



**International
Partnership**
for Human Rights

**Alternative summary report on the situation in Uzbekistan in connection with
the United Nations Human Rights Committee examination in July 2015 of
Uzbekistan's fourth periodic report on the implementation of the
International Covenant on Civil and Political Rights (ICCPR)**

June 2015



"Dream" from the series "Letters from Prison"
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Introduction

This report provides information to the United Nations Human Rights Committee (UN HRC) before the examination of Uzbekistan's fourth periodic report on the implementation of the International Covenant on Civil and Political Rights (ICCPR) in July 2015.

Fundamental rights and freedoms of individuals continue to be routinely violated in Uzbekistan. The adoption of improved laws and the ratification of international human rights instruments have unfortunately had very little impact in practice. The absence of any level of effective public control or monitoring does not allow for a comprehensive independent assessment of the human rights situation. The Uzbekistani authorities limit access to independent information by every possible means. Despite these significant difficulties in obtaining and independently verifying information about what is happening inside detention centres and prisons in Uzbekistan, reports of torture, deaths in custody and deaths under suspicious circumstances have remained steady over the reporting period since the last UN HRC review. The Uzbekistani authorities have for years clamped down on those peacefully exercising their rights of freedom of expression and religion, including the persecution of Muslims who practice their faith outside state-controlled institutions. This, coupled with effective exclusion of citizens from the political process, the lack of social justice, a regressive economy, and widespread poverty are all factors which have led to the radicalization of Islamic organizations and movements.

This report summarises concerns in relation to the lack of protection in Uzbekistan of fundamental human rights safeguarded by the ICCPR. The report particularly highlights concerns relating to the violation of Articles 2, 6, 7, 9, 10, 12, 14, 18, 19, 22 and 26.

This report is based on information obtained by the Association for Human Rights in Central Asia (AHRCA) through its monitoring of human rights developments in Uzbekistan. While AHRCA is based in exile in France, it has a broad network of contacts inside Uzbekistan. International Partnership for Human Rights (IPHR) has worked with AHRCA on compiling the report.

The Andijan Tragedy: failure to initiate an impartial international investigation into the events of Andijan in 2005 (right to life, art. 6)

In May 2005 in the city of Andijan¹ hundreds of demonstrators were killed as a result of the disproportionate and indiscriminate use of force by government security forces. Precise data on the dead and injured are still unavailable due to the deliberate obstruction by the Uzbekistani authorities of both attempts to carry out an independent, objective, thorough and effective investigation of the human rights violations committed during the tragic events in Andijan, and also attempts to monitor the subsequent trials of police and security personnel and civilians.

Human rights activists from various organizations report that some 245 demonstrators were arrested after the Andijan events.² All were denied access to justice, and sentenced to long prison terms after unfair trials. Of these, twelve prisoners are believed to have died from torture.³ Relatives of the detained were subjected to harassment, discrimination and their freedom of movement both in Uzbekistan and abroad was restricted. The repercussions of the Andijan tragedy continue to be felt today in Uzbekistan. The public organization "Andijan - Justice and Revival"⁴ was established in 2008 by exiles from Andijan but ceased its activities in 2012 after their relatives in Uzbekistan came under pressure from Uzbek authorities. Their report "Evidence of Andijan refugees"⁵ contains testimony from 241 witnesses.

Zhalolidin Mamarizaev was born in 1979 in Andijan and died on 13 February 13, 2011. He was one of the first people to be sentenced to prison for anti-constitutional activities in 2005⁶, after the events in Andijan. The original 11-year sentence was later extended by four years. According to his mother, eight law enforcement officers brought home his body in a sealed coffin on 14 February 2011, ordering the family to bury him without complying with traditions and customs and forbidding them from opening the coffin because they said Zhalolidin Mamarizaev had died from an incurable viral disease. The relatives did not open the coffin but later received information from other prisoners that Zhalolidin Mamarizaev had been tortured before he died.⁷

Ongoing persecution and restrictions of freedom of movement of Andijan refugees and their families (Articles 2, 7, 12):

In early 2010 refugee Dilorom Abdukadirova who fled from Andijan immediately after the 2005 events and sought asylum in Australia, returned to Andijan to see her children. Despite having received guarantees from the Uzbekistani authorities to the contrary, she was arrested at the airport and accused of illegally crossing the state border. She was subsequently found guilty of attempting to overthrow the constitutional order of Uzbekistan, and of organizing and participating in extremist religious movements, and sentenced to ten years and two months in prison. Other refugees who returned from the United States in 2006 have been under **surveillance** by the National Security Service and are forbidden from visiting the graves of their relatives who were shot during the Andijan events. One is believed to have died from a heart attack caused by stress.

Many Andijan refugees are wanted by **Interpol**, including two human rights defenders from Andijan: Lutfullo Shamsutdinov (USA) and Muzafarmirzo Iskhakov (Norway).

Those who witnessed the events in Andijan and fled Uzbekistan have encountered **difficulties in being recognized as refugees**, because once they are absent from their place of residence in Uzbekistan for over three months the Uzbekistani authorities often place them on wanted lists, including Interpol, as suspects of involvement in terrorism and participation in banned organizations. People from Andijan who wish to leave Uzbekistan are often denied permission for an exit visa, required in Uzbekistan to leave the country. They therefore seek international protection at UNHCR offices in Kyrgyzstan or Kazakhstan, where they do not require visas. However, the Kazakhstani and Kyrgyzstani immigration services are often suspicious of the Andijan women wearing hijabs and men wearing beards, who do not have exit visas from Uzbekistan. Acting within the framework of regional cooperation and mutual assistance agreements, (such as those of the Shanghai Cooperation Organization, and the Minsk and Chisinau Conventions) the migration services of Kazakhstan or Kyrgyzstan often send information to Uzbekistan and this puts these refugees in great danger of forcible return to Uzbekistan. It is also in direct violation of the principle of confidentiality of asylum claims. As a result Andijan refugees are less likely now to apply for refugee status and instead live in different countries illegally.

AHRCA has received information about ten people arrested after the events in Andijan in 2005 whose **prison sentences were extended** beyond those originally handed down by the courts. These include 70-year-old Abdumutalib Kodirov, whose original eight-years prison term was subsequently extended by 5 years; Abdumalik Sharopov, who is disabled and remains in prison; Azimov Avazhon who had his leg amputated after being shot in the leg. The length of his original sentence is not known but it is known that it was extended by 2 years and six months.⁸

Deaths in custody (Article 6):

During the reporting period, AHRCA received information about 85 cases of deaths in custody. AHRCA was able to verify this information in 36 cases⁹, including the 12 people from Andijan listed above. Death certificates often state the cause of death as heart failure or suicide. ICPR and AHRCA are concerned that the appalling prison conditions and inadequate medical treatment lead to the high number of deaths (see pages 7-8). The organizations are not aware of any effective and objective investigations carried out into these cases of death in custody.

In its reply to the UN HRC the Government of Uzbekistan (pages 10-13) provides the official reasons for these deaths in custody as suicide and grievous bodily harm in the cases of: a) **Abdurahmoni Sagdiev** who in 1999 was sentenced to 16 years in prison. Official information states that he died on 28 February 2012 following a fight with a fellow prisoner; b) **Dilshod Iskhakov**, sentenced to 16 years in prison in 2002. The official cause of death on 8 May 2013 is given as suicide although AHRCA received credible information that he had been subjected to torture and ill-treatment (including beatings and threats of rape) by prisoners acting on order of prison officials and that this had pushed him to commit suicide. c) The Uzbekistani government informed the UN HRC that it has no record of a prisoner by the name of Umid Akhmedov. **Umid Akhmedov's**¹⁰ body was returned to his family for burial on 30 March 2013. Relatives were made to sign a non-disclosure agreement about the injuries on the body and a forensic examination was forbidden. There are reports that Umid

Ahmedov's relatives were intimidated and as a result they refused to talk to human rights defenders and that Umid Ahmedov was held for two weeks in unregistered detention shortly before his death because he had sensitive information about high ranking officials. This could explain why the Uzbekistani government has no trace of a person of this name being detained.

In many cases prisoners are reportedly driven to commit suicide after prolonged subjection to torture and other ill-treatment including psychological ill-treatment.

For example, **Nilufar Rahimdzhanova**¹¹ (born in 1977), an ethnic Tajik and daughter of an exiled religious activist who had previously been critical of President Karimov. died on 13 September 2014 in the Zangiota women's prison in Tashkent region. The body has not been returned to her father in Tajikistan or to her husband. The authorities recorded the official cause of death as suicide. Reportedly, she was told she would be released to see her children if she appeared on television and denounced her father and husband, a journalist and specialist on Islam. She did this in 2011 but was not released. She was suffering from extreme stress.

Other deaths in custody recorded by AHRCA include the following cases:

Makset Ismetov¹² was a founding member of the Karakalpakstani party "Halyk mypsy" ("The will of the people"). He openly criticized the authorities for restricting human rights and fundamental freedoms in Karakalpakstan. He was sentenced to imprisonment on charges of "organizing mass disorder" in the Chimbay region on 17 November 2010. He died in prison on **6 March, 2013** in unknown circumstances.

Hamidulloh Omonov¹³ died in detention in **April 2013** in unknown circumstances. He was a citizen of Kyrgyzstan and an ethnic Uzbek, who did not hide his membership of the party "Hizb ut-Tahrir", banned in Uzbekistan. He was arrested in 1999 in Hodzhaabade, Andijan region after reportedly having been lured into Uzbekistan by the Uzbekistani security services on the pretext of an order for car repairs. He was sentenced under Article 159 and since 2007 had his sentence extended four times for alleged offences under Article 221 of the Uzbekistani Criminal Code (disobedience to the lawful demands of the administration of penal institutions)

Usman Ahmedov's death was reported on **2 June 2015**.¹⁴ A prisoner from Jizzakh region, Usman Ahmedov was held in detention facilities under the National Security Services. He was arrested on March 7, 2015. Three months later, relatives were told that he had committed suicide.

Right to freedom from Torture and other cruel, inhuman or degrading treatment or punishment, Liberty and Security of Person, Treatment of persons deprived of their liberty, Right to Fair Trial and Independence of the Judiciary (Articles 7, 9, 10 and 14)

The authorities of Uzbekistan have made some attempts to tackle torture by introducing legislative changes in recent years to improve legislation in accordance with international standards. For example the Law on pre-charge and pre-trial detention provides for greater access for relatives to people in police detention, and explicitly forbids torture and ill-treatment. However, such changes are not implemented in practice. Torture and ill-treatment have become an integral part of the criminal justice system, and are routinely used as methods by which to make a suspect confess to a criminal offense.

For example on 15 April 2014, 15 armed law enforcement officers broke into the house of human rights activist **Shavkatjon Hajihanov**,¹⁵ others surrounded the house and rounded up the neighbors and local residents. Shavkatjon Hajihanov was brought out in handcuffs, wearing shorts and slippers. He was not allowed to get dressed before he was pushed into a police car. The next day he stood in the investigator's office in his shorts and slippers in the presence of his nephew. The nephew later reported that Shavkatjon was shivering and there were signs of beatings on his body. His nephew begged the law enforcement officer to be allowed to give him his shoes, which he was. Shavkatjon asked his nephew to inform the embassies about what had happened, upon which the law enforcement officer began to hit Shavkatjon on the head and back, causing him to fall and then dragged him from the room. The beating could be heard continuing for some time after this.

Definition of Torture in the Criminal Code is not in line with Article 1 of the Convention against Torture:

Article 235 of the Criminal Code criminalizes torture and ill-treatment but, amongst other shortcomings, does not specify the criminal responsibility of those who instigate torture, who pressure witnesses in criminal cases, or the responsibility of officials who fail to act on torture complaints. Bringing the definition of "torture" in criminal legislation in line with Article 1 of the Convention against Torture would allow all those responsible for torture and ill-treatment to be brought to justice and not only the law enforcement officials specifically referred to in Article 235¹⁶.

In its response to the UN HRC (answer № 10, pages 12-13), the Uzbekistani government reports that work on amendments to Article 235 of the Criminal Code is progressing, and that they are studying the incorporation of international law standards into national legislation. Four years ago, the answer given by the Uzbekistani government was strikingly similar and yet very little noticeable progress has been made in practice.

Lack of fundamental safeguards against torture and ill-treatment:

- a) **Failure to notify family members of detainees' whereabouts:** Relatives often are unaware of the detention and the detainees' whereabouts. The Criminal Procedural Code provides for the notification of detainees' relatives in Article 217¹⁷ but this is often not implemented in practice.
- b) **Failure to provide access to legal counsel:** Despite the Criminal Procedural Code providing for basic rights upon detention, such as the right to a lawyer, in practice detainees are not routinely informed of these rights.

For example, human rights defender **Fahriddin Tillaev** was arrested on 2 January 2014 suspicion of human trafficking (Article 135). His defence lawyer was not able to see him until 14 February, despite having written permission to do so. On 14 February he and his co-defendant Nuraddin Djimaniyazov were charged, the investigation was completed and the case referred to the Prosecutor's office. The defendants and their lawyers were not given time to familiarize themselves with the case for the prosecution. Fahriddin Tillaev's lawyer learned of the trial date on 5 March, less than 24 hours before the trial began. The trial on 6 March lasted for approximately 5 hours and was recorded by the television channel UzTV.

- c) **Improper Use of Administrative arrest:** Administrative detention is routinely mis-used and criminal suspects are sometimes initially arrested for alleged administrative violations, detained for up to 15 days and questioned without a lawyer present (the Code of Administrative Responsibility of Uzbekistan¹⁸ does not provide for procedural guarantees such as the presence of a defence lawyer during interrogation). AHRCA has received several reports of cases where a criminal suspect is initially arrested for an alleged administrative violation on the basis of a false report drawn up by a law enforcement officer.¹⁹ In some cases the detainee is then charged with a criminal offence after being forced to confess under duress.²⁰ The UN Special Rapporteur on Torture stated explicitly in his general recommendations to states to combat torture that "Administrative detention should be entitled to the same degree of protection as persons under criminal detention".²¹
- d) **Lack of independent medical examinations:** In practice, medical experts are not usually allowed access to detainees when they are first detained and usually see them only once the signs of bruising have subsided²², and then often in the presence of law enforcement officials. Officially, morgues are under the responsibility of the Ministry of Health, but in practice the Ministry of the Interior and the National Security Service control them, and supervise the writing of death certificates.²³ Therefore, in cases of suicide where the body shows clear signs of torture, instead of ordering a forensic examination the officials typically record the cause of death as due to illness or "heart attack". The lack of independent assessments allows perpetrators of torture and incitement to suicide to escape criminal responsibility.

The problem with timely access to medical forensic expertise is illustrated by the case of human rights defender Fahriddin Tillaev.

On 21 January 2014, during a meeting with his lawyer, Fahriddin Tillaev²⁴ reported deafness and bleeding in his right ear, and said he was forced to stand for hours under a dripping tap which caused severe headaches and that torturers stuck a needle between his fingers and toes. The same day, the lawyer wrote to the investigator in charge of the case with a request for a forensic medical examination, but received a response only on 5 March, saying that an enquiry had been sent to the SIZO administration. It is likely that the investigator was deliberately delaying the medical examination. Fahriddin Tillaev later confirmed to his lawyer that the medical examination had taken place, but did not know the outcome. The conclusions of the medical examination are not in the case file, so the court did not take the allegation of torture and ill-treatment into consideration. In March 2014 Fahriddin Tillaev was sentenced to eight years in prison²⁵.

- e) **Law enforcement officers and prison officials do not wear visible identification labels or name tags**, making it difficult for detainees to identify the officials responsible for torturing them at a later stage. Identification tags are an important safeguard against torture and a key factor in fighting against impunity for law enforcement officials who commit this crime.
- f) **Failure to exclude evidence obtained through torture (Articles 2, 7 and 14):** Courts routinely ignore defendants' allegations of torture during investigations, even if they show the scars on their bodies. The court therefore admits evidence obtained through torture, despite four Supreme Court directives prohibiting the admission of evidence obtained through torture. ²⁶

For example, on 11 December 2014 TV channel "Uzbekistan" broadcast a propaganda film called "Betrayal"²⁷, which featured six men who had previously requested refugee status in Norway but been returned to Uzbekistan. The programme presented them as "traitors of the motherland" and "religious extremists" and showed footage of them being interrogated by officials of the National Security Service. On 24 December 2014 the six men were sentenced to prison terms ranging from 12 to 13 years. According to information obtained by AHRCA, in the first six days of their pre-trial detention they alleged they were subjected to torture by law enforcement officials who struck them with a rubber truncheon on the soles of their feet, head and body, gave them electric shocks and withheld food for up to six days. At their trial bruises reportedly could be seen on their bodies and one of the men had a badly damaged tongue. State-appointed lawyers were aware that their clients had been tortured, but did not request a forensic medical examination or try to lodge a complaint about torture. At trial, the defendants and their lawyers told the judge about the torture, but the judge ignored this information. Also at the trial, the defendants learned from relatives that they had been shown on television and realized they had been filmed during interrogation with a hidden camera.²⁸

- g) **False confessions filmed on camera:** Although some video equipment has been installed in some places of pre-trial detention to film interrogations, there is some concern that such equipment is being misused. AHCHR is aware of at least two recent cases where people were tortured to confess on camera to charges which they later denied in court. See the case example above.

Treatment of Persons deprived of their Liberty (Article 10)

The General Directorate of Penitentiary Institutions (GUIN) falls under the responsibility of the Ministry of Internal Affairs, together with the investigating authorities. Reform of the prison system is already long overdue, and the first step should be to transfer GUIN from the Ministry of the Interior to the Ministry of Justice. This would be consistent with international best practice and would reinforce the idea of correction of those found guilty rather than the punitive attitude towards prisoners which currently predominates. The Ministry of Justice would then control and supervise the implementation of criminal punishments of those found guilty, the detention of persons suspected or accused of committing crimes, defendants in custody, their protection and the monitoring of those given conditional sentences.

Overcrowding in prisons

In 2010 President Islam Karimov reported to parliament that Uzbekistan had 166 prisoners for every 100,000 people, indicating that the prison population was comprised of approximately 46,480 people. The same figures were cited in November 2014 by the Chairman of the Supreme Court of Uzbekistan. In 2013, the International Center for Prison Studies (ICPS) reported that in 2012 the number of prisoners, including defendants, had fallen

to 46 420 people, of whom 42,000 were serving sentences, referring to the 2012 US State Department report, which referred to 2009 data on the number of inmates in 58 penal institutions in Uzbekistan in 2009.²⁹

However, AHRCA has information from more than thirty sources, including former government officials, a former employee of the Tashkent prison and lawyers of former and current inmates. These sources confirm that cells in prisons and SIZOs are overcrowded and in pre-trial detention detainees take turns to lie down. Published state statistics do not give a clear breakdown of the numbers of prisoners and the cost of their upkeep, listing them along with other expenses as “administrative costs” (which include running costs for prisons, military bases, warehouses, factories, etc). Sometimes the authorities provide statistics for the UN global institutions, but the accuracy of this information is questionable. AHRCA sources, experts who formerly worked at the Tashkent regional statistical office and the Institute of Strategic and Regional Studies assert that statistics on prisoner numbers is recorded, as is information about costs of maintaining them but considered as a state secret.

Lack of effective international monitoring of places of detention:

Uzbekistan remains closed to effective international monitoring and has not currently accepted any of the 13 requests for country visits by United Nations Human Rights Council Special Procedures. In March 2013 the International Committee of the Red Cross (ICRC) ceased visiting detention facilities in Uzbekistan, as the Uzbekistani authorities had obstructed access to detainees.³⁰ The Uzbekistani authorities systematically obstructed ICRC’s access and provision of humanitarian aid to detained human rights defenders³¹, victims of torture³² and the former UNDP worker Erkin Musaev³³. The authorities also hid the presence of foreign citizens in detention centres as well as those who had been abducted from abroad by the National Security Services of Uzbekistan.³⁴

The absence of regular, independent and unannounced monitoring of prisons and detention centres in Uzbekistan renders it extremely difficult to accurately assess the extent of the problem of torture and ill-treatment and the situation inside prisons and other places of detention. Although some visits by foreign diplomats take place they are often carefully supervised by security officials.

In their answer to the UN HRC’s list of issues, the Uzbekistani authorities³⁵ state that “the correctional institution of “Zhaslyk” was visited several times by representatives of national and international organizations,” and refer to visits of US embassy representatives in April 2014 saying that “all visits were given a positive assessment”. **However, according to sources in the US State Department³⁶, the representative did indeed visit Zhaslyk but did not have the opportunity to speak to one single prisoner. He only examined the premises.**

Prison conditions amounting to torture and cruel, inhuman or degrading treatment or punishment

AHRCA has received consistent and numerous reports about the appalling prison conditions in Uzbekistan: prisoners suffer from illnesses such as tuberculosis, hepatitis, anaemia and HIV; drinking water and sufficient food is commonly lacking; heating and ventilation systems are in need of repair; access to medical treatment is inadequate even for the elderly and disabled prisoners.³⁷ Many prisoners suffer from dystrophy.³⁸ In February 2014, AHRCA was told by former political prisoner Farkhod Mukhtarov that sick prisoners are not exempt from heavy manual work.³⁹

In a positive development, new regulations⁴⁰ were passed on 5 August 2013 providing for more lenient rules governing the provision of essential products (foodstuffs, hygienic items) for prisoners, work regimes, information for relatives etc.⁴¹ However, this legislation did not address concerns about the general prison conditions such as overcrowding and lack of heating and ventilation.

On 17 October 2013, AHRCA received a message from a prisoner in correctional facility 64/6 in the city of Chirchik⁴² reporting that there were 20 toilets for several thousand prisoners, and that prisoners had to stand in line for up to four hours to use the toilet. Many prisoners suffer from genital and urinary tract diseases, as well as incontinence. The prisoner reported that the deputy head of facility 64/6 uses the lack of toilets for “educational purposes”, and that he especially targets prisoners who are imprisoned on political or religious grounds.

In the absence of independent monitoring of detention facilities it is extremely difficult to verify all such reports, and therefore it is imperative that the Uzbekistani authorities agree to establish systems of effective and independent monitoring as a priority.

Torture and ill-treatment in detention facilities

From 2011 to May 2015 AHRCA received over 25 letters from prisoners and 154 allegations of torture and ill-treatment during investigation and detention. These describe the different methods of torture used and the prison conditions. The most common reports concern sexual violence; including rape with objects such as truncheons. Reportedly, prisoners are often deprived of food and water, and access to toilet facilities is often restricted. When prisoners cannot withstand this, they are then reportedly placed in a punishment cell and subjected to public ridicule. Infection with HIV is also common, and some reports allege this has been deliberately carried out in relation to prisoners who were sexually abused with a truncheon.⁴³ A prisoner in the Zhaslyk prison colony reported being forced to learn the works of President Islam Karimov by heart.⁴⁴

In 2012 in correction facility 64/6 in Chirchik, prison officers found a sweet on prisoner Olim Hidirov (born 1972) during a search of the barracks. The head of the facility ordered him to be beaten and several prisoners beat him all over his body. When Olim Hidirov realized that they wanted to rape him, he resisted and beat his aggressors as well as the prison wardens. He was then tied up and taken out of the barracks and has not been seen since. In 2006 he was sentenced to imprisonment for crimes against the constitution and for participation in terrorism and extremism (Articles 159, 242, 244 of the Criminal Code of Uzbekistan).

Asrorzhonov Isazhonov⁴⁵ is held in the strict regime prison colony 64/51 in the town of Kasan in Kashkadarya region, where he has been forced to make bricks for ten hours a day, earning 10,000 soms per month (approximately 3.5 US dollars). Reportedly, he has been subjected to torture, ill-treatment and intimidation for a long time by a representative of the prison administration. On 16 February 2014 he was allowed to see his family for a one-day visit instead of a two-day one. He was depressed during the meeting and reportedly admitted to his mother that he could no longer stand the bullying and ill-treatment. We are concerned that he is in very poor health as a result of torture and ill-treatment and that he may be at imminent risk of dying.

Impunity for officials committing or ordering torture or ill-treatment: (Articles 2, 7, 10)

No independent investigation of torture complaints

The Uzbekistani government responses to questions 11 to 15 provide information about how legislation and statutory mechanisms to combat torture should work in theory. However they do not provide information about investigations into torture allegations or deaths in custody and how the responsibility of those who order such crimes is established in these cases.

In practice, there is no independent complaints mechanism in Uzbekistan responsible for the examination of complaints of torture. Prosecutor's offices are not independent and send back complaints to departments of the Ministry of Internal Affairs or police stations, the very bodies whose law enforcement officials are accused of the torture or ill-treatment.⁴⁶ The complaint is then examined and most often the conclusion is that the allegations could not be substantiated and no criminal proceedings are initiated. Collusion and corruption between the official bodies responsible for investigation and prosecution of allegations of torture and ill-treatment (including the National Security Service) creates an environment where the objective and independent investigation of torture allegations is impossible.

In 2013 a single interactive portal for complaints⁴⁷ was set up, intending that the Ministry of Justice would register and process all complaints centrally. Information would then be requested from various different government agencies on the substance. Regular users of the portal reported that for the first six months, it functioned smoothly. However, following the public outcry and criminal case against the NGO Fund "Forum for culture and art of Uzbekistan" which was co-founded by Gulnara Karimova, the eldest daughter of the President, the functioning of the portal changed. Now, reportedly if an applicant is critical of a highly placed official or makes allegations about corruption, the application is quickly passed to the very agency which is

accused of misdoings. Complaints which could cause a public outcry are either “lost” or irrelevant answers are given.

Victims of torture in prisons have no reliable way to report incidents of torture to government supervisory bodies without being at serious risk of retaliation from those responsible for committing the torture. Factors such as the lack of identity tags on law enforcement officials, lack of opportunity to use telephone help lines and lack of access for independent observers to detention facilities all mean that perpetrators of torture escape accountability. Prisoners are afraid to put complaints about torture in the post boxes which have been provided in detention facilities to collect written complaints, as officials of the prison administration have keys to these post boxes. There are some reports that prisoners are not allowed to possess paper, pens or notebooks in their cells and that if these items are found during routine searches prisoners are punished.

On 3 December 2012 in the correctional facility 64/51 in the region of Kashkadarya a timetable of toilet visits has reportedly been initiated, and the toilet is shut for the rest of the time, causing discomfort and physical suffering to prisoners. Prisoner **Kamoliddin Fahriddinov**⁴⁸ sent several complaints to the special prosecutor’s office but these were intercepted by prison officials. In protest, Kamoliddin Fahriddinov swallowed nails and was reportedly not given medical attention for two days, being transferred to the prison hospital in Tashkent only on the third day.

Law enforcement officials and prison personnel also often order detainees and prison inmates to torture and ill-treat other prisoners to coerce them into giving false testimony or withdrawing evidence.⁴⁹ Some such orders allegedly come from representatives of the prison authorities, state officials or high ranking members of Uzbekistan’s government.⁵⁰ In the case below, although the prisoners managed to complain about torture by fellow prisoners, and the authorities took initial steps to investigate, the complaint was dismissed as unfounded.

In two interviews in 2014 and 2015 a foreign citizen who wishes to remain anonymous told AHRCA that in 2012 he was tortured in front of other inmates in the correctional facility 64 (Iz-1) in cell 491 by a fellow prisoner, acting on the orders of the prison authorities. The prisoner allegedly “beat everyone, me and others... he took an electric kettle with boiling water and poured it over people, scalding them right before my eyes. All this happened with the consent of the prison officers”. The former prisoner told AHRCA “We all saw that he was approached by people acting for oligarchs and given the names of the prisoners to torture and force them to change their testimonies against the real culprits. I wrote a complaint about Saidov, and the Commission came to see me about my being beaten in Tashkent prison[...] The material they collected was sent to the prosecutor’s office which rejected the request to open a criminal investigation, ostensibly for lack of evidence. The authorities knew that if they opened a criminal case on the torture of a foreigner, it would lead to an international scandal.”

The case below illustrates the preventative effect in cases when the authorities intervene to investigate allegations of torture:

A former employee of the National Security Service who wishes to remain anonymous told AHRCA⁵¹ how he shared a cell in the basement of the 4th block of Tashkent prison (correctional facility 64/ Iz. 1) with three prisoners who were working for the prison administration.⁵² The other prisoners reportedly beat him, strung him up, put cigarettes out on his body and cut him with a knife. When he was taken out of Tashkent prison for investigative reasons, he bribed a law enforcement official at the City Department of Internal Affairs to allow him to call home, and he managed to describe his prison conditions. The next day a special prosecutor visited Tashkent prison and witnessed what was happening. Reportedly, some prison officials were subsequently arrested and for a while things improved. The letter concluded “But it is not always possible for prisoners to tell the outside world that they are being tortured, and therefore murder and torture of prisoners continues in Tashkent prison”.

Inhuman and degrading treatment of relatives of prisoners (Articles 7, 10)

Information has come to light indicating routine and cruel treatment of relatives of prisoners to an extent which, IPHR and AHRCA believe, amounts to torture and ill-treatment.

For example, a woman who visited her son in correctional facility 64/6 in Chirchik in 2011 told AHRCA of relatives being filmed as they waited in the queue for visitors.⁵³ She described how relatives bring foodstuffs and other products and pass them over to prison guards to be inspected. There are crowds of people waiting and visitors have to walk at least two kilometers to the prison entrance and wait for several hours to hand over their parcels, sometimes being made to unpack them in front of the prison guards. People find this stressful and humiliating. The woman told AHRCA that her son told her how a film of visitors waiting in July 2011 had been shown to a prisoner convicted of anti-constitutional activities.⁵⁴ The film showed visiting relatives fainting from the heat and getting nosebleeds. Several older women were exhausted and ready to drop. People queuing cried when they saw an elderly woman begging the duty guard to allow her to see her son one more time as she was terminally ill. The guard replied that there was one procedure for everyone. The old woman dropped to her knees to beg. This film was reportedly shown in the main hall in the prison colony and suddenly a prisoner recognized the woman as his mother. He stood up and began to beat his head on the floor in hysterics. He was covered in blood and shouted "Forgive me mother!" Several people carried him to the infirmary with a smashed forehead. He shouted that he did not want to live and took a long time to calm down. The woman who contacted AHRCA was able to see her son again six months later but the elderly woman had not returned by the time of her next visit.

Officials of the security forces reportedly sometimes put pressure on relatives of detainees to make them refuse the services of independent defence lawyers. For example, on 21 March 2011 Uzbekistani citizen Alim Dadashov was deported from South Korea to Uzbekistan. His relatives hired a lawyer who made enquiries at state institutions to establish his whereabouts. Eventually the lawyer located him in detention at the National Security Service, where he had been charged with terrorism-related offenses. Alim Dadashov's mother was told by a National Security Service investigator that the lawyer was corrupt, alleging that he had been paid by the United Nations to "criticize our country". The investigator told her she should not talk to international organizations any more. The next day she refused the lawyer's services and accused him of embezzlement. The lawyer subsequently lost his license to practice law. Alim Dadashov's current whereabouts are unknown.⁵⁵

Arbitrary extension of prison terms: (Article 9)

It is believed that as many as thousands of people are currently imprisoned in Uzbekistan on politically motivated grounds.⁵⁶ The practice of arbitrary extension of prison terms in relation to such individuals, including imprisoned human rights defenders, journalists, political opponents and thousands of people convicted of crimes related to "religious extremism" has become routine. Prisons sentences are extended based on unsubstantiated allegations of "disobedience to the legitimate orders of the administration of penal institutions".⁵⁷ Sentences are handed down in unfair closed trials which violate principles of justice and objectivity and international fair trial guarantees. The extension of prison sentences in this way results in many cases in de facto life imprisonment. For example, Murad Dzhuraev⁵⁸ (born in 1952) has had his prison sentence extended four times successively and has spent 21 years in prison, 12 of which were not part of his original sentence. Mukhammed Bekzhanov⁵⁹ (born in 1954) has spent 16 years in prison and has had his sentence extended a second time; Isrouil Kholdarov (born 1951), an invalid, has spent nine years in prison and has had his sentence extended; Azam Farmonov⁶⁰ (born 1978) was sentenced to nine years in prison for his first sentence and had the sentence extended.

Azam Farmonov, a former member of the independent Human Rights Society of Uzbekistan, was due to be released at the end of April 2015, after serving a nine-year term for extortion. On 21 May 2015 his wife was told by a former detainee that her husband had been sentenced to an additional five years' imprisonment by Kungrad Regional Criminal Court for violating prison rules, in a trial that took place without any independent observers present.

Freedom of Association (Article 22)

In its report to the UN HRC, the Uzbekistani government refers to 6600 active NGOs in Uzbekistan. However, **most of these are GONGOs.**⁶¹ Unlike genuinely independent NGOs, GONGOs have no trouble registering and their activities are supported and encouraged by the government. This results in a **simulation of civil society.**⁶² There is also lack of transparency in the financial activities of state and quasi-state structures, including those behind GONGOs.⁶³

At the same time, the **campaign of suppression against independent NGOs** continues. By law, NGO registration is compulsory, and unregistered organizations have been declared illegal. The founders and members of independent NGOs, civil and human rights activists, independent journalists, dissidents and other critics of the authorities, as well as their relatives are subjected to harassment.

Freedom of Expression and Harassment of civil society activists (Articles 7, 19)

Harassment and criminal punishment of civil society activists, critics of the authorities, dissidents, independent journalists, human rights activists, artists and their relatives continues. Over the last ten years AHRCA has documented some 500⁶⁴ cases where civil society activists and journalists have suffered repression and harassment, of whom some 100 people have been sentenced to imprisonment⁶⁵. 36 people are known to be detained at the time of writing on charges believed to be trumped-up, including six members of the unregistered independent human rights organization "Human Rights Society of Uzbekistan". More than 40 activists of this organization have already left Uzbekistan. The authorities also forced the leader of the organization "Mothers against the Death Penalty and Torture", Tamara Chikunova and other human rights defenders to leave Uzbekistan.

Forced psychiatric treatment of those critical of the authorities has also been resumed, for example the cases of human rights activists Ali Quli Sarymsakov, Yelena Urayeva, Jamshid Karimov and others. There are reports of a special ward ⁶⁶ in a psychiatric hospital for members of the political opposition in Karakalpakstan who support the idea of independence for this autonomous republic of Uzbekistan. AHRCA has received several reports of women being subjected to sexual abuse at the psychiatric clinic in the city of Turtkul.

One former patient of a psychiatric hospital in Karakalpakstan told AHRCA that whilst in hospital he was beaten, had his hands and feet tied in chains and deprived of food. AHRCA sources in Karakalpakstan claim that there are a high number of deaths in the psychiatric hospitals of Turtkul and Shymbaye but that these are rarely investigated.

Recently numerous critics of the authorities have been **refused exit visas to leave Uzbekistan**, including the human rights activists Yelena Urayeva, Uktam Pardayev, Adeline Kim, Shukhrat Rustamov, journalist Sergei Naumov and artist Vyacheslav Akhunov.

On 31 May 2015, well-known human rights defender **Yelena Urayeva** was allegedly **subjected to ill-treatment** at the hands of officials of the Ministry of Internal Affairs in Chinaz. As reported by her, she was detained, verbally and physically abused – including by being called a traitor and being beaten on the head -- and subjected to humiliating and intrusive sexual medical examinations and treatment after being accused of hiding a camera memory card.

Freedom of conscience and religious belief (Question 27 LOI, Articles 2, 18 and 26)

The Uzbekistani government's campaign of arresting and imprisoning independent Muslims who attend mosques which are not controlled by the state has been well documented by NGOs. Such individuals are charged and convicted of "religious extremist" crimes without any evidence that they have been involved in or advocated violence.

AHRCA has received information about numerous cases where people are threatened with arrest and detention as the authorities deem them to be a threat to national security because of their independent practice of Islam. For example, in July 2011 an Uzbekistani Muslim woman told AHRCA *"I was called into the*

district police station and warned that I would be arrested immediately if I joined an illegal organisation or encouraged others to join. I asked “Why do you think I’ve been encouraging people to join an illegal organisation?” ... they told me that I had been warned. I said “Why should I sign your document?” and the policeman replied “Because you wear the hijab”. “This warning was given by the head of the District Department of Internal Affairs.. From 2012 to 2015 AHRCA has received 16 similar reports from different regions of Uzbekistan, with people summoned to police stations for reasons such as wearing a hijab or having a relative who has been found guilty of “religious extremist” crimes.

Recommendations

AHRCA and IPHR request the UN Human Rights Committee to recommend that the Uzbekistani authorities:

- ***As a matter of priority, allow the UN Special Rapporteur on extrajudicial, summary executions or arbitrary executions to visit Uzbekistan.***
- ***Ensure compliance with the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and ratify the Optional Protocol to the Convention against Torture;***
- ***Allow international human rights organisations such as the International Committee of the Red Cross (ICRC) to resume their detention monitoring activities in full accordance with their standard procedures in Uzbekistan and Special Rapporteurs should be given permission to visit the country.***
- ***Establish an independent investigations mechanism into allegations and reports of torture in Uzbekistan under the Ministry of Justice;***
- ***Ensure that forensic medical examinations should be carried out by forensic experts in all cases of suspicious deaths to document signs of torture;***
- ***Release detainees with serious disabilities from detention;***

- ***Establish audio and video surveillance in all areas of custody facilities where detainees may be present, except where this would violate detainees’ right to privacy or to confidential communication with their lawyer or doctor. Recordings should be kept in secure facilities for a reasonable period and in the event should be made available for investigators, individuals who have lodged the complaint and their representatives. All allegations of the misuse of video equipment by law enforcement officials should be investigated and the perpetrators punished;***

- ***Require all law enforcement personnel, including prison personnel to wear identity badges indicating their full name, title and position;***
- ***Transfer responsibility for all places of detention from the Ministry of Internal Affairs to the Ministry of Justice;***
- ***Ensure that the bodies of foreign citizens who die in prisons in Uzbekistan are returned to their relatives;***
- ***Cease the practice of using video footage secretly filmed during interrogations of suspects for propaganda purposes;***
- ***Ensure that information about telephone hotlines; the contact details of government agencies and non-governmental organizations providing assistance to prisoners; information on prisoners’ rights; procedures for complaining about treatment in places of detention is clearly displayed in all police stations and places of pre- and post-trial detention. Such information should be accessible to prisoners, for example, in the exercise yard, as well as in cells.***

- ***Allow for the registration of independent NGOs and ensure that everyone can peacefully exercise their rights to freedom of expression, assembly and association in conformity with Uzbekistan’s obligations under international human rights law.***

¹ OSCE "Preliminary findings on the events in Andijan, Uzbekistan, 13 May 2005" see: <http://www.osce.org/odihr/15653>

² For a list of participants and witnesses of the events of 13 and 14 May who are currently imprisoned see <http://www.fergananews.com/news/photos/2015/06/andijanrefugeespeak.pdf> Annex 5 , p 36-40

³ The twelve people who who died from torture while under investigation or during imprisonment whose corpses were returned to their relatives: Bohodirhon Nodirov(Andijan); Hoshimjon Qodirov; Abdurahmon Kochkorov (Andijan); Muhammadshokir Ortiqov (Andijan); Shuhratjon Hasanov (Kokand) ; Ikromjon (last name is unknown) (Kokand); Ozodbek Juraev (Jalakuduk); Rozihon Turgunova (Andijan); Giyosiddin Umarov (Andijan); Zhalolidin Mamarizaev (Andijan); Tavakkal Khadjiev (Andijan); Abdulakhad Boltaboev (Andijan)

Nodirov Bohodirzhon ; Qodirov Khoshimjon ; Kochkorov Abdurahmon; Ortikov Muhammadshokir ; Hasanov Shuhratjon; Ikromjon (last name is unknown) ; Juraev Ozodbek; Turgunov Ruzihon; Umarov Giësidin; Mamarizaev Jaloliddin; Tavakkal Hajiyev ; Abdulahad Boltaboev

⁴ "Andijan - Adolat va Tiklanish"

⁵ The report «Testimony from Andijan refugees » was written by Bakhtier Mukhtarov, who explains why he wanted to write the report " We finally understood that by simply telling the truth we can really help our country, our relatives and home town, all the people of Uzbekistan, who most of all need truth and freedom";

⁶ Article 159 of the Criminal Code of the Republic of Uzbekistan

⁷ AHRCA interview on 2 June 2015 with former member of NGO « Andijan – Adolat va Tiklanish » (anonymous for security reasons)

⁸ Others include: Bakhtiyor Mirzayev, 11 years imprisonment; Zhaloldin Sarimsokov 7 years imprisonment; Abdulbois Ibragimov 15 years imprisonment; Toshtemir Nurmatov was sentenced to 6 years, with two extensions of three years; Ikromjon Hojiev sentence extended by 3 years; Azamzhon Ismailov sentence extended by 3 years;

⁹ Other deaths in custody in the reporting period include: Nigmat Zufarov, born in 1964, July 15, 2010, allegedly committed suicide. His body reportedly bore signs of torture <http://pravozashitnik.at.ua/news/2010-12-03-1371>; Odile Huzhaerov allegedly died of torture on 29 October 2010 in prison colony 64/46 in Navoi. In 1999, he was sentenced to 11 years in prison. His wife Mohiniso Rakhimova was sentenced to 6 years in prison in 2006 after being found guilty of participating in a banned religious organisation. Mohiniso Rakhimova claims that she was tortured and forced to testify against herself and her husband. <http://www.fergananews.com/articles/7557> Shavkat Alimzhohaev, born in 1973, reportedly died from torture in July 2010 in colony 64/46 where he was serving a sentence for membership of a banned religious organization. Officially he died from anaemia, but his relatives report seeing signs of beatings and torture on his body especially on the face <http://vof.kg/?p=3351>; Zayniddin Askarov, born in 1971, reportedly died from torture in November 2010 Sangorod http://rus.azattyq.org/content/uzbekistan_zeiniddin_askarov_prison_terrorism/2222815.html; Ulugbek Gofur, born in 1969, reportedly died from torture in January 2011 colony 64/46 <http://i-news.kz/news/2011/01/13/3991263.html>; Abdulfattoh Raimohounov born in 1963, reportedly died from torture in January 2011 colony 64/71 (Zhaslyq) <http://i-news.kz/news/2011/01/13/3991263.html>; Ravshan Atabaev, born in 1956, reportedly died from torture in September 2011 in colony 64/36 www.fergananews.com/news.php?id=17357 ; <http://www.centrasia.ru/newsA.php?st=1317195480>; Mirkarimom Mirrafik, born in 1968, reportedly died from torture in July 2011, colony 64/18 <http://ru.hrsu.org/archives/2898>; Abdulaziz Mirzayev born in 1975, reportedly died from torture in June 2011 in colony 64/25 <http://www.ozodlik.org/content/article/24507682.html>; Sagdiev Abdurrahman born in 1971, reportedly died from torture in March 2012 colony 64/46 <http://www.rosbalt.ru/exussr/2012/03/07/954797.html>; Abdumannon Artikov born in 1977, reportedly died from torture in June 2011 in Sangorod http://www.bbc.co.uk/uzbek/uzbekistan/2011/07/110706_cy_uzbekistan_prison_death.shtml; Ismatulla Abbosov, born in 1959, reportedly died from torture in May 2012 colony 64/51; Shovkadzhan Nurmatov born 1972, reportedly died from torture in December 2012 Sangorod <http://dunyouzbeklari.com/vo-vremya-doprosa-ubit-nurmatov-shovkatjon-abdumannopovich/>; Shavkat Karimov reportedly died from torture in August 2012 Sangorod prison hospital where treated for tuberculosis <http://ru.turkiston.net/?p=531>; Ulugbek Gapirov reportedly died from torture in January 2011 colony 64/71

<http://uzbekistanerk.com/rus/?p=2756>; Yuldash Umarov born in 1971, reportedly died of torture in December 2010 in colony 64/33

<http://uzbekistanerk.com/rus/?p=2756>; Mukhiddin Abdullayev born in 1982, reportedly died from torture in May 2011 colony 64/61

<http://www.ozodlik.org/content/article/24215135.html>; Konyratbay Allaniyazov a Karakalpakstani independence fighter, was born in 1953, sentenced to 12 years in prison. In March 2014 it was reported that he died, but his relatives were not given his body <http://ahrca.eu/index.php/uzbekistan/andijan-13-may-2005/497-death-of-another-activist-fighter-for-independence-of-karakalpakstan>;

Abdigany Idrisov born in 1965, a Karakalpakstani independence fighter who died on 14 February 2013, reportedly as a result of torture <http://ahrca.eu/index.php/uzbekistan/andijan-13-may-2005/497-death-of-another-activist-fighter-for-independence-of-karakalpakstan>

¹⁰ <http://ahrca.eu/index.php/uzbekistan/torture/648-uzbekistan-relatives-have-been-handed-the-body-of-a-person-under-investigation-with-stabbing-wounds-and-traces-of-beating-all-over-his-body>

¹¹ <http://ahrca.eu/index.php/tadjikistan/151-torture/539-uzbekistan-a-woman-convicted-of-terrorism-died-in-prison>

¹² <http://ahrca.eu/index.php/uzbekistan/andijan-13-may-2005/497-death-of-another-activist-fighter-for-independence-of-karakalpakstan>

¹³ <http://ahrca.eu/index.php/uzbekistan/torture/644-uzbekistan-body-of-the-diseased-convict-not-given-to-the-relatives>

¹⁴ <http://ca-news.org/news:1151680/>

¹⁵ <http://ahrca.eu/index.php/uzbekistan/torture/503-our-shavkat-is-in-the-basement-of-the-national-security-service>;

¹⁶ Article 235 defines torture as Article 235 defines torture as: "...unlawful psychic or physical influence on the suspect, the accused, the witness, the victim or other participant in the criminal process or the convict serving a sentence, or close relatives, by means of threats, blows, beating, torturing, causing suffering or other unlawful actions committed by an inquiry officer, investigator, procurator or other employee of the law enforcement bodies or penal institutions, with the aim of obtaining any kind of information, confession of committing crimes, arbitrary punishments for committed actions or forcing to commit any kind of actions."

¹⁷ http://lex.uz/pages/getpage.aspx?lact_id=97661

¹⁸ ibid

¹⁹ For example the cases Sergey Naumov and Fakhridin Tillaev amongst others

²⁰ For example the case of Fakhridin Tillaev

²¹ Report of the Special Rapporteur on the question of torture submitted in accordance with Commission resolution 2002/38, UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment, UN doc. E/CN.4/2003/68, 17 December 2002, para. 26(h), p11 at: [http://www.unhcr.ch/Huridocda/Huridoca.nsf/e06a5300f90fa0238025668700518ca4/15adfcf7e4c65c1256cbb00367508/\\$FILE/G0216049.pdf](http://www.unhcr.ch/Huridocda/Huridoca.nsf/e06a5300f90fa0238025668700518ca4/15adfcf7e4c65c1256cbb00367508/$FILE/G0216049.pdf)

²² For example the cases of Fakhridin Tillaev, Nulufar Mukhammad Bekzhanov, Murad Dzhuvaev

²³ For further information see AHRCA report "The System of Torture and Extrajudicial Execution in Uzbekistan" April 2011 http://www.ahrca.eu/Uzbekistan_Torture_Eng.pdf

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- ²⁴ <http://ahrca.eu/index.php/uzbekistan/defenders/596-uzbekistan-two-human-rights-defenders-imprisoned-for-8-years-3-months>
- ²⁵ <http://ahrca.eu/index.php/uzbekistan/defenders/574-uzbekistan-the-supreme-court-upheld-the-sentence-against-human-rights-activists-tillaev-and-djumaniyazov>
- ²⁶ For example the 2004 directive of the Plenum of the Supreme Court "On some issues of application of the criminal procedural law on admissibility" 24 September http://lex.uz/pages/GetAct.aspx?lact_id=1455955
- ²⁷ Link to the film "Betrayal" about returnees from Norway <https://www.youtube.com/watch?v=A3CiOn61xcl&feature=youtu.be>
- ²⁸ <http://www.ahrca.eu/index.php/uzbekistan/torture/556-uzbekistan-a-trial-of-traitors-of-the-motherland-took-place>
- ²⁹ US Department of State "2012 Uzbekistan Human Rights Report" <http://www.state.gov/documents/organization/204629.pdf>
- ³⁰ "In Uzbekistan we are unable to follow our standard working procedures when we visit detainees to assess the conditions in which they are being held and the treatment they are receiving," said Yves Daccord, director-general of the ICRC. "As a result, we cannot address humanitarian issues and that renders any visits pointless." <https://www.icrc.org/eng/resources/documents/news-release/2013/04-12-uzbekistan-detainees.htm>
- ³¹ Press release Uzbekistan: 5 More Years for Jailed Activist, HRW <http://www.hrw.org/news/2015/05/28/uzbekistan-5-more-years-jailed-activist>
- ³² "589. On 13 June 2003, the Special Rapporteur and the Special Rapporteur on torture sent an urgent appeal to the Government of Uzbekistan regarding Jamoliddin Karimov, aged 26, who was reportedly sentenced to 18 years in prison for violating article 159 of the Uzbekistan Criminal Code (anti-constitutional activity). After the trial, Karimov was sent to Jasyk prison colony 64/71 where he was severely tortured. It is reported that he has not had any access to medical treatment and this is seriously endangering his life." <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G04/122/75/PDF/G0412275.pdf?OpenElement>
- ³³ AHRCA interview with a former prisoner from colony 64/21 (wished to remain anonymous for reasons of security) 15 May 2015.
- ³⁴ AHRCA interviews with former prisoners from prison colonies 64/33, 64/49, Tashtiroma and others (who wished to remain anonymous for reasons of security) between 2012 and 2015.
- ³⁵ Answer to question 19, page 21-22.
- ³⁶ Information received 28 May 2015
- ³⁷ Press release "Uzbekistan: prisoners with disabilities were again left out of amnesty" or 24.02.2013, <http://ahrca.eu/index.php/political-prisoners/665-uzbekistan-prisoners-with-disabilities-were-again-left-out-of-amnesty>
- ³⁸ A photo in the AHRCA shows the body of Odil Khuzhaerov (1971-2010) taken as it was given to his relatives for burial in 2011 <http://www.fergananews.com/articles/7557>. He was serving a prison sentence in Navoisky prison colony 64/46. Witnesses reported that less than five hours were allowed for the burial of the body, and that his relatives were made to sign statements swearing them to secrecy. Neighbours were not allowed to attend the funeral which was held under supervision of officers from the National Security Service (National Security Service (SNB: Sluzhba Natsionalnoi Bezopastnosti). Odil Khuzhaerov's wife was sentenced in 2006 to six years' imprisonment after being found guilty under Articles 159 and 244.2.
- ³⁹ AHRCA interview with former political prisoner Farkhod Mukhtarov from 5 February 2014.
- ⁴⁰ http://www.lex.uz/pages/GetAct.aspx?lact_id=2216121
- ⁴¹ These regulations, which are only available in Uzbekistani also cover: the organization of religious ceremonies, civil and family relations; parcels visits and telephone calls; the work duties of prisoners; passing of power of attorney to family members; rights to marry and divorce; and stipulate that relatives of prisoners are entitled to be informed about the health of their loved ones, as well as any disciplinary measures. In open prisons prisoners are allowed to wear civilian clothes and shoes, and use mobile phones without cameras.
- ⁴² Letter from a prisoner in correction facility 64/6 in Chirchik to AHRCA from 17 October 2013.
- ⁴³ <http://www.ahrca.eu/index.php/publications/letters/795-uzbekistan-lettre-the-colony-64-33>
- ⁴⁴ Letter from Zhaslyk prison colony 64/71 written in December 2011
- ⁴⁵ Asrorzhon Isakhonov, (dob. 1981) sentenced in 2000 for 13 years under Article 159 and 244-1 («Preparation or distribution of materials posing a threat to security and public order ». In 2009 his sentence was extended by four years under Article 221, in 2011 it was extended again by 3.5 years). In 2002 his older brother, Abbosjon Isakhonov, died from tuberculosis 22 days after being released from prison. He was serving a 11. 5 year sentence after conviction under Article 159 and 244-1. See <http://ahrca.eu/index.php/uzbekistan/torture/471-uzbekistan-prisoner-asrorjon-isajonov-on-the-verge-of-death>
- ⁴⁶ By law, complaints of torture should be processed within 10 days. But this refers to the time within which officials must respond to the complainant and this is often a matter of mere formality.
- ⁴⁷ <https://my.gov.uz/ru/service/431>
- ⁴⁸ <http://ahrca.eu/index.php/uzbekistan/torture/525-uzbekistan-a-prisoner-swallowed-nails-as-a-sign-of-protest>
- ⁴⁹ AHRCA received several eye-witness reports of torture and ill-treatment by prisoners on fellow prisoners, in order to get them to sign false statements. One prisoner told AHRCA "*[the prisoner] punched [another prisoner] in the stomach some 50 times and did not stop until his fists bled.... Prisoners were made to become his slave, wash his clothes, prepare his food etc... he took away our food, didn't let us sleep, took away our money and gave some of it to the prison guards*".
- ⁵⁰ See <http://www.fergananews.com/news/21451>
- ⁵¹ AHRCA interview (anonymous for reasons of security), December 2014.
- ⁵² In violation of legislation which prohibits placing former law enforcement officials in cells with other prisoners
- ⁵³ AHRCA interview (anonymous for reasons of security), 27-29 August 2011
- ⁵⁴ Article 159 of the Criminal Code of the Republic of Uzbekistan
- ⁵⁵ Information received by AHRCA on 27 August 2011
- ⁵⁶ *Articles of the Criminal Code used for political persecution in Uzbekistan*: 145 ("Violation of the freedom of conscience"), 156 ("inciting national, racial, ethnic or religious hatred"), 157 ("High Treason"), 158-3 (" Public insult or defamation of the President of the Republic of Uzbekistan through the press or other media "), 159 (" violation of the constitutional order of the Republic of Uzbekistan "), 216 (" Illegal organization of public associations or religious organizations ") 216- 1 ("Intention to participate in the activity of illegal public associations and religious organizations"), 216-2 ("Violation of the laws on religious organizations"), 221 ("Disobedience to the lawful demands of the administration of penal institutions"), 223 ("illegal exit or illegal entry into the Republic of Uzbekistan "), 241 (" Failure to report a crime, concealment "), 244-1 (" The manufacture or distribution of materials containing threat to public security and public order "), 244-2 (" Creation, management or participation in religious extremist, separatist, fundamentalist or other banned organizations ").
- ⁵⁷ Article 221 of the Criminal Code of Uzbekistan can impose extended terms of imprisonment of up to five years.

⁵⁸ <http://www.ahrca.eu/index.php/uzbekistan/torture/526-uzbekistan-murad-djuraev-is-sentenced-to-another-term-of-imprisonment-of-three-years-24-days>

⁵⁹ <http://www.pen.org/defending-writers/test-first-name-test-middle-name-test-last-name/muhammad-bekjanov>

⁶⁰ <https://www.fidh.org/International-Federation-for-Human-Rights/eastern-europe-central-asia/uzbekistan/uzbekistan-azamjon-formonov-sentenced-to-five-additional-years-in>

⁶¹ For instance, the State report does not mention that many of the NGOs were created under the patronage of the "Public Youth Movement of Uzbekistan "Camelot", which evolved out of the Komsomol movement, and numerous others under the patronage of organisations established by order of the Cabinet of Ministers. ⁶¹ The Women's Committee of Uzbekistan, the Federal Council of Trade Unions, the National Association of NGOs of Uzbekistan, the Independent Institute for Monitoring the Formation of Civil Society, the Public Fund for Support and Development of Independent Print Media and Information Agencies of Uzbekistan, the Public Fund for Support of NGOs and other civil society institutions under the Oliy Majlis of the Republic of Uzbekistan, the Fund " Forum of Culture and Art of Uzbekistan " Republican charitable fund " Mahalla ", International Cultural Centre, the Centre for Public Opinion Research of the Republic of Uzbekistan ' Ijtimoiy Fikr " Fund " Sen yolg'iz emassan 'Fund " Healthy Generation Uchun " Republican Center for Social Adaptation of Children, Practical Scientific Center " Oila " Chamber of Lawyers of Uzbekistan, Association of Judges of Uzbekistan, Association of Child and Family Support Center for Support of Civil Initiatives, Legal Research Centre , the Centre for youth information and education " Istiqbolli Avlod ", the National Association of Electronic Mass Media, etc.

⁶² The House of Europe in Uzbekistan claimed in a letter of 20 April 2011 said that the EU is working with Lola Karimova-headed Tillyaeva Republican Center for Social Adaptation of Children (RCSAC) since its establishment. The letter shows that in 2008 the EU program for partnership and institution-building (IBPP) allocated a grant to the Centre. It is interesting that the mandate of this program involves supporting civil society initiatives. Given that the Republican Centre for Social Adaptation of Children was created by decision of the Cabinet of Ministers, the organization cannot be considered as part of civil society. The youngest daughter of President Islam Karimov Lola Karimova-Tillyaeva controls this organization, which received 3,7 million euros from the European Commission. This is more than three times larger than the entire budget for IBPP Uzbekistan. The funding is also 13 times that of the maximum allowable grant for NGOs. For more information: <http://ahrca.eu/index.php/uzbekistan/corruption/511-once-again-about-eu-grant-to-organization-controlled-by-lola-karimova-tillyaeva-new-details-and-food-for-thoughts>

⁶³ Organized Crime and Corruption Reporting Project - Report on Gulnara Karimova (the founder of the 'Forum of Culture and Art of Uzbekistan'), at <https://occrp.org/occrp/en/daily/3826-us-asks-sweden-to-freeze-assets-linked-to-uzbek-president-s-daughter> ; <https://occrp.org/occrp/en/daily/3826-us-asks-sweden-to-freeze-assets-linked-to-uzbek-president-s-daughter> ;

⁶⁴ AHRCA statistics

⁶⁵ Abdurasul Khudoinazarov was chairman of the Angren branch of the Human Rights Society of Uzbekistan "Ezgulik". He worked to protect people from torture and corruption by law enforcement officials. He died 25 days after his release from prison on 26 June 2014. He had suffered torture and beatings and been struck repeatedly on the liver. He had been denied adequate food and medical treatment. He died of cancer aged 58.

⁶⁶ AHRCA interview with ZZ who wished to remain anonymous for reasons of security, 10 March 2015.