



AMNESTY INTERNATIONAL UZBEKISTAN: APPEAL CASE

6 February 2007: AI Index: EUR 62/001/2007; public

Umida Niazova – Human Rights Defender

Amnesty International is concerned for the safety and the well-being of human rights defender Umida Niazova, who has been in detention in Uzbekistan since 22 January 2007. Amnesty International considers Umida Niazova to be a prisoner of conscience, detained solely for carrying out her human rights activities, and calls for her to be released from detention immediately and unconditionally.



© Private

Thirty-two-year old Umida Niazova, an independent human rights activist and journalist, spent the first four days of her detention unable to communicate with the outside world in a prison in Andizhan, in the south-east of the country, near the border with Kyrgyzstan, where she was detained on 22 January. On 26 January she was moved to the capital Tashkent. In custody at the General Transport Prosecutor's office she was allowed to contact her lawyer and to meet briefly with a relative. She was reported to have appeared tired and drawn with swollen and red-rimmed eyes. She reportedly said she had been unable to sleep and was worried about what would happen to her. She was also concerned about her two-year-old son. On 28 January she was transferred to the pre-trial detention facility at Tashkent prison (Tashturma). She was charged with illegally crossing the Uzbekistani border under Article 223 of the Uzbekistani Criminal Code and with smuggling literature of a subversive and "extremist" nature into the country under Article 246. Both articles carry possible prison terms of up to 10 years. She was remanded in custody for three months.

The main charge against her – smuggling – relates to an earlier incident on 21 December 2006 when Umida Niazova was detained for nine hours by transport police as she cleared customs at Tashkent airport. She had just returned from a human rights seminar in Bishkek, Kyrgyzstan. Although she was released after questioning, police confiscated her laptop computer, flashcard and passport. No criminal charges were brought but she had to sign an undertaking not to leave the country and cooperate with prosecutors in their investigation into possible offences committed by her, namely possession of anti-state materials on her laptop computer. Her laptop was sent for expert examination to establish whether any materials stored on it were of a subversive or extremist nature. Among the materials contained on the laptop was reportedly the published report on the Andizhan mass killings in May 2005 by the international non-governmental organization (NGO) Human Rights Watch (HRW). Umida Niazova has been working for HRW's office in Tashkent as a translator. She had previously worked for the international freedom of expression NGOs Internews and Freedom House. There was concern that the authorities were threatening Umida Niazova with criminal prosecution in order to intimidate her and to deter her from pursuing her human rights activities.

In January 2007 Umida Niazova's lawyer informed her that her laptop had been examined and that the experts had apparently decided that there were no grounds to bring criminal charges against her. She was due to meet her lawyer in Tashkent on 22 January to collect her laptop and her passport; however, she was detained before she could get to Tashkent. As transpired six days later, the criminal charges had not been dropped.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English, Russian, Uzbek or your own language:

- expressing concern for the safety and well-being of Umida Niazova and calling for guarantees that she will not be tortured or ill-treated in detention and that she will get access to necessary medical attention;

- stating that Amnesty International considers Umida Niazova to be a prisoner of conscience, imprisoned solely for carrying out her human rights work, and calling for her immediate release;

- urging the authorities to ensure that everyone can peacefully exercise their right to freedom of expression in conformity with Article 19 of the International Covenant on Civil and Political Rights to which Uzbekistan is a State Party;

- reminding the authorities of the right of human rights defenders to carry out their activities without any restrictions or fear of reprisals, as set out in the United Nations Declaration on the Rights and Responsibilities of Individuals, Groups and Institutions to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms.

APPEALS TO: (Please note that it can be difficult getting through to fax numbers in Uzbekistan. If a voice answers, repeat “fax” until you hear the signal; otherwise leave your fax machine on auto-redial if possible. Fax machines may be switched off outside office hours – 5 hours ahead of GMT):

President

Islam KARIMOV, Rezidentsia prezidenta, ul. Uzbekistanskaia 43, 700163 Tashkent, UZBEKISTAN

Fax: + 998 71 139 53 25; email: presidents_office@press-service.uz

Salutation: Dear President Karimov

Minister of Internal Affairs

Bakhodir MATLIUBOV, Ministerstvo vnutrennikh del RU, ul. Novruz 1, 700029 Tashkent, UZBEKISTAN

Fax: + 998 71 133 89 34

Salutation: Dear Minister Matliubov

Prosecutor General

Rashidzhon KODIROV

Prokuratura Respubliki Uzbekistan, ul. Gulyamova, 66, 700047 Tashkent, UZBEKISTAN

Fax. + 998 71 133 39 17/ 133 73 68, e-mail: prokuratura@lawyer.com

Salutation: Dear Procurator General

COPIES TO:

Minister of Foreign Affairs

Vladimir NOROV, Ministerstvo inostrannikh del RU, Mustakillik pl. 5, 700029 Tashkent, UZBEKISTAN

Fax: +998 71 139 15 17, e-mail: rnews@mfa.uz

and to diplomatic representatives of Uzbekistan accredited to your country.

PLEASE SEND ANY REPLIES FROM THE UZBEKISTAN AUTHORITIES AS SOON AS POSSIBLE TO THE INTERNATIONAL SECRETARIAT OF AMNESTY INTERNATIONAL (Eurasia Research and Campaign Team, Amnesty International, 1 Easton Street, London WC1X 0DW, United Kingdom)