, where they are often interrogated.

³⁵⁰ Human Rights Watch interview with Rustam Tyuleganov, Tashkent, November 10, 2010.

³⁵¹ "Uzbekistan: Release Independent Journalist," Human Rights Watch news release, September 12, 2008, <http://www.hrw.org/en/news/2008/09/11/uzbekistan-release-independent-journalist>.

relatives and his public defender, Shuhrat Rustamov, were unable to attend.³⁵²

Incommunicado Detention

January 2009 amendments to Uzbekistan's Criminal Code provide for a detainee's right to contact a lawyer or close family member immediately, but in practice police do not allow detainees to exercise their right to make a phone call and do not otherwise inform a detainee's family of their detention. Although article 217 of the Criminal Procedure Code requires police, prosecutors, or courts to inform relatives of the detention within 24 hours, this provision is often ignored. Family members may search for days before receiving confirmation that their relatives are in custody. In some cases, police may even deny they are holding a suspect in order to throw family members off the trail.

Under international law, authorities commit an enforced disappearance when they refuse to acknowledge holding someone in custody or conceal the person's fate or whereabouts, thereby placing them outside the protection of the law. Disappearance, a crime under international law, increases the likelihood of torture or other ill-treatment.

As illustrated in the previous chapter, Uzbek authorities' violations of these rights have resulted in conditions of prolonged incommunicado detention for several individuals imprisoned on politically motivated charges, including Samandar Kukanov, Isroiljon Kholdorov, and Akzam Turgunov.

Torture

Over the past two decades Human Rights Watch has documented hundreds of credible allegations of law enforcement officials in Uzbekistan using both physical and psychological torture to abuse detainees and prisoners, including many of the individuals profiled here.³⁵³

Uzbekistan is party to international treaties that impose legal obligations regarding the treatment of detainees and the conduct of law enforcement personnel. These include the

³⁵² Human Rights Watch telephone interview with Shuhrat Rustamov, Human Rights Alliance of Uzbekistan, May 22, 2013.

³⁵³ Human Rights Watch, *Nowhere to Turn: Torture and Ill-treatment in Uzbekistan*, vol. 19, no. 6(D), November 2007, <http://www.hrw.org/reports/2007/11/05/nowhere-turn>; Human Rights Watch, *No One Left to Witness*; Human Rights Watch, *And it Was Hell All Over Again: Torture in Uzbekistan*, Vol. 12, No.12 (D), December 2000, <http://www.hrw.org/legacy/reports/2000/uzbek>.

ICCPR³⁵⁴ and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.³⁵⁵ These treaties prohibit arbitrary arrest and detention and the use of torture and other ill-treatment. They uphold the right of detainees to be held in humane conditions and to be treated with dignity. Detainees also have the right to due process and a fair trial, including the right not to be compelled to confess to guilt or testify against themselves.

In November 2013 the UN Committee against Torture expressed concern at the “numerous, ongoing, and consistent allegations” of torture and ill-treatment in Uzbekistan, citing a European Court of Human Rights judgment which states that torture and ill-treatment are systematic, unpunished, and encouraged by law enforcement officers.³⁵⁶ The committee further expressed concern that “human rights defenders that have been deprived of their liberty have been subjected to torture and other ill-treatment,” specifically naming many of the current and former prisoners featured in this report.³⁵⁷

Torture in Pretrial Detention

As the profiles presented in this report demonstrate, there are numerous credible and consistent accounts of Uzbek law enforcement officials having abused political detainees in pretrial custody, using forms of both physical and psychological torture. Methods of torture documented in Uzbekistan include: beatings with rubber truncheons, plastic bottles filled with water, electric shock, hanging by wrists and ankles, the threat of rape and sexual humiliation, asphyxiation with plastic bags and gas masks, threats of physical harm to relatives, and denial of food or water.³⁵⁸ The cases of Akzam Turgunov, Azam

³⁵⁴ ICCPR, adopted December 16, 1966, G.A. Res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 52, U.N. Doc. A/6316 (1966), 999 U.N.T.S. 171, entered into force March 23, 1976, ratified by Uzbekistan on September 28, 1995, art. 19(2).

³⁵⁵ Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted December 10, 1984, G.A. res. 39/46, annex, 39 U.N. GAOR Supp. (No. 51) at 197, U.N. Doc. A/39/51 (1984), entered into force June 26, 1987, ratified by Uzbekistan on September 28, 1995.

³⁵⁶ UN Committee against Torture, “Concluding Observations,”

http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CAT%2fC%2fUZB%2fCO%2f4&Lang=en (accessed on September 11, 2014). In at least seven cases decided since the beginning of 2008, the European Court of Human Rights has ruled that sending an individual wanted by authorities to Uzbekistan would be a breach of the absolute ban on return to risk of torture, on the basis that torture and ill-treatment remains so pervasive in the country.

³⁵⁷ UN Committee Against Torture, “Concluding Observations,” p. 3.

http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CAT%2fC%2fUZB%2fCO%2f4&Lang=en (accessed September 11, 2014).

³⁵⁸ “Human Rights Watch Submission to the United Nations Committee against Torture on Uzbekistan,” October 2013, <http://www.hrw.org/news/2013/10/28/human-rights-watch-submission-united-nations-committee-against-torture-uzbekistan>.

Farmonov, Nosim Isakov, Yuldash Rasulov, Ruhiddin Fahriddinov, Botirbek Eshkuziev, Bahrom Ibragimov, Davron Kabilov, Ravshanbek Vafoev, Muhammad Bekjanov, Yusuf Ruzimuradov, and Mehriniso and Zulhumor Hamdamova, all presented above, offer some of the most egregious examples of torture in pretrial custody.

In addition, several recently released persons imprisoned on politically motivated charges, their lawyers, or relatives told Human Rights Watch about torture they experienced during their pretrial detention.



Rights activist Gulnaza Yuldasheva was imprisoned in July 2012 on extortion charges after conducting an investigation into officials' involvement in human trafficking. ©2013 Steve Swerdlow/Human Rights Watch

Gulnaza Yuldasheva, 29, is a member of the Initiative Group of Independent Human Rights Defenders (IGIHRD) who worked to combat corruption on the part of Uzbek government officials allegedly involved in human trafficking. She was arrested in April 2012 on what appear to be politically motivated charges of extortion after conducting an independent investigation into the issue and in July 2012 was sentenced to seven years' imprisonment following a closed trial.³⁵⁹

Yuldasheva told Human Rights Watch that during her pretrial detention in April 2012 in an isolation cell of the Chinaz district police station she was brought to a jail cell where seven police officers surrounded her and were instructed by their superior officer that they should rape her if she did not sign a false confession. According to Yuldasheva's account, several officers beat her on the legs, stomach, and shoulders with a rubber truncheon for approximately 30 minutes, dragging her around the room by the hair and causing her to lose consciousness.³⁶⁰ In early 2013, following public statements from

³⁵⁹ "U.S. Official on Conviction of Gulnaza Yuldasheva in Uzbekistan," US State Department IIP Digital, July 21, 2012, <http://iipdigital.usembassy.gov/st/english/texttrans/2012/07/201207219436.html#axzz2hOWyNsnd> (accessed September 11, 2014).

³⁶⁰ Human Rights Watch Interview with Gulnaza Yuldasheva, Kiev, Ukraine, February 13, 2013.

human rights activists and the US government calling for her release Yuldasheva was amnestied and set free.

Torture Following Conviction

Human Rights Watch has documented dozens of cases in which prison officials or prisoners acting at their behest physically tortured, abused, or otherwise humiliated individuals imprisoned on politically motivated charges in places of detention. Several current prisoners featured here, including Azam Farmonov, Ruhiddin Fahriddinov, and Rustam Usmanov, have made credible allegations of severe episodes of torture.

Such attacks often were compounded by prison authorities' subsequent denial of medical treatment to the victims. This treatment directly violates Uzbek law and contravenes international standards prohibiting the use of cruel, inhuman, or degrading treatment or punishment to which Uzbekistan is a party.

Former prisoner Kayum Ortikov, a former employee of the British embassy in Tashkent accused of espionage shared his harrowing experience of torture at the hands of SNB officers for nine months in 2009 following his conviction on what appeared to be fabricated charges of human trafficking.³⁶¹ He said his torturers in the basement of the Tashkent city jail burned his genitalia with newspapers set on fire, poked needles under his fingernails, and threatened to have prisoners allegedly HIV positive rape him if he did not confess to being a spy.³⁶² His wife told Human Rights Watch,

He [my husband] told me how officers would strap him to a chair during interrogations. They would pour cold water over his naked body,



Kayum Ortikov is a former employee of the British Embassy in Tashkent who was tortured to extract a confession of espionage for the UK. Released in 2009, he fled Uzbekistan and now lives in the US with his family. © 2012 Kayum Ortikov

³⁶¹ Human Rights Watch interview with Kayum Ortikov and Mohira Ortikova, Kiev, February 12, 2014.

³⁶² Ibid.

placing two high-speed fans on each side of him so that he would freeze. They would leave him like this for two to three hours. They did this so he would sign what they asked him to.

Officers would hang him from the ceiling by his wrists, and eight or nine people one after the other would beat him. When I saw him, it was obvious he had been hanged by the wrists. I could see the marks.³⁶³

Ortikov's suffering was so great that he tried to slit his wrists with his own teeth and later used a razor blade to cut his head and neck. Following sustained public advocacy by his wife, human rights groups, including Human Rights Watch, and British journalists, Ortikov was released in May 2011, after which he and his family fled the country and finally resettled as refugees in the United States in February 2014.

Solitary Confinement

Prison authorities have also subjected individuals imprisoned on politically motivated charges to solitary confinement, either arbitrarily imposing it on them or using it as a means of reprimanding dissent within the prison system.

International standards state that “punishment by placing [the prisoner] in a dark cell, and all cruel, inhuman or degrading punishments shall be completely prohibited.”³⁶⁴ Experts have concluded that prolonged



A guard in a solitary confinement block at an unidentified prison in Uzbekistan. Prisoners in solitary confinement in Uzbekistan's prisons experience cramped cells without bedding—some in total darkness, others with permanent bright lights. © date unknown, Fiery Hearts Club

³⁶³ Ibid.

³⁶⁴ United Nations Standard Minimum Rules for the Treatment of Prisoners (Standard Minimum Rules), adopted by the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Geneva in 1955, and approved by the Economic and Social Council by its resolution 663 C (XXIV) of July 31, 1957, and 2076 (LXII) of May 13, 1977, art. 31.

solitary confinement may rise to the level of cruel, inhuman, and degrading treatment or torture.³⁶⁵ Solitary confinement is detrimental to mental and physical health and therefore international standards require that it “be used only in exceptional circumstances or when absolutely necessary” and that it last for the shortest amount of time possible.³⁶⁶

However, in several cases Human Rights Watch researched prisoners were subjected to significant periods of solitary confinement at some point in their detention. They experienced cramped, squalid cells without bedding—some in total darkness, others with permanent bright lights—where they were deprived of all human contact. They said they were repeatedly denied visits by medical professionals, a further contravention of international standards.

The case of peaceful political activist Sanjar Umarov, imprisoned on various economic charges five months after announcing the creation of a political reform movement, illustrates how Uzbek authorities combine torture and ill-treatment with solitary confinement, which can bring about disastrous consequences for the physical and psychological health of prisoners.

Arrested in October 2005, Umarov was drugged and beaten in pretrial custody. Three days after his arrest, his attorney found him naked in a basement cell, covering his face with his hands and



In January 2008, while serving his 14 and half year sentence at Kyzyltepa prison, authorities placed peaceful political opposition figure Sanjar Umarov in an open-air cell, or “monkey cage,” for five days in below-freezing temperatures. © 2014 Human Rights Watch

³⁶⁵ United Nations Human Rights Committee, General Comment 20, Compilation of General Comments and General Recommendations Adopted by Human Rights Treaty Bodies, U.N. Doc. HRI/GEN/1/Rev.1 at 30 (1994), art. 6.

³⁶⁶ “The practice [of solitary confinement] has a clearly documented negative impact on mental health, and therefore should be used only in exceptional circumstances or when absolutely necessary for criminal investigation purposes. In all cases, solitary confinement should be used for the shortest period of time.” United Nations General Assembly, Interim Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, UN Doc. A/63/175, July 28, 2008, p. 2.

rocking back and forth, unresponsive to his own name.³⁶⁷ Umarov told Human Rights Watch that following conviction, prison guards beat and tortured him on 10 to 12 occasions,³⁶⁸ including an incident in January 2008, when he was confined for five days in an unheated cage in subzero temperatures.³⁶⁹ In late 2008, when his wife was allowed to visit him at Kyzyltepa prison, she found that he was gravely thin, scarred from torture, and that he barely recognized her when she arrived. Umarov spent nearly half of his sentence in solitary confinement, deprived of human contact, sunlight, or exercise.³⁷⁰

After sustained pressure by human rights groups and US officials, Umarov was released in November 2009 and was immediately resettled to the US, where he now lives with his family. He continues to speak about torture in Uzbekistan and chairs the “Sunshine Uzbekistan” movement in exile.

Health Problems and Inadequate Medical Treatment

Uzbekistan fails to meet basic international standards regarding the treatment of prisoners. Conditions are abysmal for common and political prisoners alike, with overcrowded cells, unhygienic and insufficient food and water, and inadequate medical treatment.

Many persons imprisoned on politically motivated charges have been routinely denied treatment for serious medical problems, many of which emerged over the course of prolonged imprisonment. Their representatives and recently released prisoners jailed on such charges said that poor prison conditions—which produced and then exacerbated such health problems—were neither monitored nor remedied, as international standards demand.³⁷¹

Under international human rights law prisoners, like all other persons, enjoy the right to the highest attainable standard of health, which means that prison authorities should take practical measures to protect the physical integrity and the health of persons who

³⁶⁷ “Uzbekistan: Jailed Opposition Leader’s Health at Risk,” Human Rights Watch news release, November 1, 2005, <http://www.hrw.org/news/2005/10/31/uzbekistan-jailed-opposition-leader-s-health-risk>.

³⁶⁸ C.J. Chivers, “An Uzbek Survivor of Torture Seeks to Fight It Tacitly,” *New York Times*, September 24, 2010, <http://www.nytimes.com/2010/09/25/world/europe/25umarov.html?pagewanted=all&r=0> (accessed September 11, 2014).

³⁶⁹ Sanjar Umarov, “Op ed: Uzbekistan Deserves Better,” *Los Angeles Times*, August 15, 2012, <http://articles.latimes.com/2012/aug/15/opinion/la-oe-umarov-uzbekistan-human-rights-20120815> (accessed September 11, 2014).

³⁷⁰ C.J. Chivers, “An Uzbek Survivor of Torture Seeks to Fight It Tacitly,” *New York Times*, September 24, 2010, <http://www.nytimes.com/2010/09/25/world/europe/25umarov.html?pagewanted=all&r=0> (accessed September 11, 2014).

³⁷¹ UN Standard Minimum Rules, art. 26.

have been deprived of their liberty. Failure to provide adequate health care or medical treatment to a detainee in prison may contribute to conditions amounting to inhuman or degrading treatment.³⁷²

States have an obligation to ensure access to health facilities, goods, and services to all persons, including prisoners, without discrimination on the basis of their political or other status. Governments also have obligations to “refrain from denying or limiting equal access for all persons, including prisoners or detainees to preventive, curative, and palliative health services” and to abstain from “enforcing discriminatory practices as state policy.”³⁷³

Many family members or representatives of several current wrongfully imprisoned individuals told Human Rights Watch that prisoners suffer serious health ailments in prison, sometimes as a result of inadequate medical treatment or harsh, unhygienic conditions.³⁷⁴ Medical check-ups are routinely not provided, even when prisoners manifest serious illnesses. In far too many cases, prison officials have outright refused to provide badly needed medical attention.

³⁷² UN Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, principles 1 and 24.

³⁷³ UN Committee on Economic, Social and Cultural Rights, “Substantive Issues Arising in the Implementation of the International Covenant on Economic, Social and Cultural Rights,” General Comment No. 14, The Right to the Highest Attainable Standard of Health, E/C.12/2000/4 (2000), para. 34. States also have an obligation to ensure access to core minimum standards of the right to health, especially for vulnerable or marginalized groups. CESCR General Comment 14 paras 43 and 44. Prisoners are also mentioned in para 34. The Human Rights Committee has repeatedly determined that the ICCPR requires governments to provide “adequate medical care during detention.” *Pinto v. Trinidad and Tobago* (Communication No. 232/1987), Report of the Human Rights Committee, vol. 2, UN Doc A/45/40, p. 69. The Committee against Torture has also found that failure to provide adequate medical care can violate the CAT’s prohibition of cruel, inhuman or degrading treatment. UN Committee against Torture, “Concluding Observations: New Zealand,” (1998) UN Doc. A/53/44, para. 175. Also, Concluding Observations of the Human Rights Committee: Republic of Moldova, CCPR/CO/75/MDA, 2002,

<http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2fPPRiCAqhKb7yhsmq1D%2b4Wvg6LhA1iuk%2bH0%2bUUI%2f18PqzftyICPY5yac8piWATK8r2LWbh%2fu4BHEHghC51fvbu3ilbqdvjeXapVvM%2foqY73OwlMa9OJ3P>, (accessed September 11, 2014), para. 9.

³⁷⁴ Chapter II, Profiles of Azam Farmonov, Mehriniso Hamdamova, Isroiljon Kholdorov, Gaybullo Jalilov, Ganikhon Mamatkhanov, Chuyan Mamatkulov, Bobomurod Razzakov, Akzam Turgunov, Solijon Abdurakhmanov, Muhammad Bekjanov, Yusuf Ruzimuradov, Dilmurod Saidov, Murod Juraev, Samandar Kukanov, Rustam Usmanov, Akram Yuldashev, and Erkin Musaev.



Rights activist Abdurasul Khudoynazarov died only 26 days following his release from prison in 2014 on the same day that officials diagnosed him with advanced liver cancer. He told rights groups before his death that officials consistently denied his requests for medical treatment since his imprisonment in 2006. © Ezgulik

The case of the late rights activist Abdurasul Khudoynazarov illustrates the tragic consequences of this practice. Khudoynazarov served eight years of a nine-year sentence during which he told relatives he was

repeatedly tortured, moved from prison to prison, and denied medical treatment despite his deteriorating health. In April 2011 Khudoynazarov's wife reported that he looked pale and weak and was suffering serious headaches and rheumatism in his legs.³⁷⁵ When his family met again with him in June 2013, he was thinner, more withdrawn, and unwilling to converse and had contracted additional health problems, including bronchitis.³⁷⁶ On May 31, 2014, the same day a court ordered his release on health grounds, Khudoynazarov was diagnosed with stage-four liver cancer, lymphoma, severe tuberculosis, and acute hemorrhoids.³⁷⁷ He died just three weeks later. Khudoynazarov's wife told Human Rights Watch that during much of prison sentence, but especially in the last year of his life, he constantly appealed to prison officials for medical treatment. However, the authorities did not react. "It was only once his condition had become critical, and his tuberculosis and cancer had gotten out of control, that they let him out in order to die," she said.³⁷⁸

Such failures to provide timely medical attention may constitute inhuman or degrading treatment, as they unnecessarily exacerbate the suffering of prisoners.³⁷⁹

Despite signs that prison conditions aggravate the illnesses of all prisoners, in the cases documented by Human Rights Watch, prison officials consistently fail to ensure that harmful conditions are improved or move sick prisoners to facilities less likely to

³⁷⁵ Human Rights Watch telephone interview with "Tursuna T.," Gulistan, April 17, 2011.

³⁷⁶ Ibid, August 23, 2013.

³⁷⁷ "Uzbekistan: Critically Ill Activist Freed," Human Rights Watch news release, June 6, 2014, <http://www.hrw.org/news/2014/06/05/uzbekistan-critically-ill-activist-freed>.

³⁷⁸ Human Rights Watch telephone interview with "Tursuna T.," Gulistan, June 26, 2014.

³⁷⁹ Rick Lines, "The right to health of prisoners in international human rights law," *International Journal of Prisoner Health*, vol. 4, no.1, March 2008, pp. 22-24.

exacerbate their illnesses. Relatives of the formerly imprisoned human rights defender Norboi Holjigitov reported in early 2011 that prison authorities at least twice ignored his requests to be transferred to a prison hospital despite the clear deterioration health, including worsening diabetes, the appearance of gangrene in his leg, and a severe viral infection.³⁸⁰

This lack of oversight falls foul of international standards requiring that prison medical officials report cases in which prisoners' health will be harmed by continued imprisonment, that medical officials regularly inspect prisons and alert prison officials to substandard conditions, and that prison officials take action to remedy the shortcomings.³⁸¹ The combination of lack of treatment and unchanged conditions described in testimonies collected by Human Rights Watch suggests a deliberate disregard for the health of prisoners.

International standards state that records of prisoners' medical examinations should be kept and that prisoners should have access to their records.³⁸² However, representatives of individuals imprisoned on politically motivated charges and their families said that they were repeatedly denied access to information about their health. The lack of information adds to the emotional hardship of family members, who find themselves uninformed and powerless as they witness the decline in health of a loved one. Obid Saidov, remarking on the continued imprisonment and worsening tuberculosis on his brother Dilmurod told Human Rights Watch that his brother "is no longer living, but merely existing."³⁸³



Former prisoner Norboi Kholjigitov, president of the Ishtikhan branch of the Human Rights Society of Uzbekistan in Samarkand province, following his release from prison in 2011. He developed diabetes during his incarceration. © 2011 Bahtiyor Hamraev

³⁸⁰ "Uzbekistan: Free Ailing Rights Defender," Human Rights Watch news release, June 22, 2011, <http://www.hrw.org/news/2011/06/22/uzbekistan-free-ailing-rights-defender>; "Uzbekistan: Imprisoned Activist Reportedly Attempts Suicide," Wikileaks, November 4, 2008, http://www.wikileaks.org/plusd/cables/o8TASHKENT1269_a.html (accessed September 11, 2014).

³⁸¹ UN Standard Minimum Rules, arts. 24(1) and 25(2).

³⁸² UN Body of Principles, No. 26.

³⁸³ Ibid.

Denying Early Release, Prolonging Prison Time

Article 221 of Uzbekistan’s Criminal Code creates the offense of “disobedience to legitimate orders of administration of institution of execution of penalty” often referred to as “violations of prison rules.” There is, however, no definition of “legitimate orders” in the Criminal Code and no publicly available list of prison rules. Therefore, there is no way of knowing what actions might constitute disobedience of a “legitimate order.” The nonexistence of guidance on what a legitimate order is, or what rules and regulations apply in prison, means that article 221 can be and is used arbitrarily, as the basis to continue and, as shown below, even extend a person’s incarceration.

Arbitrary Denial of Amnesty

When confronted by allegations of torture and prisoner abuses during reporting before UN treaty bodies or in negotiations with Western governments, Uzbek officials often point to the fact that each year, in connection with Uzbekistan’s national independence and Constitution Day celebrations, several thousand prisoners are released under amnesties.³⁸⁴ The amnesties are usually reserved for those convicted of less serious offenses and for specific demographic categories such as teenagers, women, and prisoners over 60.³⁸⁵ But individuals imprisoned on politically motivated charges, even those over 60, are regularly denied amnesty year after year for alleged “violations of prison rules.”

Infractions used as a basis for denying amnesty have included “saying prayers,” “going to the bathroom without prior permission,” “failure to keep one’s slippers in the proper place,” and “wearing a white shirt”.

Human Rights Watch research indicates that prison officials have wide discretion over whom to release under amnesty and are sometimes instructed from above to find

³⁸⁴ “More than two thousand people released in Uzbekistan under amnesty,” *Trend*, July 1, 2013, <http://en.trend.az/regions/casia/uzbekistan/2166480.html> (accessed August 1, 2014). “According to the decree of the Senate, the amnesty first of all should be applied to those whose crimes do not represent a danger to society, including the women under 18, *men over 60* and foreign nationals. In addition, the amnesty covered the disabled persons the first and second groups, and *those who suffer from serious illnesses, as well as people who committed the crime because of negligence and were convicted for the first time*. The amnesty was also applied to the persons who were for the *first-time convicted of involvement in terrorist organizations, those who have not committed any serious crimes and have embarked on the path of correction. The senate banned the application of amnesty to those who were sentenced to imprisonment for life, who were convicted of murder, and those who committed particularly serious crimes*” (emphasis added).

³⁸⁵ *Ibid.*

justifications to keep persons imprisoned on politically motivated charges and other inmates incarcerated despite their eligibility.

A former senior prison official who worked for seven years at both men's and women's prisons in Tashkent told Human Rights Watch that prison authorities are often instructed to find reasons to deny amnesty to those prisoners who would otherwise be eligible, especially those convicted on politically motivated charges:

Each year, GUIN [the Main Directorate of the Administration of Punishments] would pressure us to keep in prison prisoners who should have been entitled to release under amnesty. Officials in the Ministry of Internal Affairs [which is in charge of GUIN] and the SNB try to maintain certain levels of incarceration to justify their budgets. They often won't allow prisoners to be amnestied who are considered political at all, even if their families are prepared to pay bribes.

When I worked at the women's prison colony [in Zangiota] in my first two years I looked after a group of inmates all year. There was a prisoner who had served her four-year sentence for prostitution without any violations. When it came time to prepare for the amnesty I got her paperwork ready for release. She was a model prisoner and had her children to return to. But my superiors said, "Find some kind of a violation [of prison rules]. She needs to stay in longer." I tried to resist and insisted on having a written order to follow in order to do this, but they threatened to fire me.

Later I transferred to several other prisons and I saw that we did this to almost all prisoners convicted on charges of article 159 ["anti-constitutional activity"], and anyone regarded to be a "jihodchi" [jihadist] or in the political opposition.³⁸⁶

³⁸⁶ Human Rights Watch interview with "Nafisa N.," Istanbul, March 21, 2014.



Writer and opposition figure Mahmadali Mahmudov was released in 2013 after serving over 14 years on trumped-up charges of extremism. He suffered torture and had his sentence extended in prison. © Association for Human Rights in Central Asia

Sentence Extensions for “Violations of Prison Rules”

In addition to denying eligibility to political prisoners for early release under amnesty, authorities, in combination with the SNB, regularly extend the prison sentences of imprisoned rights activists, journalists, political opposition figures, and individuals imprisoned on charges of so-called “religious extremism.” Out of the 34 current and 10 former prisoners whose cases are documented in this report, Human Rights Watch found that at least 14 have had their sentences arbitrarily extended in prison, some on several occasions.³⁸⁷ Such extensions may add years to a sentence and occur as a rule without due process.

As with denial of amnesty, the primary means for extending sentences is to charge a prisoner with “violations of prison rules.” Our research indicates that authorities have based multi-year extensions of sentences on minor, insignificant, or absurd alleged infractions, such as “failure to lift a heavy object,” “wearing a white shirt,” “failing to properly place one’s shoes in the corner,” and “failing to properly sweep the cell.”

While the general regulations on the administration of prisons, issued by the Ministry of Internal Affairs, set out a range of behaviors that prisoners are both required to and prohibited from engaging in, they leave wide range for determining what constitutes a “legitimate order” that should not be disobeyed. The guidelines also are not comprehensive as to what would constitute “violations” under article 221 that form the basis of sentence extensions. Human Rights Watch is not aware of any publicly available source that alerts prisoners to what all these “violations” might be. The government did not reply to our request for such information and none of the former prisoners, family members of prisoners, or their lawyers could provide Human Rights Watch with any source that sets out or defines the full scope of potential “violations.”

³⁸⁷ The 14 are: Isroiljon Kholdorov, Gaybullo Jalilov, Abdurasul Khudoynazarov, Mahmadali Mahmudov, Ganikhon Mamatkhanov, Nosim Isakov, Muhammad Bekjanov, Murod Juraev, Gayrat Mikhliboev, Erkin Musaev, Zafarjon Rahimov, Rustam Usmanov, Samandar Kukanov, and Dilorom Abdukodirova.

Indeed, our interviews with numerous former prisoners, their lawyers, civil society activists, and a senior prison official demonstrate that prison officials interpret broad regulations arbitrarily and in an entirely ad hoc fashion, as a pretext to extend sentences or deny amnesty eligibility and thereby punish those imprisoned on politically motivated charges.

Extension hearings, which often occur as summary hearings within a prison, are closed to the public. Human Rights Watch knows of no cases where prisoners had access to their counsel of choice or had a meaningful opportunity to challenge the decision. Mutabar Tajibaeva, a former political prisoner in Uzbekistan until her release in 2008 and now the head of the Fiery Hearts Club, told Human Rights Watch that she does not know of a single case when a political prisoner charged with “violations of prison rules” and has been able to successfully prove his or her innocence.³⁸⁸

In several cases, Human Rights Watch documented family members being informed by prison officials of a pending sentence extension which had not yet taken place but which was treated as a foregone conclusion. Nadejda Atayeva, president of the Association for Human Rights in Central Asia told Human Rights Watch,

The illegal extension of sentences for political prisoners, some of whom have been behind bars for well over fifteen years, shows the particular cruelty of Uzbekistan’s criminal justice system. Several of these men, such as Murod Juraev, Samandar Kukanov, and Solijon Abdurakhmanov, are



Prison guards tortured rights activist and former prisoner Mutabar Tajibaeva (center) during her nearly three years of imprisonment in Tashkent Women’s Prison. She now lives in Paris, France. © 2013 Fiery Hearts Club

³⁸⁸ Human Rights Watch interview with Mutabar Tajibaeva, Brussels, March 20, 2014.

elderly and in ill-health. Continuously extending their sentences effectively condemns them to die behind bars.

While Human Rights Watch is unable to determine the number of such extensions that have occurred in politically motivated and other cases, Human Rights Watch has regularly received credible reports of arbitrary prison sentence extensions over many years. Rights activists Surat Ikramov and Vitaly Ponomarev, who have monitored the practice for close to two decades, report that the practice may affect thousands of prisoners.³⁸⁹

According to Ikramov, “There has long been an unspoken policy of using extensions [*prodleniya*] to keep political prisoners and anyone who could be seen as a threat to the regime incarcerated as long as possible, sometimes indefinitely. Their imprisonment continues while they slowly succumb to illness, inhumane treatment, and the deplorable conditions in which they are held.”³⁹⁰

Another particularly cruel aspect of the extensions is that they can occur within weeks of the very end of a prisoner’s sentence, which may in some cases have been five or more years. Families told Human Rights Watch that this inflicts a powerful psychological and moral blow to the prisoner and his or her loved ones who have awaited the prisoner’s release for years.

The disproportionately long sentences meted out to persons imprisoned on politically motivated charges, the vague and arbitrary fashion in which they are announced and extended, and the sense that extensions in political cases may constitute cruel, inhuman, or degrading punishment are in violation of Uzbekistan’s international obligations.

Extensions of sentences may also result in a decision to transfer a prisoner from his or her current place of detention to a prison in an altogether different region of Uzbekistan, which can compound the already great financial difficulties facing the families of individuals imprisoned on politically motivated charges who must raise transportation funds to visit their imprisoned relatives.

³⁸⁹ Human Rights Watch interview with Vitaly Ponomarev, Brussels, March 22, 2014; Human Rights Watch telephone interview with Surat Ikramov, Tashkent, January 29, 2014.

³⁹⁰ Human Rights Watch telephone interview with Surat Ikramov, Tashkent, January 29, 2014.

Lack of Adequate Monitoring and Complaint Mechanisms

The Uzbek prison system lacks adequate oversight mechanisms and fails to provide effective means for individuals imprisoned on politically motivated charges as well as other prisoners to voice complaints. Officials do not remedy abuses that are brought to their attention, allowing abysmal conditions to persist while those responsible benefit from total impunity. Such failings violate Uzbekistan's international obligations to offer effective and confidential remedies to victims of human rights abuses.³⁹¹

Former prisoners and the family members of current prisoners said the Uzbek government bodies tasked with responsibility for monitoring conditions and investigating complaints inside prisons, including the Office of the Ombudsperson for Human Rights and the government-controlled National Center for Human Rights, are neither independent nor effective and mostly ignore or redirect complaints among various government agencies. Left with no other remedy for abuses, many individuals imprisoned on politically motivated charges undertake hunger strikes and other drastic measures to call attention to their treatment.³⁹² However, these actions are often met with further reprisals by prison officials.

Uzbekistan's Universal Periodic Review and in the November 2013 Conclusions of the UN Committee against Torture note Uzbekistan's failure to make independent forensic medical examinations available to prisoners who allege instances of torture or ill-treatment.³⁹³



75 year-old rights activist Turaboi Juraboev was sentenced to 5 years imprisonment in 2013 and suffered torture in custody before later being amnestied.
© Fiery Hearts Club

³⁹¹ "Every prisoner shall be allowed to make a request or complaint, without censorship as to substance but in proper form, to the central prison administration, the judicial authority or other proper authorities through approved channels." UN Standard Minimum Rules, art. 36, para. 3.

³⁹² The late rights activist and former political prisoner Abdurasul Khudoynazarov declared a hunger strike in 2008 in response to harsh conditions and ill-treatment and grew so desperate that he tried to commit suicide later that year.

³⁹³ UN Human Rights Council, Report of the Working Group on the Universal Periodic Review, Uzbekistan, A/HRC/24/7, July 5, 2013, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G13/154/79/PDF/G1315479.pdf?OpenElement> (accessed September 11, 2014); UN CAT "Concluding Observations," http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CAT%2fCO%2fUZB%2fCO%2f4&Lang=en (accessed September 11, 2014).

Compounding these problems, Uzbekistan is entirely closed to human rights monitoring. In April 2013 the ICRC suspended its observer activities at detention facilities in Uzbekistan due to interference from the government with its standard operating procedures, which the ICRC stated had rendered its visits with detainees “pointless.”³⁹⁴ Local and international human rights organizations, including Human Rights Watch, are prohibited from carrying out human rights fact-finding missions.

³⁹⁴ “Uzbekistan: ICRC decides to terminate visits to detainees,” International Committee of the Red Cross, April 12, 2013, <http://www.icrc.org/eng/resources/documents/news-release/2013/04-12-uzbekistan-detainees.htm> (accessed September 11, 2014).

IV. International Responses to Uzbekistan’s Policy of Politically Motivated Imprisonment

There are no political prisoners in Uzbekistan! People are subjected to criminal liability not for their beliefs, but for concrete actions

—Akmal Saidov, director of the Uzbek government-controlled National Center for Human Rights during the Universal Periodic Review of Uzbekistan, 24th session of the United Nations Human Rights Council, Geneva, September 19, 2013

The Uzbek government has faced virtually no consequences in its relations with international actors for its persistent refusal to acknowledge its imprisonment of its perceived opponents on politically motivated charges, to release them from prison, to improve their treatment in custody, or to end the cycle of crackdown, arrests, and convictions. Nor has the government faced concrete consequences for its systematic failure to cooperate with international institutions tasked with improving or monitoring human rights conditions such as the United Nations Human Rights Committee and the UN Committee against Torture, or the International Committee of the Red Cross (ICRC).

The European Union and the United States have publicly criticized Uzbekistan’s atrocious rights record in past years, most strongly in the immediate aftermath of the 2005 Andijan massacre, placing sanctions and restrictions on Uzbekistan. Some EU and US officials have also raised the cases of some of the current and former prisoners described in this report. However, their criticism and public diplomacy have softened over the past five years, most markedly since the lifting of EU sanctions in October 2009, which was followed by a loosening of restrictions by the US government on military assistance to Tashkent in January 2012. Tashkent’s failure to release and end its abuses of individuals imprisoned on politically motivated charges has not substantially affected its relationships with Washington, Brussels, or other European capitals, as most actors prioritize Uzbekistan’s geostrategic importance as a transit route in the context of the war in Afghanistan.

When faced with sustained external pressure, including sanctions, restrictions on military assistance, and other robust, public, specific criticism from high-level diplomats, the

Uzbek government has responded in different periods by taking incremental steps, such as releasing political prisoners, often on the eve of bilateral summits or high-level visits.

These episodes demonstrate the importance and effectiveness of public pressure and proactive engagement on human rights in Uzbekistan. In particular, Uzbekistan’s civil society activists have noted that Tashkent has shown more willingness to engage on the release of prisoners during periods when it has faced substantial pressure from external actors and that the momentum on prisoner releases has decreased substantially by contrast with those periods when international actors have opted for a “quieter” or more conciliatory approach.³⁹⁵

United Nations

For over 12 years the Uzbek government has denied access to all 11 UN experts who have requested invitations, including the UN special rapporteurs on the situation of human rights defenders and on torture, and has failed to comply with recommendations by various expert bodies. The Uzbek government has taken a similar stance with respect to the ICRC and other international human rights organizations seeking to monitor conditions in the country. In April 2013, due to government interference into its standard operating procedures, the ICRC took the unusual step of publicly announcing its decision to suspend its prison visitation program.

On April 24, 2013, Uzbekistan underwent the second cycle of Universal Periodic Review at the sixteenth session of the UN Human Rights Council. A number of the recommendations made by Australia, France, Slovakia, the United Kingdom, and the UK called on the government to immediately and unconditionally release those they called Uzbekistan’s political prisoners and respect its commitments on freedom of expression, assembly, and association. The US delegation recommended for Uzbekistan to “initiate

³⁹⁵ See, for example, “The Uzbek Regime Had Been Forced to Deal with European Union Sanctions; Their Cancellation Takes Away the EU’s Leverage To Influence Human Rights Situation [Режим Узбекистана был вынужден считаться с санкциями Евросоюза, их отмена лишает ЕС рычагов влияния на ситуацию с правами человека в Узбекистане],” post to Nadejda Atayeva blog, April 2, 2008, http://nadejda-atayeva.blogspot.com/2008/04/blog-post_2.html (accessed August 1, 2014), includes chart of political prisoner arrests and releases. The association’s analysis reveals that at the height of EU sanctions, 2005-2006, 13 political prisoners, including rights activists and journalists, were released. But as sanctions were gradually lessened in 2007 and 2008 the number of releases drops to 5 (despite the existence of dozens in custody), and then drops to zero in 2009-2010, the year following the lifting of all remaining EU sanctions. The number of releases then rose back to 3 or 4 per year during 2011-2014. Human Rights Watch interview with Surat Ikramov, Bishkek, July 18, 2014.

prompt, thorough and independent investigations of all torture allegations and end politically motivated prosecutions by ensuring all trials conform to obligations under the International Covenant on Civil and Political Rights.”³⁹⁶

During the outcome session of the Universal Periodic Review in September 2013, Uzbek officials categorically declared that “there are no political prisoners in Uzbekistan” and rejected most recommendations on key human rights issues, stating that they “do not correspond to ... reality.”³⁹⁷

The UN Human Rights Council has a clear mandate to “address situations of violations of human rights, including gross and systematic violations and make recommendations thereon.” The Uzbek government’s systematic failure to engage meaningfully with human rights mechanisms—as demonstrated by its longstanding denial of access to special procedures, its refusal to implement recommendations made by special procedures and treaty bodies, and the approach of denial and obfuscation it exhibited during its second UPR in April 2013 and the fifty-first session of the UN Committee against Torture—warrants a strong Human Rights Council response. The council should condemn unequivocally the gross and systematic human rights violations by the Uzbek government and establish, without delay, a country-specific monitoring mechanism that would allow for sustained and proactive engagement by the council on the human rights situation in Uzbekistan.



Kasan prison colony 64/51 in the southern province of Kashkadarya. In 2013 the International Committee of the Red Cross announced it would stop monitoring places of detention in Uzbekistan, citing authorities’ interference with its standard working procedures. © Association for Human Rights in Central Asia

³⁹⁶ UN Human Rights Council, Report of the Working Group on the Universal Periodic Review, Uzbekistan, A/HRC/24/7, July 5, 2013, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G13/154/79/PDF/G1315479.pdf?OpenElement> (accessed September 11, 2014), para. 136.42.

³⁹⁷ *Ibid.*, paras. 50 and 138.

European Union

The EU and its member states' position on political prisoners and the overall human rights situation in Uzbekistan is weak, with only rare public expressions of concern in recent years about the government's deteriorating record and no policy consequences for Tashkent's failure to meet the EU's reform expectations articulated by EU foreign ministers in 2010.³⁹⁸

In the immediate aftermath of the 2005 Andijan massacre, the EU, along with the US government, various UN bodies, the Organization for Security and Co-operation in Europe, and the NATO Council called for an independent international inquiry into the events and for accountability for those government officials found responsible.³⁹⁹ Yet Uzbek authorities responded with a refusal to cooperate and renewed persecution of civil society that included the arrest of more than 20 well-known human rights activists, journalists, and political opposition figures, several of whom are still in prison.⁴⁰⁰

In response, the EU imposed sanctions on Uzbekistan in October 2005, including a visa ban on 12 Uzbek officials, an arms embargo, and a partial suspension of the Partnership and Cooperation Agreement, the framework that regulates the EU's relationship with Uzbekistan.⁴⁰¹ As noted above, while continuing to defy the EU's core demands for human rights improvements, the Uzbek government engaged in response to EU sanctions on the issue of political prisoners by making some releases, often in connection with various rounds of the EU's sanctions review process. Between 2005 and 2009, the EU incrementally eased the sanctions despite the Uzbek government not meeting the human rights criteria attached to them.

³⁹⁸ Conclusions of the EU General Affairs and External Relations Council, 2971st Council Meeting, October 27, 2009, http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/gena/110805.pdf (accessed September 11, 2014) (lifting all remaining EU sanctions toward Uzbekistan).

³⁹⁹ Human Rights Watch, *Saving Its Secrets: Government Repression in Andijan*, p.13.

⁴⁰⁰ Human Rights Watch email correspondence with Nadejda Atayeva, August 21, 2013.

⁴⁰¹ European Union, "Council Common Position of 14 November 2005 concerning restrictive measures against Uzbekistan," 2005/792/CFSP, Official Journal L 299/72, December 16, 2005, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2005:299:0072:0079:EN:PDF> (accessed September 11, 2014); "General Affairs and External Relations," Council of the European Union press release, C/05/242, October 3, 2005, <http://europa.eu/rapid/pressReleasesAction.do?reference=PRES/05/242&format=HTML&aged=0&language=EN&guiLanguage=en> (accessed September 11, 2014).

On October 27, 2009, the EU lifted the remaining arms embargo, the last component of the sanctions, referring to “positive steps” taken by the Uzbek government.⁴⁰² These included “efforts to improve detention conditions, the introduction of habeas corpus, the ratification of conventions[,] ... continuation of judicial reform,” Uzbekistan’s “active participation” in the EU Rule of Law Initiative, and “the consolidation of the dialogue on human rights between the EU and Uzbekistan.”⁴⁰³

However, these “positive steps” were overshadowed by a fresh round of politically motivated arrests, including those of independent journalist Dilmurod Saidov, prominent human rights defenders Ganikhon Mamatkhanov and Farkhodkhon Mukhtarov, as well as six journalists from *Irmoq* magazine. At the same time, the European Court of Human Rights continued to rule that to send a detainee to Uzbekistan would be a breach of the prohibition on exposing an individual to the risk of torture, enshrined in article 3 of the European Convention on Human Rights.⁴⁰⁴

In January 2011 NATO and European Commission President Jose Manuel Barroso hosted President Karimov in Brussels as a gesture of renewed engagement. Barroso issued a statement critical of Uzbekistan’s human rights record, even mentioning several political prisoners.⁴⁰⁵ He also reiterated the need for the Uzbek government to fulfill the human

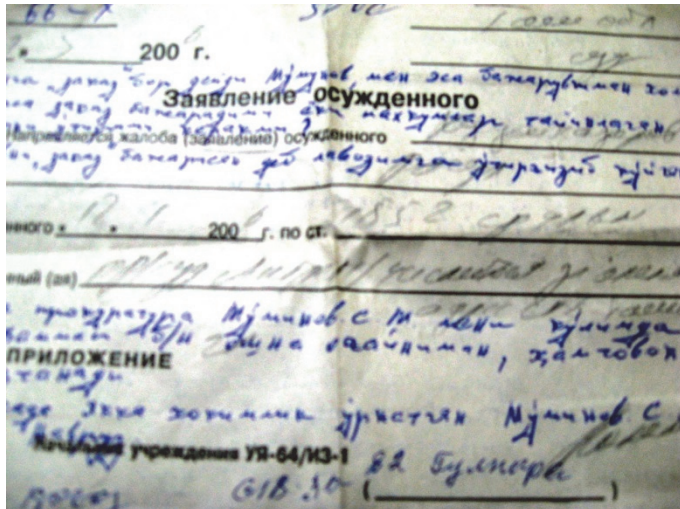
⁴⁰² “Conclusions of the EU General Affairs and External Relations Council,” 2971st Council Meeting, October 27, 2009, http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/gena/110805.pdf (accessed September 11, 2014).

⁴⁰³ *Ibid.*

⁴⁰⁴ Council of Europe, European Convention for the Protection of Human Rights and Fundamental Freedoms, 4 November 1950, ETS No.5. Consistently the European Court of Human Rights has held that ill-treatment has been a persistent problem in Uzbekistan with “no concrete evidence ... produced to demonstrate any fundamental improvement in this area in this country for several years.” The court therefore concluded “that ill-treatment of detainees is a pervasive and enduring problem in Uzbekistan.” *Sultanov v. Russia*, European Court of Human Rights, no. 15303/09, judgment of November 4, 2010, para. 71; *Karimov v. Russia*, European Court of Human Rights, no. 54219/08, judgment of July 29, 2010, para. 99; *Isakov v. Russia*, European Court of Human Rights, no. 14049/08, judgment of July 8, 2010, para. 109; *Yuldashev v. Russia*, European Court of Human Rights, no. 1248/09, judgment of July 8, 2010, para. 84; *Garayev v. Azerbaijan*, European Court of Human Rights, no. 53688/08, judgment of June 10, 2010, para. 72; *Muminov v. Russia*, European Court of Human Rights, no. 42502/06, judgment of December 11, 2008, para. 94; *Ismoilov and Others v. Russia*, European Court of Human Rights, no. 2947/06, judgment of April 24, 2008, para. 122; *Yakubov v. Russia*, no. 7265/10, European Court of Human Rights, judgment of November 8, 2011.

⁴⁰⁵ “Statement of European Commission President José Manuel Barroso following his meeting with the President of Uzbekistan Islam Karimov,” European Commission press release, MEMO/11/40, January 24, 2011, http://europa.eu/rapid/press-release_MEMO-11-40_en.htm?locale=en (accessed September 11, 2014); Letter from Human Rights Watch to European Commission President Barroso on Uzbek President Islam Karimov’s Visit to Brussels, January 19, 2011, <http://www.hrw.org/news/2011/01/19/letter-european-commission-president-barroso-uzbek-president-islam-karimov-s-visit-b>.

rights criteria articulated by EU foreign ministers. But his statement stopped short of outlining the specific policy consequences that would follow absent improvements.⁴⁰⁶



Copy of an official complaint written in prison by late rights activist Abdurasul Khudoynazarov. In late 2013, additional time was added to his prison sentence for “violations of prison rules.” ©Association for Human Rights in Central Asia

While the EU has repeatedly stated that closer relations are contingent on progress on human rights, it has not followed through with any known policy consequences in response to Uzbekistan's consistent failure to make concrete, demonstrable progress.

With the adoption on June 25, 2012 of a comprehensive human rights package, EU foreign ministers made a pledge to prioritize human rights in EU policy at home and abroad.⁴⁰⁷

The commitments made in the strategic framework on human rights further obligate the EU to take principled, public positions on Uzbekistan's abysmal human rights record. The true test of the commitments made in the framework will be whether the EU will make good on its promise to throw its “full weight behind advocates of liberty, democracy, and human rights.”

⁴⁰⁶ Several months later, the Uzbek Supreme Court liquidated Human Rights Watch's Tashkent office registration, expelling the organization from the country, despite that the continued operation of Human Rights Watch in Uzbekistan had been a specific human rights criteria outlined by the FAC. “Uzbekistan: Government Shuts Down Human Rights Watch Office,” Human Rights Watch news release, March 16, 2011, <http://www.hrw.org/news/2011/03/15/uzbekistan-government-shuts-down-human-rights-watch-office>.

⁴⁰⁷ The EU human rights package consists of a strategic framework on human rights and democracy, an EU action plan, and a decision to appoint an EU special representative on human rights. EU foreign ministers pledged that human rights, democracy, and rule of law will be promoted “in all areas of the EU's external actions without exception” and that the EU will “place human rights at the center of its relations with all third countries including strategic partners.” Catherine Ashton said upon adoption of the package: “Human rights are one of my top priorities and a silver thread that runs through everything that we do in external relations...”

The EU and its member states need to be prepared to impose meaningful policy consequences when expectations on reform are not fulfilled. EU member states should set a clear timeline for the government to heed, once and for all, the EU's human rights criteria or face concrete consequences, including targeted restrictive measures against Uzbek government agencies and individual officials who are engaging in egregious, ongoing abuses.⁴⁰⁸ The EU and its member states should also be prepared to support the establishment of a country-specific mechanism on the human rights situation in Uzbekistan within the UN Human Rights Council.

United States

In recent years, the US government has avoided attaching any serious policy consequences for Uzbekistan's failure to improve its overall abysmal human rights record, including its continuing failure to release political prisoners and continuing imprisonment of civil society activists. The Obama administration views Uzbekistan as a critical part of the Northern Distribution Network (NDN) through which it has sent nonlethal supplies to Afghanistan since 2009.

The Department of State has long documented Uzbekistan's atrocious rights record, and beginning in 2004, Congress restricted assistance to Uzbekistan, including military aid, based on the absence of "substantial and continuing progress" in its human rights record.⁴⁰⁹ It escalated those restrictions after the Andijan events and helped organize an airlift and resettlement to the US of hundreds of Uzbek refugees who fled from the violence into neighboring Kyrgyzstan.⁴¹⁰

In 2006, and each year since, the State Department has designated Uzbekistan a "Country of Particular Concern" (CPC) based on the findings of the bi-partisan Commission on

⁴⁰⁸ The European Parliament set a rare, positive example in December 2011, when it rejected a reduction of EU textile tariffs until Uzbekistan grants access to the International Labor Organization to monitor the cotton harvest and takes concrete steps to end forced child labor. It is only in this context that one can then set forth a strategy that will successfully guide EU-funded projects on the rule of law.

⁴⁰⁹ FY 2004 Consolidated Appropriations Act 2004 (H.R. 2673), US Congress, <http://www.gpo.gov/fdsys/pkg/BILLS-108hr2673enr/pdf/BILLS-108hr2673enr.pdf> (accessed September 11, 2014), sec. 568(a).

⁴¹⁰ In 2006, the Senate introduced a condition that the Uzbek government should permit an international investigation of violence against civilians in Andijan in May 2005. In fiscal year 2008, the Senate added another condition that if the Secretary of State had credible evidence that Uzbek officials might be linked to the "deliberate killings of civilians in Andijon ... or for other gross violations of human rights," (P.L. 110-161), these individuals would be ineligible for admission to the US.

International Religious Freedom (USCIRF), which found that Uzbekistan systematically violates religious freedom. USCIRF's annual reports have repeatedly documented the pervasive practice of torture against thousands of persons in pretrial detention and prison who are accused of, or sentenced on charges of, "religious extremism" and "anti-state" crimes.⁴¹¹ While the CPC designation envisages the possibility of sanctions targeting sectors other than humanitarian or educational assistance, the executive branch has elected each year to waive them.

Beginning in 2008-2009, the US significantly deepened its engagement with Uzbekistan, prioritizing its role as a transit route for the Northern Distribution Network and viewing it as an important alternative to what were viewed as unstable supply lines through Pakistan. This engagement culminated on January 18, 2012 in a deeply troubling move, preceded by no human rights improvements, when the Obama administration exercised the authority Congress granted it to waive rights-related sanctions and restart military aid to Tashkent.⁴¹²



Farkhodkhon Mukhtarov and wife, Surayo, five days after his release from prison in December 2010. His release came one day after US Secretary of State Hillary Clinton publicly promised to raise cases of imprisoned human rights activists with President Karimov during a visit to Tashkent. © 2010 Steve Swerdlow/Human Rights Watch.

At the same time, the Uzbek government has exhibited a pattern of providing some human rights concessions in advance of high-level negotiations with the US. In advance of then-Secretary of State Hilary Clinton's visit to Tashkent in December 2010, and following her

⁴¹¹ United States Commission on International Religious Freedom, "USCIRF Annual Report 2013 - Countries of Particular Concern: Uzbekistan," April, 30 2013, <http://www.refworld.org/docid/51826ef316.html> (accessed September 11, 2014).

⁴¹² Human Rights Watch, *World Report 2013*, (New York: Human Rights Watch, 2013), Uzbekistan chapter, <http://www.hrw.org/world-report/2013/country-chapters/uzbekistan?page=2>.

public remarks prior to her visit that she would raise the issue of imprisoned rights activists with President Karimov, authorities released rights activist Farkhodkhon Mukhtarov.⁴¹³ Before her official visit to Uzbekistan in October 2011, authorities released both human rights activist Norboi Holjigitov and journalist Jamshid Karimov, who had been held in forced psychiatric detention.⁴¹⁴ In June 2013, 12 US senators signed a letter to President Karimov raising the cases of imprisoned journalists and human rights defenders Akzam Turgunov, Dilmurod Saidov, and Solijon Abdurakhmanov and demanding their immediate and unconditional release.

Despite these positive developments, the absence of concrete policy consequences for the Uzbek government's continued refusal to heed such demands or implement promised reforms, as well as the US's prioritization of the NDN in its relations with Uzbekistan, have hobbled prospects for meaningful engagement on human rights issues.

The US should more robustly make freedom of assembly, expression, and association an integral and regular part of all bilateral engagement with Uzbekistan. It should publicly and regularly urge the release of activists, human rights defenders, and journalists prosecuted on politically motivated charges. It should also push Tashkent to reform Uzbek statutes such as those on religion, libel, and insult that limit the space for freedom of expression, assembly, and association in the country.

Unless Uzbekistan demonstrates immediate and measurable progress on human rights, including on its use of politically motivated arrests and imprisonment, the US government should discontinue the waiver of restrictions in the Leahy amendment, which ban military assistance to the Uzbek government on human rights grounds. Furthermore, in the context of discussions regarding freedom of religion, and in line with Uzbekistan's "CPC" status, the US should be prepared to follow through on the sanctions recommended by the designation absent concrete, demonstrable progress. The US should also be prepared to support the establishment of a country-specific mechanism on the human rights situation in Uzbekistan within the UN Human Rights Council.

⁴¹³ "Uzbekistan: Activist's Release Shows Sustained Pressure Works," Human Rights Watch news release, December 4, 2010, <http://www.hrw.org/news/2010/12/04/uzbekistan-activist-s-release-shows-sustained-pressure-works-o>.

⁴¹⁴ Joanna Lillis, "Uzbekistan & Tajikistan: Visiting Clinton Offers NDN Appreciation, Cautions on Religious Rights," *Eurasianet.org*, October 24, 2011, <http://www.eurasianet.org/node/64366> (accessed September 11, 2014); Catherine A. Fitzpatrick, "Uzbekistan: Karimov's Nephew Released from Psychiatric Prison?" *Eurasianet.org*, November 28, 2011, <http://www.eurasianet.org/node/64588> (accessed September 11, 2014).

Recommendations

To the Government of Uzbekistan

- **Immediately and unconditionally release** all persons whose cases are detailed in this report and all other prisoners held for peaceful expression of their political views, civil society activism, journalistic activity, or religious views. To the extent that any such individuals are also alleged to have engaged in acts of violence, they should be granted a new and fair trial according to international standards.
- **Take immediate steps to eliminate** torture and ill-treatment in pretrial detention and penal facilities, including by ensuring unhindered access to counsel at all stages of investigations, ensuring prompt access to appropriate medical care and re-establishing the independent monitoring of prisons.
- **Ensure fair trials for all defendants.** Promptly investigate all allegations of judicial procedural violations and ensure that judges take into account allegations of torture and witnesses' allegations of coercion on the part of investigators, exclude all evidence procured through the use of torture or ill-treatment, and thoroughly investigate allegations of fabrication of evidence.
- **Provide families of all prisoners** with full information regarding the location and current health conditions of their relatives. **Rigorously investigate all allegations of intimidation or reprisals** against family members and prisoners who communicate with journalists, human rights defenders, and nongovernmental organizations (NGOs).
- **Investigate and hold to account** all officials, security service personnel, and penal system staff alleged to have tortured or ill-treated prisoners and detainees or denied requests for medical care.
- **Comply with the United Nations Convention against Torture** and other Cruel, Inhuman or Degrading Treatment or Punishment and **ratify the Optional Protocol to the Convention against Torture**, which requires Uzbekistan to permit visits by the Subcommittee on Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (SPT) and to establish an independent national preventive mechanism for the prevention of torture at the domestic level.

- **Immediately and fully implement** the November 2013 recommendations of the UN Committee against Torture and the **February 2003 recommendations issued by the UN special rapporteur on torture** following his visit to Uzbekistan in 2002, including the **immediate closure of Jaslyk prison 64/71**.
- **Approve the pending requests by eleven UN special procedures** to visit Uzbekistan, including the UN special rapporteur on torture; **allow unimpeded independent monitoring of prisons** by the International Committee of the Red Cross and other independent monitors.
- **Cease the practice of arbitrarily exempting prisoners held on politically motivated charges** who qualify for amnesty from annual amnesty declarations and of **arbitrarily lengthening of prison** sentences for minor offences or “violations of prison rules” under article 221 of the criminal code on “disobedience to the terms of punishment.”
- **Clarify and bring into line with international standards** overbroad criminal articles such as article 158 on “threatening the president,” article 159 on “threatening the constitutional order,” and article 244(2) on “forming, leading, or membership in an extremist, fundamentalist, or otherwise banned organization,” which are frequently manipulated to target people expressing their legitimate right to freedom of expression, speech, or religion.
- **Remove criminal responsibility for libel and insult** (articles 139 and 140 of the criminal code, respectively) in line with international standards and protect freedom of speech and expression.
- **End the crackdown** on civil society and allow human rights defenders, journalists, and others to operate free from harassment or other forms of undue government interference. **Allow local human rights groups to register** and re-register foreign NGOs that were liquidated or otherwise forced to cease operating in Uzbekistan, including through granting visas and accreditation to their staff.

To the European Union and EU Member States

- Given Uzbekistan’s appalling human rights record and persistent failure to meet the human rights criteria articulated by EU foreign ministers, EU member states and institutions **should urgently take up the human rights situation in Uzbekistan with a view to devising an appropriate policy response**.

Specifically, EU Member States and Institutions Should

- Consider concrete measures to **give real, practical meaning to the Foreign Affairs Council's (FAC) pledge** to make “the depth and quality” of the relationship directly “depend[ent] on Uzbek reforms and progress.”
- The EU High Representative and EU foreign ministers should **set a timeline for Uzbek government compliance with the FAC human rights criteria and consider the specific policy consequences that would follow should it not, such as instituting targeted restrictive measures against Uzbek government entities and individuals responsible for grave human rights violations** in the country. Such measures should include imposing visa bans and asset freezes with respect to individuals responsible for torture and ill-treatment and the impunity with which these abuses occur, the imprisonment of human rights defenders, journalists, and political opposition figures, and the repression and harassment of independent civil society.

Other Specific Measures the EU Should Take

- Given the Uzbek government's failure to cooperate with UN human rights bodies and the continued pattern of serious and widespread human rights violations in Uzbekistan, **support the establishment by the Human Rights Council of a country-specific mechanism in the form of a special rapporteur on the situation of human rights in Uzbekistan.**
- Press the Uzbek government to **permit the registration of local human rights groups and the re-registration of foreign NGOs**, including through granting visas and accreditation to their staff.
- Representatives of the EU diplomatic mission and of EU member states in Tashkent should **monitor closely and respond to the Uzbek government's record of politically motivated imprisonment, harassment of human rights defenders, and torture**, including through regular contact with local rights groups, monitoring of trials, raising and following up with the authorities on concerns about specific cases, and requesting periodic visits to places of detention.
- **Raise concerns related to politically motivated imprisonment, torture, and due process violations at every opportunity, including but not limited to the EU-Uzbekistan human rights dialogue**, making publicly available the specific

questions raised during the dialogue in this regard and the concrete steps the Uzbek government should take to address the concerns of the EU and EU member states in this area.

To the United States

- Given Uzbekistan’s persistent refusal to make “substantial and continuing progress” in its human rights record as outlined in the Consolidated Appropriations Act or to meaningfully address the egregious abuses documented by the US Department of State in its annual country reports on human rights and by the US Commission on International Religious Freedom, the US government should **urgently place the human rights situation in Uzbekistan more prominently on its bilateral agenda.**
- **Set a timeline** within which the Uzbek government is expected to undertake concrete human rights improvements.
- **Make clear specific policy consequences** that will follow if it does not. Such consequences should include imposing targeted restrictive measures such as asset freezes and visa bans (some of which already exist) against Uzbek government entities and individuals responsible for grave human rights violations in the country, including those responsible for torture and ill-treatment, politically motivated imprisonment, and the harassment of independent civil society.

Other Specific Measures the US Should Take

- **Immediately cease all security assistance programs, including direct military aid,** to the Uzbek government until it takes meaningful steps to combat torture and address other human rights abuses.
- Given the Uzbek government’s failure to cooperate with United Nations human rights bodies and given the continued pattern of serious and widespread human rights violations in Uzbekistan, **support the establishment by the Human Rights Council of a country-specific mechanism in the form of a special rapporteur on the situation of human rights in Uzbekistan.**
- Press the Uzbek government to **permit the registration of local human rights groups and the re-registration of foreign NGOs,** including through granting visas and accreditation to their staff.

- US embassy officials should **monitor closely and respond to the Uzbek government’s record on politically motivated imprisonment, harassment of human rights defenders, and torture**, including through regular contact with local rights groups, monitoring of trials, and requesting updated information on the condition of individuals already in prison; keeping records of allegations of torture; raising with the authorities concerns about specific cases; and requesting periodic visits to places of detention.
- **Raise concerns related to politically motivated imprisonment, torture, and the harassment and repression of civil society activists at every opportunity of US-Uzbek dialogue**, including but not limited to the US-Uzbekistan Annual Bilateral Consultations, making publicly available the specific questions raised and the concrete steps the Uzbek government should take to address US concerns in this area.
- **Lift the waiver in place on existing sanctions**, including a ban on visits to the US by high-level officials, which are outlined in the designation by the State Department that Uzbekistan is a “country of particular concern” for its systematic violations of religious freedom, including for the use of torture.

To the United Nations

- Given the Uzbek government’s failure to cooperate with United Nations human rights bodies and the continued pattern of serious and widespread human rights violations in Uzbekistan, **the Human Rights Council should establish a country-specific mechanism in the form of a special rapporteur on the situation of human rights in Uzbekistan.**
- **Relevant UN special procedures, including the special rapporteurs on torture and on the situation for human rights defenders, should renew their pending requests for invitations to visit Uzbekistan** and use every opportunity to highlight concern and request information from the Uzbek government in the form of public press releases, urgent appeals, and communications about the situation in Uzbekistan relating to their mandates.
- **Relevant UN treaty bodies should take up concerns relating to the arrest, detention, torture, and imprisonment of persons on politically motivated charges and to the failure of judicial reforms in all periodic reviews of**

Uzbekistan, building on the welcome emphasis on these issues by the Human Rights Committee and Committee against Torture, as reflected in their respective concluding observations resulting from their 2007, 2010, and 2013 reviews of Uzbekistan.

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This report is dedicated to the courageous representatives of Uzbekistan's independent civil society, both at liberty and in custody, across various professions and generations, who continue to work for human rights, justice, accountability, and change.



“Until the Very End”

Politically Motivated Imprisonment in Uzbekistan

The Uzbek government has arbitrarily imprisoned thousands of individuals on political or religious grounds to enforce its repressive rule since the early 1990s. The victims include human rights activists, journalists, political opposition activists, religious leaders and believers, cultural figures, artists, entrepreneurs, and others imprisoned for the peaceful exercise of their freedom of expression.

Based on more than 150 in-depth interviews and analysis of recently obtained court documents, *“Until the Very End”: Politically Motivated Imprisonment in Uzbekistan* profiles the cases of 34 of Uzbekistan’s most prominent individuals imprisoned on politically motivated charges. Those interviewed include 10 individuals previously imprisoned on such charges.

The prisoners whose cases this report documents have experienced a wide range of human rights violations, including denial of access to counsel, incommunicado detention, pretrial and post-conviction torture, abusive and prolonged solitary confinement, the denial of appropriate medical care, and the arbitrary denial of amnesty and extension of prison sentences. Human Rights Watch calls on the Uzbek government for their immediate and unconditional release.

Uzbekistan’s international partners, including the United States, the European Union and EU member states, and UN Human Rights Council, should convey clearly to Tashkent, both in public and in private, the urgent need for concrete human rights improvements, including the release of all those imprisoned on politically motivated charges.

(above) Individuals formerly imprisoned on politically motivated charges in Uzbekistan

(front cover) Individuals currently imprisoned on politically motivated charges in Uzbekistan