

# UZBEKISTAN

## @Clampdown on dissent

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# UZBEKISTAN

## Clampdown on dissent

### ***Introduction***

Uzbekistan, a former Soviet republic, adopted in December 1992 its first post-independence constitution, enshrining commitments to multi-party democracy, human rights and the rule of law. However, since mid-1992 a clampdown against government opponents has been intensifying in Uzbekistan. Opposition activists have been detained on charges of calling for the overthrow of the state, prosecuted for slandering the President, or have been convicted of criminal charges which are believed to be fabrications. In one case, an opposition leader is feared to have "disappeared" since his arrest. Short-term "administrative arrest" continues to be used to punish people for exercising their right to freedom of association. Government opponents and independent journalists have been beaten by unknown assailants on the streets, and the authorities appear to have taken few steps to investigate. The home of a human rights activist has been bombed, that of a well-known journalist burned down in suspicious circumstances.

This report focuses on cases of prisoners of conscience, probable prisoners of conscience, and victims of assault or other forms of violent intimidation by suspected government agents. The documented cases indicate that since independence, Uzbekistan has returned to patterns of human rights violations which are in many respects reminiscent of the human rights practices of the pre-reform USSR.

### ***Country Background***

The Republic of Uzbekistan (formerly known as the Uzbek Soviet Socialist Republic) is in Central Asia. Uzbekistan's population of 20.3 million is around 69 per cent Uzbek and 10 per cent Russian, and there are also sizeable Tatar, Kazakh, Tadjik and Meskhetian Turkish minorities.

On 20 June 1990 the republic proclaimed its sovereignty and the primacy of the republican laws over USSR laws. In the aftermath of the August 1991 attempted coup in Moscow, independence as the Republic of Uzbekistan was declared on 31 August 1991. That independence was recognized internationally following the demise of the USSR at the end of December 1991. Uzbekistan was admitted to the Conference on Security and Co-operation in Europe (CSCE) in January 1992, and to the United Nations on 2 March 1992.

A new constitution was adopted on 8 December 1992. Elections are scheduled for 1994 to a restyled parliament, the 150-seat *Oliy Mejlis*, which will replace the current 500-seat Supreme Soviet elected in 1990. Uzbekistan's first direct presidential elections were held in December 1991.

The government led by President Islam Karimov has consistently answered charges of authoritarianism and of violating human rights by arguing that strong leadership is vital to guarantee social stability and national unity during a time of social and economic transition. It has pointed to the civil war in neighbouring Tadjikistan as an example of the threat posed by what it claims is Islamic fundamentalism. It has also cited the threat of renewed inter-ethnic

unrest (a serious outbreak of communal violence between Uzbeks and Meskhetian Turks in the Fergana valley in June 1989 cost at least 99 lives): a ban on unauthorized public meetings and demonstrations in the republic, imposed in the name of preventing inter-ethnic disturbances and maintaining public order, has been in force since February 1990.

### Political parties and movements

The **People's Democratic Party**, founded in November 1991, is the successor to the Communist Party of Uzbekistan, which was dissolved after the failed August coup in Moscow. It is the dominant political force in the country. The party claims over 360,000 members, and 320 of the 500 seats in the Supreme Soviet. President Karimov is party leader.

Also supporting the current leadership of Uzbekistan is **Progress of the Fatherland**, a party founded in August 1992. It claims some 15,000 members.

The only registered opposition party is the **Freedom Democratic Party**, known commonly as *Erk* ("Freedom"). This was founded in April 1990 following a split in 1989 from the main opposition movement *Birlik* [see below]. It was officially registered as Uzbekistan's first opposition political party in September 1991, and party chairman Mukhammad Solikh contested the December 1991 presidential election. The party claims around 10,000 members, and in early 1992 had eight deputies in the Supreme Soviet, although that number has since been reduced by resignations and dismissals.

During 1992, *Erk* took an increasingly radical opposition stance in the face of harassment from the authorities. Mukhammad Solikh resigned his parliamentary seat in July in protest at not being allowed to address the Supreme Soviet. In August 192,000 roubles were sequestered by the authorities from the party's bank account under the pretext of a tax inspection; the inspector left just 22 roubles in the account. The party's newspaper was closed down on the orders of the authorities and the party was threatened with eviction from its offices in Tashkent, the capital. In an apparent reversal of its position in late May 1993 a public statement purporting to come from the *Erk* leadership pledged support for and cooperation with President Karimov.

The main opposition party in Uzbekistan is *Birlik* ("Unity"), which first emerged out of an environmental protest movement in the late 1980s. It advocates a secular democratic system and liberal economic reform, and claimed 54,000 members as of the end of 1992. In November 1991 *Birlik* was granted official registration as a movement, but the Justice Ministry has since refused to register it as a political party, first of all arguing that a political party could not have the same name as a movement which was already registered, and then citing irregularities in the party's documentation, including its membership list (a party must submit a membership list of at least 3,000 names and addresses to the Justice Ministry to gain registration). *Birlik* was also prevented on technical grounds from putting forward a candidate for the presidential election held the following month. In January 1993 it was suspended for three months by order of the Supreme Court on the grounds of "intent to organize public demonstrations", the movement's leaders being accused of having become "puppets of the forces that are interested in provoking discord, anarchy and arbitrariness in the now stable republic". Its activists have been subject

to repeated harassment by the authorities, including arrest, assault and dismissal from work. To escape this harassment party co-chairman Abdurakhim Pulatov has gone into exile in Azerbaydzhan.

The **Free Peasants' Party**, founded in December 1991, was also refused registration on the grounds of irregularities in its membership list. It advocates the free distribution of collectivized land to individual farmers, environmental protection and an end to the cotton monoculture introduced under Soviet rule. Its leadership is closely associated with the *Birlik* movement.

The **Islamic Renaissance Party of Uzbekistan** held a founding congress in Tashkent in January 1991. The congress was broken up by police who arrested around 400 participants, some of whom were fined for unauthorized assembly. Shortly afterwards the Uzbekistan Supreme Soviet passed a law on public associations which banned religious political parties. Since then the party has operated underground. Support for it is reported to be particularly strong in the Fergana valley region of eastern Uzbekistan.

## Amnesty International's concerns

### *Prisoners of conscience*

#### **The "Milli Mejlis" case: Babur Shakirov, Khazratkul Khudayberdy, Otanazar Aripov, Olim Karimov and others**

On the night of 14 August 1992 police called at the Tashkent apartment of Babur Shakirov, a 44-year-old journalist and former dissident. According to an unofficial source, the police gained access to the apartment by ordering a neighbour from the floor below in Babur Shakirov's apartment block to knock at Babur Shakirov's door and complain that water was dripping through the ceiling from Babur Shakirov's apartment. When Babur Shakirov opened the door police rushed in and arrested him without a warrant. Babur Shakirov, his wife Nagira and four young children were all taken into police custody for what police claimed was to be an interview at the visas registration department (Babur Shakirov had moved to the United States at the beginning of 1990, but had returned to Uzbekistan in December 1991). Nagira Shakirova and the children were released after about three hours, but Babur Shakirov was kept in detention, and for at least two days the family was refused information about his whereabouts. It subsequently became known that Babur Shakirov had been transferred from police custody to a basement cell in the building of the National Security Service (the former KGB) in Tashkent.

Babur Shakirov has reportedly been charged with "calling for the violent overthrow of the state and social order", Article 60 of the Criminal Code of the Republic of Uzbekistan. The charge relates to Babur Shakirov's activities in connection with the foundation of a non-violent social organization called *Milli Mejlis* ("National Council"). An organizing committee of *Milli Mejlis*, chaired by Babur Shakirov and comprising people representing various political or social organizations in Uzbekistan (including *Birlik*, *Erk*, the Islamic Renaissance Party, the Free

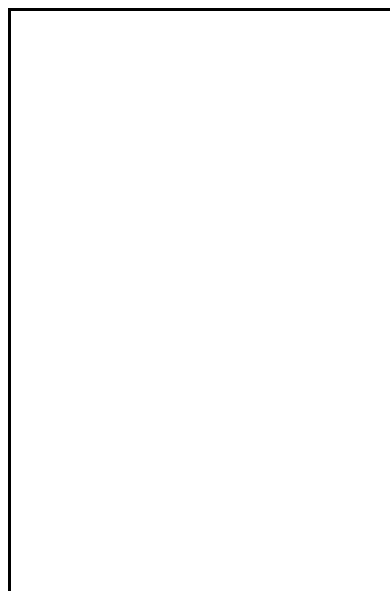
Peasants' Party and the Human Rights Society of Uzbekistan), held a series of meetings beginning in May 1992 to discuss the process of law-making in Uzbekistan. The organizers claim to have been motivated by what they regarded as indifference or lack of direction within the Supreme Soviet, and fears that unless there was a dynamic and cohesive approach to drafting new legislation, a political, social and economic crisis would develop in Uzbekistan.

During a search of Babur Shakirov's apartment following his arrest draft documents produced by the *Milli Mejlis* organizing committee were found. These included a statute for *Milli Mejlis* which envisaged it as a parliamentary forum which would draft laws and send them to the President of Uzbekistan and the Cabinet of Ministers for approval, and a letter to President Karimov announcing the formation of the *Milli Mejlis* and explaining its aims. There was also a draft document giving an assessment of the current situation in Uzbekistan. This elaborated on the fears of the *Milli Mejlis* organizers about an impending social crisis, and commented that civil disorders and violence might erupt in Uzbekistan unless there was political change and progress on new law-making. The authorities apparently interpreted this not as a prognosis of the situation but as a call for violence. This appears to be the specific basis of the charges against Babur Shakirov and other *Milli Mejlis* organizers who have been arrested.

Babur Shakirov rejected a defence lawyer appointed for him by the authorities. Sergey Kotov, a lawyer from Ekaterinburg in Russia, took on his defence, arriving in Tashkent on 29 November. However, the investigating procurator persistently avoided meeting Sergey Kotov, thereby preventing him from getting official recognition as the defence lawyer which was necessary to gain access to the defendant and case materials. In protest Babur Shakirov's family and supporters picketed the city procurator's office on 2 December, but they were moved on by police and given an official warning. Sergey Kotov tried to lodge a formal protest about the procurator's behaviour with the local district court, but the court refused to consider it. Finally, Sergey Kotov was detained by police and was expelled from Uzbekistan on 3 December, officially on the grounds that as a Russian citizen he had no right to defend a citizen of Uzbekistan. When Sergey Kotov reportedly challenged this statement by showing Deputy Procurator General S. Mustafayev a copy of an agreement on inter-republican cooperation signed by President Boris Yeltsin of Russia and President Karimov which should have allowed him to defend Babur Shakirov, Mustafayev is alleged to have said that this was "just a piece of paper".

Seven other people have been arrested in connection with the *Milli Mejlis* organizing committee. They have been charged not with Article 60 but with Article 62 of the criminal code, "organizational activity directed towards commission of especially dangerous state crimes, and participation in an anti-government organization". This charge carries a possible death sentence. Three of those charged have been placed in detention. They are Khazratkul Khudayberdy, the chairman of the Tashkent regional branch of *Birlik*, who was arrested on 9 December immediately after his return to Tashkent from an international human rights conference in Bishkek, Kyrgyzstan; Otanazar Aripov, a professor of physics and executive

secretary of *Erk*, who was arrested on 20 December; and Olim Karimov, a professor of agricultural sciences, member of the presidium of *Birlik* and deputy chairman of the Free Peasants' Party, who was arrested on 19 January 1993. Olim Karimov, who is 67 years old, suffered a stroke in detention in early February 1993 and was released shortly afterwards, but has been required to sign an undertaking not to leave Tashkent. Otanazar Aripov was released on a similar condition in March. Babur Shakirov and Khazratkul Khudayberdy remain in prison as of May 1993. The four other people who have also been charged, but who have not been taken into detention as of May 1993, are Shukhrat Ismatullayev, co-chairman of *Birlik* [see also below]; Mukhammad Solikh, the president of *Erk* (despite his having not been directly involved in the *Milli Mejlis* organizing committee); *Birlik* member Abdulaziz Makhmudov; and journalist Salavat Umurzakov. As of May 1993 no trial date had been set for the *Milli Mejlis* case.



! **Khazratkul Khudayberdy**

Amnesty International is calling for the immediate and unconditional release of Babur Shakirov and Khazratkul Khudayberdy from prison. Amnesty International called similarly for the release of Otanazar Aripov and Olim Karimov. The organization continues to point out to the Uzbek authorities that if Otanazar Aripov and Olim Karimov are imprisoned again they will again be considered prisoners of conscience, and that similarly if Shukhrat Ismatullayev, Mukhammad Solikh, Abdulaziz Makhmudov and Salavat Umurzakov are imprisoned they too will be considered prisoners of conscience.

Babur Shakirov had previously been a prisoner of conscience under the Soviet government, having been imprisoned between 1970 and 1980 for treason and anti-Soviet agitation and propaganda: the former charge related to an illegal attempt to leave the USSR, and the latter to nationalist activities. He had been adopted as a prisoner of conscience by Amnesty International when his case had come to the organization's attention in 1975.

### **Prosecutions for slandering the President: Abdumannob Pulatov and Vasiliya Inayatova**

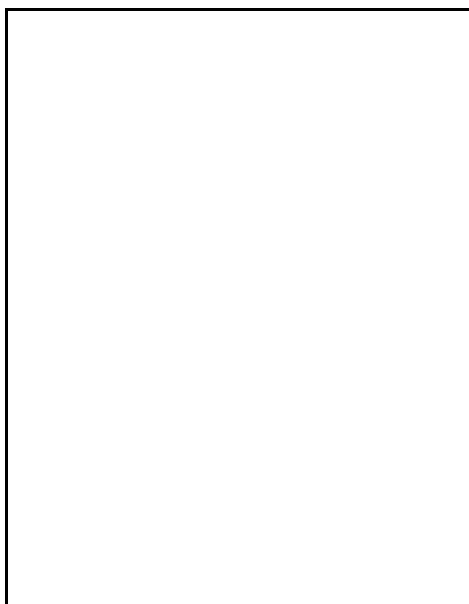
Abdumannob Pulatov, a *Birlik* activist, chairman of the Human Rights Society of Uzbekistan and brother of *Birlik* leader Abdurakhim Pulatov, was abducted on 8 December 1992 in Bishkek, Kyrgyzstan, by members of the Uzbek security services immediately after participating in the concluding press conference of an international conference in Bishkek on human rights in the Central Asia countries. He and two other conference delegates from Uzbekistan, Uktam Bekhmukhamedov and Takhir Bakayev, were taken by force from a street in the centre of

Bishkek and bundled into a van, apparently with the approval of the Kyrgyz authorities. Fearing prosecution because of his criticism of the government, Abdumannob Pulatov had lived for several months in exile in Moscow before his arrest in Bishkek.

They were taken to Tashkent, where Abdumannob Pulatov was charged with "infringement upon the honour and dignity of the President" (Article 191-4 part 2 of the criminal code). He was accused of having distributed to student demonstrators in Tashkent in January 1992 posters bearing a photograph of President Karimov and the slogan "Here is a beast who

eats his own children", and of having subsequently published a photograph of the demonstrators in the *Birlik* newspaper *Mustakil Haftalik* (Independent Weekly), which is published in Moscow and distributed clandestinely in Uzbekistan. He was initially detained in an investigation-isolation prison in Tashkent before being transferred to a prison in the town of Khavast, some 150 kilometres from Tashkent.

Abdumannob Pulatov's lawyer, Khamid Zaynutdinov, complained of numerous procedural violations during the period of pre-trial detention. For the first 12 days of his detention Abdumannob Pulatov was held incommunicado, his family and lawyers being unaware of his whereabouts. A lawyer from St Petersburg in Russia, Yury Shmidt, was initially refused permission to represent Abdumannob Pulatov, permission finally being given only on the opening day of Abdumannob Pulatov's trial. Furthermore, in a written protest to the



! Abdumannob Pulatov

Tashkent City Procurator and the Procurator General of Uzbekistan, Khamid Zaynutdinov complained that an official involved in prosecuting the case had threatened him that if he "made a special effort" with the defence he would not be safe from "possible provocations", such as having drugs found on him, or his telephone tapped.

Abdumannob Pulatov was put on trial in the Supreme Court on 20 January 1993, and on 28 January was convicted and sentenced to three years' imprisonment, but he was immediately amnestied under the terms of a presidential amnesty dating from August 1992 and released. Abdumannob Pulatov himself attributed this outcome to international lobbying for his release.

Poet and *Birlik* activist Vasiliya Inayatova went on trial in the Tashkent City Court on 8 February 1993 also charged under Article 191-4 of the Criminal Code. The charge related to a poem entitled "Last letter to the President", published in September 1992 in *Mustakil Haftalik*, in which she had written about an unnamed leader who used guns against students. The mother of three young children, she was found guilty on 26 February and sentenced to two

years in a corrective labour colony, but was immediately amnestied under the same conditions as Abdumannob Pulatov.

Amnesty International called for Abdumannob Pulatov's immediate and unconditional release. The organization also stated its belief that Article 191-4 of the Criminal Code of the Republic of Uzbekistan places unwarranted restrictions on the right to freedom of expression, and may be invoked to punish people for their peaceful political opposition to the authorities. Vasiliya Inayatova was not held in pre-trial detention, but immediately before the start of her trial Amnesty International wrote to President Karimov restating the organization's objections to Article 191-4, and noting that if convicted and imprisoned Vasiliya Inayatova would be regarded as a prisoner of conscience.

### **"Administrative arrest" and short-term police custody**

Amnesty International continues to receive reports that people in Uzbekistan who have sought to exercise non-violently their rights to freedom of expression and association have been placed under "administrative arrest", which can be imposed by a single judge for up to 15 days without a trial or right of appeal. In April 1992, for example, Yusuf Narov, a member of *Erk*, was placed under "administrative arrest" for five days for taking part in an unsanctioned demonstration in Kashkadarya region, southern Uzbekistan. In July 1992 Mikhail Ardzinov served 10 days' "administrative arrest" in connection with his activities as deputy chairman of the Human Rights Society of Uzbekistan.

Following his abduction with Abdumannob Pulatov from Bishkek in December 1992, Uktam Bekhmukhamedov, an activist for Tadjik minority rights, was questioned by police in Tashkent and in his home city of Samarkand. After he refused to make a statement about what had taken place at the Bishkek human rights conference, he was charged with having, at an earlier date, insulted a police officer, and was sentenced to 10 days' "administrative arrest". Uktam Bekhmukhamedov claimed that the charge and statements by witnesses supporting it were fabricated. The third man abducted from Bishkek, *Birlik* regional organizer Takhir Bakayev, was released in his home city of Bukhara after questioning.

Increasingly, the authorities have used the taking of opposition activists into police custody for questioning as a means of preventing them from exercising their fundamental human rights to freedom of association. Before the start of the human rights conference in Bishkek in December 1992, for example, at least six opposition activists were taken into police custody in Uzbekistan to prevent them travelling to Bishkek. They included *Birlik* co-chairman Shukhrat Ismatullayev and *Birlik* activists Abdurashid Sharipov, Ibrokhim Buriyev and Makhmud Inakov. Uzbek delegates returning from the conference were held for questioning by police. On 20-21 April 1993 several opposition and human rights activists were taken into police custody to prevent them attending a scheduled meeting with a CSCE delegation, and again on 28-29 April 1993 at least seven opposition and human rights activists, including Shukhrat Ismatullayev and Vasiliya Inayatova, were arrested and held briefly in police custody followed by house arrest to

prevent them attending a conference on democracy and inter-ethnic relations in Almaty (formerly Alma-Ata), Kazakhstan.

### **Probable prisoners of conscience**

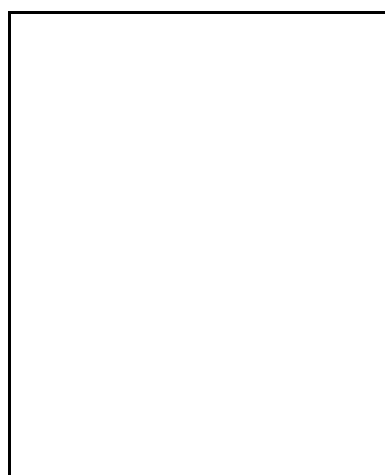
Amnesty International is investigating two recent cases in Uzbekistan because of allegations that criminal charges were fabricated against the defendants to punish them for their peaceful political activities in opposition to the government. The cases involve Pulat Akhunov of *Birlik* and Inamzhan Tursunov of *Erk*, both of whom have been sentenced to terms of imprisonment under Article 204 of the criminal code for "malicious hooliganism". Amnesty International believes that Pulat Akhunov and Inamzhan Tursunov may be prisoners of conscience, and is calling for the cases against them to be reviewed.

#### **Pulat Akhunov**

Pulatzhon (Pulat) Akhunov, a deputy chairman of *Birlik* and a former deputy to the USSR Supreme Soviet, was arrested on 29 July 1992 in Shakhrikhan, Andizhan region, eastern Uzbekistan. He went on trial on 30 November in Andizhan Regional Court charged with malicious hooliganism, and on 15 December Pulat Akhunov was found guilty and sentenced to 18 months in a "reinforced regime" corrective labour camp. (There are four kinds of labour camp in the former Soviet penal system, which increase in severity: "ordinary", "reinforced", "strict" and "special".) Pulat Akhunov was born in 1962, and is by profession a teacher of biology.

Amnesty International is concerned about allegations that the case against Pulat Akhunov was fabricated for political reasons connected with his membership of the now defunct USSR Supreme Soviet, to which he had been elected in 1989. Following the failed coup in Moscow in August 1991, Pulat Akhunov became a member of a special Supreme Soviet commission investigating the coup, but the work of this commission was never completed because the Supreme Soviet was abolished upon the dissolution of the USSR at the end of 1991. Unofficial sources have alleged that as a member of the commission Pulat Akhunov had access to confidential documents which linked Uzbekistan's President Karimov to the coup plotters. Those sources claim that Pulat Akhunov's prosecution on criminal charges is an attempt by the authorities to prevent him speaking publicly about this.

The authorities' pursuit of Pulat Akhunov began with the imposition on 25 June 1992 of a 10-day term of "administrative arrest" for "petty hooliganism". This related to remarks he made to police officers after they stopped a



**! Pulat Akhunov**

car he was driving without a licence. At the time Pulat Akhunov was returning from the neighbouring Namangan region where representatives of *Birlik*, *Erk* and other groups had attempted to hold a meeting. On 5 July, hours before this term of "administrative arrest" expired, Pulat Akhunov was accused of insulting a fellow prisoner, and when he refused to answer the charge before a judge he was sentenced to a second 10-day term of "administrative arrest" for contempt of court.

On the afternoon of 28 July Pulat Akhunov was summoned to an interview at the police station in Shakhrikhan, and was taken there in a police car. After being kept waiting for almost an hour, however, he was told that he could go home because the officer who wished to speak to him was unavailable. The assistant desk officer refused to arrange for a car to take Pulat Akhunov home, so he walked. Later that evening police officers called at Pulat Akhunov's house and again took him to the police station, and in the early hours of 29 July he was charged with having assaulted a man named Zakir Akhmonaliyev. This assault was alleged to have taken place on a street in the centre of Shakhrikhan at around the time when Pulat Akhunov was walking through the town centre on his way home from his earlier visit to the police station.

Unofficial sources have reported that Zakir Akhmonaliyev, who testified that Pulat Akhunov had attacked him without provocation, had a recent criminal conviction for eight offences including rape, robbery and theft of public and state property, and had been sentenced to five years in prison. It remains unclear why he was at liberty when the alleged assault on him by Pulat Akhunov took place. According to unofficial accounts of the trial, not one witness could testify to having seen Pulat Akhunov assault Zakir Akhmonaliyev, and residents of the street where the incident allegedly took place testified that no such assault had even taken place there. Sources have also pointed to inconsistencies in Akhmonaliyev's statements to police, and have alleged that a torn and bloodstained shirt said to belong to Akhmonaliyev and presented as physical evidence in court was a fabrication: it is claimed that witnesses who saw Akhmonaliyev arriving at the hospital where he had been taken for a medical examination immediately after he had reported the alleged assault to police saw no blood on his clothing.

Following his conviction Pulat Akhunov was detained in a prison in Andizhan pending the outcome of an appeal. On 6 February 1993, as a result of a search of his belongings in connection with his transfer to a prison annex, Pulat Akhunov was accused of illegal possession of 15 grammes of *anasha* (a narcotic substance) and 10 packs of syringes containing a two per cent solution of the drug promidol. On 10 February the Andizhan city procurator charged Pulat Akhunov under Article 216 part 1 of the criminal code ("illegally making, keeping or selling narcotic substances"), and also Article 194 part 2 ("inflicting light bodily injury on an official performing their duty"). The latter charge is reportedly based on the accusation that on 6 February, after being accused of possessing narcotics, Pulat Akhunov had kicked and punched a prison guard with the aim of escaping from the prison.

Pulat Akhunov has refused to answer either of the new charges against him, claiming that they have been fabricated. He is due to go on trial in Andizhan at the end of May. If convicted, he could face a maximum additional sentence of 10 years under Article 216, and three years under Article 194.

### **Inamzhan Tursunov**

Inamzhan Tursunov, a writer and playwright in his late thirties who is chairman of the regional organization of *Erk* in Fergana region, eastern Uzbekistan, was sentenced on 20 February 1993 by the Fergana City Court to two years in a labour camp under Article 204. A former deputy to the Uzbekistan Supreme Soviet, he was reportedly stripped of his deputy's mandate in December 1992, apparently in connection with his arrest on the hooliganism charge. The charge reportedly relates to an incident which took place at least eight months before his arrest: a version of events given to Amnesty International by an unofficial source in Uzbekistan is that while visiting Tashkent for a Supreme Soviet session, Inamzhan Tursunov was approached in the foyer of the hotel "Uzbekistan" by a police officer, who asked him if he was Tursunov. Upon confirming this, Inamzhan Tursunov was assaulted by the policeman without provocation. For this Inamzhan Tursunov was charged many months later with "malicious hooliganism".

Amnesty International is calling on the Procurator General of Uzbekistan to initiate a review of the case against Pulat Akhunov by way of judicial supervision. Similarly, Amnesty International is calling on the procurator of Fergana region and the chairman of the Fergana Regional Court to initiate a review of the case against Inamzhan Tursunov. Reviews by way of judicial supervision are made by a higher court if a protest against a verdict or sentence passed by a lower court of first instance is brought formally by a senior procurator or a higher court chairman.

### ***"Disappearance"***

#### **Abdullo Utayev**

Abdullo Utayev, leader of the unregistered Islamic Renaissance Party, was arrested at or near his home in Tashkent on or around 6 December 1992, and was taken away by six men carrying automatic weapons who are believed to have been government agents. It is not known where he is being detained, and it has been reported that his family have had no news of him since his arrest. Supporters of Abdullo Utayev are reported to have sought information about him at every prison in Uzbekistan, without success, and both the Interior Ministry and National Security Committee deny holding him. Abdullo Utayev is 48 years old, and is married with five children. Before his disappearance he worked as a religious teacher in Tashkent.

Amnesty International is calling on the Uzbek authorities to clarify the whereabouts and legal status of Abdullo Utayev, and the agency responsible for his detention, and to release him immediately if he is not to be charged with a recognizably criminal offence before an independent court of law.

### ***Assaults on opposition activists and independent journalists***

On 5 May 1993 Shukhrat Ismatullayev, the *Birlik* co-chairman, was seriously assaulted in a Tashkent street by unknown assailants. His three attackers hit him with iron bars, fracturing his skull and causing bruising to his face, neck and shoulders.

At least seven similar incidents of assault on *Birlik* activists and independent journalists have come to the attention of Amnesty International since January 1992. In June 1992 for instance, *Birlik* chairman Abdurakhim Pulatov needed emergency hospital treatment for skull fractures after four men attacked him and *Birlik* presidium member Miralim Odilov with metal bars as they left an interview at a police station in Tashkent. It was alleged that Tashkent's Deputy Chief of Police and the Deputy City Procurator witnessed this attack but did not intervene to stop it. Miralim Odilov had already suffered two similar attacks within the previous five weeks.

In addition to these physical assaults on opposition activists and journalists, on at least two occasions in 1992 the homes of prominent opposition activists have been damaged in suspicious circumstances. On the night of 29 August an explosive device blew in the front door and started a fire at the Tashkent apartment of Mikhail Ardzinov, deputy chairman of the Human Rights Society of Uzbekistan. Two nights previously an identical attack had taken place on an apartment with the same number as Mikhail Ardzinov's in an adjacent apartment house, occupied by an elderly couple of Crimean Tatar nationality. Following the attack on his home, Mikhail Ardzinov confronted an officer of the Interior Ministry about this and the earlier attack. In reply, the officer reportedly complained that the attack on the home of his neighbours had happened because Mikhail Ardzinov had "given the wrong address" during an earlier interrogation by police.

In early September 1992 the house in Tashkent of Anvar Usmanov, a journalist and *Birlik* activist, was badly damaged by fire. The house was empty at the time, Anvar Usmanov having left Uzbekistan in mid-1992 to escape harassment by the authorities and the threat of prosecution for the same offence as Abdumannob Pulatov. In October 1989 Anvar Usmanov had spent 10 days in "administrative arrest" for organizing an unsanctioned meeting, and in August 1991 he had again been held in detention briefly, after being charged under Article 64 of the criminal code (inciting racial hatred), a charge which was later dropped. In connection with his arrest in 1991 Amnesty International regarded Anvar Usmanov as a probable prisoner of conscience on the basis of allegations that the charge against him had been fabricated to punish him for providing information to the US-financed Radio Liberty, based in Munich, Germany, about demonstrations against retail price rises in Kashkadarya region, southern Uzbekistan, at the end of April 1991.

In July 1992 Amnesty International wrote to the Government of Uzbekistan expressing concern that reportedly the authorities had made little effort to identify the attackers of Abdurakhim Pulatov and Miralim Odilov, and those responsible for earlier such incidents. The organization called on the authorities to ensure that the incidents were fully investigated and every effort made to identify the persons responsible and bring them to justice.

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## **Amnesty International's recommendations to the Government of Uzbekistan**

### ***1. Respect for human rights law***

The Republic of Uzbekistan is bound by international human rights standards, including the International Covenant on Civil and Political Rights (ICCPR) and the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment, by virtue of its status as a successor state of the former USSR. However, Amnesty International calls upon the Government of Uzbekistan to reaffirm explicitly that it is a party to individual United Nations' standards on human rights, including the ICCPR and the Convention against Torture.

Amnesty International calls upon the Government of Uzbekistan to respect the detailed CSCE human rights commitments, which it has voluntarily and expressly agreed to implement.

### ***2. Unconditional release of prisoners of conscience***

The Government of Uzbekistan should release immediately and unconditionally all prisoners of conscience mentioned in this report. The organization believes that these people are detained solely for the non-violent exercise of their fundamental human rights.

### ***3. Free exercise of the rights to freedom of expression, opinion and association***

The Government of Uzbekistan must stop harassment of political opposition figures for exercising their rights to freedom of expression, opinion and association. This harassment includes the use of "administrative arrest" and short-term police custody as a means of intimidation or to prevent activists from participating in political activities, and the bringing of fabricated criminal charges.

### ***4. Repeal of legislation protecting the honour and dignity of the President***

Amnesty International calls on authorities in Uzbekistan to repeal Article 191-4 of the criminal code. The organization is concerned that this article places unwarranted restrictions on the right to freedom of expression, and is being invoked to punish people for their political opposition to the authorities. Amnesty International recognizes that elected officials including the President may wish to seek legal redress for written or oral statements which they consider to be defamatory. Amnesty International believes, however, that it is sufficient that elected officials already enjoy this right under the legal provisions which protect all residents of the Republic of Uzbekistan from defamation.

### **5. Investigation and prevention of "disappearances"**

(i) The government should ensure that prisoners are held only in publicly recognized places of detention. Up-to-date registers of all prisoners should be maintained in every place of detention and centrally. The information in these registers should be made available to relatives, lawyers, judges, official bodies trying to trace people who have been detained, and others with a legitimate interest. No one should be secretly detained.

(ii) The government should issue clear public instructions to all law enforcement officials to indicate that "disappearance" of prisoners or any other person is unlawful and will be punished.

(iii) The government should conduct a full and independent investigation into individual "disappearances"; make the findings public; and bring those responsible to justice.

### **6. Investigation and prevention of assault on opposition figures**

The government should conduct a full and independent investigation into cases of assault on opposition figures and independent journalists, and bring those responsible to justice.

### **7. Independence of the procurator's office**

The Government of Uzbekistan should ensure that procurators are independent and impartial in their activities, and that the procuracy is free from political control.