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**SUMMARY PREPARED BY THE OFFICE OF THE HIGH COMMISSIONER FOR  
HUMAN RIGHTS, IN ACCORDANCE WITH PARAGRAPH 15 (C) OF  
THE ANNEX TO HUMAN RIGHTS COUNCIL RESOLUTION 5/1**

**Uzbekistan\***

The present report is a summary of 25 stakeholders' submissions<sup>1</sup> to the universal periodic review. It follows the structure of the general guidelines adopted by the Human Rights Council. It does not contain any opinions, views or suggestions on the part of the Office of the High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. Lack of information or focus on specific issues may be due to the absence of submissions by stakeholders regarding these particular issues. The full texts of all submissions received are available on the OHCHR website. The periodicity of the review for the first cycle being four years, the information reflected in this report mainly relates to events that occurred after 1 January 2004.

\* The present document was not edited before being sent to the United Nations translation services

## **I. BACKGROUND AND FRAMEWORK**

### **Institutional and human rights infrastructure**

1. Veritas Youth Human Rights Movement (VERITAS) noted that even though the Uzbek legislation, including the Constitution, recognizes the supremacy of international law over national law, international human rights treaties are not invoked before the domestic courts.<sup>2</sup>

## **II. PROMOTION AND PROTECTION OF HUMAN RIGHTS ON THE GROUND**

### **A. Cooperation with human rights mechanisms**

2. Human Rights Watch (HRW) informed that the government continues to refuse to grant United Nations special procedures access to the country despite their longstanding and repeated requests for invitations to visit Uzbekistan.<sup>3</sup> The International Commission of Jurists (ICJ) added that the Office of the High Commissioner for Human Rights was unable to visit the country to report on the Andijan events, and that the Tashkent office of the United Nations High Commissioner for Refugees (UNHCR) was forced to close in 2006, due to Government pressure.<sup>4</sup>

### **B. Implementation of international human rights obligations**

#### **1. Equality and non discrimination**

3. LGBT Organization Labrys and the Sexual Rights Initiative (SRI and Labrys), in a joint submission with others, noted that traditional gender roles require men to be breadwinners and women to remain at home and take care of the large families. Women are mostly encouraged to see marriage and children as the main purpose of their life. Due to economic pressure during the transition period, the traditional gender roles were challenged because women had to work to earn an income. Sometimes they had to replace the young men who had been put under surveillance and pressure by the government.<sup>5</sup> Bureau on Human Rights and Rule of Law (BHRRL) added that marriageable age is still set at 18 for men and 17 for women.<sup>6</sup>

4. Disability Awareness in Action (DAA) reported that in spite of a strong legislative framework for inclusion, social discrimination of persons with disabilities remains a significant obstacle to full inclusion. National and local authorities demonstrate limited capacity to ensure inclusion and society stigmatizes persons with disabilities, leading to widespread discrimination and further isolation at home or in institutions. Many adults with disabilities are unemployed, under-educated and must rely on government disability benefits to remain above the poverty line. Although 40 per cent of children with disabilities attend mainstream schools, obstacles in accessing educational opportunities and overcoming social prejudice persist for many families. Children with disabilities are too frequently placed in state institutions with only minimal educational opportunities. There is lack of appropriate infrastructure to ensure persons with disabilities physical access to public and private institutions.<sup>7</sup>

#### **2. Right to life, liberty and security of the person**

5. Amnesty International (AI) welcomed the fact that a new law replacing the death penalty with life or long-term imprisonment came into effect on 1 January 2008. However, six months later the authorities have still not published statistics on the death penalty for previous years. The number of those on death row who had their sentences commuted to life imprisonment upon

abolition of the death penalty has also not been published. As of July 2008 there has been no progress on providing relatives with information on burial sites of executed prisoners.<sup>8</sup>

6. HRW highlighted that the government's rights record, long marked by authoritarianism and repression, reached crisis levels following a government massacre of hundreds of mostly unarmed protesters fleeing a demonstration in the city of Andijan in May 2005. Since then, the Uzbek government has sought to rewrite history and silence all those who might question its version of the events, launching an intense crackdown in Andijan itself and exerting pressure on all who knew the truth about the events. Several hundred individuals who were convicted and sentenced in closed trials in 2005 and 2006 are believed to remain in prison serving lengthy sentences. This is particularly true for many of the relatives of hundreds of persons who fled to neighbouring countries in the immediate aftermath of the massacre and were later resettled in third countries, as well as those who fled but later returned to Andijan. These groups remain under intense government pressure and have been subjected to interrogations, constant surveillance, ostracism, and in at least one case, an overt threat to life. As a result, three years after the massacre, government persecution continues to generate new refugees from Andijan.<sup>9</sup>

7. According to VERITAS, the definition of torture and similar ill-treatment in article 235 of the Criminal Code of Uzbekistan do not conform to the definition of torture of the Convention against Torture.<sup>10</sup>

8. AI remained seriously concerned about persistent allegations of widespread torture or other ill-treatment of detainees and prisoners by law enforcement personnel. The relevant authorities have failed to effectively and systematically investigate such allegations. Reports of torture stem not only from men and women suspected of membership of banned Islamic groups or of having committed terrorist offences, but also from all layers of civil society, including human rights activists, journalists and former - often high-profile - members of the government and security forces. Many of them routinely allege that they have been tortured or otherwise ill-treated in custody in order to extract a confession.<sup>11</sup>

9. According to ICJ, a significant factor in the prevalence of torture is the lack of access to a lawyer during criminal investigation or pre-trial detention. Legal provisions ensuring access to a lawyer in practice are poorly respected. The judiciary lacks the strength or independence to provide effective safeguards against ill-treatment of detainees. Criminal convictions are frequently based on evidence obtained by torture. Although the Supreme Court has held that no information obtained from a detainee in violation of criminal procedure requirements, including the absence of a lawyer, may be used as evidence in court, and the use of torture being a criminal offence, the value of such laws should be assessed with caution, given the long-standing and undiminished use of torture.<sup>12</sup> According to HRW, the government has persisted in its failure to fully implement the 2003 recommendations by the Special Rapporteur on torture.<sup>13</sup>

10. Mothers against death penalty (MADP) noted that conditions of detention in Uzbekistan may be characterized as inhumane.<sup>14</sup> BHRLL reported that medical assistance is far from being adequate, contrary to the law, and that the semi-annual fluorography procedure does often not take place so that most of the prisoners suffer from tuberculosis. Poor nutrition and hard climatic conditions worsen the health of convicts.<sup>15</sup> BHRLL also noted that in most detention centres, children are not kept separate from adults contrary to the Criminal Proceedings Code. Cells are overcrowded, have insufficient lighting, no ventilation, and no heating. In the only penal colony (prison) for women, there is no separate colony for juvenile female offenders. Social integration and rehabilitation practice is unsatisfactory.<sup>16</sup> VERITAS found that persons accused and convicted for anti-state crimes, religiously or politically motivated crimes were subject to

particularly rude conditions of detention and harsh treatments. Religious or political prisoners, who are serving prison terms in the same prison facilities than other types of inmates do not enjoy the same range of rights.<sup>17</sup> Initiative Group of Independent Human Rights Defenders of Uzbekistan (IGNPU) added that religious prisoners are restricted in their rights to practice their religion and are often forbidden to read their prayers.<sup>18</sup>

11. BHRRL was concerned that the urgent issue of domestic violence, which is not addressed by legislation, contributes to the growing number of abandoned and street children. Orphanages and infant homes are lacking good services for housing and care and it is difficult to assess the quality of children's life and education in these institutions. BHRRL also noted that street children and children in institutions, such as orphanages, are often involved in prostitution. It also noted instances of street girls being subject to sexual abuse by law enforcement officers and children in prisons being exposed to sexual abuse by prison staff or elder peers.<sup>19</sup>

12. According to Global Initiative to End All Corporal Punishment of Children (GIEACPC), corporal punishment is lawful in the home and unlawful in schools and in the penal system. There is no explicit prohibition of corporal punishment in alternative care settings.<sup>20</sup>

### **3. Administration of justice, including impunity, and the rule of law**

13. AI reiterated its concern that the authorities continue to refuse to hold an independent, international investigation into the May 2005 mass killings in Andijan.<sup>21</sup> ICJ noted that the killings in Andijan in May 2005 have not been satisfactorily investigated and the perpetrators continue to enjoy total impunity. No independent investigation has been conducted into the Andijan events, and international governmental and non-governmental organisations have not been permitted to investigate the events within Uzbekistan and have been denied unhindered access to detainees. ICJ added that the High Commissioner for Human Rights has recommended the establishment of an international commission of inquiry into the events and the Committee against Torture has expressed concern at the failure to hold a full and effective investigation into all claims of excessive use of force by the security forces.<sup>22</sup>

14. ICJ reported that the Uzbek criminal justice system fails to guarantee the right to fair trial. Criminal trials are characterised by reliance on forced confessions and the absence of adequate legal representation and of defence rights. The judiciary lacks the strength and independence necessary to protect the rights of suspects: judges are appointed directly by the Government and lack security of tenure. Trials conducted in the wake of the Andijan events were manifestly unfair. According to ICJ, trial monitors of the Organisation for Security and Cooperation in Europe observing the Supreme Court trial of 15 men following the events, found serious flaws in the trial, including the absence of arguments for the defence, lack of independent lawyers for the defence, and lack of access by the public to the trial. They also noted the uncooperative and obstructive approach of the Uzbek authorities to the trial monitors.<sup>23</sup> In addition, VERITAS noted that there is a lack of clear public rules, as many rules governing matters such as access to a lawyer are only "internal" unpublished regulations. VERITAS regretted the excessive discretion and lack of transparency in the activities of the law enforcement agencies and a lack of professionalism leading to the use of torture and ill-treatment to obtain evidence and confessions.<sup>24</sup>

15. VERITAS added that detainees' families are not immediately informed about the detention of their relatives. Detainees do not undergo medical upon arrival and before their pre-trial detention. In breach of the Uzbek Criminal Procedural Code, investigators, prosecutors and judges do not ask detainees, suspects or accused about treatment during pre-trial detention.

Legislation does not provide provisions allowing unmonitored contact with legal counsel and relatives within the first 24 hours.<sup>25</sup>

16. According to HRW, there is no evidence of meaningful government action to address the culture of impunity, highlighted by the Committee Against Torture in its November 2007 examination of Uzbekistan as a key obstacle to effectively combating torture.<sup>26</sup>

17. VERITAS highlighted the lack of an independent complaint and review mechanisms for alleged torture, the existing review mechanisms being neither independent nor effective. Torture and ill-treatment mostly take place in places of detention of the penitentiary system. Today places of detention in Uzbekistan are completely closed to independent review.<sup>27</sup>

18. In this respect, AI welcomed as an achievement that in March 2008, a spokesperson for the International Committee of the Red Cross (ICRC) confirmed that an agreement had been reached with the government for the ICRC to resume prison visits under its mandate, for a trial period of six months. AI hoped that the ICRC is granted unfettered access to detention facilities as requested and that visits will continue beyond the trial period.<sup>28</sup> BHRRL added that a few visits of the ICRC have very slightly improved the situation but stressed that before the visit, authorities make preparations to ensure more or less decent conditions during this period.<sup>29</sup> In this respect, VERITAS explained that the Ombudsman has the legal authority to inspect, as he wants to, as necessary and without notice, any place of detention. However, the Ombudsman's institution is fully dependent on the executive branch and its visits to detention places may not shed any light on the situation. Reports of the Ombudsman's office upon visiting detention places, including conclusions and recommendations, are not made public.<sup>30</sup>

19. VERITAS reported that in January 2008, Uzbekistan introduced a new institution of criminal justice system "*habeas corpus*", which transfers the power from the Public Procurator to sanction pre-trial arrest to courts. It highlighted a number of problems in this regard, in particular the fact that the judge who reviews the application for pre-trial arrest may also hear the subsequent criminal case; the fact that the judge does not have any additional powers to review other preventive or compulsory measures during pre-trial investigation and trial; the possibility of detention lasting for up to 120 hours without charges; and the closure of judicial hearings concerning habeas corpus.<sup>31</sup>

#### **4. Right to privacy, marriage and family life**

20. SRI and Labrys reported that criminal charges for sodomy between consenting adult males, which is according to Article 120 of the Uzbek Criminal Code punishable with up to three years of imprisonment, put gay, bisexual men and transgender people in vulnerable situations. Reports state that in the years 2000-2004 at least 70 men convicted on the basis of Article 120 were serving prison sentences.<sup>32</sup> SRI and Labrys added that LGBT people in Uzbekistan live in fear and a number of them migrate abroad. Those in rural areas are subject to violence and harassment from their families and peers. Families disown their LGBT relatives and may turn to violence in order to cover what they consider 'shame for the family'. None of these human rights violations are reported to the police because of the existence of Article 120 and overall lack of trust in law enforcement bodies.<sup>33</sup>

#### **5. Freedom of movement**

21. According to BHRRL, Uzbekistan inherited the system of residence registration from soviet times (*propiska*) and made the capital Tashkent a 'closed' city, as citizens born and living

in other cities of Uzbekistan cannot obtain permanent residence registration in the capital without permission of a special governmental committee, which is almost impossible to get. Hence persons from poor regions looking for better jobs in the capital have an illegal status. This affects their children by limiting their rights to education and health care.<sup>34</sup>

22. HRCA added that each citizen intending to leave the country needs permission in the form of an exit visa from a Ministry of Interior office, which controls citizens travelling abroad. At the same time, Article 223 of the Penal Code provides for a 10 year term in jail for leaving or entering Uzbekistan or crossing borders without such permission. In most cases, authorities refuse to grant exit visas to human rights activists, representatives of political opposition and journalists. HRCA informed that over the last two years, students and labour migrants abroad had difficulties extending the validity term of their exit visas; many citizens have been interrogated by law-enforcement agencies upon their return to Uzbekistan.<sup>35</sup>

## **6. Freedom of religion or belief, expression, association and peaceful assembly, and right to participate in public and political life**

23. Human Rights Without Frontiers International (HRWFI) reported that Uzbekistan's Constitution provides for religious freedom and separation of church and state, but this is not applied in practice. The government maintains control over Islam by controlling and financing the *Muslim Board of Uzbekistan*, which monitors the content of sermons and published Islamic materials, stopping some publications entirely. Some Islamic groups have been denied registration because of suspected extremist connections and are operating without authorization.<sup>36</sup>

24. As noted by Institute on Religion and Public Policy (IRPP), Muslims who perform the most basic tenets of the Islamic faith, such as wearing a headscarf or growing a beard, are subject to dismissal from jobs and expulsion from universities.<sup>37</sup> Forum 18 News Service (F18) added that numbers of haj pilgrims are restricted to about 5,000, perhaps a fifth of the Saudi quota.<sup>38</sup> According to HRW, Uzbek authorities continue their unrelenting, multi-year campaign of unlawful arrest, torture, and imprisonment of Muslims who practise their faith outside state control or who belong to unregistered religious organizations. Peaceful religious believers are often branded as "religious extremists." Dozens were arrested or convicted on charges related to religious "extremism" in 2007, while many more who were already serving long prison sentences under Article 159 of the Criminal Code (attempts on the constitutional order) were found guilty of breaking prison rules just weeks before they were due to be released, resulting in them being re-sentenced. HRW has documented allegations of ill-treatment in several of these cases.<sup>39</sup>

25. IRPP noted that the government also routinely discriminates against other religious communities when deciding whether or not to register a religious group as required by the 1998 Law on Freedom of Conscience and Religious Organizations.<sup>40</sup> According to Jubilee Campaign (JC), many are imprisoned for peacefully practising their religion, often labelled extremists or terrorists.<sup>41</sup> HRW added that Protestants and Jehovah's Witnesses face ongoing harassment, detention, and arrest for "illegal" religious activity, such as holding prayer groups in a church member's home, or ownership of "illegal" religious material. Often such individuals face up to 15 years imprisonment or heavy fines of up to 200 times their minimum wage, and are branded "extremists".<sup>42</sup> According to the European Association of Jehovah's Christian Witnesses (JW), Jehovah's Witnesses have become a target of state-sponsored persecution.<sup>43</sup> The Becket Fund for Religious Liberty (BFRL) explained that religious education is not permitted and the production and distribution of unapproved religious literature is prohibited by law. The

government insists on previewing publications and often rejects them. The law also prohibits Uzbeks from appearing in public in “ritual” attire – a vague prohibition which is often used against religious attire of all types.<sup>44</sup>

26. IRPP added that the Uzbek government’s secret police, the National Security Service (NSS), and other police agencies add to the climate of fear, suppression, and apprehension through an extensive network of surveillance of religious communities in Uzbekistan. The NSS and others hide microphones inside places of worship, position agents and officers both inside of and around places of worship, and recruit spies and informers from within the religious communities themselves.<sup>45</sup> According to IGNUM, hundreds of believers, persecuted by the authorities, have been forced to leave their homes and hide in neighbouring countries for fear of arrest, torture and long prison sentences on the basis of fabricated criminal cases. A large number of persecuted refugees submit applications to UNHCR in these countries for asylum on religious grounds and many of them have obtained asylum in Western countries.<sup>46</sup>

27. Conscience and Peace Tax International (CPTI) highlighted that under the “Law on Universal Military Service”, military service is made compulsory for all males aged 18 to 27, but with an exemption for, among others, “members of registered religious organisations whose religious teaching forbids the bearing of arms or service in the armed forces”. Those thus exempted are required to perform alternative service. As this applies only to three religious groups, Jehovah’s Witnesses, Evangelical Christians-Baptists and Seventh-day Adventists, the law discriminates against the majority of potential conscientious objectors.<sup>47</sup>

28. According to HRW, independent media in Uzbekistan is tightly controlled. The few journalists who continue to work in the country do so at great risk to themselves, forced to self-censor due to harassment, beatings, detention, and threats of imprisonment for their critical views of the government. At least six independent journalists are currently serving lengthy prison sentences ranging from five to 15 years. Many others have been forced to flee the country. Despite the passing of new legislation outlawing censorship and ensuring freedom of speech, in practice, censorship is the norm and freedom of speech is severely limited. Those few independent journalists who remain in the country face tight government control.<sup>48</sup> Reporters sans frontières (RSF) added that restrictive laws allow the authorities to persecute any journalist whose critical information is considered by the government as hostile to Uzbekistan, including amendments to the Criminal Code adopted in February 2004, which effectively criminalise the sharing of information critical of human rights in the country. Access to information is restricted not only for journalists, but ordinary people are also deprived from up to date, free public information access.<sup>49</sup> PLATFORM added that judges often do not allow journalists and public representatives to be present in their courtroom, especially when the cases are of a political nature.<sup>50</sup>

29. Centre of Extreme Journalism in Uzbekistan (CEJU) noted that the country has no independent media of any kind, and journalists act as instruments of state propaganda. Despite the legal ban on censorship, there are officials in television, radio and newspaper editing, whose duty it is to implement internal censorship. Consequently, the Uzbek press contains no independent assessments of the events but only the official versions. The censorship strictly controls publications about the Andijan rising in May 2005. Journalists have to keep exclusively to the government position, and only specially instructed journalists have the right to publish on this theme in the media. By maintaining total control and censorship, the government seeks to conceal the truth about the suppression of the uprising and the true number of demonstrators killed in Andijan.<sup>51</sup> PLATFORM explained that the government even prohibits journalists from storing certain data on their personal computers, such as information on religious organizations

or on the events in Andijan in 2005, including materials copied from websites of news agencies and human rights organizations.<sup>52</sup>

30. HRW also reported that foreign correspondents and Uzbek citizens working for foreign media are not allowed to operate without accreditation. Currently there are only a handful of accredited foreign correspondents in Uzbekistan and no foreign journalists working for Western media outlets. International news bureaus such as BBC, Radio Free Europe/Radio Liberty, Deutsche Welle, and the Institute for War and Peace Reporting (IWPR) have all been forced to cease operations in Uzbekistan following the authorities' refusal to accredit them.<sup>53</sup> Over the last five years, the country's authorities have systematically blocked access to informative and socio-political web resources, as noted by CEJU. At the time of writing, users have no right of access to several hundred Internet sites and all the websites of opposition parties and movements, and most foreign and Russian sites which publish articles throwing light on events in Uzbekistan are blocked.<sup>54</sup>

31. AI was gravely concerned about the deterioration of freedom of expression and assembly in Uzbekistan, as well as the continued targeting of human rights defenders, civil society activists, political opposition activists and independent journalists. These repressive measures have created a climate of fear among civil society. At least a dozen human rights defenders remain in prison in cruel, inhuman and degrading conditions, having been convicted to long prison terms after unfair trials. Under the 2007 Presidential Amnesty only some of the imprisoned human rights defenders were released in the first half of 2008, and moreover their release was not unconditional. The human rights defenders who remain in prison have limited access to relatives and legal representatives, and there are reports that they have been tortured or otherwise ill-treated.<sup>55</sup>

32. Regarding other human rights activists and journalists, who have not been forced into exile, AI reported that they are routinely monitored by uniformed or plain-clothes law enforcement officers. Human rights defenders have been called in for questioning at their local police stations, placed under house arrest or otherwise prevented from attending meetings with foreign diplomats and delegations, or taking part in peaceful demonstrations. Human rights defenders and journalists have reported being beaten and detained by law enforcement officers, or beaten by people suspected of working for the security services. Relatives also report being threatened and harassed by security forces; some of them have been detained and jailed in order to put pressure on the human rights defenders. There are regular television programmes and articles in the national press denouncing independent journalists, and the international networks they work for, and calling them traitors.<sup>56</sup> HRW added that in the aftermath of the Andijan massacre, the government unleashed a fierce crackdown on civil society unprecedented in its proportions.<sup>57</sup> In recent months, the Uzbek government also intensified its efforts to obstruct HRW's work in Uzbekistan, denying accreditation to its representative in Tashkent.<sup>58</sup>

33. BHRRL noted that independent organizations have difficulties in being registered. Only those who have special protection from the authorities or are involved in the National Association of NGOs are able to obtain official registration and work legally. However, these governmental NGOs follow the policy of the government and are not able to offer critical projects and proposals.<sup>59</sup> Front Line (FL) added that human rights defenders are often arrested when they attempt to hold demonstrations which are frequently broken up with the use of force.<sup>60</sup> VERITAS added that registered NGOs must inform the government bodies beforehand about all of their public gatherings and events. Unregistered human rights defenders and groups practically cannot conduct their meetings and events.<sup>61</sup>

34. According to HRCA, the lack of compliance of the national legislation on elections with international norms has resulted in violation of the right to a free and fair election during the parliamentary and presidential elections in 2004 and 2007 respectively. The parliamentary elections took place on 26 December 2004 under the total control and coordination of the presidential administration. There are three opposition parties in Uzbekistan. None of these parties are officially registered because authorities perceive any sort of criticism as a threat to the current state administration system. These opposition parties were unable to nominate their candidates for the past elections because their applications to get registered were all declined.<sup>62</sup>

### **7. Right to work and to just and favourable conditions of work**

35. According to International Labor Rights Forum (ILRF), the issue of forced child labour continues to represent one of Uzbekistan's most acute human rights issues. Nearly two million schoolchildren from almost nine thousand schools in the republic are forced to work in cotton fields each year, threatening students with expulsion and parents with losing their jobs or state welfare benefits in the case of non-compliance.<sup>63</sup> BHRRL added that hard economic conditions force parents to send their underage children to do hard labour.<sup>64</sup> Environmental Justice Foundation (EJF) stressed that the children have to work for up to three months each year, missing out on their education and jeopardizing their future prospects.<sup>65</sup> According to EJF, living conditions are reportedly squalid. The food provided to children is inadequate, and many children drink water from irrigation pipes, which carries health risks. Children receive little or no reimbursement for their labour. Children must pay for the food and accommodation they are provided with during the cotton picking season.<sup>66</sup> Human Rights in Central Asia (HRCA) was concerned that children work in the fields, which have been treated with pesticides, herbicides and defoliants. Official statistics on child diseases covering this period are not publicized. However, it is known that many children suffer from the hepatitis, anemia, feet infection and other diseases due to the lack of basic hygiene. Harsh working conditions in the cotton fields led to several lethal cases in 2007 alone; however, such information is carefully concealed.<sup>67</sup>

### **8. Right to an adequate standard of living**

36. SRI and Labrys quoted UNAIDS estimates indicating that the number of HIV cases is 31.000, which is 0.2 per cent of the population, and the existing services cover no more than 1 per cent of this group. Sex work, drug use and homosexual sexual contacts are criminalized which results in further marginalization of these groups and their lack of access to prevention and/or treatment services. Increased migration and lack of comprehensive sexual education may contribute to even higher transmission rates.<sup>68</sup>

37. SRI and Labrys further reported that forced sterilization and controlling reproduction through imposing fines, as practiced in Uzbekistan, constitute serious violations of reproductive rights.<sup>69</sup> It noted that women reported that they have had Intrauterine Devices (IUD) inserted without their consent and there were cases of forced hysterectomies performed on healthy uteri. Women aged 25 and younger who already had two children were the most common subjects for forced IUD insertion or hysterectomy. At present maternity hospitals have announcements about fines being imposed on families for having their third child. Government restrictions on obtaining information limit monitoring of further use of these methods for forced sterilization and contraception.<sup>70</sup>

## **9. Human rights and counter-terrorism**

38. According to ICJ, Uzbekistan uses the rhetoric of counter-terrorism or “war on terror” and counter-extremism as a justification for criminal prosecutions of those who peacefully oppose or speak out against the Government, for crimes of terrorism, extremism, subversion or anti-state activity. The Uzbek Criminal Code contains a sweeping and vaguely worded definition of terrorist acts, which appears to encompass non-violent acts of opposition to the government that are destabilising or damaging to international relations. In the wake of the Andijan events, large numbers of people, including religious and political dissidents and human rights defenders, were tried on charges including terrorism. Numerous additional trials connected with the Andijan events have since taken place, the vast majority of which have been closed to the public.<sup>71</sup>

39. AI reported that the Uzbek authorities continue to actively seek the extradition, in the name of national security and the fight against terrorism, of members or suspected members of banned Islamic movements or Islamist parties or people suspected of involvement in the May 2005 Andijan events, from other countries. Most of those forcibly returned to Uzbekistan are held in incommunicado detention, thereby increasing their risk of being tortured or otherwise ill-treated.<sup>72</sup> F18 added that even those who gained UNHCR refugee status in neighbouring countries face Uzbek government attempts to be sent back for trial.<sup>73</sup> According to AI, officials of other countries have confirmed that the Uzbek security forces have been operating on foreign territory where they have detained or abducted asylum-seekers. Uzbekistan security forces have also exerted pressure on the families of people seeking asylum in neighbouring countries, sometimes paying for relatives to travel to these countries to convince the person in question to return “voluntarily”.<sup>74</sup>

## **III. ACHIEVEMENTS, BEST PRACTICES, CHALLENGES AND CONSTRAINTS**

40. VERITAS noted some achievements, such as the abolition of the death penalty and the introduction of habeas corpus, which it said could receive only conditional and symbolic appraisals. It also highlighted challenges regarding these achievements, and regarding prison conditions, widespread torture, repression against independent activists and government control over civil society.<sup>75</sup>

## **IV. KEY NATIONAL PRIORITIES, INITIATIVES AND COMMITMENTS**

N/A.

## **V. CAPACITY-BUILDING AND TECHNICAL ASSISTANCE**

41. VERITAS recommended that Uzbekistan seeks international assistance in areas where challenges persist, regarding the establishment of an independent review mechanism for torture allegations, access to places of detention for independent monitors, and establishment of an independent national human rights institution.<sup>76</sup>

## Notes

<sup>1</sup> The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: [www.ohchr.org](http://www.ohchr.org). (An asterisk denotes a non-governmental organization in consultative status with the Economic and Social Council.)

*Civil society*

AI	Amnesty International*, London, UK.
BFRL	The Becket Fund for Religious Liberty, Washington DC, USA.
BHRRL	Bureau on Human Rights and Rule of Law, Uzbekistan.
CEJU	Centre of Extreme Journalism in Uzbekistan, Bishkek, Kirghizstan.
CIVICUS	CIVICUS: World Alliance for Citizen Participation*, Johannesburg, South Africa.
CPTI	Conscience and Peace Tax International*, Thonex, Switzerland.
DAA	Disability Awareness in Action, Wiltshire, UK.
EJF	Environmental Justice Foundation, London, UK.
F18	Forum 18 News Service, Oslo, Norway.
FL	Front Line - The International Foundation for the Protection of Human Rights Defenders*, Dublin, Ireland.
GIEACPC	Global Initiative to End All Corporal Punishment of Children, London, UK.
HRCA	Human Rights in Central Asia, Mans, France.
HRW	Human Rights Watch*, Geneva, Switzerland.
HRWFI	Human Rights Without Frontiers International, Brussels, Belgium.
ICJ	International Commission of Jurists*, Geneva, Switzerland.
IGNPU	Initiative Group of Independent Human Rights Defenders of Uzbekistan, Geneva, Switzerland/Uzbekistan.
ILRF	International Labor Rights Forum, Washington DC, USA.
IRPP	Institute on Religion and Public Policy, Washington DC, USA.
JC	Jubilee Campaign, Washington DC, USA.
JW	The European Association of Jehovah's Christian Witnesses, Kraainem, Belgium.
MADP	Mothers against death penalty, Geneva, Switzerland.
PLATFORM	PLATFORM for Assisting the Defence of Human Rights in Central Asia, Vienna, Austria.
RSF	Reporters sans frontières*, Paris, France.
SRI and Labrys	LGBT Organization Labrys, Bishkek, Kyrgyzstan and the Sexual Rights Initiative, jointly with Action Canada for Population and Development*, Creating Resources for Empowerment and Action – CREA- India, Mulabi, Latin American Space for Sexualities and Rights and others, Buenos Aires, Argentina (joint submission).
VERITAS	Veritas Youth Human Rights Movement, Uzbekistan.

<sup>2</sup> VERITAS, p.2.

<sup>3</sup> HRW, p.3; see also AI, p.4.

<sup>4</sup> ICJ, p.6.

<sup>5</sup> SRI and Labrys, p.1.

<sup>6</sup> BHRRL, p.2.

<sup>7</sup> DAA, p.1-2.

<sup>8</sup> AI, p.5. See also MADP, p.2-3; VERITAS, p.6-7.

<sup>9</sup> HRW, p.1-2.

<sup>10</sup> VERITAS, p.3-4.

<sup>11</sup> AI, p.4. See also BHRRL, p.1; HRW, p.3; ICJ, p.3, 4; IGNPU, p.1; VERITAS, p.2-3; MADP, p.1-2, also for information on individual case.

<sup>12</sup> ICJ, p.3, 4. See also HRW, p.3; IGNPU, p.2-3.

<sup>13</sup> HRW, p.3. See also AI, p.4; ICJ, p.3, 4; BHRRL, p.3; VERITAS, p.3-4; IGNPU, p.2; MADP, p.1.

<sup>14</sup> MADP, p.4; see also for information on individual cases.

<sup>15</sup> BHRRL, p.3. See also MADP, p.4, also for information on individual cases.

<sup>16</sup> BHRRL, p.5.

<sup>17</sup> VERITAS, p.4. See also F18, p.2.

<sup>18</sup> IGNPU, p.3.

<sup>19</sup> BHRRL, p.1, 4-5.

<sup>20</sup> GIEACPC, p.2.

<sup>21</sup> AI, p.3.

<sup>22</sup> ICJ, p.1.2.

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- <sup>23</sup> ICJ, p.4, see also BHRRL, p.1.
- <sup>24</sup> VERITAS, p.2.
- <sup>25</sup> VERITAS, p.4.
- <sup>26</sup> HRW, p.3. See also AI, p.4; ICJ, p.3, 4; BHRRL, p.3; VERITAS, p.3-4; IGNU, p.2; MADP, p.1.
- <sup>27</sup> VERITAS, p.3-4.
- <sup>28</sup> AI, p.5.
- <sup>29</sup> BHRRL, p.3. See also MADP, p.4, also for information on individual cases.
- <sup>30</sup> VERITAS, p.5.
- <sup>31</sup> VERITAS, p.5-6.
- <sup>32</sup> SRI and Labrys, p.1-2.
- <sup>33</sup> SRI and Labrys, p.3.
- <sup>34</sup> BHRRL, p.2.
- <sup>35</sup> HRCA, p.2-3.
- <sup>36</sup> HRWFI, p.1, 3; see also F18, p.1; IRPP, p.1; BFRL, p.4.
- <sup>37</sup> IRPP, p.4.
- <sup>38</sup> F18, p.1; see also IRPP, p.1.
- <sup>39</sup> HRW, p.4. See also JC, p.1, including for information on individual cases, as well as JC, p.2; IRPP, p.4; IGNU, p.3; F18, p.4.
- <sup>40</sup> IRPP, p.3; see also HRWFI, p.2-3; BFRL, p.3.
- <sup>41</sup> JC, p.1 ; see also for information on individual cases.
- <sup>42</sup> HRW, p.5 See also IGNU, p.3; IRPP, p.3-4; JW, p.2-3, also for information on individual cases.
- <sup>43</sup> JW, p.2 ; see also for information on individual cases.
- <sup>44</sup> BFRL, p.3. See also F18, p.5; IRPP, p.2, 4; BFRL, p.3.
- <sup>45</sup> IRPP, p.4; see also F18, p.1.
- <sup>46</sup> IGNU, p.3.
- <sup>47</sup> CPTI, p.2-3.
- <sup>48</sup> HRW, p.4, see also for information on individual cases. See also RSF, p.1; CEJU, p.4-5.
- <sup>49</sup> RSF, p.2.
- <sup>50</sup> PLATFORM, p.3.
- <sup>51</sup> CEJU, p.3-4.
- <sup>52</sup> PLATFORM, p.3.
- <sup>53</sup> HRW, p.4. See also PLATFORM, p.2; CEJU, p. 3-5.
- <sup>54</sup> CEJU, p.4; see also RSF, p.2; PLATFORM, p.2.
- <sup>55</sup> AI, p.4 ; see also FL, p.1, also for information on individual cases.
- <sup>56</sup> AI, p.4. See also VERITAS, p.7; HRCA, p.4; and for information on individual cases CIVICUS, p.4; HRW, p.2-3; FL, p.2-3.
- <sup>57</sup> HRW, p.2, see also for information on individual cases. See also CEJU, p.4.
- <sup>58</sup> HRW, p.3.
- <sup>59</sup> BHRRL, p.2; see also CIVICUS, p.4; VERITAS, p.7. For information on individual cases see also HRCA, p.4; FL, p.3-4.
- <sup>60</sup> FL, p.3, see also for information on individual cases.
- <sup>61</sup> VERITAS, p.7.
- <sup>62</sup> HRCA, p.1-2, see also for information on individual cases.
- <sup>63</sup> ILRF, p.1-2.
- <sup>64</sup> BHRRL, p.2.
- <sup>65</sup> EJF, p.1-2.
- <sup>66</sup> EJF, p.1-2.
- <sup>67</sup> HRCA, p.3.
- <sup>68</sup> SRI and Labrys, p.4.
- <sup>69</sup> SRI and Labrys, p.1.
- <sup>70</sup> SRI and Labrys, p.5.
- <sup>71</sup> ICJ, p.2, see also for information on individual cases.
- <sup>72</sup> AI, p.5, see also for information on individual cases. See also ICJ, p.5.
- <sup>73</sup> F18, p.2.
- <sup>74</sup> AI, p.5.
- <sup>75</sup> VERITAS, p.7-8. See also JC, p.1.
- <sup>76</sup> VERITAS, p.8.