

## **Uzbek activist seeking justice for trafficking victims sentenced to prison**

*Brussels, The Hague, 17 July 2012.* The International Partnership for Human Rights and the Netherlands Helsinki Committee are dismayed at the conviction of a member of its partner organization the Initiative Group of Independent Human Rights Defenders of Uzbekistan (IGIHRDU) on extortion charges. The circumstances of the case suggest that she was punished for her peaceful and legitimate human rights activities.

As reported by the IGIHRDU, on 10 July 2012, its member and journalist student Gul'naza Juldashaeva was found guilty of extortion (under article 165 of Uzbekistan's Criminal Code) and sentenced to two years in prison by a local court in the Jangijul'ski district in the Tashkent region. Human rights defenders were denied access to monitor the trial. However, Gul'naza's lawyer who was present at the trial informed the IGIHRDU about serious irregularities. In particular, the case was reviewed in a hasty and superficial manner, and the judge rejected a petition to question a number of key defence witnesses who could have helped show the lack of credibility of the case against Gul'naza, which was characterized by major inconsistencies between the formal charges and the "evidence" presented to support them. Several prosecution witnesses retracted statements they had made during the investigation, saying that they had been pressured to provide them. The trial was initially scheduled to begin in mid-June 2012 but was repeatedly postponed without explanation before it began only five days prior to the announcement of the verdict. On the final day of the trial, Gul'naza told her father that she had been beaten in pre-trial detention by a police officer (she did not know his name), who demanded that she "confesses" in court. She nevertheless refused to do so.

The IGIHRDU is convinced that the extortion charges against Gul'naza Juldashaeva were fabricated in retaliation for her efforts to highlight suspected human trafficking cases involving local officials in the Chinaz district of the Tashkent region where she lives. Corrupt officials are believed to assist in and back up a scheme led by a former police officer to recruit local residents for work in conditions of exploitation in Uzbekistan's neighboring countries. Gul'naza's two younger brothers were the victims of trafficking to Kazakhstan in spring 2011 and escaped only after weeks of slave-like treatment at a car wash, as a result of which one of the brothers fell seriously ill and required long-term hospital treatment. In May 2011, Gulnaza turned to local law enforcement authorities with allegations about the role of local officials in these and other trafficking cases and presented documents and audio and video recordings to support her allegations. However, as no measures were taken in response to her allegations, she began submitting appeals and complaints to higher authorities, including the regional and general prosecutors, the head of the country's security services, the human rights ombudsman, and the president.

As reported by the IGIHRDU, Gul'naza was detained and criminally charged following an incident that appeared to have been set up by law enforcement officials to frame her. This incident took place in early April 2012, when Gul'naza was returning by bus from Tashkent to Chinaz after visiting her brother in hospital. The bus conductor asked to borrow her phone, dropped and broke it and promised to compensate her. A few days later he gave a sum of 100.000 *som* (about 30 EUR) to the assistant of a shop located in the vicinity of her family's home and asked her to pass it on to Gul'naza's family. In the evening of 10 April 2012, only hours after Gul'naza's sister-in-law had collected the money from the shop assistant, a number of police officers arrived at the family's home and detained Gul'naza, her brother, her sister-in-law and even her six-year old nephew. They were all taken to the Chinaz police station. The compensation money was confiscated as "evidence." While the others were released the same evening, Gul'naza remained in detention and was subsequently charged in relation to the bus incident. The details of the criminal case against her remain unclear and confusing, but the former police officer whom she alleged to be the mastermind behind the trafficking of local residents also figures in the case. In a

further indication that Gul'naza's attempts to hold accountable trafficking perpetrators were the real reason for the case against her, law enforcement officials conducted an unwarranted search of her family's home on 11 April 2012 and confiscated the originals of appeals and supporting material she had sent to different authorities for this purpose.

According to the IGIHRDU, Gul'naza was threatened by local law enforcement officials to stop addressing trafficking-related issues on several occasions prior to facing extortion charges. Moreover, in September 2011, a local court in the Chinaz district convicted her in an administrative case that appeared aimed at putting pressure on her to give up her engagement on these issues. She was fined 114.000 *som* (around 30 EUR) on charges of "minor hooliganism" (article 183 of Uzbekistan's Administrative Code) for allegedly behaving rudely toward doctors at the medical institution where her younger brother was hospitalized after escaping from exploitation. The IGIHRDU noted that these doctors did not appear in court and that the charges against Gul'naza were not substantiated in any credible way. The judge tore apart petitions submitted by Gul'naza and threw them into her face, while openly demanding that she refrains from writing further appeals and complaints on trafficking. In spite of this harassment, Gul'naza continued her struggle on behalf of victims of the trafficking scheme she sought to reveal, including her two brothers.

The defense is expected to appeal last week's verdict against Gul'naza.

The International Partnership for Human Rights and the Netherlands Helsinki Committee remind the Uzbek government of its obligation under international human rights law to respect and protect the rights of individuals to engage in activities to defend human rights without reprisal and call on it to uphold Gul'naza Juldashaeva's rights in this regard. It should ensure that she is not imprisoned for seeking to obtain justice for victims of human trafficking and that the allegations of torture and other law enforcement misconduct against her are investigated in a prompt, thorough and impartial manner.