



AMNESTY INTERNATIONAL UZBEKISTAN: APPEAL CASE

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Human Rights Defenders and Freedom of Expression at risk

Photograph of people commemorating 40 days since the Andizhan killings at the "bravery" statue in Tashkent

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SAFETY OF HUMAN RIGHTS ACTIVISTS

Freedom of expression is under threat in Uzbekistan following the events on 13 May 2005 in Andizhan. Amnesty International is concerned that the recent unrest has been used by the Uzbekistani authorities to justify a further clampdown on dissent and freedom of expression, association and assembly in the name of "national security" and the "war on terror". AI's concerns are heightened by the fact that the government's claims about the Andizhan events have created a climate of fear and mistrust.

Since 13 May scores of independent civil society activists have been targeted and harassed by the authorities. They have been subjected to physical assaults, beatings, threats, arbitrary arrests and being forcibly confined to their houses, with phone lines being cut off. AI is concerned that they are being subjected to abuse and harassment because of their human rights activities. Such activities involve trying, at personal risk, to document and publicize the reported indiscriminate and excessive use of force by government troops against mainly unarmed civilian demonstrators.

Amnesty International continues to receive reports of numerous instances of harassment of activists and journalists in the capital city Tashkent and other regions of Uzbekistan. This appeal case documents just a few case studies and is only an indication of the human rights violations that are taking place on a much wider scale in Uzbekistan. The organization is concerned for the safety of all the human rights, civil society and political opposition activists who are trying to gather and disseminate information on the Andizhan killings.

BACKGROUND INFORMATION

It is believed that the events in Andizhan were triggered by the trial of 23 local businessmen accused of “Islamic extremism”. Amnesty International had been monitoring the trial because of allegations of torture or other ill-treatment against the defendants, who deny any connection with banned Islamic groups. In the week leading up to 13 May at least 1,000 relatives and supporters of the 23 men held peaceful sit-down vigils outside the court building to protest the men’s innocence and denounce the torture they allegedly suffered.

During the night of 12 to 13 May, a group of unidentified armed men broke into the jail of the city of Andizhan, reportedly freeing hundreds of inmates. The group then went on to occupy other buildings, including the regional administration building. It is reported that thousands of demonstrators then gathered in the town centre, the vast majority of whom were unarmed and peaceful. However, gunfire was allegedly exchanged between armed men and soldiers. Early in the evening, soldiers in armoured personnel carriers who had surrounded a crowd of several thousand protestors on the city’s main square, allegedly opened fire indiscriminately and without warning into the crowd killing and wounding many people. Survivors, who fled from Andizhan to neighbouring Kyrgyzstan, have told journalists and AI representatives that soldiers continued to shoot at people indiscriminately even as they were running for safety.

AI is gravely concerned at reports that hundreds of unarmed people -- men, women and children -- were killed and many were injured. Reportedly the wounded in hospitals were not allowed to be visited by their relatives. On 28 May the Uzbekistani General Prosecutor’s Office reported that 173 were dead as a result of “terrorist acts” and that three seriously wounded law-enforcement officers had died in the hospital. Official figures stated that 98 people had been detained. Six of these detainees were released on bail; 52 were charged with “terrorism”, and “premeditated, aggravated murder” and “the attempt to overthrow the constitutional order” for their alleged participation in the Andizhan events. The first two crimes could carry the death penalty.

It is not clear whether those detained have had access to a lawyer, to their relatives or to medical assistance, or whether they continue to be held incommunicado. AI is concerned for the safety of these 92 detainees (men and women). Based on its own assessment, that of international experts, and of other non-governmental organizations, AI is concerned that those detained are at risk of torture and other ill-treatment and violations of their right to a fair trial. AI is concerned that the 52 charged with capital offences may face violation of their right to life as a result of imposition of the death penalty following unfair trial.

The Uzbekistani government has ignored calls from the UN, the EU, individual countries and the Organization for Security and Co-operation in Europe (OSCE) for an independent international investigation into the events.

JOURNALISTS

Detention; threats and harassment

Reportedly, **Shamil Baygin**, a correspondent for Reuters News Agency, and **Galima Bukharbaeva**, a country director of the Uzbek office of the London-based Institute for War and Peace Reporting (IWPR) – an international non-governmental

organization which trains journalists in human rights reporting – were detained by police in Andizhan on 13 May. They had been in the town centre reporting on the demonstrations and interviewing people in the crowd. Galima Bukharbaeva's reports state that the atmosphere in the crowd was peaceful, even jubilant. The people she interviewed explained that they were protesting against poverty, unemployment and corruption in their country. Galima Bukharbaeva described how minutes later soldiers drove into the town centre and opened fire into the crowd without warning. She managed to escape the violence and only later noticed that a bullet had torn right the way through her rucksack, which had been on her back as she was running for cover. In the morning of 14 May, Galima Bukharbaeva and Shamil Baygin decided to return to the town centre to take photos and report on the night's events. They were stopped by armed men in a car who forced them to get into the car and subsequently took them to the local police station. The Andizhan police detained them for two hours to check their documents. They were then released and told they had to leave the city.

On the 25 May, an article was published in the main national, governmental newspaper *Pravda Vostoka*, under the title "In defence of the sovereignty of the Uzbekistani people". The article accused Galima Bukharbaeva of taking an active role in provoking the Andizhan events; called IWPR an "Institute for Triggering War" and accused the IWPR staff of conducting an informational war against the state. The article recommended that IWPR staff should be sent out of the country and that their pictures and names should be shown on national TV to warn citizens against them.

Tulkin Karaev, an independent journalist who has often contributed to IWPR, was reportedly detained on 4 June in his home town of Karshi, following an incident in which he was allegedly attacked by an unknown woman. He was subsequently charged for petty hooliganism. He was immediately sentenced to administrative detention for 10 days and was warned that if he continued his human rights activities, he would face criminal charges. He was released on 14 June. Two days later, two policemen detained him in Karshi. They confiscated his passport then released him after five hours. His passport has still not been returned to him.

Independent journalist **Alexej Volosevich** was also reportedly named in the article appearing in *Pravda Vostoka* on 25 May. He was accused of treason against the state. Alexej Volosevich had been in Andizhan on 13 May and reported the events taking place on the main independent Russian language website www.ferghana.ru. The website was set up by a private individual and contains some of the best news coverage on Europe and Central Asia. It was also the first website to report on the Andizhan events.

Censorship

Since 13 May, there has been an information blockade on the events in Andizhan. Access has been denied to many Russian websites and restrictions were placed on the website Ferghana.ru. The news agency Agence France-Presse (AFP), reported that a warning notice had been put up in an Internet café in Tashkent stating: "Logging onto pornographic websites is prohibited and punished by a fine of 5,000 soms" (4.4 dollars, 3.6 euros). Below, it stated "Logging onto political websites, such as www.ferghana.ru is strictly prohibited and punished by a fine of 10,000 soms".

Journalists have been prevented from doing their jobs and disseminating information. Many foreign journalists have had their visas refused so they cannot travel into Uzbekistan and access into Andizhan has been restricted. The Organization for Security and Co-operation in Europe (OSCE) states that even when journalists were able to cover the events, several reports that were ready for publication have been refused. OSCE documents how the editor of *Novostii Kazahdarja* explained that "during these

days we should calm the people, not steer them up. Such stories only inflame the situation.”¹

HUMAN RIGHTS ACTIVISTS

Arbitrary detention

Amnesty International is concerned for the safety of **Saidzhakhon Zainabitdinov**, the chairperson of the Andizhan independent human rights group *Apelliatsia (Appeal)*, who was reportedly arbitrarily detained by law enforcement officers on 21 May and held incommunicado for three days. It is believed he now faces criminal defamation charges for statements he made to the press about the violence in Andizhan and is at risk of torture or other ill treatment. AI considers him to be a prisoner of conscience, detained solely for carrying out his peaceful and legitimate human rights work. The organization has called for his immediate and unconditional release.

Reportedly on 18 May the chairperson of the local human rights group *Zashchita (Protection)*, **Sobitkhon Ustabaev**, was detained and sentenced to 15 days' administrative detention. He was arrested after reportedly starting a hunger strike near the cinema “Bakhor” in Namangan city, demanding that President Karimov resign and calling for international organizations to be involved in the investigation into the Andizhan events. Reportedly, the authorities threatened that they would open a criminal case against him.

Ill-treatment and harassment

In Dzhizzak region, **Bakhtior Khamroev**, a member of the independent, unregistered Human Rights Society of Uzbekistan (HRSU), was reportedly summoned to the Dzhizzak city police station on 23 May. He refused to go and on 26 May a crowd of 70 people, reportedly state employees and law-enforcement officers, came to Bakhtior Khamroev's house where he was staying with his teenage son and started to beat him, swear at him and threaten him. The attackers reportedly stated that the local administration had shown them an open letter from human rights activists urging people to gather for a demonstration to protest against the excessive use of force in Andizhan. They reportedly stated that they had decided to prevent activists from “spoiling good people” and staging the demonstration. At least two other activists were attacked by crowds on the same day, possibly in connection with the same letter. On 27 May, a crowd again came to the house of Bakhtior Khamroev but later dispersed reportedly due to the presence of foreign diplomats.

On 26 May the independent, unregistered Initiative Group of Independent Human Rights Defenders of Uzbekistan (IGPNU) provided an account by the 68-year-old human rights activist, **Sotvoldy Abdullaev**, of his harassment. On 25 and 26 May he had twice been summoned to the district police station under false pretences. On 30 May two unidentified men reportedly beat Sotvoldy Abdullaev in Tashkent city, as a result of which he was hospitalized at Tashkent city hospital No.16. AI has no information that there were any charges made against him.

On 27 May at 7:30am four police officers, including two officers from the crime investigation department and Ilios Mustafoev, head of the anti-terrorism department of

¹ OSCE Representative on Freedom of the Media, *Coverage of the Events and Governmental Handling of the Press During the Andijan Crisis in Uzbekistan*, 15 June 2005

Mirzo-Ulugbek district police of Tashkent, came to the house of woman human rights activist **Elena Urlaeva** and took her to the police station where she was kept till 2:30pm to prevent her from taking part in demonstrations.

On 27 May at 5:00am five police officers in plain clothes from Ikramov district police station in Tashkent came to the house of woman human rights activist **Shoira Sodikbekova**. They reportedly introduced themselves as officers of the crime investigation department and warned her not to leave her home on that day. They stationed themselves in two cars near her house until 2:00pm when Shoira Saidbekova fell ill. She went to the city hospital No.16 for treatment. The five police officers followed her to the hospital and stayed there until 3:00pm. They subsequently detained two activists, Tatiana Davletova and Anatoly Volkov, who had come to visit her, and drove both of them away. Shoira Sodikbekova came home at 6:00pm.

House arrest

On 25 May human rights activist **Abduzhalil Boimatov** from Tashkent reported that he had been forcibly confined to his house by the Khamza district police for five days. This information was passed to foreign embassies in Tashkent and to offices of international human rights organizations. Representatives from Freedom House, which is US funded non-governmental organization striving for worldwide expansion of political and economic freedom, came to his house along with two activists. They found around 10 police officers mainly in plain clothes and discovered the phone cables to his house and those of his two neighbours were cut off. The activists tried to leave the house together with Abduzhalil Boimatov but were stopped by the policemen who demanded that Abduzhalil Boimatov stay at home. One of the policemen in plain clothes who was armed with a gun reportedly threatened Abduzhalil Boimatov with the use of force if he disobeyed the order. Abduzhalil Boimatov returned to his house.

EZGULIK HUMAN RIGHTS GROUP

Detention and threats

On 30 May, **Vasila Innoiatova**, chairwoman of the human rights group *Ezgulik* and secretary general of the opposition party *Birlik*, was reportedly detained in order to prevent *Ezgulik* activists from staging a protest near the Ministry of Justice in Tashkent. Vasila Innoiatova was threatened that if the protest went ahead, the registration of *Ezgulik* would be annulled.

Reportedly, at 2:00am on 30 May around 30 armed men with dogs forced their way into the house of her brother, where **12 members of *Ezgulik*** were staying overnight, and arrested them. Vasila Innoiatova was released from Sabir-Rakhimov district police station at 12:00pm on the same day. Reportedly, 26 members of *Birlik*, who had come from eastern Uzbekistan to participate in the protest, were detained by the authorities and threatened with being accused of “assisting Islamic terrorists”. Many more members of *Birlik* throughout Uzbekistan were reportedly arrested and beaten to stop them from coming to Tashkent to attend the protest and a party meeting.

Kholiknazar Ganiev, chairperson of the Samarkand regional branch of *Ezgulik* and of *Birlik*, was reported missing for four days from 28 May. His family stated that on 27 May a group of unknown women came to their house and started insulting Kholiknazar Ganiev for his human rights and opposition activities and threw stones at their house. Kholiknazar Ganiev succeeded in driving them away from the house. The women then filed a complaint with the district police. On 28 May he was detained. He was accused of

“disorderly conduct” and sentenced him to 15 days' administrative detention by the district court. He was reportedly held in a basement cell in the Samarkand city police station without his family being notified about the court decision. His family and Vasila Innoiatova were denied permission to see him and were not allowed to leave a parcel for him. He was released on 12 June.

Reports from The Observatory for the Protection of Human Rights Defenders, which is a joint programme of the World Organisation Against Torture (OMCT) and the International Federation for Human Rights (FIDH), claim that numerous members of *Ezgulik* have been detained, beaten up and harassed by law enforcement officers in the Andizhan region since 13 May.

ATTACKS FROM PRO-GOVERNMENT SUPPORTERS

Fear and hatred towards activists

On 2 June there was a pro-government demonstration outside of the mayor's office in Dzhizzak city where, according to a BBC report, “many protesters waved portraits of President Karimov and shouted slogans against those who oppose him or question the government line”. Reportedly, they carried banners that read “Traitors – out!”, “Human rights activists – out of Uzbekistan!”. The government supporters reportedly “travelled round the city, attacking human rights activists with sticks and vilifying them as traitors.” The Dzhizzak governor and Member of Parliament Ubaidulla Yamankulov said during the demonstration that all local human rights activists and “Internet-journalists” were “enemies of the Motherland” and soon they would have to leave the country. Amnesty International believes that such statements made by government representatives violate provisions of Article 17 of the International Covenant on Civil and Political Rights (ICCPR) and constitute an unlawful attack on the honour and reputation of human rights activists. AI is concerned that such statements create a climate of fear and hatred against activists and put them at serious risk of being attacked because they have been labelled by government representatives as “enemies”.

RECOMMENDED ACTIONS

Please send appeals as quickly as possible, in English, Russian, Uzbek or your own language, to the Uzbekistani authorities:

- expressing concern for ongoing harassment of human rights, political opposition and civil society activists and journalists in Uzbekistan;
- expressing concern at the imprisonment of Saidzhakhon Zainabidinov, whom Amnesty International considers to be a prisoner of conscience, imprisoned solely for carrying out his peaceful and legitimate human rights work, and Amnesty International calls for his immediate release;
- urging the Uzbekistani authorities to ensure that all those detained are given access to a lawyer of their choice and to their relatives and that they receive the necessary medical attention;
- reminding the authorities of the right of human rights activists 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;
- urging authorities to stop forcibly confining activists in their homes;

- urging the authorities to ensure that human rights, political opposition and civil society activists and journalists can peacefully exercise their rights to freedom of expression, association and assembly and without fear of detention and imprisonment and other human rights violations in conformity with Article 19 of the International Covenant on Civil and Political Rights (ICCPR) and other international treaties to which Uzbekistan is a party;
- urging the authorities to ensure the protection of activities of human rights, political opposition and civil society activists, in line with Article 17 of the ICCPR which states that everyone has right to the protection of the law against arbitrary or unlawful interference with their privacy, family, home or correspondence, nor to unlawful attacks on their honour and reputation;
- reminding the authorities of their duty, under Article 7 of the ICCPR, to ensure that no one is subjected to torture or other cruel, inhuman or degrading treatment or punishment;
- urging the authorities to initiate thorough, independent and impartial investigations into the reported physical and verbal abuse of human rights activists and journalists, and bring the perpetrators of such abuses to justice.

APPEALS TO

President

Islam A. KARIMOV,
Rezidentsia prezidenta; ul. Uzbekistanskaia, 43; Tashkent 700163; UZBEKISTAN
Fax: + 998 71 139 53 25
Email: presidents_office@press-service.uz
Salutation: Dear President Karimov

Minister of Internal Affairs

Zakirzhan ALMATOV
Ministerstvo vnutrennikh del RU, ul. Novruz, 1; Tashkent 700029; UZBEKISTAN
Fax: + 998 71 133 89 34
Salutation: Dear Minister Almatov

General Procurator of the Republic of Uzbekistan

Rashidzhon KODIROV
Prokuratura Respubliki Uzbekistan, ul. Gulyamova, 66, 700047 g. 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

Elior GANIEV, Ministerstvo inostrannykh del RU; pl. Mustakillik, 5; Tashkent 700029;
UZBEKISTAN
Fax: + 998 71 139 15 17
Email: letter@mfa.uz or rnews@mfa.uz
Salutation: Dear Minister Ganiev

Head of the National Centre for Human Rights,

Akmal Saidov, Natsionalny tsentr po pravam cheloveka, 5/3, Mustakillik Maidoni,
Tashkent 700029, UZBEKISTAN

Fax: +998 71 139 13 56
Email: office@nchr.uz
Salutation: Dear Senator Saidov

Ombudsperson

Sayora RASHIDOVA (Ms), Oliy Majlis Commissioner for Human Rights; ul. Xalqlar
Do'stligi, 1;
Tashkent 700035
UZBEKISTAN

Fax: + 998 71 139 85 55
E-mail: office@ombudsman.gov.uz
Salutation: Dear Sayora RASHIDOVA

and to diplomatic representatives of Uzbekistan accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or
your section office, if sending appeals after August 2005.