

Briefing paper for EU-Uzbekistan Human Rights Dialogue, 8 November 2016: Human Rights in Uzbekistan

Introduction

Uzbekistan is undergoing a turbulent time as the death of former President Islam Karimov has led to a period of political transition which looks set to continue the profound disregard for fundamental rights and freedoms and constitutional violations which marked his 27-year rule.

Internal “enemies of the state” are being sought out by the Uzbekistani authorities and the chances of upcoming presidential elections being free and fair seem non-existent - as although various political candidates have come forward, there is not one opposition leader amongst them and the current repressive political climate does not allow for open discussion of political alternatives.

Acting President, Shavkat Mirziyayev has announced six priority areas for the country, but human rights are not amongst them and there are no signs as yet that Uzbekistan intends to implement the conditions outlined in the European Council conclusions made in the aftermath of the Andijan events. It is of utmost importance that Uzbekistan’s international partners ensure that human rights are included as a key priority in all bilateral and multilateral meetings with the post-Karimov leadership.

The Association for Human Rights in Central Asia (AHRCA) and International Partnership for Human Rights (IPHR) wish to draw attention to the following cases and human rights concerns.

National mechanisms for human rights protection and individual complaints procedures

The Uzbekistani authorities continue to view citizens’ appeals to government agencies or courts as threats. Usually citizens send appeals to the highest authorities such as the Presidential apparatus and the General Prosecutor’s office and the State National Security Service (SNB - Sluzhba Natsionalnoi Bezopasnosti in Russian), bypassing lower level officials who are confident of their impunity. Often these appeals are simply forwarded for review to the very same agencies whose officials the citizens are complaining about.

Since coming to power, Acting President Mirziyayev has a page on his official website where people are invited to leave statements, suggestions and complaints for his attention. However, only people living inside Uzbekistan can access this reception desk as a local telephone number is required in order to register on the website. The Presidential Administration is known to dismiss a large proportion of complaints as “inadmissible”.

We have received a recent report that representatives of the presidential apparatus met with relatives of political prisoner Rustam Usmanov and promised to follow up concerns about his state of health within two to three weeks.

On 21 October Shavkat Mirziyayev signed a Decree “On Measures of future reform of the judicial legal systems, and strengthening guarantees for the reliable protection of the rights and freedoms of citizens”, listing measures which will come into force from 1 April 2017 onwards.¹ Although the decree provides for positive measures: limiting the time a suspect can be held in detention before being charged from 72 to 48 hours; providing for alternative methods of punishment to imprisonment; and for greater transparency in the complaints’ system, it remains to be seen how these provisions will be implemented in practice and we urge the EU to monitor the implementation of this closely.

The procedure of reviewing complaints remains opaque and does not inspire confidence in a population used to reprisals from government authorities in response to speaking out with complaints. Relatives of prisoners have told Association for Human Rights in Central Asia (AHRCA) and International Partnership for Human Rights (IPHR) that the problem they encountered when trying to lodge complaints with the various official bodies is that the different bodies send the complaints directly to their respective regional offices instead of undertaking investigations themselves.

As a result, many people turn to public forums to criticize the Uzbekistani authorities through social media and independent on-line resources. This often attracts the attention of SNB officers who begin verifying any connections with opposition members and “enemies of the state”. Those people who turn to international human rights organizations and make public appearances on media outlets such as Radio “Ozodlik” (Uzbek department of Radio Free Europe/Radio Liberty), BBC and others, are often subsequently banned from leaving the country. In this respect the policy of the Uzbekistani authorities has not changed since the death of Islam Karimov and is implemented in relation not only to former political prisoners and their relatives, but also towards anyone who shows sign of independence or criticism of the Uzbekistani authorities.

Although there are post boxes for prisoners’ complaints to the human rights Ombudsman and the General Prosecutor’s office situated inside prison buildings, prison administration staff have keys to these boxes, undermining the confidential and secure nature of the initiative.

Violations of Freedom of Expression and Association

The right to freedom of expression remains curtailed in Uzbekistan with human rights activists, independent journalists and government critics being targets for reprisals regardless of whether they are based in Uzbekistan or abroad. Uzbekistani government officials carry out surveillance and control the movements of those who remain in Uzbekistan in particular. Activists and journalists who criticize the authorities are pursued and subjected to arbitrary arrests and detentions, torture and ill-treatment, and prosecutions in retaliation for their work.

Numerous activists, journalists and dissidents who have been imprisoned following unfair trials serve their sentences in prison conditions which amount to cruel, inhuman and degrading treatment. These include: **Nuraddin Dzhumaniyazov, Fakhridin Tillaev, Azam Farmonov, Isroilzhon Kholarov, Ganikhon Mamatkhanov, Muhammad Bekzhanov and Yusuf Ruzimurodov** and former UN official Erkin Musaev.

¹ http://news.uzreport.uz/news_2_r_145527.html

Citizens who are openly critical of the Uzbekistani government or of highly ranking officials are often charged with fabricated criminal charges of “threatening state security”, such charges are usually brought by the SNB.

There are very few independent human rights NGOs working openly in Uzbekistan where it is virtually impossible for them to obtain legal status and restrictive government regulations hamper the implementation of their activities.

Human rights activists working on monitoring the cotton harvest and former correspondents of the independent online media service “Uznews.net” have come under pressure from the authorities and have been refused permission to leave Uzbekistan. Uzbekistan still requires exit visas for citizens to travel abroad, and authorities often withhold these visas as a tool to punish those perceived as critical. Those banned from traveling abroad in recent years include activists **Shukhrat Rustamov, Sergei Naumov, Saida Kurbanova, Elena Urlaeva, and Uktam Pardaev**. In January 2016, activist Uktam Pardaev was convicted of fraud, insult and bribe-taking and given a suspended sentence in retaliation for his work monitoring the cotton harvest.

Human rights defenders who have fled Uzbekistan and who carry on their activities from abroad face ongoing pressure and intimidation from the Uzbekistani authorities. Over the last year growing numbers of Uzbekistani activists living in Georgia, France, the USA and Norway have reported receiving threats of reprisals against their relatives living in Uzbekistan. AHRCA has documented 42 such cases over the last year.

Human rights defenders who face repression in Uzbekistan due to their activities also struggle to find refuge due to Uzbekistan’s use of INTERPOL’s Red Notice system to export repression and extend its politically motivated use of the criminal justice system beyond its own borders. Red Notices are alerts used for locating and arresting international fugitives for the purpose of extradition, and they are essential tools that facilitate international police cooperation. However Uzbekistan’s misuse of the Red Notice system for political purposes has put opposition activists, journalists, and recognized refugees at risk of detention and extradition proceedings that could expose them to torture and other serious human rights violations.

Amongst those activists affected by the abusive use of INTERPOL’s Red Notice system in retaliation for speaking out about human rights issues is **Nadejda Atayeva**, Uzbekistani human rights activist and Director of AHRCA who was granted asylum in France. Despite her refugee status, the Red Notice against her meant that she lived in fear of arrest and extradition to the very country from which she had escaped persecution.² AHRCA information indicates that there are at least 40 civil society activists from Uzbekistan, many of whom have refugee status, who are subject to INTERPOL Red Notices and studies to analyse these cases more closely are currently underway.

Abusive, politically motivated Red Notices are issued in violation of INTERPOL’s own constitutional rules that guarantee political neutrality and respect for human rights. However, as highlighted through the activities of the non-governmental organization Fair Trials³, there are some serious challenges to INTERPOL’s ability to enforce its own rules to prevent the misuse of its systems, and there are serious flaws in the procedures in place for challenging abusive Red Notices. While INTERPOL is taking steps to address these concerns, states such as Uzbekistan must also be encouraged to refrain from misusing INTERPOL’s

² See <https://www.youtube.com/watch?v=ZozzpwEuanI&t=17s>

³ *Fair Trials* is an international human rights organization that works to improve the right to a fair trial, including in cross-border cases.

systems in a way which threatens to compromise its credibility and effectiveness as an important police cooperation tool.

Recommendations

The Uzbekistani authorities should be urged to:

- Ensure that the right to freedom of expression is respected for all persons in Uzbekistan, as well as Uzbekistani citizens residing abroad;
- Put an end to persecution of human rights defenders, journalists and dissident voices and ensure that all harassment, persecution and reprisals by the Uzbekistani authorities of their relatives living in Uzbekistan ceases immediately;
- Immediately and unconditionally release **Nuraddin Dzhumaniyazov, Fakhriddin Tillaev, Azam Farmonov, Isroilzhon Kholarov, Ganikhon Mamatkhanov, Muhammad Bekzhanov and Yusuf Ruzimurodov and former UN official Erkin Musaev** as well as all others who have been detained solely for peacefully exercising their rights to freedom of expression, association and assembly;
- Allow independent NGOs to obtain legal status and to work without interference from the authorities and invite them to take part in the elaboration and implementation of a new national human rights agenda;
- Include civil society in meaningful and constructive discussions on human rights reform.

The Uzbekistani authorities should:

- Refrain from using Red Notices and other INTERPOL alerts in ways that violate INTERPOL's political neutrality and its commitment to respect human rights, and particularly refrain from using Red Notices against human rights defenders.

The EU and its member states should:

- Use due diligence to ensure that no one in their jurisdiction is returned, by means of extradition or otherwise to Uzbekistan if there is a real risk of torture or other ill-treatment.

Torture of prisoners and prison conditions amounting to cruel, inhuman and degrading treatment

Conditions in prisons in Uzbekistan are often so substandard that they amount to cruel, inhuman and degrading treatment. There are numerous credible reports from former prisoners of severe overcrowding in cells in prisons and pre-trial detention centres, and consistent reports about appalling conditions in some prisons with inadequate drinking water, food, medication, sanitation and ventilation. Such poor living conditions contribute to incidence of infectious diseases. Restriction of access to health care leads to frequent cases of death, injury, disability, diseases such as tuberculosis, hepatitis B and C, AIDS etc. Prisoners deemed about to die are sent to the one prison hospital in the country, "*Sangorod*" in Tashkent. According to our sources deaths occur daily in this hospital but the causes of death are not examined or investigated.

The exploitation of prisoners has become commonplace: since 2013 AHRCA has received reports from five

separate credible sources about prisoners in so-called “colonii poseleniya” (settlement colonies⁴) being mobilized during the cotton harvest. Two of these sources provided information on this in 2016 and one source stated that during the cotton harvest season some prisoners are forced to collect up to 100-150 kg of cotton per day. This is an unrealistically high amount of cotton to pick and failure to do so can lead to prisoners sometimes being charged with violating prison rules (article 221 of the Criminal Code of Uzbekistan). In order to avoid these charges prisoners’ families sometimes pay bribes to “compensate” for the shortfall of cotton. Prisoners are often forced to work in brick factories, using very old machinery which results in frequent injuries from heavy lifting such as hernias. According to the testimony of former prisoners, prisoners sometimes become disabled as a result of such labour. However, disabled prisoners rarely benefit from prison amnesties.

AHRCA received information from a number of credible sources that before being released from prison, prisoners are interviewed by officials from the SNB or prison administration and required to sign a confession admitting their guilt and a written agreement that they will not disclose any “state secrets” under Article 162 of the Criminal Code of Uzbekistan. They are also reportedly told that they should not talk about their experience of torture in prison. Several former prisoners informed AHRCA confidentially that prior to release prisoners are sometimes subjected to torture to obtain self-incriminating testimony. Their statements are held by on file by the SNB and used to instigate new criminal charges should the released prisoners talk about the situation in prison or criticize the political regime.

Former prisoners report that the following categories of prisoners are most exposed to torture and other ill-treatment:

- **"marked cases" (tochkovanniye)** - when a criminal file of a prisoner imprisoned on politically motivated charges is marked to indicate that the prisoner will serve the full term, without the right to amnesty or pardon;
- **"Red articles"**- criminal code articles concerning involvement in banned organizations, attempts on the constitutional system and ties with opposition and critics of the regime.

Such prisoners are reportedly interviewed each month by SNB officials and are at increased risk of being sexually abused (including through rape with a truncheon) in order to get them to testify against themselves or others.

These prisoners are also at high risk of having their sentences arbitrarily extended under Article 221 of the Criminal Code of Uzbekistan (“Disobedience to lawful demands of prison administration”).

The practice of arbitrarily extending prison terms even for minor alleged infractions of prison rules under Article 221 of the Criminal Code has led to many prisoners, especially those convicted of so-called anti-state offences, serving *de facto* indefinite sentences. Arbitrary extension of prison terms has been frequently used in relation to imprisoned human rights defenders, journalists, political opponents and people convicted of crimes related to “religious extremism”. These extended sentences are typically handed down in unfair closed trials which violate international fair trial guarantees.

Recommendations

The Uzbekistani authorities should be urged to:

⁴ Medium and low security prison facilities

- Take meaningful steps to fully address the concerns and effectively implement the recommendations of the UN Committee Against Torture and the UN Human Rights Committee;
- Invite the UN Special Rapporteur on Torture to the country as a matter of priority in the nearest future;
- Initiate prompt, impartial and comprehensive investigations into all complaints of torture or other ill-treatment of any person subjected to any form of arrest, detention or imprisonment, as well as when there are reasonable grounds to believe that torture or other ill-treatment has occurred even if no complaint has been made;
- Given the near 0% acquittal rate in Uzbekistan, take urgent measures to ensure that all trials are conducted in proceedings that fully meet international fair trial standards, including Uzbekistan's obligations under the International Covenant on Civil and Political Rights;
- Cease the practice of holding closed trials inside prisons and prison camps of convicted prisoners charged with allegedly breaking prison rules and conduct an impartial judicial review of all sentences of those convicted and sentenced to additional years in prison under article 221 of the Criminal Code.

Lack of independent international monitoring access

In the absence of impartial and effective national monitoring mechanisms and with no imminent prospect of one being established soon, it is essential that the government invites independent, international monitoring bodies to visit Uzbekistan. Currently, there are 14 pending requests for country visits by the Special Procedures of the Human Rights Council, including the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment.

Recommendations

The Uzbekistani authorities should be urged to:

- Ensure independent international monitoring access by, as a matter of priority, extending invitations to the 14 UN Special Procedures representatives who have requested to visit Uzbekistan;
- Establish an effective system of independent, unannounced inspection and supervision of all places of detention by competent, independent and impartial bodies with a view to preventing any cases of torture. The findings of the investigations and visits of these bodies should be published in full.

Individual cases:

Political Prisoners:

The following people have been imprisoned in Uzbekistan on politically motivated grounds and should be immediately and unconditionally released from detention:

1. Nuraddin Dzhumaniyazov,
2. Fakhriddin Tillaev,
3. Azam Farmonov,
4. Isroilzhon Kholarov,
5. Ganikhon Mamatkhanov,
6. Muhammad Bekzhanov
7. Yusuf Ruzimurodov,
8. Erkin Musaev,
9. Gaibullo Djalilov,
10. Matluba Kamilova,
11. Chuan Mamatkulov,
12. Aksam Turgunov,
13. Solidzhon Abdurakhmanov,
14. Gairat Mikhliboev,
15. Dilmurod Saidov,
16. Samandar Kukanov,
17. Kudratbek Rasulov,
18. Rustam Usmanov.

Cases of particular concern include:

a) Rustam Usmanov

Rustam Turdievich Usmanov, (born 23 June 1948) is a citizen of Kyrgyzstan and the Russian Federation. He was the manager of a private bank, was arrested on 13 February 1998 and on 19 October 1998 sentenced him to 14 years' imprisonment after finding him guilty of "abuse of power or authority» (article 205)), «Forgery by official entity» (article 209), the «Illegal purchase or sale of foreign currency » (article 177) and «Extortion» (article 165). The charges were politically motivated due to his links with the opposition party "Erk". On 2 February 2012 Kungrad court sentenced him to an additional five years in prison under article 221 («Disobedience to lawful demands of prison administration»). He has reportedly not been selected for the most recent amnesty.

According to information from his family Rustam Usmanov is in very poor health and is suffering from severe nervous exhaustion. Some years ago, he stopped eating and the prison staff reportedly force-fed him, breaking most of his teeth in the process. He had false teeth made but they broke quickly and now he has problems eating. Rustam Usmanov suffers from high blood pressure and has fainted several times due to this. On these occasions he was transferred to the prison medical facility, where his relatives have visited him during prison visits. Rustam Usmanov is due to be released in February 2017, but AHRCA has received reports from his daughter that that prison staff have told him that if they "receive orders from above" they will extend his prison sentence.

On 29 September 2016, Rustam Usmanov's family were allowed to meet with him and they later met with the Supervisory Prosecutor of Kundrad district who travelled from a different region to meet them and

who promised to look into Rustam Usmanov's personally. On 18 September relatives also met with a representative of the complaints body established by Acting President Mirziyayev and were promised feedback within two or three weeks.

The Uzbekistani authorities should:

- **Immediately and unconditionally release Rustam Usmanov from detention;**
- Ensure that Rustam Usmanov is given a medical examination and any necessary treatment or medication including dental care.

b) Erkin Musaev

Erkin Musaev, (born 9 May 1967) was arrested on 31 January 2006 and charged with espionage, disclosure of state secrets, abuse of official authority and other offences believed to have been brought in retaliation for his work. He formerly worked for the Foreign Trade Department of the Ministry of Defense. His work included international cooperation programs with western governments, including USA and EU. In the mid-nineties Erkin Musaev participated in an exchange program sponsored by the US government to study English in the Institute of Languages of the US Army in Texas and in 1997–2001 he represented Uzbekistan at the NATO Headquarters in Brussels. After that he left government service to become Head of the UNDP project "Border management in Central Asia".

Erkin Musaev was arrested on 31 January 2006 and charged with espionage, disclosure of state secrets, abuse of official authority and other offences believed to have been brought in retaliation for his work. Following his arrest, there were serious concerns about gross procedural violations during the investigation.⁵ After being found guilty in a trial that did not meet international fair trial standards, he was sentenced on 14 June 2006 to 16 years in prison and his prison sentence was later extended by another four years for alleged violations of prison rules. He is held in prison # 64/24 in the city of Bacabad, in eastern Uzbekistan.

Erkin Musaev has allegedly been subjected to torture while in prison, which has damaged his health. This has been reported to the special procedures of UN and to the UN Committee on Human Rights. Erkin Musaev's fellow prisoners are reportedly not allowed to speak to him and he is made to carry out the most humiliating work.

A former cellmate reports that Erkin Musaev's situation is dire and that he is regularly subjected to rude, abusive and cruel treatment, regularly threatened with physical violence and forced to testify against other

⁵ UN Human Rights Committee, Communications Nos. 1914, 1915 and 1916/2009, (One-Hundred Fourth Session, 2012), Views adopted by the Committee at its 104th session, March 12-30, 2012, CCPR/C/104/D/1914,1915&1916/2009, www.cccprcentre.org/wp-content/uploads/2012/07/english.doc, p.3.; US Department of State Bureau of Democracy, Human Rights, and Labor, "Country Report: Uzbekistan (2006)," March 6, 2007, <http://www.state.gov/j/drl/rls/hrrpt/2007>
See also UN Office of the High Commissioner for Human Rights (OHCHR), "Joint letter of the of the Chair-Rapporteur of the Working Group on Arbitrary Detention and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment to the government of Uzbekistan," ("Joint letter on Erkin Musaev"), Reference: UA G/SO 218/2 G/SO 214 (53-24) UZB 5/2012, May 3, 2012, [https://spdb.ohchr.org/hrdb/21st/UA_Uzbekistan_03.05.12_\(5.2012\).pdf](https://spdb.ohchr.org/hrdb/21st/UA_Uzbekistan_03.05.12_(5.2012).pdf) (accessed February 3, 2015) (OHCHR, "Joint letter on Erkin Musaev"); "Third Strike for Former Defense Official Erkin Musaev," Wikileaks, January 15, 2008, <http://cablegatesearch.net/cable.php?id=08TASHKENT49&q=erkin%20mu>
; Phillip Shishkin, "The Enemy We Need: Washington Courts a Repressive Uzbekistan-Again," World Affairs Journal, January/February 2011, <http://www.worldaffairsjournal.org/article/enemy-we-need-washington-courts-repressive-uzbekistan%E2%80%94again>. See also «Узбекистан: Супруга осужденного подполковника Э. Мусаева заявляет о пытках мужа в тюрьме». ИА «Фергана», 14 января 2008 г., <http://www.fergananews.com/news.php?id=8160>.

people.

Erkin Musaev requires medical help, but reportedly has no access to it. In the past the International Committee of the Red Cross made several attempts to meet him but, according to our information, on the eve of these visits he was sent to a transit facility where the ICRC delegates could not visit him, in poor conditions. He was reportedly held in this facility with other prisoners (mainly foreign nationals) for several months. According to our latest information, Erkin Musaev has been hounded by “lochmachi”, and fellow prisoners are forced to treat him as a “spy and foreign special services agent”. We fear that Erkin Musaev will not benefit from the upcoming amnesty.

The Uzbekistani authorities should:

- **Immediately and unconditionally release Erkin Musaev from detention;**
- Ensure that he is given a medical examination and necessary treatment and medication;

c) Muhammad Bekjanov

Former editor-in-chief of the banned opposition newspaper “Erk” **Muhammad Bekzhanov** has been in prison since 1999, when he was tortured until he confessed to “anti-state” offences and given a 15 year prison sentence. In 2012, he was sentenced to nearly five more years for allegedly violating prison rules. **He is due to be released in January or February 2017.** On 20 July 2016 Vasila Inoyatova, the head of the NGO Ezgulik (Compassion) and journalist Abdurakhmon Tashanov visited Muhammad Bekzhanov in Zarafshan prison. Prison officials were present during the meeting and no confidential conversations were possible.

The Uzbekistani authorities should:

- **Immediately and unconditionally release Muhammad Bekzhanov from detention.**

d) Samandar Kukanov

Seventy-two-year old former Member of Parliament and former director of the oil refinery in Chinaz was originally convicted on politically motivated grounds and has spent the last 23 years in prison. **His prison sentence came to an end on 6 October 2016 but he was not released and instead was charged and convicted under Article 221 of disobeying prison rules.**

The Uzbekistani authorities should:

- **Immediately and unconditionally release Samandar Kukanov from detention.**

e) Ganikhon Mamatkhanov

Human rights defender **Ganikhon Mamatkhanov** was sentenced to four years and five months in prison in 2009 after being convicted on charges of fraud and bribery. In March 2014 his sentence was extended by two years and six months for alleged violation of prison rules and **on 4 June 2016 another criminal case has been instigated against him and there are fears that his prison sentence will be extended again.** He is currently being held in “Tashturma” pending trial.

The Uzbekistani authorities should:

- Immediately and unconditionally release Samandar Kukanov from detention

The authorities of Uzbekistan should:

Put an end to persecution of human rights defenders, journalists and dissident voices; and immediately and unconditionally release all those who have been detained solely for peacefully exercising their rights to freedom of expression, association and assembly including: **Nuraddin Dzhumaniyazov, Fakhriddin Tillaev, Azam Farmonov, Isroilzhon Kholarov, Ganikhon Mamatkhanov, Muhammad Bekzhanov and Yusuf Ruzimurodov, Erkin Musaev, Gaibullo Djalilov, Matluba Kamilova, Chuan Mamatkulov, Aksam Turgunov, Solidzhon Abdurakhmanov, Gairat Mikhliboev, Dilmurod Saidov, Samandar Kukanov, Kudratbek Rasulov, Rustam Usmanov**

Victims of torture

f) Case of the Ibodov brothers

Brothers and Ilhom Rahim Ibodov were entrepreneurs who worked selling car parts in Bukhara in central Uzbekistan. On 16 August 2015 they were detained by security officials in Bukhara and charged with economic crimes. Serious violations took place during the inquiry, investigation and trial. Ilhom and Rahim were held in a detention facility of the Bukhara Department of Internal Affairs for 25 days and were told on the first day that if they signed a confession they would be released quickly. Both brothers reportedly signed the confessions without reading them. However, they were then reportedly subjected to further torture and ill-treatment including beatings by four “lokhmachi” (detainees used by police and SNB officers to carry out torture in pre-trial detention) in order to force them to give further details to substantiate their false confessions.

An initial remand hearing took place on 26 August 2015, and another on 12 September 2015 at Bukhara Court. Ilhom and Rahim’s family were reportedly not informed about the first remand hearing but at the second they noticed that Ilhom could barely walk into the courtroom and had to be supported by two officials, his head lolling onto one of their shoulders. The judge did not allow the relatives into the courtroom.

On 10 September 2015 Rahim and Ilhom were transferred to the Bukhara pre-trial detention centre (SIZO) under the National Security Service (SNB). In the cellar of the SIZO, Rahim, who was being held in a cell opposite his brother’s, reportedly saw three high-ranking SNB officers beat Ilhom as he lay on the floor. During the beating one of the officials reportedly held Ilhom while another put his foot on his chest and told him “*If we kill you no one will ever ask us the reason why.*” Then they began to beat him again. Ilhom had already lost consciousness. Rahim Ibodov asked the doctor of the SIZO who was present to provide Ilhom with medical assistance but she allegedly refused, telling him “*I’ll help him once he’s dead.*” Ilhom died on 13 September 2015. When the brothers were kept in the NSS institutions, one of them, Ilhom Ibodov, he died from wounds and injuries sustained as a result of torture. The authorities did not conduct an investigation into the death.

On 15 February 2016 Bukhara court sentenced Rahim Ibodov to eight years in prison on the basis of evidence obtained through coercion. Rahim Ibodov is currently being held in prison colony UA 64/3 in Tavaksai village, Bostanlyk district of Tashkent region.

On 1 October 2016 Rahim Ibodov was allowed a two day meeting with his mother and his wife who

reported that Rahim looks noticeably thinner and is depressed. After this meeting, it was reported that Rahim had been taken to the prison hospital where, on 14 October, his mother and sister went to visit him but were not allowed to see him. The hospital staff said that Rahim had a scratch on his hand and that after a week he'd be sent back to the prison colony. Rahim's sister was refused permission to visit him three times as she currently does not have a passport (She handed the passport into the passport office to get permission to leave the country). The lack of a passport means that it is difficult for her to travel and also provides the prison administration with formal grounds to refuse her permission to visit her brother. It is possible that her passport was deliberately confiscated in order to prevent her passing information to international observers about her brother's situation.⁶

The Uzbekistani authorities should:

- Ensure that a thorough, impartial and independent investigation is conducted into the circumstances of **Ilhom Ibodov's** death and into the reports of torture of Rahim Ibodov. In addition, **Rahim Ibodov's** criminal case should be reviewed in a fair trial and all evidence obtained under duress should be excluded. The Uzbekistani authorities should take all measures to ensure that the Rahim Ibodov and his family are protected from reprisals.

g) Oblokul Saidov

Oblokul Saidov is being held in prison 64/3 in Tavaksay, Tashkent region. He was reportedly paralyzed after torture in pre-trial detention. Oblokul Saidov was initially convicted under Article 159 (anti-constitutional offences) and has twice had his sentence extended under Article 221. Despite being disabled he has not benefitted from amnesty nor has an investigation been carried out into allegations of torture in pre-trial detention.

The Uzbekistani authorities should:

- Ensure that a thorough, impartial and independent investigation is conducted into reports of torture of Oblokul Saidov, and make the findings public.
- Ensure that Oblokul Saidov is provided with the necessary medical treatment and medicine.

Misuse of Interpol Mechanisms:

h) Natalya Bushueva

Uzbekistan's government continues to misuse Interpol mechanisms and to include citizens on the international wanted list for politically motivated reasons.

Natalya Bushueva (born 19 February 1974) is a former correspondent of "Deutsche Welle" who reported on the Andijan events in 2005. She lives in Sweden, where she received refugee status and citizenship. In 2007, a criminal case was initiated against her for tax evasion. On 19 July 2016 Natalya Bushueva flew on holiday from Stockholm to Tel Aviv through Moscow. At Sheremetyevo airport she had to wait in the transfer zone for her flight to Tel Aviv. At passport control, she was told to speak to a police officer to explain the situation. Natalya Bushueva was taken to a separate room and told that she was on the Interpol international wanted list at the request of Uzbekistan. This is the first she knew about being on the international wanted list. Russian border officials took copies of her Swedish passport and plane ticket. Natasha Bushueva explained that she was a refugee in Sweden and an official told her to write a statement

⁶ For more information see: <http://iphronline.org/take-action-click-gently-against-torture-in-central-asia.html>

saying that she would return to Uzbekistan voluntarily and that on return she would report to Murabad district department of internal affairs in Tashkent. The official said that they had to prove to the Uzbekistani authorities that she had undertaken to return. Natasha Bushueva did this, saying that she would return to Uzbekistan on 22 August, and she was allowed to board her connecting flight. On 1 August she returned to Sweden via a different route.

It is estimated that at least forty civil society activists from Uzbekistan, many of whom have refugee status are on the Interpol wanted list.

The Uzbekistani authorities should:

- Refrain from using Red Notices and other INTERPOL alerts in ways that violate INTERPOL's political neutrality and its commitment to respect human rights, and particularly refrain from using Red Notices against human rights defenders and journalists.

Harassment of defence lawyer:

i) Polina Braunerg

Polina Braunerg (born: 11 October 1948), is a lawyer and is disabled. She has acted as defence lawyer to several persons imprisoned on politically motivated charges in Uzbekistan including human rights defenders Fakhridin Tillaev and Nuraddin Dzhumaniyazov. She also acted in defence of former political prisoner Murad Dzhuraev, Muhammad Bekzhanov and others. On 12 November 2014 Pauline Braunerg handed in a request to travel abroad to the Ministry of the Interior. In December 2014 she was informed that her exit visa was denied. In February 2016 she reapplied for an exit visa and in July was given back the passport and put under pressure to write a statement saying she withdrew her application for the exit visa. She has been refused permission to leave Uzbekistan due to her professional activity as a lawyer; has to remain in the Tashkent region and is stopped when she tries to travel elsewhere in Uzbekistan. Polina Braunerg she has received threatening phone calls in the past and is under physical surveillance.

The Uzbekistani authorities should:

- Lift travel bans against journalists, human rights defenders and human rights lawyers, including Polina Braunerg in order that she may travel abroad for medical treatment.

Public Smear campaign on social media

j) Daniil Kislov and Nadejda Atayeva

The news of the death of Islam Karimov was published first by the international news agency Fergana.Ru⁷ and was quickly picked up by other media outlets. The editor-in-chief of Fergana.Ru Daniil Kislov and the president of AHRCA Nadejda Atayeva were amongst the most active commentators on the political situation in Uzbekistan at this time.⁸

A member of the SNB (whose name is known) organized groups on social networks who attacked the accounts of Daniil Kislov, Fergana.Ru, Nadejda Atayeva and AHRCA. Clones of their pages were made on social networks and used to send provocative and threatening statements. Posts containing threats, obscene language and pictures with offensive phrases were published on the internet. After Nadejda

⁷ <http://www.fergananews.com/news/25235>

⁸ <https://www.youtube.com/watch?v=5yQyCQyBLm8&t=2s>, https://www.youtube.com/watch?v=a8hc_snApYI

Atayeva gave an interview to Euronews⁹, her home address and phone number were published on the internet after which she received a series of death threats by phone at all times of day and night. In the first 10 days after the Euronews interview five provocative films containing unsubstantiated, libelous allegations about Nadejda Atayeva's involvement in corruption were published on the internet. This campaign continues to this day although at a slower pace. Nadejda Atayeva has reported these developments to the French police and the information will be provided to the UN Special Rapporteur on the protection of the rights of human rights defenders. Similar smear campaigns were also targeted against other exiled human rights defenders.

⁹ <https://www.youtube.com/watch?v=X5y0rhJQ7Vo>