



The International Foundation for the Protection of Human Rights Defenders

**Complaint to the Special Representative of the Secretary General on Human Rights
Defenders, Ms. Hina Jilani**

Submission by:

Abdujalil Boymatov, Deputy Chair of the Human Rights Society of Uzbekistan (HRSU)

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Abdujalil Boymatov: b_abdujalil@yahoo.com

81 Main Street, Co. Blackrock Co DUBLIN, IRELAND

TELEPHONE: +353 1 212 3750 FAX: +353 1 212 1001

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This submission provides a background on the human rights situation in Uzbekistan with a particular focus on the situation in the aftermath of the Andijan massacre of May 2005. More specifically it details cases of persecution faced by individual members of the Human Rights Society of Uzbekistan (HRSU) and other human rights defenders working to promote and protect human rights in Uzbekistan.

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1. Introduction

The Uzbek President, Islam Karimov heads one of the most oppressive regimes in Central Asia. There are no independent political parties legally registered or independent trade unions in Uzbekistan. Human rights defenders, opposition party activists, journalists and dissenting citizens are regularly targeted by the authorities and prevented from exercising their rights to freedom of expression, association and assembly.

There was a severe crackdown by the authorities on all independent voices in Uzbekistan in the aftermath of the Andijan massacre. The situation has worsened considerably for those who seek to speak out about the

Andijan events and highlight the lack of accountability for the crimes committed. Many human rights defenders have been forced to flee Uzbekistan in fear for their personal security and that of their families. Those that have remained are regularly threatened, arrested, beaten, tortured and imprisoned as part of a targeted campaign by the authorities aimed at silencing their criticisms of the Uzbek government in relation to human rights violations. The government does not stop at harassing human rights defenders themselves, but also targets their families. One of the most worrying and shocking tactics employed by the authorities is the use of anti psychotic medication to force human rights defenders to remain silent. This tactic was used during the Soviet times to prevent dissidents from speaking out and recent reports from Uzbekistan indicate that it is increasingly been used as a tool of persecution.

The Uzbek authorities increasingly use criminal proceedings to suppress and punish human rights defenders. One of the more recent strategies employed to harass human rights defenders is using Government controlled organizations to bring legal cases against human rights defenders with fabricated charges of insulting the dignity and respect of specific individuals.

The authorities have shut down hundreds of non-governmental organizations (NGOs) throughout the country. It is proving almost impossible to register independent non-governmental organizations. The case of the human rights society of Uzbekistan is illustrative of the difficulty of registering an NGO in Uzbekistan. It has applied to the Ministry of Justice for registration six times and each time it has been refused registration. The dates that registration has been sought are:

1 st	March 1992
2 nd	Later in 1992
3 rd	October 1996
4 th	April 1997
5 th	November 2001
6 th	November 2003

In December 2005, the Senate approved an amendment to the Criminal Code on Administrative Liability. The amendment creates a number of new regulatory measures for NGOs and increases the power that the authorities will have to penalize NGOs. Amongst these new provisions are that NGOs can be penalized for the use of unregistered logo, for conducting events without the consent of the registering body, for failing to provide reports of their activities to the registering body or for failure to provide reports in a “timely manner

According to information provided by the organisations, ‘Freedom House’ and ‘Democracy and Justice’, from 1996-2004, the Ministry of Justice of Uzbekistan refused registration to 15 human rights organisations in addition to the Human Rights Society of Uzbekistan. Below is a list of some of those organisations refused registration.

1. Iskander Khudaibergenov
Centre of Democratic Initiatives
2. Tamara Chikunova’s

Mothers against the Death Penalty and Torture

3.

Atanazar Arifov's society

Mazlum (The Oppressed)

4.

Akhtam Shakhimardanov's

Centre for social justice monitoring, Tashkent region

5.

Khaitbai Yakubov's Independent organisation (Nazhot), Khorezm region

6.

Komil Gafurov's human rights organisation 'Nurafshon', Samarkand region

7.

Komil Ashurov's Samarkand

Centre of democratic initiatives

8.

Pollina Braunberg's

Committee for legal aid for prisoners, Tashkent region

9.

Ismolil Dadajanov's Uzbekistan Democratic Forces Forum

10.

Centre for voters initiatives, Karshi region

11.

Society for the Protection of Rights and Freedoms of the Citizen of Uzbekistan (SPRFCU)

12.

Bobomurad Abdullaev's Ozod Fukaro

Free Citizen

According to a survey of organisations that have been able to register the process of registration takes at least a year and a half. Representatives of the Ministry of Justice and its sub-sections break the terms laid down by the law in relation to processing of applications and make groundless demands when it comes to registration papers. And when corrections have been made they point out new, non-existent errors. In certain cases applicants were told openly: 'We're not going to register human rights organisations.'

2. The Uzbekistan Human Rights Society

The Human Rights Society of Uzbekistan (HRSU) was the first human rights group to be founded in post-Soviet Uzbekistan. It has over 600 members. There are branches in 11 regions of Uzbekistan and in the autonomous republic of Karakalpakstan, 10 districts branches and two cities and three town branches. The Navoi region is the only region that does not have a branch.

Since its inception, 25 HRSU members have been unlawfully convicted and served, or still serve, prison terms. In July 2001, the head of the HRSU Kashkadarya regional branch and a former parliament deputy, Shavrik Ruzumurov was brutally tortured and died in the dungeons of the Ministry of the Interior.

3. Andijan

On 13 May 2005, Uzbek government forces killed hundreds of unarmed protesters as they fled a demonstration in Andijan, in eastern Uzbekistan. Estimates of the casualties range from a government figure of 169 dead to as many as 745 claimed by opposition political parties. The HRSU estimates thousands were massacred and the thousands of persons who witnessed this bloody massacre will confirm this number. The HRSU believes there can be no significant progress on human rights in Uzbekistan until there is an independent inquiry into the killings and those responsible are brought to justice. The Uzbek government has adamantly rejected numerous and repeated calls for an independent international inquiry into the Andijan massacre. To this day the circumstances surrounding it have not been clarified, and those responsible for the killings have not been held accountable.

4. Persecution of members of the human rights society of Uzbekistan in the aftermath of Andijan

The extent of the Uzbek authorities disregard for international pressure is aptly reflected in its actions in the days preceding the European Unions (EU) review of sanctions against Uzbekistan. On 14 August 2006, 15 human rights defenders were summoned to the Mirzo-Ulugbek inter-regional civil court accused of being members of unregistered organisations and legal action was taken against the Chairperson of the Uzbekistan Human Rights Society, Tolib Yakubov and the Deputy Chair Abdujalil Boymatov in the form of a fine of 10,000,000 sum (approx \$8400) and the other 13 human rights defenders were faced with fines of 500, 000 Som (approx \$420).

The European Council Meeting on 13 November agreed to extend sanctions against the Uzbek Government on human rights grounds. In the immediate aftermath of the European Council 13 November meeting, five Uzbek human rights defenders were charged with belonging to un-registered organizations. These defenders are: Lydia Volkobrun (a member of Society for the Protection of Rights and Freedoms of the Citizen of Uzbekistan, SPRFCU), Yuri Konoplev (co-chairman, SPRFCU), Abdujalil Boymatov (Deputy Chair of the Human Rights Society of Uzbekistan HRSU), Elena Urlaeva (co-chairperson, SPRFCU) and Kunduz Nishanova (member of SPRFCU). Olga Krasnova and Konstantin Stepanov of the Government controlled Committee for Social Monitoring is bringing the charges against them.

On 3 January 2007, a judge of Mirzo-Ulugbek Court for civil cases in Tashkent, ignored all evidence presented by the defendants lawyers and found the human rights defenders, Talib Yakubov, Abdujalil Boymatov, Lidiya Volkobrun, Yurii Konoplev, Ol'ga Barysheva, Kunduz Nishanova, Nina Gorlova guilty in the action about defence of honour and dignity. They were fined 12,000 sum (\$10).

Following the events in Andijan members of Uzbekistan Human Rights Society arrested included:

1. Nurmukhammad Azizov, chair of the Andijan regional branch of the Uzbekistan Human Rights Society, arrested 2nd June 2005. On 12 Jan 2006, a court in the town of Tuitepa, Urta Chirchik district, Tashkent region, gave him a three-year suspended sentence.

2. Norboi Kholzhigitov, chair of the Ishtikhan district branch of the Uzbekistan Human Rights Society, arrested 4th June 2005, sentenced on 18th Oct to 10 years' imprisonment by the Samarkand district criminal court.
3. Khayatulla Kholzhigitov, member of the Ishtikhan district branch of the Uzbekistan Human Rights Society, son of Norboi Kholzhigitov, sentenced to 5 years, so he would not write in defence of his father.
4. Sattor Izraev, member of the Ishtikhan district branch of the Uzbekistan Human Rights Society, arrested 4th June 2005, sentenced by the Samarkand district criminal court on 18th October to 6 years.
5. Khabibulla Akpulatov, member of the Ishtikhan regional branch of the Uzbekistan Human Rights Society arrested 4th June 2005, sentenced by the Samarkand district criminal court to 6 years on 18th October.
6. Nasim Isakov, member of the Jizak regional branch of the Uzbekistan Human Rights Society (city of Jizak), arrested 27October 2005 for 'slander', got 8 years.
7. Nosir Zokirov (Nosir Zokir), member of the Uzbekistan Human Rights Society (city of Namangan), correspondent for the 'Ozodlik' radio station (the Uzbek service of 'Radio Freedom') in the Fergana valley, sentenced to 6 months on 26 August 2005.
8. Azam Formonov, chair of the Cyrdarya regional branch of the Uzbekistan Human Rights Society. Sentenced to nine years imprisonment on 15 June 2006 in the Yangier city court. v He was sent to the concentration camp near Zhaslyk (Republic of Karakalpakstan), the first time a human rights defender was sent to a place where before only persons convicted on religious grounds were detained.
9. Alisher Karamatov, chair of the Mirzaabad district branch of the Uzbekistan Human Rights Society (Syrdarya region). On 15 June 2006 human rights defender got nine years in the Yangier city court.
10. Saidzhakhon Zainobitdinov, former chair of the Andijan branch of the Uzbekistan Human Rights

Society, director of the human rights organisation 'Appeal' (city of Andijan), arrested on 23rd May 2005. Was sentenced to seven years ' imprisonment in Tashkent on 5 January 2006, after what was effectively a secret trial. His current whereabouts are unknown."

11. Elena Mikhailovna Urlaeva, former chair of the Tashkent city branch of the Uzbekistan Human Rights Society, member of the Society for the protection of the rights and freedoms of the citizens of Uzbekistan (city of Tashkent), arrested 27th Aug 2005, placed in a psychiatric hospital. After two months' detention she was released on 27th Oct 2005. She has since been seriously beaten and also detained again.

12. Yadgar Turlibekov, chair of the Kashkadarya regional branch of the Uzbekistan Human Rights Society, arrested 16th June 2006. On 6 October 2006, the Karshi criminal court, presided over by Judge A. Jalilov, sentenced the HRD to three and a half years imprisonment for 'extortion' under article 165 of the Uzbekistan Criminal Code. He was released following a Presidential amnesty announced, on 24 December 2006.

13. Ikhtiyor Khamroev, member of the Human Rights Society of Uzbekistan and son of the Chair of the Jizak regional branch, was sentenced to three years in prison for "hooliganism" on 25 September 2006 because of his father's human rights work and his own human rights activities. A Government organised crowd of angry women assaulted his father, Bakhtiyor Khamroev on August 18 2006 in the presence of British diplomats.

14. Jamshid Karimov, independent journalist, member of the Uzbekistan Human Rights Society, correspondent for the Institute for the Reporting of War and Peace (IWPR, Great Britain) is the son of President Islam Karimov's elder brother Arslan, who died in a car crash 17 years ago. Thirty-nine-year old Jamshid Karimov left his home in Jizzakh on September 12 to visit his mother at the hospital. That was the last time his relatives saw him. On September 25, uznews.net quoted "sources close to Jamshid Karimov's family" as saying the journalist had reportedly been sent to a psychiatric hospital in Samarkand, some 100 kilometers southwest of Jizzakh. Jamshid Karimov is notoriously critical of his uncle and his government, but until recently his blood ties to the Uzbek leader have safeguarded him and his family from trouble.

15. The chairperson of the Human Rights Society of Uzbekistan, Tolib Yakubov, and a member of the secretariat, Abduljalil Boymatov, was both forced to leave Uzbekistan on 30 July 2006 because of

persecution from the Uzbek authorities. Tolib Yakubov's son Olim Yakubov was forced to emigrate to France in February 2006. In 2005, Tulkin Koraev, a member of the Uzbekistan Human Rights Society in the Kashkadarya region and a journalist for the Institute for the reporting of war and peace in Great Britain, was forced to emigrate.

➤ **Case Profile - Ihtiyor Hamroev**

Ihtiyor Hamroev, 21, is a human rights defender of the Djizak region Society of Human Rights in Uzbekistan. He is currently in a prison located in village Chikurgan, Zafarabad district, Djizak region, (former sovhoz #24) On September 25, 2006, Djizak city criminal court sentenced Hamroev to 3 years in prison. He was charged according to Article 227 part 2 «g» (hooliganism). The verdict announced by the judge is much harsher than the one requested by a persecutor.

On December 26, 2006, during lunch time, Hamroev felt sick, symptoms that are usually suffered by ulcer patients. Hamroev asked the guard on duty, Mahmud Otamurodov to call for a doctor. The head of prison Boyir (last name unknown) was informed of Hamroev's health condition.

The next day, on December 27, 2006, Hamroev was handcuffed by the prison guards, and was violently beaten by them. The guards repeatedly kicked him in the stomach, knowing that he has stomach ulcer. They grabbed him by his hair and dragged all over the ground. His general health condition deteriorated, and his stomach ulcer pain is now severe. Hamroev has been transferred to an isolation ward for one day, however, the pain is getting worse. The head of the prison, Boyir, ordered to transport I. Hamroev to Zafarabad district hospital where he was checked by the doctor.

Several times the guards at the prison tried to provoke Hamroev to disciplinary violation. This has been done recently in order to prevent Hamroev getting under the amnesty, which was announced by the senate of Oliy Majlis (parliament) on November 30, 2006, and added to Constitution Day in Uzbekistan. Prison's management is strongly following Article 221 of Criminal Code of the Republic of Uzbekistan. The article mentions that disobedience of administration's lawful requirements is subjected to punishment. Therefore, there is a scripted method of dealing with disobedient activists of the human rights movement of Uzbekistan.



Case Profile - Azam Farmonov and Alisher Karamatov

On 15 June 2006, a court in the city of sentenced human right defenders, Azam Farmonov and Alisher Karamatov from the human rights society of Uzbekistan, in the Syrdar'ya region to nine years' imprisonment each. At the hearings in the Yangier city court, neither their lawyers nor a public attorney were permitted to take part. Farmonov and Karamatov were arrested on 29 April on charges of extortion (article 165 of the Uzbekistan Criminal Code). They were charged with blackmailing two people, and Farmonov was also accused of illegal publishing activity from his home. Presently, according to Ozoda Yakubova (Azam Farmonov's wife), Azam Farmonov is serving out his punishment in a 'famous' prison for 'religious' prisoners, 'vakhabits' and 'Khizb-ut-takhirovs'. According to information received from family members and close relatives of the prisoners, not one prisoner has come back from Jaslyk alive. These charges against Azam Farmonov and Alisher Karamatov are an apt illustration of how the Uzbek authorities use criminal proceedings to suppress and punish human rights defenders.

At the beginning of 2006 the chairperson of the Syrdar'ya region branch of the HRSU, Azam Farmonov, and the chairperson of the Mirzaabad district branch of HRSU, Alisher Karamatov, published human rights bulletins, titled 'The Rights of Invalids' and 'Where does the law 'disappear' to?' and also the article 'Sketches from the life of humbled farmers in Jizak (or the results of monitoring by Syrdar'ya human rights defenders in the Jizak district)'. These bulletins provoked a sizable response among human rights organisations. They were given to a number of embassies of democratic countries. The authorities took revenge against for their activities in promoting human rights.

According to human rights defenders from the HRSU, Farmonov and Karamatov had been the objects of constant external observation from staff of the law machinery for the previous month. On 29 April a large group of staff (approx 30 people) burst into Farmonov's apartment. Farmonov had gone out early on business, and his wife Ozoda Yakubova and their one-and-a-half year old daughter were left in the apartment.

According to Yakubova, the people who burst into the apartment did not show any papers (neither a sanction from the public prosecutor, neither investigator's regulations) for conducting a search in the HRD's apartment. During the assault on the apartment, O. Yakubova, who doctor's say was due to give birth in late-April/early-May, suffered. She was beaten, she fell to the floor in front of the door, losing consciousness, and about five people in shoes walked on her, and having brought the office equipment outside, they walked on her again. On 6 June, the chairman of the HRSU Tolib Yakubov registered as public attorney for both accused. On 7 June 2006, Tolib Yakubov visited Farmonov and Karamatov in the investigation cell (prison) УЯ 64/СИ-13 in the town of Khavast, 10 km from the town of Yangier. For more than a month they were kept in complete isolation – the investigator did not allow any of their relatives to see them. During the investigation K. Mallaev, the senior investigator for especially important matters of the Jizak district public prosecutor, and B. Kodirov, an investigator for the Syrdar'ya branch of the Ministry of Internal Affairs, subjected the HRDs to terrible torture: gas-masks with closed air-vents were put on their heads, they were thrown up in the air and fell on their backs onto the concrete floor, their feet and heels were beaten with truncheons. Karamatov's feet swelled up and he was forced to go barefoot, as his feet would not fit in to his shoes.



Case profile --Saidmurad Kuchkarov

Uznews.net – On 15 December, the representative of the Karshi town section of the Human Rights Society of Uzbekistan (OPChU), Saidmurad Kuchkarov, passed away. The reason given for his death, according to doctors, was a heart problem. However, his wife believes that he was poisoned. He was 64 years of age.

Saidmurad Kuchkarov fell ill on 25th November, his birthday. He had gathered to celebrate with his friends and work colleagues. After the celebration, he lay on his bed, but was urgently hospitalised in the Karshi town hospital, where he lay in a coma for almost ten days before passing away.

A member of the OPChU, Kuchkarov was himself a cardiologist by profession. In 2000, having taken the difficult decision to fight for citizens' rights in the country, he became convinced that the observance of human rights and the rule of law were the sole, stable conditions for the development of society. He deeply believed in the ideals of freedom and democracy.

Saidmurad Kuchkarov was the only deputy among the members of the OPChU. He was victorious in the elections to the Kashkadar'i regional Council of People's Deputies on 26th December 2004, thanks primarily to his differences from other candidates. In his pre-election campaign he spoke of human rights, about how it was necessary to raise the legal knowledge of the population and to have, as much as possible, more training about human rights and the responsibilities of the state institutions towards the people.

But, as was noted by a local journalist after Kuchkarov's death, his programmes were not fulfilled in his lifetime, because the authorities didn't give him the space to realise them. "But Kuchkarov continued his fight against corruption and lawlessness, defended common people against arbitrary rule", remarks the journalist.

According to Ruyav Chorlieva, the widow of the deputy and human rights defender, her late husband didn't manage to complete one important project, the construction of a new hospital in Karshi. He had prepared all

the necessary papers for this project.

In general, as people say, Kuchkarov, being himself a doctor, devoted a lot of attention to issues relating to medicine and the protection of health, as well as the defence of the rights of medical people.

Thus, when, in the summer of this year, the authorities wanted to reclassify Karshi town hospital as a urological centre, and turn the entire staff of the hospital out onto the streets, leaving the patients without medical care, Kuchkarov went to Tashkent and managed to preserve Karshi hospital.

Also, thanks to the efforts of Kuchkarov, the dispensary in the courtyard of Karshi University was turned into a doctor's surgery, which not only caters for the students but also for the people living around the university.

Having become a member of the OPChU, Kuchkarov closely worked on the rights of women. He pointed out that in the year 2000 alone, which the president of Karimovi declared as "Year of the Woman", thirty women died in childbirth.

"This research by Kuchkarov showed the vulnerability of women and the problems of safeguarding the health of mothers", says a Karshi journalist. Kuchkarov's widow remembers how her husband was always watching out for the interests of people. His working day would start at five in the morning and always finished late in the evening or night.

Ruyav Chorieva doesn't believe that her husband, a cardiologist, could suddenly die like that from a heart problem. She suspects that on his birthday, 25th November, he was poisoned, but cannot prove anything.

Saidmurad Kuchkarov was born on 25th November 1942 in Kamashi, the administrative centre of the Kamashi district of the Kashkadar'i region.

He qualified as a cardiologist in 1966 in Samarkand Medical Institute. For the rest of his life he worked as a cardiologist. In the final years of his life, in addition to his work as a doctor, he worked as a human rights defender and a deputy.

Uznews.net



Case Profile - Abdumannov Pulatov

Abdumannov Pulatov, first representative of the HRSU (1992-2001). The first international conference on human rights in the history of Uzbekistan, organised by an American human rights organisation, should have taken place in autumn of 1992. Either the first president of the independent Uzbekistan was not yet ready for democracy or else it, the conference, interfered with his long-term plans which were only known to him. He turned the Americans around at the gate and they held the conference successfully in Bishkek. With great difficulties the Uzbek human rights activists managed to be at the conference: special service agents blocked the airport, railway station and bus stations of Tashkent. Not having achieved the desired result, from Bishkek SNB officials stole Abdumannov Pulatov, who headed the organising committee of the conference and established a court case against him. On 8 December 1992 in Bishkek Abdumannov Pulatov, who was taking part in the work of the international conference “Human Rights and the Fate of the Nation” happening there, was literally kidnapped by agents of the Uzbek secret service and brought to Uzbekistan. He was charged with insulting the honour and worth of the president by means of mass media during student presentations on 16-17 January 1992. In spite of the fact that Pulatov denied this claim, in January 1993 he was sentenced to three years’ imprisonment in a routine colony. However, there in the same court-room he was released under article 2 of the Decree of the President of the Republic of Uzbekistan “On amnesty for the anniversary of the Declaration of Independence of the Republic of Uzbekistan” of 28 August 1992.

From Abdujalil Boimatov: In 1993 Abdumannov Pulatov immigrated to the USA, and got citizenship there in 2001.



Profile Case - Tolib Yakubov

Tolib Yakubov from 1989 to the end of 1991 led an active political activity as a member of the Central committee of “People’s Movement Birlik (Unity)”. He paid for this activity with his job. The authorities of Uzbekistan fired him in 1992 from the Nizami pedagogical institute, where he worked as a teacher of mathematics. From 15-17 May 1994 in Alma-Ata there was an international human rights conference to which three representatives of the HRSU were invited, including T. Yakubov. From 11-12 May all three of the human rights activists were arrested by the police. Fabricated cases of administrative legal infringements were held against them and based on this the court sentenced them to 10 days under arrest. Authorities in Uzbekistan greatly fear the truth. The truth about them, the truth about their political regime. Every presentation of a Uzbek human rights activist in international forums exposes the essence of their policies. This is why they try to suppress the voice of Uzbek human rights activists.

Tolib Yakubov on November 1998 was assaulted in Warsaw, where he was taking part in a human rights meeting sponsored by the OSCE. He was attacked by two unidentified assailants and severely beaten. One of his friends, Andrei Aryupin, who witnessed the incident, said it was obvious the attacks were targeting Yakubov specifically. According to Tolib Yakubov himself, the attack was organized by Uzbek special services. As a result of injuries caused by the assault he was hospitalized in Warsaw for nine days. In 1999, during the aggressive government campaign against human rights defenders that followed the Tashkent bombings, Yakubov was the target of a “hate rally”. Local officials and community members forced him to endure hours of denunciation and insults. Yakubov said later that he had feared for his safety.

Grossly breaking the law, the “Yunusabad Department of Visas and Registration (OviR) under the district division of internal affairs of Tashkent refused to issue Tolib Yakubov with an exit visa. T. Yakubov, as an invitee of an international conference (30-31 January 2004, Bishkek), was to present a report of the OPChU about torture that was occurring in penitentiary institutions of Uzbekistan. This journey was ruined due to the actions of the OviR of the Yunusabad district of Tashkent

This is not the first occasion when the authorities intended to stretch the time so that T. Yakubov couldn’t travel on time to international meetings on human rights. This is what happened in 1999 when he was invited to Vienna to a conference on Human Rights about the policies of the OSCE, which took place from 20 September to 1 October. On various pretexts then too the OViR of Yunusabad district kept T. Yakubov’s passport until 29 September.

On November 20, 2004, Mr. Tolib Yakubov and his wife, Mrs. Tursunoi Yakubova sent a letter to the Regional Prosecutor of Djizak and to the General Prosecutor of Uzbekistan, informing them that he would organize a picket on November 29, 2004, in front of the regional administration (Hokimiat) building in order

to protest against impunity of violation perpetrated by the police and law enforcement bodies, as well as against the arbitrariness of some legal procedures opened by the prosecutor's office. On November 28 and 29, 2004 members of the Hokimiat tried to talk off Mr. and Mrs. Yakubov from organizing the picket. However, Mr. Yakubov refused and on November 29, 2004, as they were heading to the Hokimiat building, their car was stopped near their house by a police officer who forced them out of the car and interrogated them. Approximately 250 meters away from the Hokimiat building, two other men, looking like militiamen, attacked them. Mr. Yakubov was kicked very violently on his feet and on his chest. Mr. Yakubov later went to the hospital where the doctors found he had bruises on his chest. In the evening of November 29, 2004, their house was put under surveillance by a group of militiamen. A similar picket, organized by the HRSU in Djizak, on October 15, 2004, was violently repressed. 25 to 30 demonstrators, including members of the HRSU, had gathered in front of the Hokimiat to protest against farmers, perpetrated by law enforcement bodies. Some of them were beaten and arrested.

More recently, on 15 June 2005, Yakubov was part of a delegation from the International Helsinki Federation that conducted an investigation of the crackdown on human rights defenders following the 13 May 2005 massacre in Andijan. The team visited the home of a human rights defender detained on charges related to the Andijan events. When they left, police stopped them, claiming they needed to question the group's driver about a car accident that had supposedly taken place earlier that day. The driver had not in fact been involved in or witnessed an accident. The officers did not lodge any charges, but ordered the team to leave the area and forced them to return to Tashkent.

T. Yakubov was invited to the annual session of the Council of Directors of the European bank of Reconstruction and Development (EBRD), which took place in London from 21-22 May 2006. At it, the question of human rights after the infamous Andijan events of 13-14 May 2005 was discussed. The authorities of Uzbekistan, seemingly, didn't really want T. Yakubov to go to London. In the usual flagrant breaking of the law, the "Yunucabad Department for Visa and Registration" (OviR) under the regional division of internal affairs of Tashkent once again refused to issue Talib Yakubov with an Uzbekistan exit visa.



Case Profile - Abduljalil Boymatov

On December 1988 Abduljalil Boymatov became a member of the people's movement "Birlik". In 1989, he

was elected the representative of the youth organisation “Birlik” in the Institute of Nuclear Physics at the Academy of Sciences of Uzbekistan. Towards the end of 1990, the presidium of the Uzbekistan Academy of Sciences sent a letter to the director of the Institute Nuclear Physics, Yuldashev Bekhzod Sadikovich saying that Abdusalil Boimatov is to be fired due to oppositional activity towards the authorities of Uzbekistan. Prior to Uzbekistan obtaining independence he carried out an active “Birlik” propaganda campaign among my colleagues and among the people living in his area. He actively took part in rallies, demanding state status for the Uzbek language, openness in society from the Uzbek authorities and, of course, state independence from the Soviet Union. In the Institute of Nuclear Physics “The People’s Movement of Birlik” (Union) had a strong organizational structure. This saved Abdusalil Boimatov from being fired

Between 1989 and 1991 the Uzbek authorities targeted him for his participation in demonstrations. This included five cases in the administrative court where he was warned and fined.

Abdusalil Boimatov was targeted by the Uzbek authorities for his participation in demonstrations from 1989 –1991. This included five cases in the administrative court where he was warned and fined. After Uzbekistan gained independence, Abdusalil Boimatov was involved in private enterprise until 2000. In 1992, he became a member of the Human Rights Society of Uzbekistan (HRSU). In October 2003 his colleagues, recognizing his organizational and intellectual abilities and his courage, elected him to the secretariat of the HRSU.

From 2003-2005 he was one of the active organizers of pickets held in Tashkent. Abdusalil Boimatov was ‘honoured’ by the Uzbek authorities for his active human rights work by been beaten up on three separate occasions:

1. On 12 August 2003, at the offices of the President of the Republic of Uzbekistan during a picket.
2. On 14 June 2004, at the Intercontinental hotel before a picket.
3. On 9 February 2005, at the Tashkent City Hallen, approximately ten unknown women beat him publicly for half an hour.

He was brought to the administrative court three times:

1. On 16 October 2003, for organizing and participating in a picket at the Office of the Public Prosecutor of Uzbekistan. This was in the criminal court of the Mirzo-Ulugbekskii district of Tashkent.
2. On 14 June 2004, for organizing and participating in a picket at the ‘Intercontinental’ hotel on the occasion of a summit of the SCO (Shanghai Cooperation Organisation). He was brought to the administrative court in the Khamza criminal court in Tashkent.
3. On 3 May 2005, when Abdusalil Boimatov was fifty metres away from his home, walking to the bus stop, a man bumped into him and began shouting at him. Three staff of the Criminal Investigation

Department of the Khamza Department of Internal Affairs appeared immediately and took him away to their headquarters. They tried him on fabricated charges in the Khamza district criminal court in Tashkent. On that day he had planned to participate in a protest organised by shareholders in the public corporation 'Kesh' at the American Embassy as a sign of protest against the arbitrariness of the Uzbek authorities and to demand the resignation of the President of the Republic of Uzbekistan, Islam Karimov.

2005 was a 'fruitful' year for Abduljalil as regards persecution from the authorities. In March and April 2005 pro-government human rights defenders attempted to take a criminal case against him, but members of the HRSU rebuffed them. The trick was not successful. After the well-known events in Andijan on 13-14 May 2005, all over Uzbekistan there began mass repression of human rights defenders, opposition party activists, independent journalist and picketers. Abduljalil Boymatov was not able to escape this repression.

On 17 May human rights organisations decided to picket the US Embassy in Tashkent. On this day Abduljalil was detained all day by staff of the CID of the Department of Internal Affairs so he would not be able to go to the picket. On 19 May human rights organisations decided to picket the embassy of the Russian Federation. On this day he was also detained for the whole day in the Khamza District Department of Internal Affairs.

From 22 May - 3 June Abduljalil was kept under constant house arrest. From 3-4 am every day there were two cars outside his house and they watched him until 7pm. On 9 February while Abduljalil Boymatov was being beaten up at a picket at the Tashkent City Hall, unknown women took a folder from him that contained documents, papers and money, including his passport and military service papers. He only got his new passport on 7 September of that year, although it was dated 11 May 2005, he was deprived him of his passport for seven months.

Abduljalil Boymatov subsequently left Uzbekistan in the Summer of 2006.



Personal Testimony - Muydinjon Kurbanov

Chairperson of the Zarbdor regional branch of the HRSU and chair of the provincial Association of Human Rights organisations

I, Muydinjon Kurbanov, have been a member of the Human Rights Society of Uzbekistan (HRSU) since 1996. In 2000, I founded the Zarbdor regional branch of the HRSU and I was elected chairperson. My main work was defending the rights of farmers in the Zarbdar region. On 2 March 2003 I was elected chairperson of the Jizzakh provincial council of the party 'Birlik' National Movement. On 5 December 2003, the Jizzakh province Association of Human Rights Defenders was founded on my initiative. I was elected chairperson of this association by secret ballot. At the moment, the following seven human rights organisations have united in the Jizzakh province Association of Human Rights Defenders:

- 1) The Human Rights Society of Uzbekistan
- 2) The Uzbekistan Committee for the Defence of the Rights of the Individual
- 3) The Uzbekistan Human Rights Society 'Ezgulik'
- 4) The Uzbekistan Human Rights Society 'Ozod Ael'

- 5) Defence of Inalienable Rights in Uzbekistan (Mazlum)
- 6) The Independent Uzbekistan Human Rights Society
- 7) The Bureau of Lawyers 'Khimoya'

I am the coordinator of the Uzbekistan branch of the International Human Rights Society. I attended training in human rights monitoring and establishing facts and documentation from 28 to 30 September 2004. The United Nations Programme ran this for Development. In January 2005, I was elected a member of the grants committee of the Central Asia Network of Human Rights Organisations in the city of Osh.

I joined the HRSU in 1996 and almost immediately the law machinery began putting pressure on me. On May 27th of that year the police carried out a search of my apartment without a warrant when I was not there. This was confirmed on the following day by the Zarbdor region prosecutor Sherkul Nomozov, who advised me to meet with the head of the criminal department of the local branch of the Ministry of Internal Affairs Rustam Akhrorkulov and retrieve everything that had been taken during the search. But a staff member of the criminal investigation branch of the Ministry of Internal Affairs, Sharof Umarov tried to get me to sign a statement about drugs that had supposedly been found in my pocket. I categorically rejected his demand. They began putting physical pressure on me: they beat me and tortured me. As a result I became ill and an ambulance was called and brought me to hospital. But I was discharged from the hospital on the following day because of pressure from the police. I went to the provincial prosecutor, and my statement was taken by A. Ergashev. However, the provincial prosecutor's office took no steps to investigate the case.

On 3 September 1998 when I was walking home four police officers got out of their car and began coming in my direction. I recognized one of them as Sharof Umarov, a staff member of the Ministry of Internal Affairs who deals with corruption and terrorism. They jumped on me, tied up my hands and pushed me into the car. On the way to the Internal Affairs headquarters the policemen beside me hit me on the head and in the ribs. When I was getting out of the car, a policeman by the name of Kakhramon hit my leg, above the knee, with something sharp. Later this 'something' took effect, because I began feeling unwell: at that moment they had injected drugs under my skin with a syringe. In the report of the drugs specialist it was said that drugs had been found in my bloodstream.

In the Internal Affairs Ministry I understood why they had hit me: at the time, one of those who was hitting me put a matchbox full of drugs in my pocket without my noticing. When I was told to empty my pockets, I felt my pockets from the outside and said that the matchbox was not mine and that I would take it out with

carbon paper for typewriters so it could be examined for fingerprints. They refused.

When they registered that they had 'found' drugs in my pocket, they brought me to my house to search it. My wife was in the maternity hospital. They kept me in the car while one of the officers opened the main door from the inside, and that was enough time to plant about a kilogram of drugs in the apartment. I denied the insolent accusation. After that I was brought to the basement of the Ministry of Internal Affairs, and two officers of Russian nationality tortured me for fifteen days. Twice a day they beat me, and then flung me, half-dead, into the cell. They would ask me two main questions: 'where was Obidkhon-kori Nazarov? Where did Talib Yakubov get his money from?' I had never met Obidkhon-kori Nazarov and did not know him, and the second question seemed preposterous.

"I was sentenced to three years' imprisonment in October 1998. I was kept in minimum-security У/Я 64-61 in the town of Karshi, village of Shaikh-Ali. I was freed on 14th January on a pardon".

On 3 September 1999, I was summoned by the assistant prosecutor in the Zarbdar region Olim Djabbarov. As soon as he saw me he began shouting: 'How will I feed my children if I'm fired because of you? You're still on the books, and I can send you back to prison at any moment!' and pushed me out of his office. I consulted T. Yakubov, who, together with the director of the Tashkent office of Human Rights Watch Miss Akeisha Shields, met with the Zarbdor region prosecutor Shavkat Mardonov and with O. Djabbarov. After this meeting the local authorities left me alone for a while.

Seemingly, I was constantly in the field of vision of the local law machinery. Once I was summoned by the assistant of the director of the Ministry of Internal Affairs office Rustam Mustafakulov. When I went into his office he could barely stand up (he was drunk). When he saw me he grabbed the collar of my jacket and began shouting that he would drive me out of Zarbdor. There was no end to his insults.

Another time I was summoned by Rustam Nazarov, assistant director of the Zarbdor Ministry of Internal Affairs. He said he had been given a report about me by Dilshod Orifzhonov, the local police inspector, and I should behave properly, not make any unnecessary movements, and that he was giving me a last warning. When I began telling him about the lawless actions that inspector D. Orifzhonov had perpetrated, he punched me in the chest and said 'I believe my colleague, not you'.

After a while, on 19th January 2000, D. Orifzhonov called me to his office. Ismoil Shokirov, assistant director of the Zarbdar Ministry of Internal Affairs and Bakhtier Azimov from the Criminal Investigation Department were also there. For half an hour, swearing continuously, they demanded that my family and I leave the village of Buston, where my family lives, within a week. Otherwise they would do away with me. I made a written appeal to the Jizzakh province Ministry of Internal Affairs, but I got no response from them.

The insolence of the staff of the law machinery reached its peak. Once, the local inspector D. Orifzhonov left a note for my wife forbidding me from going to the mosque for Friday prayers. On the following day he came to my apartment drunk and beat up my wife. She had to go to hospital. I got a certificate from them, which I included, together with the inspector's note, with a complaint I wrote to the head of the Ministry of Internal Affairs. I send a copy to A. Shields. I got no response from the Ministry of Internal Affairs. On the request of A. Shields I got a 'formal reply' from the office of the public prosecutor.

As the pressure was getting stronger, I decided to go to the Mirzachul region in the Jizzakh province, where I began working as an earth-moving machine operator. I hadn't even settled in there when the local inspector, Mingbusin, brought me to the director of the Mirzachul Ministry of Internal Affairs, Ikrom Sarvarov. In my presence, the director ordered the inspector to expel me from region. I not only lost my job, I wasn't even able to get the money I had already earned.

At the end of December 2000 we founded the Zarbdor regional branch of the HRSU and I continued my human rights activity as chairperson of the regional branch. The main thrust of my human rights work was in defending farmers whose rights had been violated in local courts. Flouting the law, the local administration had been taking land from farmers without permission from the court, as required by law. I managed to win a few cases, and in this way the land was returned to its owners. The local mayor took a bad view of me, as he was making good money from selling and re-selling the land.

The local authorities took an even harder view of me when I became the chairperson of the provincial council of the party 'Birlik National Movement' at its provincial conference on 9th September 2003.

On 5 December 2003 at a constituent conference of representatives of several human rights organisations in the area, the 'Association of Human Rights Defenders' was founded and I was elected chairperson of this organisation. Five human rights organisations joined the association at the time. We set our task at the conference: to raise the number of members to ten, to set up branches of the organisation in all the regions of the province, to carry out work among the population to raise awareness of human rights.

This, it seems, was 'the straw that broke the camel's back' for the local authorities.

- It seems to me that, when they arrested me on 16th February and got a 'confession' out of me by means of torture, the authorities wanted to send the following message to people, to society and to international organisations:

1. This is what human rights defenders and representatives of the opposition party are doing

2. The same fate awaits anyone who gets involved in human rights defence

A few months ago in the Altinsai farm in the Jizzakh province there was a theft: someone took 12 sheep belonging to Z. Yusupova, who had been left without a breadwinner for her five children after her husband died. Suspicion fell on a certain Polvon Allaerov. None of Z. Yusupova's appeals to the local authorities got any response. It emerged that P. Allaerov, the local police inspector Abdukarim Allamuradov, and the head of the provincial branch of the Ministry of Internal Affairs Ilkhom Murodov are all linked by where they come from (all three come from the same part of the Samarkand province), and therefore the police set up a shield around the case of the stolen sheep. Instead of helping Z. Yusupova achieve justice, the police carried out a search in the house of her neighbour, a schoolteacher who helped her write her complaint.

Together with Mamir Azimov, the chairperson of the Jizzakh regional branch of the HRSU, I began defending Z. Yusupova's rights. After this the police were forced to begin investigating the theft. I mention this because on 5th January Bakhtier Mukhtarov, the mayor of the provincial Ministry of Internal Affairs, asked me: 'Who do you know from Altinsai?' I answered that I know a woman whose sheep had been stolen. On 16th February, during the search of my apartment, Shukhrat Rustamov, the assistant head of the Zarbdor Ministry of Internal Affairs, laughingly asked me 'Well, did you help those people find their sheep?' After this it became clear to me that the organs were deliberately 'digging a pit' under me. When I was in the investigation cell, Bakhtier Murtazov, who was in charge of my criminal case, put on a performance with P. Allaerov in such a way that I could hear their whole conversation. P. Allaerov said to the investigator: 'Kurbanov promised that he would also help me to search for my stolen sheep, so I gave him a bribe – one sheep'. I understood why P. Allaerov would say to people: 'I can put away whoever I want'. He had behind him not just anyone, but the head of the provincial Ministry of Internal Affairs himself, I. Muradov. Our plan of setting up human rights branches of the Association in all regions of the province frightened the leaders of the local law machinery. Once he had put me and other human rights defenders behind bars, I. Muradov could feel safe and continue his theft of other people's property, bringing them into poverty and in this way keeping them in fear.

On 29-30 November 2003 the Forum of Democratic Forces of Uzbekistan, which financial support from the OSCE, organised human rights training for members of the HRSU in the Zarbdor region. In my case, the reason for my arrest was given as a letter from Kuvondik Abdurazzokov, the chairperson of the Buston village's local government. In this he accused me of gathering colleagues from Tashkent, Andijan, Fergana, Namangan and other places, and, during the training, setting them against the president, and also of disturbing the peace in the village and keeping weapons, drugs, and literature containing religious-extremist material in my apartment. He stated in his letter that he had seen the weapons with his own eyes. During an identity parade, K. Abdurazzokov, in the presence of my lawyers Gies Namozov and Rukhitdin Komilov, began insulting me with unprintable words and threatened that he would expel the likes of me from Buston.

I wrote a yearly report on the activities of our human rights organisation to raise the legal, political and juridical awareness of the population of the region for David Hun Zukker, the small grants coordinator for the US embassy. K. Abdurazzokov evaluated this report as a subversive document against the government and president.

From all I have said it follows that the authorities in Jizzakh are absolutely determined to keep the people in fear. It is obvious: the people are afraid to approach the police if something has been stolen, if they have lost something or if anything else has happened. They understand how futile it is. The law machinery does not fight against criminal elements, corruption and other types of crime, but against those who try to defend, even in a small way, people's rights and freedoms. The staff of the criminal investigation department does not detain criminals they harbour them. The courts do not try criminals they try human rights defenders.

Many people are kept in inhuman conditions in investigation cells. For example, in the cell where I was detained, there were two windows with no glass in them. There was no heating in the cell. The walls and floor were made of concrete. Only someone who has been in such a cell can know what torture a person is put through by the authorities. There is no point in talking about food. The prisoner is given a cup of boiling water in the morning, half a bowl of soup and two pieces of bread for lunch, and another glass of boiling water for dinner. Not only are you not given a blanket, you don't even get a mattress or a pillow, so you have to lie on an iron bed-frame.

I was in the cell for 10 days, and in this time my body underwent serious negative changes, and I need serious treatment. It's the same for everyone.

For five days a man with the surname of Khazratkulov was kept in the cell with me. He was suspected of theft. According to him, he had previously been arrested for theft, and then tried as a member of the party 'Khizb ut-Takhrir'.

In those ten days I became convinced that there are many people like that in Jizzakh. There is no force in society that could stand up against the arbitrariness of the police: it does whatever benefits it.

On 5th January 2004 at 18.00 a meeting was held in the Zarbdor region mayor's office with Abdurazzok Kayumov, a representative of Shavkat Mirziyayev, the prime minister of the Republic of Uzbekistan. A. Kayumov advised the mayor of the region, Uskan Azimov, to be harsher, and to rely on the law machinery if necessary. He promised the mayor comprehensive help. In his presentation U. Azimov acknowledged that discipline in the region was getting weaker, that farmers had begun asking for help from unofficial organisations (meaning the Zarbdar branch of the HRSU) and he promised the Prime Minister's emissary that he would undertake the measures necessary to fix the situation. On 13th February the Prime Minister himself, Sh Mirziyayev, visited Jizzakh and attended a meeting in the provincial mayor's office with

representatives of the Ministry of Internal Affairs, the office of the Public Prosecutor, the local court and the National Security Service. My 'issue' was discussed at the meeting. When he had consulted representatives of the power structures, he ordered that I be sent far from Jizzakh. On 16th February I was arrested.

'Birlik' members met and decided that if I was not released they would carry out pickets all over Uzbekistan as a sign of protest. A copy of this decision was sent to the National Security Service and the Ministry of Internal Affairs.

The chairperson of the Human Rights Society of Uzbekistan (HRSU), Talib Yakubov, announced on the internet that from 2nd March the HRSU would begin protest actions in the form of pickets in all regional centres and in the cities of Nukus and Tashkent. The pickets would be held outside the offices of the Public Prosecutor, police stations and the National Security Service.

On 27th February 2004 I was released from custody on condition that I would turn up on time for my court hearing.

On the morning of 5th March Michael Goldman, a Second Secretary from the US embassy visited the village of Buston. That afternoon there were visits from Daniel Grzhenda and Leonid Kudryavtsev from the UK embassy, and Raban Richter, a First Secretary from the German embassy. I gave these people information about what had been happening in the Zarbdor region.

On 19th March 2004 I took part in a protest picket outside the President's offices. I held a placard with the following words:

I demand that a criminal case be taken against Bakhtier Murtazov for taking a false case against me!

I demand that the persecution of human rights defenders in the Jizzakh province be stopped!

I demand freedom for farmers!

On 22nd March 2004 a court hearing was held which was attended by members of international human rights organisations and representatives of embassies of democratic countries: Michael Goldman from America, Daniel Grzhenda from England, Raban Richter from Germany and Timan Kauner from the Netherlands and representatives of international human rights organisations: Umida Niyazova from Freedom House, Alison Gill from Human Rights Watch, Marat Zakhidov from the International Society for Human Rights, and others.

The UK ambassador Craig Murray attended the third hearing himself and asked about the falsification of the narcological system.

ON THE FALSIFICATION OF THIS CASE

In the first place, on the evening of 16th February I was subjected to psychological pressure for two and a half hours from the mayor, Bakhtier Mukhtarov. In the end he said that he would be forced to bring my wife there and dishonour her in my presence.

I asked the lawyer that they had hired, Bakhit Shanaev, how much I would have to pay for his services. He replied '50000 (fifty thousand) sum'. When I said that I did not have that much money and that I would not be to pay, B. Mukhtarov said that they would pay. I said to the lawyer that the things they had found (a rifle, ammunition, drugs and religious books) and recorded on video were not mine, and asked whether we could prove this. The lawyer said: what do you want me to do? If they're on video what can you do? I refused this lawyer.

On 19th February at 11 am the lawyer Rukhiddin Komilov tried to meet me at a consultation in the Jizzakh province prosecutor, but he was not let in. On the same day they got my arrest warrant by 5 pm. It turns out they deliberately didn't let the lawyer into the consultation before my warrant was issued.

The hearing took place on 2nd April and it was also obvious that the head of the 3rd department for the fight against corruption and terror, lieutenant colonel Zoir Sharipov and a staff member of this department mayor Bakhtier Mukhtarov both said that they found six books in Arab script in the hen-house and in the response of an expert three books were pointed out in Cyrillic and the title 'Al-vai' of a forbidden religious book. So, they themselves sent three books in Cyrillic to an expert so they could consider me a member of Khizbut-takhrir.

The judge told us that the videotape had been sealed after the recording in the hen-house and that it was being opened then. So then how did it happen that on the video there was a recording of a personal meeting that had taken place when I was in custody?

On the video we saw that one of the investigators had not even counted to three books when another investigator, who was making up a report in the corridor, shouted that there were 6 (six) items. Even the judge laughed when he saw this part and asked for it to be repeated several times. This is a clear indicator of falsification.

As regards the falsification of the narcological system, even the specialist drugs doctor of the Zarbdor region admitted that in the past two years she had never seen me and did not know me. Even though for the past 5 years I had been having check-ups every six months and having my treatment extended. And these instructions were given from above. In her work she had <...unclear...> three hundred people who are on the books and do not live on the territory of the Zarbdar region.

All the same Judge Utkir Abdullaev carried out the order of superior civil servants and on 9th April sentenced me to 3 years 6 months. The Judge closed his eyes to the favourable evidence given by the lawyers R. Komilov and G. Namazov

The judge did not execute justice, but carried out the order of his superiors. This shows that independence of judges will not appear soon in Uzbekistan.

I made an appeal on 17th April.

On 4th May the appeals board changed my sentence to a fine of 50 (fifty) times the minimum wage, to 272000 (two hundred and seventy two thousand) sum. Taking into account my family situation, the embassy of Great Britain paid the fine for me. (I was very grateful to the embassy of Great Britain for their material and moral support.)

Michael Goldman, a First Secretary in the US embassy, played a significant role in the trial. Now I consider Michael one of my closest friends.

As the chairperson of the Jizzakh province Association of Human Rights Defenders I took a trip around the region on 12th September 2004 with an independent journalist (a former journalist with the radio station Voice of America), Yusuf Rasulov. We talked to farmers about what had happened in the small room in the Jizzakh mayor's office. We went to the villages of Samarkandkudyk and Uch-tepa in the Jizzakh region and in the agricentre of Navbakhor in the Pakhtakor region. We took an interview with some farmers and then went back to Tashkent at 7 pm. When I left home, I had noticed Normukhammad, a staff member of the department of criminal investigation of the Zarbdar Ministry of Internal Affairs. He was beside my house and was in civilian clothing. When we left the village of Buston, a Neksia police car was following us. They did not leave us until we got to the Zarbdar station of the traffic police. At the station, they wouldn't let us pass until they got permission over the walkie-talkie.

At the next station, the Dashtabad station, we were also stopped and we unintentionally heard that they were doing an anti-terrorist check on us. The traffic policeman told us that we had passed the check. They got

instructions from their walkie-talkie to take our passport details, and, like a relay race, we got through all the stations to Tashkent in this way. On 13th September various cars followed us all day in Tashkent. On the morning of 14th September we were followed by a Neksia car. At lunch time we stopped and approached the car, asked why they were following us and took a photograph of the car. After lunch we were followed by two cars with no number plates; one 'zhiguli' and one 'dagan'. They observed us until evening time. After lunch I stayed in the office of Freedom House. Instead of me, Yusuf Rasulov went with the journalist Tulkin Karaev. Towards six in the evening we met in the office of Human Rights Watch and through the window we showed these cars to the director of that organisation, Alison Gill.

In the evening they went to Rasulov's home and asked where the Jizzakh human rights defender was. T. Karaev said that I had gone to Jizzakh after lunch. They regretted that they had been negligent in their observation and had not managed to catch me. Now they would have to explain themselves to their supervisor.

On 28th March 2004 in Tashkent I met with Nigara Khidoyatova, a representative of the party 'Ozod Dekhkonlar' and she was interested in the activities of farmers in the Dustlik region. On 29th March we went to establish the circumstances of Omina Kambarova, a farmer who had been forcibly evicted. On the way, we were stopped at every traffic police station and they did not let us through until they got permission from their superiors over the walkie-talkie. In the evening we reached the village where O. Kambarova used to live. Talib Yakubov, the chairperson of the HRSU, and Mamir Azimov, the chairperson of the Jizzakh regional branch of the HRSU, came out of the village and told us that more than 50 people had assembled. It seems they were preparing for a provocation. They advised us to turn back. I got into their car and we escorted Khidoyatova. I got home at 8 pm. Fifteen minutes later more than ten people from the mahalla committee (the secretary of the council A. Khatmov, the Dustlik mahalla chairperson Djuman Ortikov, the chairperson of the Navruz mahalla Nabi, Musurman Togaev from the Shodlik mahalla, former posbon Kushan Azamatov and others) burst into my house. They were all under the influence of alcohol; they broke my telephone, took my mobile phone, took the external door off its hinges and brought it outside. Kom Nabi hit my wife, and Kushan Azamatov pushed her violently into a room, then grabbed me by the neck and began choking me and shouting: "Take out your things and get out of here now, otherwise we'll set fire to your house and children." I made a written appeal to the police and public prosecutor about this behaviour, but no measures were taken and my appeal got no response. When I asked investigator Akmal Gul'muradov why no measures were taken, he answered that there was no criminal. Nobody took any of my things, and so there was no basis for a criminal case.

On 14th April 2005 at 10 am a meeting was arranged in the town of Jizzakh between representatives of the German embassy and human rights defenders from Jizzakh. I was not allowed to go to the meeting. Before

my bus got to the Jizzakh station, policemen stopped it and would not let it pass until I had got off. When I got off I was brought to the prosecutor's office. There...?

On 30th May 2005 I was in the city of Tashkent. In the Amur Timur Park four people came up to me and demanded that I showed them my papers. I asked them for some identification. They showed me none of their papers, took my papers and didn't give them back, brought me to a 'Gazelle' minibus and took my mobile phone. They brought me and one other person to < ...unclear....>. A man by the name of Khasan registered us in a registration book. If I'm not mistaken, his mobile phone is 1566323. He was not given my papers and things, identification and mobile phone. They went back, and in that room my belt was taken off and my hands were tied behind my back. They put me in a Tiko car and brought me to the Zarbdor Ministry of Internal Affairs at 1 pm.

At 7 pm we were waiting for the head of the Zarbdor Ministry of Internal Affairs M. Mirziyaev. Olim (Oleg) Kosimov, the head of the 3rd department of the Jizzakh province Ministry of Internal Affairs, also waited with us. Mirziyaev, Kosimov and I went into the office of the Zarbdor prosecutor E. Berdimurodov. There was a prepared warning letter on unlawful participation in pickets. When I asked the prosecutor for a copy of the letter, he refused, and I refused to write an explanation and sign this letter. They called two witnesses and wrote a report that I had refused to sign, and that they had familiarised me with the letter. The head of the Zarbdor Ministry of Internal Affairs police Mirziyaev, in the presence of the prosecutor and a representative of the Provincial Ministry of Internal Affairs, demanded that I be expelled from the village of Buston. I told them that I had to be in the town of Osh at 10 the following morning for a meeting of the grants committee of the Central Asia Network of Human Rights Organisations because I'm a member of the committee. That evening they sent two policemen, Gofur Mamanazarov and Shavkat, to stand guard outside my house until morning. On the following morning, May 31st, I was brought by the assistant head of the Zarbdar Ministry of Internal Affairs Sobir Ergashov and Shavkat to the local station for a meeting with Kuvandik Abdurazzokov, the chairperson of the village council. K. Abdurazzokov said that I had to leave Buston, and that if I didn't leave, something might happen my wife or my children. 'You won't always be at home, that's my friendly advice', said Abdurazzokov. When I got out of there I went to the town of Jizzakh, fifteen kilometers away, to buy some food. Before buying the food I went into an internet café to check my email. I had just logged in when suddenly the local inspector of the Zargarlik mahalla and mayor of the police Tolib aka asked me to go outside. A man with the name of Kakhramon from the 3rd department of the Jizzakh province Ministry of Internal Affairs was waiting for me there. They both brought me to the GOM-2 police station and I had to wait from morning to 6 pm for M. Mirziyaev, the head of the Zarbdor Ministry of Internal Affairs, and his colleague Shavkat. They got a written explanation of why I had no identifying documents with me. Once I had bought food, I went home with Shavkat. That evening two people were on guard outside my house. On the following morning, 1st June, I was brought for a chat the Ministry of Internal Affairs head Mirziyaev. The talk lasted from morning until lunchtime. I came home after lunch. On the evening of 2nd June one of

the guards who was on duty outside my house said that on 3rd June a meeting had been arranged in Tashkent with Carl Boem, a representative of Human Rights Watch. On the morning of 3rd June I was brought to the Zarbdor branch of the Ministry of Internal Affairs. The head warned me that if I left the territory of the Zarbdar region I would be arrested. So I couldn't go to Tashkent for the meeting. On Sunday I went to buy food with the Buston local inspector Shokir Mukhtarov. Towards evening on 5th June correspondents from the BBC came to my house and I gave them an interview on what had happened.

Because I was not able to meet Carl on 3rd June, we organised a meeting over the phone for 10th June. At 6.30 am on 10th June I left for Tashkent, and walked out to the main road. The Buston local inspector Shokir Mukhtarov was waiting for me there. He would not let me get into a passing car. I was kept in the local station until lunchtime. On the evening of 13th June I was brought to the station and warned that I would not be able to get to Tashkent. They would catch me on the way and arrest me.

On 14th June I planned again to go to Tashkent to give a report on a statement I had received. If the seniors did not give them (the Zarbdar Ministry of Internal Affairs) permission, the local authorities would be forced to keep me at home. The local police did not decide what to do with me – they thought it over until the Monday of the following week. I was invited to celebrate the 209th anniversary of American independence on 4th July. I went to the celebration. I was held in the home of John Purnelli, the American ambassador. When I came home M. Mirziyaev once again interrogated me in the Buston police station. In this way they had talks with me every 2-3 days

Once I had a talk with Bakhodir Norov, who works for the Jizzakh province Ministry of Internal Affairs on social issues. He said that it was not good to have contact with international organisations and to get money (grants) from them.

On 1st August the UK ambassador David Moran visited Jizzakh to meet human rights defenders. 12 human rights defenders from various human rights organisations met the ambassador and explained the situation of human rights defenders in Jizzakh after the Andijan events. After the meeting we human rights defenders went to a tea-house for lunch. We were just dispersing when the head of criminal investigation for the Zarbdar Ministry of Internal Affairs, Zhurabek, and the assistant head of the Ministry of Internal Affairs, Farrukh, asked me to go with them to Mirziyaev. When we got to the office and Mirziyaev saw me he began swearing with unprintable words that I had betrayed my people. On 4th August some human rights defenders were due to have a meeting with a representative of the American embassy, Baron Lobstein. On 3rd August I was once again called by Mirziyaev. I asked for a written summons from the local inspector Shokir Mukhtarov. After this I went with a client to the legal department. Criminal investigator Zhurabek was waiting there and asked me to go to Mirziyaev. We went to Mirziyaev and when he saw me he asked

me: What, you need a summons? Movlyuda Boyturaeva has written complaints about you. You'll answer for it in court. The court will give you 15 days, and then we'll see.' He told me to come to the Ministry of Internal Affairs on 4th August at 8 am. A summons was brought to my home that evening. Three cars guarded my house until morning. A Tiko on the right, a 'Zhiguli' to the rear, and a Neksia to the left. I left the house early in the morning and the guards were all asleep in their cars. I just about managed to run away. At the moment I can't return, I think I'll have to stay for a month in Tashkent.

M. Kurbanov subsequently left Uzbekistan in the Spring of 2006

5. The persecution of members of the human rights society of Uzbekistan prior to the Andijan events

1. Shovruk Rozimuradov was a representative of the Kashkadari section of the OPChU. He was arrested for the first time in 1996. 12 bullets were planted on him, and thanks to the intervention of a representative of the OSCE, Mr. Geremek he was released. These instances occur, granted rarely, but they happen. He was arrested a second time on 15 June 2001, charged with storing anti-governmental leaflets and ammunition. However, as his relatives claim, during the search the police planted things on him. The authorities didn't inform relatives of the whereabouts of Rozimuradov. On 7 July his body was given back to them, but his death was never explained. In the case of Shovruk Rozimuradov several officers received an alleged administrative punishment and disciplinary proceedings have been brought against them, but not one of them had been tried by the year's end.

2. Meli Kobilov, in his time held the position of representative of the Djizak regional section of the HRSU, was the representative of the Djizak regional Council of the party "Vatan Tarakkieti" ("Progress of the Fatherland"), and also a deputy of the Uzbekistan parliament. He was arrested, as Uzbek human rights defenders claim, on fabricated charges on 27 October 1994. He was charged under article 9 of the Criminal Code of Uzbekistan, although Tashkent town court had to acquit^[1] him under article 5. Starting on 1 August 1995 the court case continued until November 1996. Kobilov was sentenced to 8 years imprisonment. On 8 October 2004 he was released after 8 years of imprisonment from the prison colony UYa 64/21 (town of Bekabad). After his release, he got involved in human rights defence work. He organised the Djizak town section of the HRSU. Currently in Djizak there are maxalla cells of the HRSU working in over 10 maxallas.

3. Khasanbai Madraximov, member of the Namangan regional division of the HRSU, in 1999 was sentenced to 9 years for "infringement of the constitutional system". At the end of 2002 he was released.

4. Tursinbai Utamuratov, representative of the Karakalpakistan Republic division of the HRSU, was arrested at his house in the Amudarinskii district on 4 September 2002 on falsified charges and the Khodzheyili district court sentenced him to 9 years imprisonment. Later the Supreme Court of Karakalpakistan reduced the sentence to 4 years. He served his sentence in a colony, located in the village of Tabaksai, fifty kilometres from Tashkent. On 4 October 2003 he was released. He spent 13 months in prison.

5. Yuldash Rasulov, member of the HRSU, who worked with victims of faith or religious persecution, was sentenced for “the attempted overthrow of the constitutional order” and for the distribution of material of an “extremist” character. All that the evidence pointed to was that he prayed five times a day and listened to audiocassettes about Islam, which were freely available in the mid-1990s. Immediately after his arrest, the authorities declared that Yu. Rasulov recruited young people to “foreign camps for the training of terrorists” and to the ranks of the Taliban. The court however dismissed these charges. A human rights defender and devout Muslim, in September 2002 he got seven years in a politically motivated process. On 3 January 2003 he was released from prison under the December amnesty.

6. Djura Muradov, representative of the HRSU from the Nishan district of the Kashkadari region, on 16 September 2002 he was imprisoned on the basis of a verdict of Nishan district court for four and a half years. Charges were “hooliganism” and the causing of damage to property. On 26 August 2003 he was released.

7. Norpulat Radzhabov, member of the HRSU from Nishan district of Kashkadar’ya region, on 16 September 2002 year he was imprisoned on the basis of a verdict of Nishan district court for five and a half years. Charges were “hooliganism” and the causing of damage to property. On 22 July 2003 he was released.

8. Musurmonkul Khamraev, member of the HRSU from Nishan district of Kashkadar’ya region, on 16 September 2002 year he was imprisoned on the basis of a verdict of Nishan district court for six and a half years. Charges were “hooliganism” and the causing of damage to property. On 22 July 2003 he was released.

9. Larisa Vdovina, member of the Tashkent town division of the Human Rights Society

Uzbekistan(HRSU).On 27 August 2002 the authorities committed her to the “mad house”. Towards the end of 2002 she was released. In 2003 she emigrated.

10. Olim Toshev, at the beginning of February 2003, was arrested (but then was released on bail). He was the editor of a newspaper of the town of Karshi, who passed news to foreign radio stations. He was charged with the assault of his neighbour. The truthful reason for his arrest was that his newspaper published material about corruption and other illegal activities in police institutions. He was fined €250 by order of the court. Journalist and human rights defender Olim Toshev repeatedly was subject to pressure and was fired from the newspaper “Posbon” (Kashkadar’ya) for critical articles addressed at local law-enforcement agents.

6. Human Rights Defenders in Prison or detained in Psychiatric hospital

1.Dilmurod Muhiddinov, a human rights activist from Andizhan and a member of Ezgulik (Goodness) an officially registered human rights organization, arrested 28th May 2005. The Srednechirchik District Court in the Tashkent region sentenced him to five years’ imprisonment.

2.Mutabar Tadzhibaeva is the Chairwoman of the human rights organization Fiery Hearts Club, which is based in Ferghana City in Uzbekistan. She is also one of the founders of the national movement Civil Society and a 2005 Nobel Peace Prize Nominee. Mutabar Tadzhibaeva has monitored human rights violations in Ferghana Valley and she has reported on issues such as the violations of women’s rights to the Institute for War and Peace Reporting (IWPR), an international non-governmental organization which trains journalists in human rights reporting. Mutabar Tadzhibaeva was due to attend an international conference on human rights defenders in Dublin on 8 October 2005 hosted by Front Line. She was detained on 7 October when she was scheduled to fly to Tashkent to get a connection to Ireland. On 6 March 2006 human rights defender Mutabar Tadzhibaeva, was sentenced to eight years’ imprisonment. She was subsequently moved to a psychiatric hospital and her current whereabouts are not confirmed (see above).

3.Saidjahon Zainabidinov, chairman of the Andijan human rights group Appeliatsia (Appeal), was arrested on 21 May 2005 and sentenced to seven years’ imprisonment on 5 January 2006 after what was effectively a secret trial that violated international standards. Saidjahon Zainabidinov had been arrested after speaking out about the massacre of hundreds of unarmed protesters in Andijan on 13 May 2005 and charged with “defamation” and “anti-government activities.” His current whereabouts are unknown, but he is believed to be in detention in Tashkent.

4.Abdulahat Madmarov, Abdullah Madmarov, Habibulla Madmarov, Hamidulla Madmarov and Abdusamad Madmarov, are respectively the three sons and two nephews of Ahmadjan Madmarov, a prominent long-standing human rights defender, winner of the 2006 Front Line Award. He is the regional chairman of the Independent Human Rights Organisation of Uzbekistan, NOPCHU. His sons and nephews have been arrested and tortured or ill-treated as mechanism of targeting Ahmadjan Madmarov, due to his outspoken human rights activities, including promoting and defending religious freedoms.

7. A summary of a presentation by Abdujalil Boymatov, Deputy Chair of the Human Rights Society of Uzbekistan (HRSU) to EU representatives from the European Commission, Parliament and Council, Brussels, 29 November 2006.

The European Council Meeting on 13 November agreed to extend sanctions against the Uzbek Government on human rights grounds but to open the possibility of bilateral talks. A EU official said this would "test out what Uzbekistan tells us about their willingness to talk about human rights and rule of law". An EU official, quoted by the Russian news agency Itar-Tass, explained that Brussels will seek to use "technical meetings" to promote the human rights improvements that can justify the lifting of sanctions. Such talks "will make it possible to step up the dialogue with Uzbekistan on human rights," said the EU official, who spoke on condition of anonymity.

The current situation provides for an historic opportunity to press for real change in the human rights situation in Uzbekistan. The Human Rights Society of Uzbekistan calls on the EU to press in particular for the following steps, which are preconditions for improvements in the human rights situation in the country:

- 1) The release of 14 human rights defenders unjustly imprisoned or detained in psychiatric hospitals as a result of their legitimate work for human rights and 5 family members of a human rights defender imprisoned because of his work.
- 2) The legal registration of independent human rights organizations including the Human Rights Society of Uzbekistan which has applied six times for registration without success.
- 3) An independent commission of inquiry into the human rights violations in Andijan in May 2005.

It is important that the European Union pursues the question of human rights improvements urgently and consistently. Immediately following the European Council meeting five Uzbek human rights defenders were charged with belonging to un-registered organizations. Lydia Volkobrun(member of Society for the Protection of Rights and Freedoms of the Citizen of Uzbekistan, SPRFCU), Yuri Konoplev (co-chairman, SPRFCU), Abdujalil Boymatov(Deputy Chair of the Human Rights Society of Uzbekistan (HRSU), Elena

Urlaeva (co-chairman,SPRFCU)and Kunduz Nishanova(member of SPRFCU) . The charges against them are being brought by Olga Krasnova and Konstantin Stepanov of the Government controlled Committee for Social Monitoring.

On 3 January 2007, Z. Kh. Pakhmatullaev, a judge of Mirzo-Ulugbek Court for civil cases in Tashkent, found the human rights activists Talib Yakubov, Abdujalil Boymatov, Lidiya Volkobrun, Yurii Konoplev, Ol'ga Barysheva, Kunduz Nishanova, Nina Gorlova guilty in the action about defence of honour and worth, ignoring the lack of evidence about the guilt of the human rights activists and also the arguments of the lawyer, A. M. Khoshimov and defenders, L. Borovikova and G. Tashpulatova.

In addition, according to the family of Mutabar Tadjibaeva her health has seriously deteriorated. They think she may have been transferred from the psychiatric hospital where she was being held to a normal hospital but they have been refused permission to visit her. Officials have refused to provide any information on her condition or her whereabouts.

These developments put in question the willingness of the Uzbek authorities to engage in genuine dialogue about human rights questions or to improve the human rights situation. The European Union should urgent raise these cases and take measures to ensure that Mutabar Tadjibaeva receives urgent and appropriate medical attention.

8. Conclusion

The key international actors such as the United Nations, the European Union, the Organization for Security

and Co-operation in Europe (OSCE), and the United States need a common strategy towards Uzbekistan and need to hold the Uzbek government accountable for the persistent violations of its international human rights obligations. The European Union has committed itself to press for concrete improvements in the human rights situation in Uzbekistan. Given the previous record of the Karimov regime we must be skeptical about how much can be achieved by “dialogue”. The European Union must insist on concrete measures being put in place before it reviews its position in three months time. Ensuring human rights defenders are free to conduct their legitimate activities must be a basic precondition for any other progress on human rights. The victims of Andijan still demand justice.

[1]