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UZBEKISTAN: Joint Appeal to the OSCE Participating States to Invoke the Moscow Mechanism with Respect to the Andijan events

The undersigned organizations hereby appeal to the OSCE participating States to invoke the Moscow Mechanism with respect to the May 2005 events in Andijan, Uzbekistan. These events, and their aftermath, constitute a serious threat to the OSCE human dimension process and require a resolute response by the OSCE community.

On 13 May 2005, hundreds of people, many of whom were unarmed civilians, died when Uzbek security forces fired indiscriminately on demonstrators who had gathered in the city of Andijan in eastern Uzbekistan to voice their grievances about repressive government policies and widespread poverty. The shootings apparently formed part of a law enforcement operation to capture a group of armed people who had stormed government buildings, initiated a prison break out, killed officials and taken hostages in the city. However, while the Uzbek government clearly had a right and an obligation to pursue the perpetrators of those crimes, this aim did not justify the excessive and disproportionate use of force by the security forces.

The Uzbek government has denied any wrongdoing with regard to the Andijan events and has, to date, failed to take any effective measures to investigate the violence and to hold accountable those responsible for the killings of civilians. Reports indicate that the Parliamentary Commission of Inquiry established in May 2005 is too closely affiliated with the executive and is not in fact carrying out its own investigation, but rather is reviewing the findings presented by the Prosecutor General. The government has consistently rejected calls for an independent, international investigation into the events, while cracking down on those challenging the official version of the events. In past months, eyewitnesses, relatives of persons who fled to Kyrgyzstan, human rights defenders, political activists and independent journalists have been intimidated, placed under surveillance, beaten, detained, and arrested on spurious charges. Authorities have also tried to discredit and mobilize public sentiment against civil society activists who are involved in efforts to reveal the truth about the May events, including by orchestrating shows of "public outrage."

The undersigned organizations recall the agreement of OSCE participating States to consider commitments undertaken in the field of the OSCE human dimension as matters of "direct and legitimate concern to all participating States" rather than as matters belonging "exclusively to the internal affairs of the State concerned."¹ The OSCE participating States have also acknowledged that they are "responsible to each other for their implementation of their OSCE commitments."²

We urge the OSCE participating States, in accordance with the spirit of these provisions and as a

matter of urgency, to initiate a mission of international experts to examine the May events in Andijan, as well as related subsequent developments, in an impartial and comprehensive manner. Invoking the Moscow

Mechanism would attest to the commitment of the OSCE participating States to human rights protection in Uzbekistan and demonstrate their resolve to ensure that the Uzbek government lives up to its OSCE commitments. It is, however, essential that the Moscow Mechanism is not used as a substitute, but as a *complement* to the independent, international investigation into the Andijan events that has been called for by the UN High Commissioner for Human Rights.

Undersigned organizations:

Amnesty International

International Federation for Human Rights (FIDH)

International Helsinki Federation for Human Rights (IHF)

International League for Human Rights (ILHR)

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¹ *Document of the Moscow Meeting of the Conference on the Human Dimension of the CSCE*, 3 October 1991, Preamble, par. 9.

² *OSCE Charter for European Security*, adopted in Istanbul 1999, par. 7.