

HUMAN RIGHTS IN UZBEKISTAN

A Division of Human Rights Watch

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May 1993

Helsinki Watch

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MAP¹

¹ This map was originally published in Volume 2, Issue 1 of Radio Free Europe/Radio Liberty (hereinafter RFE/RL) *Research Report*, January 1, 1993 and has been reprinted with permission.

NOTES ON GEOGRAPHY AND DEMOGRAPHY

The Republic of Uzbekistan consists of 172,740 square miles (447,400 square kilometers) bordered by Kazakhstan to the north and west, Kyrgyzstan and Tajikistan to the east, and Turkmenistan to the south. At the time of the last census (1989) the population of Uzbekistan was 19,810,077. At that time, 71.4 percent (14,142,475) of those polled identified themselves as ethnic Uzbeks; 8.35 percent (1,653,475) as Russians; 4.7 percent (933,560) as Tajiks; 4 percent (808,227) as Kazakhs; and the remaining 11.5 percent of the population comprised a variety of ethnic groups.²

Uzbeks are originally a Turko-Mongol people who first appeared in the early thirteenth century. The largely Shamanist population began to be converted to Sunni Islam in the fifteenth century. Uzbek power flourished in the fifteenth and early sixteenth centuries when a nomadic Uzbek tribal empire stretched between the Ural and Syr-Daria Rivers. The empire ultimately splintered and was too fractured to resist the military advance of Russians in the second half of the nineteenth century. The Uzbek Soviet Socialist Republic was formed in 1924 and became a constituent part of the U.S.S.R. in 1925, and gained independence from the Soviet Union in 1991. The Republic of Uzbekistan is a member of the Commonwealth of Independent States and of the United Nations and is signatory to the Final Act of the Conference on Security and Cooperation in Europe (CSCE).

Uzbek, an Altaic language, is part of the family of Turkic languages, and since the 1940s has been written in the modified Cyrillic script; historically, it used the Arabic script. Today most Uzbeks are sedentary, although the nomadic way of life is preserved in some areas.

Spellings of proper nouns appearing in this report conform to United Nations specifications. In all other cases, Uzbek proper nouns and names appearing in this report are transliterated from Uzbek; Russian names are transliterated from Russian.³

² *Natsional'nyi sostav naseleniia SSSR po dannym vsesoiuznoi perepisi naseleniia 1989 g.* (Moscow: "Finansy i statistika," 1991), p. 92.

³ The transliteration from Uzbek is based on the system in Edward Allworth, *Nationalities of the Soviet East: Publications and Writing systems: A Bibliographical Directory and Transliteration of Iranian- and Turkic-Language Publications, 1818-1945, located in U.S. Libraries* (New York: Columbia University Press, 1971), p. 378. The transliteration from Russian is based on the Library of Congress system.

INTRODUCTION

To observers of the Soviet Union, the violations of human rights taking place in today's Uzbekistan are uncannily familiar. Perhaps most striking is the gulf between the government's stated and legal commitment to human rights protection, and its actual record. On the one hand, protection of human rights is enshrined in both international instruments to which the Republic of Uzbekistan is signatory and legislative acts, such as the new constitution, that were written and passed by its own legislature; on the other hand, those same rights are being violated either by government officials or without government intervention.

Also reminiscent of the Soviet past, the overall human rights record is characterized primarily by violations of freedom of expression. As a result, although restrictions of freedom of speech and peaceful assembly circumscribe civil and political freedoms for the general population of the republic, certain specific groups of individuals suffer disproportionately. They are human rights activists, members of the political opposition, and unaffiliated individuals who have expressed public criticism of government officials. For the sake of simplicity, this broad group will be referred to here collectively as 'the opposition' in recognition of the fact that what unites them is their critical voice. Because of their peaceful expression, they are deprived of a wide range of human freedoms, including freedom of speech, movement and association, and freedom from cruel or inhuman treatment.

The status of this ever-dwindling opposition community reflects the generally unsatisfactory condition of human rights protection throughout the republic. Today there is no leader of any registered or banned opposition political grouping in Uzbekistan now functioning freely in his post. Many who have fled report feeling they cannot return immediately: they have sought temporary refuge, and in several cases political asylum, in Russia, Azerbaijan, Kazakhstan, Kyrgyzstan, Germany, Turkey and the United States. Many who remain in Uzbekistan are either under heavy surveillance, virtual house arrest, have been denied external passports, or are in prison. The President of Uzbekistan, Islam Karimov, articulated the thinking behind the crackdown on free expression before the Supreme Soviet of Uzbekistan on July 2, 1992: "In order to maintain the stability and the tranquility of the people and preserve the lives of hundreds of thousands of people, we are prepared to set straight the brains of hundreds."¹

In most cases, the victims are affiliated simultaneously with more than one political or religious organization or movement, primarily the Birlik (Unity) Popular Movement, the Democratic Party Erk (Will and Freedom), the Milli Majlis (National Congregation), or the Human Rights Society of Uzbekistan. In many cases, a single individual is subjected to multiple violations. Because affiliations overlap, it is often impossible to determine whether an individual is being harassed because of something he or she said, because of an association with certain groups, parties or movements, or both.

Despite numerous public expressions of eagerness to embrace international principles of human rights protection, President Karimov has displayed a lack of will to implement them in all cases. At the meeting of the heads of states belonging to the Commonwealth of Independent States (CIS) countries in Minsk, President Karimov failed to sign the point in the CIS charter concerning human rights monitoring. In

¹ Excerpts of President Karimov's speech appear in *Novoe Vremia* No. 7, 1993, p. 27. The full text has not been available to Helsinki Watch.

January 1993, his administration refused to receive a delegation from the Office for Democratic Institutes and Human Rights of the CSCE on the grounds that it would "violate the principle of non-interference into the internal affairs (sic)."² The lack of will to acknowledge and rectify human rights abuses being committed in the republic is most clearly reflected in the fact that although most of the abuses documented in this report have been reported to the militia and the procuracy, none has resulted in arrests.

Government officials frequently cite concern for maintaining domestic stability as the rationale for authoritarian measures. There is indeed reason to be concerned about stability. Uzbekistan has one of the fastest growing populations in the former Soviet Union, and the population of working-age people is growing faster than jobs can be produced for them, resulting in high unemployment and concomitant tension. (The high rate of local unemployment in Farghona (Fergana) Valley, is believed to have been one of the causes of the bloody clashes that left scores dead in June 1989.)³ The outbreak of armed conflict in Tajikistan in 1992 has also raised the Uzbekistan government's sensitivity to potential instability. Several incidents of violence both within and outside the boundaries of the republic, and between government forces and unarmed demonstrators, on the one hand, and among ethnic groups, on the other, have shaken many residents.⁴ Bloody clashes between law enforcement authorities and unarmed demonstrators — in Qoqand in June 1989, in Parkent in March 1990, in Namangan in December 1990 and most recently in Tashkent in January 1992 — have cast doubt on the credibility of the executive branches of the Uzbekistan government. President Karimov has invoked both the Farghona and Tajikistan scenarios as reasons to quell critical expression at home. At a press conference following the student riots President Karimov stated that "the forces of destabilization are trying to block democratic reforms, to spread discord and cause unrest, which may result in inter-ethnic clashes."⁵

² The Ministry of Foreign Affairs of the Republic of Uzbekistan explained its decision to refuse the delegation in a telex to the CSCE Office for Democratic Institutions and Human Rights in Warsaw, Poland, dated January 11, 1993: "The constitution of the Republic of Uzbekistan (sic), adopted in December 1992, has laid the guarantees (sic) and created the mechanisms (sic) of realization of the principles of democracy, political, economic, social rights and freedoms. Having this in a view (sic), the Ministry of Foreign Affairs of the Republic of Uzbekistan considers, that the content of the above-mentioned telex [requesting permission to send the delegation] violates the principle of respect to the sovereignty of the CSCE member-state, and the principle of non-interference into the internal affairs, stated in the Articles 1 and 6 of the CSCE Final Act. The unilateral discussion of the matter mentioned in the telex without participation of Uzbekistan and behind the Republic's back does not make the honour to anyone (sic) and will not serve neither (sic) the democratic principles nor the CSCE's ideals. In view of this, we inform you that sending a fact-finding team planned by you, is premature."

³ The opinion was voiced widely both inside Uzbekistan and in foreign media. One representative voice can be found in RFE/RL *Report on the USSR*, May 18, 1990, p. 7.

⁴ Although several isolated incidents of assault and dismissals from work of opposition activists were reported as early as 1991, the campaign to disperse and silence the opposition began in earnest following the student demonstration of January 16-17, 1992, in which two people were killed and scores injured. (Unofficial sources claim the actual death toll is higher than government information indicates.) Students, on the one hand, and police and OMON (special assignment forces) officials, on the other, clashed in the capital, Toshkent, during a rally protesting economic hardship; subsequently, unnamed individuals began to appear in public statements as the initiators of social disorder.

⁵ Tass, January 21, 1992; cited in Foreign Broadcast Information Service *Daily Report* [hereinafter FBIS], January 21, 1992, pp. 88-89.

The civil war in neighboring Tajikistan in particular has had a profound impact on President Karimov's domestic policy. Thousands have died and many tens of thousands have been displaced since sustained armed conflict broke out in August 1992 following six months of unrest and sporadic violence. The carnage and lawlessness of the civil war is of particular concern to Uzbeks since approximately one fifth of the population of Tajikistan is ethnically Uzbek.⁶

Whatever the form of unrest or anxiety, however, the government generally lays the blame on unnamed individuals and "forces." Following the bloody student rally in Tashkent that left scores of casualties in January 1992, the presidium of the Supreme Soviet of Uzbekistan issued a statement noting "the desire of a few people who consider themselves citizens of Uzbekistan to discredit their own republic in the eyes of the world community and wreck the positive processes on the path toward the emergence of our independent state." It added that those responsible for the student riots were "unhappy about the policy of national reconciliation that we are implementing and the determined efforts of the leadership of the republic to consolidate society on the path to genuine independence. They would dearly like to produce dissension among the people, sow disaffection, and occupy places in the structures of power in order to do their dirty work on a still larger scale."⁷ Disturbing events are claimed to be preplanned by unnamed destructive forces that oppose reform in the country. Ironically, most members of the registered and banned opposition to whom the president is apparently referring have been calling for more radical reform than the president himself. Continued attempts to silence dissenting voices have been successful to a large degree; much of the opposition is in self-imposed exile, or has curtailed or ceased altogether its political activities. The crackdown has also had the opposite effect of radicalizing some opposition members, and has brought louder censure from the international community than praise for maintaining stability.

Efforts by the Karimov administration to silence the opposition may in part stem from its perception that the opposition advocates the promotion of Islamic values traditional to Central Asian culture. This concern undoubtedly has been fueled by fears that the promotion of Islam could be as destabilizing in Uzbekistan as it has been in Tajikistan. Such a position has resulted in the law preventing the registration of any political group that display "religious features," in violation of international law protecting freedom of religion. In numerous statements and pieces of legislation passed during his administration, including the constitution, attempts to co-opt Islam, the ostensible majority religion in Uzbekistan, into social and political activities has been discouraged and in some cases forbidden (*see* "Freedom of Religion"). In the name of secularism and the struggle against "Islamic fundamentalism," members of Islamic institutions have been arrested, beaten and otherwise harassed, and Islamic parties prevented from participating officially in political life of the republic, in violation of international law. Yet while the Karimov administration warns of the "Tajik scenario" occurring in Uzbekistan, thereby rationalizing the crackdown on the opposition, it is simultaneously sending Uzbekistan troops to Tajikistan, thereby escalating its involvement in the very war it professes to be trying to avoid.

The genuine fear of instability used to explain authoritarian control in the republic in no way justifies the human rights abuses being committed. International human rights law guarantees that basic

⁶ *Natsional'nyi sostav naseleniia SSSR, op. cit.*, p. 130.

⁷ Tass, January 20, 1992; cited in FBIS, January 21, 1992, pp. 87-88.

human freedoms such as freedom of expression, religion, movement and assembly, and freedom from cruel and degrading treatment are absolute; nothing may be considered a mitigating circumstance. Helsinki Watch believes that the activities of individuals cited as objectionable by Uzbekistan authorities are peaceful and pose no threat to individual residents or the government: the critical speech that has put several individuals in jail is not slander; the peaceful rallies of unarmed citizens are not attempts to overthrow the government.

Finally, although it is true that restrictions on basic freedoms do curb some people's desire to exercise these rights, much of the activity which the government has found objectionable and even criminally offensive is and has been conducted in reaction to the crackdown. It is likely that the offending activities — such as holding public meetings and commenting critically about government policies — would be less frequent and less strident if the country were ruled with greater respect for human rights.

Helsinki Watch has withheld numerous pieces of documented information from this report, primarily testimony, at the request of victims and their families for fear of reprisals.

LEGAL OBLIGATIONS

On December 21, 1991, the government of Uzbekistan signed and later ratified the Minsk Agreement creating the Commonwealth of Independent States. By doing so, Uzbekistan, like the other successor states to the Soviet Union, assumed the legal obligation to uphold all international legal agreements to which the USSR was signatory, including the International Covenant on Civil and Political Rights (ICCPR).⁸ Protection of human rights is also enshrined in Uzbekistan's new constitution (adopted December 8, 1992). Article 13, for example, states that "the individual, his life, freedom, honor, dignity and other inalienable rights are of the highest value (vyschei tsennost'iu iavliaetsia chelovek)."

⁸ See Restatement Article 210 (3) of the Foreign Relations Law of the United States on succession of newly independent states to international agreements.

BACKGROUND

Escalations in human rights abuses in Uzbekistan have coincided with several public events, suggesting that the crackdown is directly linked to the government's ostensible concern that peace be maintained in the republic. Numerous members of the opposition were detained and arrested, and criminal charges were formalized, at the time of the student riots in Tashkent on January 16-17, 1992.¹ Some opposition members were arrested, detained and/or beaten immediately prior to the public rallies scheduled for July 2 to coincide with the opening of the Supreme Soviet session. Censorship increased in the weeks prior to the celebration of the anniversary of the independence of the Republic of Uzbekistan on September 1, 1992. Numerous individuals were detained and threatened with criminal charges for leaving the country immediately prior to the human rights conference of December 5-7 in Bishkek, Kyrgyzstan, and numerous others arrested before, during and immediately after the opening of the session of the Supreme Soviet on December 8.

There are three registered political parties in Uzbekistan: the ruling People's Democratic Party of Uzbekistan (formerly the Communist Party); the Fatherland Progressive Party, formed in 1992 and closely allied with the government;² and the Democratic Party Erk³ Only Erk, originally a splinter group from the Birlik Popular Movement, is clearly independent.⁴ Its activities were suspended in early 1993, and its chairman, Mohammad Solih, arrested on April 8, 1993 (*see* "Prisoners of Conscience"). Numerous Erk members have been detained, interrogated and otherwise harassed by law enforcement officials. The Milli Majlis, a proposed coalition forum for some eleven alternative social and political groupings, was unable to finalize its mandate and begin work in earnest because of government interference. Its leaders have been harassed, arrested, and generally prevented from continuing their activities.

Because of the crackdown against alternative political structures, in the presidential election of 1991, Islam Karimov ran and won against only one other candidate, Mohammad Solih; other alternate

¹ According to official data, scores were injured from beatings and gunshot wounds, and two students were killed as police and OMON (special assignment troops) attempted to disperse demonstrations protesting economic hardship. Those killed were Sanjar Barajabov, a student at the Technical University, and Kamariddin Ortikov, who was studying at the Engineering-Construction Institute.

² Vatan Taraqiat was formed in 1992, and is led by the poet and writer Usmankul Avimov.

³ Erk, originally a splinter group from Birlik but which has gained independent structure and influence, was formed on April 30, 1990. According to its chairman, as of December 1992, it claimed a republic-wide membership of 54,000. The party's newspaper, *Erk*, which is printed in Uzbek, although several of its first issues appeared in Russian as well, was closed by government order in January 1993. Erk chairman, the poet Mohammad Solih, received 12.3 percent of the presidential vote, according to official returns. Numerous credible sources allege that infractions of election procedure throw the results into question.

⁴ Other parties and movements exist, but their status is unclear. The Social Progressive Party (*Uzbekistan ijtimoi taraqieA*) was established on July 11, 1992, headed by Faiulla Iskhakov, a historian. Its ostensible work concerns nationality issues and democracy. The National Independence Front for the Fatherland (*Vatan Milli Istiqlol Japash*) was formed in September 1991, and describes itself as a social, political and literary-educational movement; its leader is poet and national singer Dadahan Hasan. The Uzbekistan Green Party was established in the spring of 1992, led by the writer Pirmat Shirmukhammed.

parties, such as Birlik, were not allowed to register or field candidates. (*See* "Freedom of Association," "Freedom of Assembly" and "Freedom of Movement".)

RECOMMENDATIONS

To the Government of the Republic of Uzbekistan:

- **Bring to trial immediately cases pending against Bobur Shakirov, Pulatjon Okhunov, Khazratkul Khudoiberdiev, Inamjon Tursunov, Shukhrat Ismatullaev, Muhammad Solih, Otanazar Aripov, Olim Karimov, Jamol Mirsaidov, Abdulaziz Makhmudov and Salavat Umurzakov and insure that they are given a fair trial in full conformity with international standards of due process;**
- **Confirm immediately whether Abdulla Utaev is in the custody of law enforcement authorities, confirm his whereabouts, charges brought against him, if any, and, if he is indeed in custody, provide him with all rights to due process in accordance with international standards;**
- **Guarantee access of prisoners to the legal counsel of their choosing upon demand;**
- **Insure that all trials are open to independent observers;**
- **Guarantee the fair and humane treatment of all detained persons;**
- **Pursue vigorously investigations into the following criminal charges, and bring the perpetrators of these alleged crimes to justice before a fair court, insuring that all standards for due process be met:**
 - **the bombing of Mikhail Ardzinov's apartment**
 - **the act of arson at Anvar Usmanov's house**
 - **the violent assaults on Mirolim Odylov, Abdurakhim Pulatov, Abdurashid Sharipov, Talar Khalikov, Pulatjon Okhunov, Akhar Kurbanov and his wife, Ravshan Juraev, Bekpulat Khaitov, B. Akhmedov, Bobur Shokirov, Vasila Inoiatova and Gali Mamatkhonov.**
 - **the illegal detentions of Shovruh Ruzimuradov, Khazratkul Khudoiberdiev, Iadgor Obid, Pulatjon Okhunov, Olim Kasymov, Bakhtiyar Artykov, Quchqorboi Akhmedov, N. Eshniiazov, Uktam Bekmukhammedov, Mikhail Ardzinov, and Bahrom Khamroev;**
- **Cease immediately the arbitrary use of administrative arrest;**
- **Guarantee free speech throughout the republic, and allow all media to be distributed unimpaired on the territory of Uzbekistan;**
- **Cease immediately censorship on the basis of political content;**
- **Register all social and political organizations that do not espouse violence, and guarantee that they enjoy all rights accorded them by law;**
- **Guarantee the inviolability of telephone conversations and correspondence;**
- **Establish an independent task force to rigorously investigate the clashes between law enforcement authorities and demonstrators in Qoqand in June 1989; in Parkent in March 1990; in Namangan in December 1990; and in Tashkent in January 1992; disseminate widely the conclusions of the task forces;**

and bring to justice those responsible for violations, employing fair and open trials in full conformity with international standards of due process.

To the Government of the United States of America:

- **Condemn forcefully all violations of human rights by the government of the Republic of Uzbekistan;**
- **Concentrate more resources on monitoring and responding to human rights violations;**
- **Use the Freedom Support Act of October 26, 1992, as leverage to insure that human rights are protected in the Republic of Uzbekistan.**

HUMAN RIGHTS VIOLATIONS

Almost every right enshrined in the International Covenant on Civil and Political Rights has been violated in Uzbekistan. To the best of our knowledge, there has not been a single criminal investigation of the many violations documented in this report. All perpetrators of these abuses remain unidentified and unpunished.

PRISONERS OF CONSCIENCE¹

Helsinki Watch believes that at least four people are currently being held in Uzbekistan prisons for their political convictions. At least another eight currently are facing charges that Helsinki Watch believes are politically motivated. Helsinki Watch is particularly concerned about the fate of the eight individuals charged with violating Article 62 of the criminal code of the Republic of Uzbekistan ("organized activities leading to the perpetration of particularly serious state crimes and also participation in an anti-governmental organization") since it can carry with it a maximum penalty of death.² Helsinki Watch opposes the death penalty in all cases because of its inherent cruelty and because miscarriages of justice are irreversible.

Currently Incarcerated

Pulatjon Okhunov³

Pulatjon Okhunov is a school teacher, a former people's deputy of the USSR, former member of the Supreme Soviet of the USSR, and president of the Andijan *oblast'* (regional) branch of the Birlik Popular Movement. He worked on the parliamentary commission responsible for investigating Uzbekistan's reaction to the attempted coup in Moscow of August 1991. He is reported to have been taken into custody on July 29, 1992, outside the city of Shakri Khan apparently for a motor vehicle violation; he spent twenty days in jail without formal charges. He also served two consecutive terms under administrative arrest beginning June 25 (*see* "Administrative Arrest").

On July 28, Mr. Okhunov reportedly was taken from his home and brought to the police station where he was detained for six days in connection with an alleged assault on one Zakir Ahmonaliev. On August 3, four hours after his release, Mr. Okhunov was arrested at his home in Shakri Khan, Andijan *oblast'*. On December 16, Mr. Okhunov was found guilty and sentenced to a year and a half in a strengthened regime compound for violating Article 204 of the Uzbekistan criminal code ("malicious delinquency").

On February 5, Mr. Okhunov reportedly was refused access to his lawyer. The next day, fifteen grams of unspecified narcotics were said to have been found in Mr. Okhunov's possession; Mr. Okhunov

¹ Individuals listed here in chronological order according to the date on which they were arrested or charged; individuals for whom this date is unknown appear at the end of the list.

² The Article is based on a version featured in the criminal code of the Uzbekistan Soviet Socialist Republic, which used the term "anti-soviet" instead of "anti-governmental."

³ Often spelled Akhunov.

reportedly called this a provocation and began a hunger strike in protest. Prison officials apparently have further charged that Mr. Okhunov knocked down a police officer in an attempt to escape the prison. As a result, on February 10 Mr. Okhunov was brought up on two additional charges: possession of narcotics (Article 216) and assault on a police officer causing him damage (Article 194). The first carries with it a maximum penalty of ten years in prison, the second a year and a half. Mr. Okhunov has denied the charges.

Bobur Shokirov

Bobur Shokirov is a former people's deputy of the USSR and is founder and chairman of the organizational committee of the Milli Majlis, a political coalition forum (*see* "Freedom of Association"). He spent ten years in Soviet camps beginning around 1970 on charges of treason and involvement with anti-Soviet propaganda and agitation.

Mr. Shokirov was re-arrested in Tashkent on August 14 or 15, 1992. Although allegedly he has been charged with violating Article 60 of the criminal code, there has been no formal confirmation or explanation of the charges. Indeed, there is dispute about the contents of Article 60. One source close to the case told Helsinki Watch:⁴

No concrete charges have been issued. They say it is Article 60; we read this article and it says "anti-Soviet propaganda and agitation." Now? "Anti-Soviet"? Thankfully, there are no more Soviets anywhere. But the lawyer said yesterday that now the article reads like this: "overthrow of the current regime through violent means or incitement to violent overthrow of the current regime." But the [former] KGB tells us there is no such article. Yesterday they had a big disagreement over it — not with us but among themselves! They were arguing among themselves, they don't know which of them is correct, the lawyer or the representative of the [former] KGB.

The charges apparently stem from Mr. Shokirov's affiliation with the Milli Majlis. At least seven other members of the Milli Majlis are also facing charges on violating Article 62 (*see* "Freedom of Association"). His apartment reportedly was ransacked by law enforcement officials after he was detained, and video cassettes reportedly documenting the violence in Osh and Uzgen of June 1989, copies of *Mustaqil Haftalik* and personal manuscripts were confiscated.⁵

According to family members interviewed by Helsinki Watch, Mr. Shokirov has been denied access to legal counsel and, with one exception, to family members since his arrest. On December 2, Helsinki Watch representatives observed a picket line consisting of his family, supporters and Sergei Kotov, a lawyer brought in from Russia by his family to defend him, in front of the procuracy building in Tashkent to demand the lawyer's access to Mr. Shokirov. Several of the picketers were then interrogated by procuracy officials, and the following day Mr. Kotov was forcibly deported.

⁴ Helsinki Watch interview with Khazratkul Khudoiberdiev, a senior researcher at the Tashkent Irrigation Institute Saniiri, one of the leaders of the Milli Majlis and chairman of the Tashkent *oblast'* branch of the Birlik Popular Movement December 1, 1992.

⁵ *The Express Chronicle* (English-language edition), August 12-18, 1992, p. 1.

Khazratkul Khudoiberdiev (*see* "Prisoners of Conscience") told Helsinki Watch the following:⁶

The investigator told me "What kind of a person are you mixed up with and have elected as your chairman? He is an American spy, he was [in the United States] for two years, he is probably carrying out some CIA operations here."

Khazratkul Khudoiberdiev

Khazratkul Khudoiberdiev, a senior researcher at the Tashkent Irrigation Institute Saniiri, one of the leaders of the Milli Majlis, chairman of the Tashkent *oblast'* branch of the Birlik Popular Movement and a member of the Human Rights Society of Uzbekistan, was arrested on December 9, 1992, on charges of violating Article 62 of the criminal code of the Republic of Uzbekistan. Mr. Khudoiberdiev had just returned to Uzbekistan following his participation in an international human rights conference in Bishkek, Kyrgyzstan (*see* "Freedom of Movement").

Mr. Khudoiberdiev reportedly has been denied his right to legal counsel of his choice, guaranteed in Article 14 (3)(b) of the ICCPR, as well as access to family members. To the contrary, the violation of his right to due process has brought on other abuses: on January 6, 1993, two Birlik activists, Mamura Usmanova and Mr. Kasymov, reportedly were detained by militia officials in Tashkent near the legal office where they had come to sign a contract with a lawyer to assume Mr. Khudoiberdiev's defense.⁷

In an interview with Helsinki Watch, Mr. Khudoiberdiev recalled the following conversation he had with the investigator in the Bobur Shokirov case, Mr. Juraev:⁸

I told him "Uzbekistan is a member of the United Nations, Uzbekistan signed all of the international human rights documents. Now, be kind enough to observe these rules. You've got it all on paper, like under the communist regime, but what are you doing in reality?" He said "Your United Nations is worth as much as a penny to me. Go hang your Declaration of Human Rights from the highest flag pole." This is a government representative speaking.

Inamjon Tursunov

Inamjon Tursunov, a former deputy to the Uzbekistan Supreme Soviet and head of Erk's Farghona *oblast'* (region) chapter, reportedly was arrested in March, 1993, and sentenced to two years of severe regime for hooliganism. It is believed the charges were fabricated for political reasons.

Currently Facing Politically Motivated Charges

⁶ Helsinki Watch interview with Khazratkul Khudoiberdiev, December 1, 1992.

⁷ *Moskovskie Novosti*, January 17, 1993.

⁸ Helsinki Watch interview with Khazratkul Khudoiberdiev, *op. cit.*

Jamol Mirsaidov

Jamol Mirsaidov is a professor at Samarqand State University, a member of the Samarqand Society and a member of the organizing committee of the National Association of the Tajiks of Uzbekistan. In September 1992, Dr. Saidov gave a speech at the World Congress of Tajiks, which was held in the Tajikistan capital, Dushanbe. Upon his return to Uzbekistan, Dr. Mirsaidov was charged with violating Article 62 of the Criminal Code of the Republic of Uzbekistan.

Otanazar Aripov

Otanazar Aripov, a professor in the Department of Physics at Tashkent State Technical University, secretary of the Democratic Party Erk's central committee and a member of the organizational committee of the Milli Majlis, was arrested on December 21, 1992, on charges of violating Article 62 of the criminal code of the Republic of Uzbekistan. He has been released for health reasons pending trial. (*See* "Freedom of Assembly.")

Olim Karimov

Olim Karimov, deputy chairman of the Free Peasants Party and a member of the presidium of the Birlik Popular Movement, was arrested on or around January 18, 1993, on charges of violating Article 62 of the criminal code of the Republic of Uzbekistan. He was released on February 25 for health reasons pending trial.

Shukhrat Ismatullaev

Shukhrat Ismatullaev, former assistant professor of mathematics at Tashkent State University (*see* "Discriminatory Political Dismissals"), people's deputy and co-chairman of the Birlik Popular Movement, was charged in January 1993 with violating Article 62 of the criminal code of the Republic of Uzbekistan. He was reportedly taken from his home on April 20 and detained at the Tashkent militia station without explanation. As of this writing his whereabouts are unknown.⁹

Hamid Rasulev

Hamid Rasulev is editor of *Mustaqil Haftalik* and *Nezavisimyi Ezhenedel'nik* (Independent Weekly), Uzbek- and Russian-language versions of an independently funded newspaper published in Moscow but registered in Uzbekistan. The newspaper covers events in Uzbekistan almost exclusively and is heavily reliant on Birlik sources for its articles. In February 1993 he was informed of charges against him for allegedly slandering the "dignity and honor of the president." According to Mr. Rasulev, charges were brought in connection with the publication of three things: a photograph allegedly depicting President

⁹ That same night, two other members of the Birlik leadership and members of the leadership of the Human Rights Society of Uzbekistan — Tolib Iqubov (*see* "Freedom of Movement" and "Right to Privacy") and Mahmadin Nazikulov (*see* "Right to Privacy") — reportedly were also taken from their homes. Dr. Iqubov reportedly was released the evening of April 21, and was almost immediately re-arrested and re-released the next day. The whereabouts of Dr. Nazikulov are unconfirmed as of this writing.

Karimov; a poem addressing President Karimov; and an article appearing in No. 10 of the newspaper.¹⁰ Two other individuals — Abdumannob Pulatov and Vasila Inoiatova — were convicted for the same violation in connection with the first two publications, respectively (*see* "Former Prisoners of Conscience"). Mr. Rasulev lives in Russia. (*See* "Freedom of the Press.")

Muhammad Solih

Muhammad Solih, a poet and chairman of the Democratic Party Erk, reportedly was arrested on April 8, 1993, on charges on violating Article 62 of the criminal code of the Republic of Uzbekistan; he was released on April 10. It is believed the charges were brought in connection with his work with the Milli Majlis.

Abdulaziz Makhmudov

Abdulaziz Makhmudov, a film producer and member of the Birlik Popular Movement, is facing charges of violating Article 62 of the criminal code of the Republic of Uzbekistan. It is believed that the charges were brought in connection with his participation in a Milli Majlis board meeting.¹¹

Salavat Umurzakov

Salavat Umurzakov, a correspondent for the banned newspaper *Tadbirkor* (Entrepreneur), is facing charges of violating Article 62 of the Criminal Code of the Republic of Uzbekistan. It is believed that the charges were brought in connection with his participation in a Milli Majlis board meeting.¹²

Former Prisoners of Conscience

Shovruh Ruzimuradov

On May 9, 1991, Shovruh Ruzimuradov, a former people's deputy and member of the central council of the Birlik Popular Movement, was arrested in Shakhrisabz apparently in connection with mass demonstrations in Iakabag region in April and May of that year. He began serving a four-year term in a corrective labor colony on July 24, 1991, for numerous violations of the Uzbekistan criminal code: Article 149-1 (abuse of office); Article 191 (slandering presidential power); Article 194-1 (infringing the life of an official); Article 204-2 (malicious hooliganism); and Article 69 (organizing mass disturbances) (*see* "Freedom of Assembly"). There were numerous violations of due process during the course of his arrest, detention and trial (*see* "Due Process"). Mr. Ruzimuradov was released conditionally on September 23, 1991, apparently in connection with the attempted coup in Moscow. At the time of his release he reportedly was deprived of his right to residence within the republic. It is believed the demonstrations were peaceful and did not warrant the charges that led to his imprisonment.

¹⁰ Helsinki Watch interview with Hamid Rasulev, April 16, 1993.

¹¹ *The Express Chronicle*, March 22-29, 1993, p. 1.

¹² *Ibid.*

Uktam Bekmukhammedov

Mr. Bekmukhammedov is senior secretary and committee chairman of the Samarqand Social-Cultural Association, senior secretary at large of the Samarqand National-Cultural Center, and chairman of the organizing committee of the Samarqand Helsinki Group. Mr. Bekmukhammedov describes "Samarqand" as a social-cultural association and human rights organization representing the interests of the ethnic Tajik population. He has numerous time been subjected to arrest on fabricated charges and to arbitrary administrative detention on several occasions for his peaceful activities (*see* "Administrative Arrest," "Discrimination," "Freedom of Movement" and "Freedom of Assembly").

Benig Bagdesarian

Benig Bagdesarian is an honorary member of the Samarqand National-Cultural Center. He was arrested together with Dr. Bekmukhammedov on June 4, 1991, on fabricated charges in connection with his participation in a hunger-strike demanding attention to the rights of Tajiks in Uzbekistan (*see* "Freedom of Assembly" and "Discrimination").

Anvar Usmanov

Mr. Usmanov is a journalist and in the past, a correspondent for Radio Free Europe/Radio Liberty and Reuter, a writer for *Uchitel'skaia Gazeta* (Teachers' Gazette), and a member of the central council of Birlik. He was arrested on August 20, 1991, and released ten days later. Originally he was charged with violating Article 112 of the criminal code of the Uzbekistan SSR (slander). (*See* "Freedom of the Press," "Administrative Arrest" and "Violent Acts—Arson.")

Abdumannob Pulatov

Abdumannob Pulatov is a former associate professor of mathematics at Tashkent State University, a member of the central council of the Birlik Popular Movement and chairman of the Human Rights Society of Uzbekistan. He was executive director of the organizing committee of the international conference "Human Rights and the Fate of Nations," which was held in Bishkek, Kyrgyzstan, in December 1992. He has been appointed director of the Information Center on Human Rights in Central Asia, whose headquarters are scheduled to be in Bishkek.

On December 8, 1992, following the closing press conference of the aforementioned Bishkek human rights conference, Dr. Pulatov and two people he was walking with were abducted by plainclothes law enforcement officials sent from Uzbekistan (*see* "Freedom of Movement"). Upon repatriation he was charged with violating Article 191-4 (2) of the criminal code of the Republic of Uzbekistan (violating the "honor and dignity of the president" in the mass media). It was alleged that he had supplied individuals participating in the student demonstration of January 16-17, 1992, with a poster featuring a photograph of President Karimov with the caption "There is an animal that eats its own children."¹³ The caption was an apparent reference to the President's alleged responsibility for the casualties that resulted from the student demonstrations. A snapshot of the poster appeared in the March 1992 issue of *Nezavisimyi Ezhenedel'nik*. Dr. Pulatov denied the charges, and noted that holding such a poster should not be a crime,

¹³ "Shundai haivon bor oz bolasini eidi."

regardless. Numerous violations of due process were committed in connection with Dr. Pulatov's arrest and trial (*see* "Due Process" and "Free Speech").

On January 28, 1993, Dr. Pulatov was sentenced to three years deprivation of freedom to be served in a general regime corrective labor colony. He was then immediately released under Article 2 of the presidential order "On Amnesty in Connection with the Anniversary of the Declaration of Independence of the Republic of Uzbekistan," August 28, 1992. He has stated that his release and the fact that his trial was conducted without significant violations of norms of due process were a concession by the government to protest from the international community.

Vitalii Ponomarev, a journalist for *Ekspress Khronika* (Russian-language edition), and Tursunbek Okhunov, a human rights activist from Kyrgyzstan, reportedly were detained and questioned on December 23, 1992, as they arrived in Tashkent as part of a delegation to protest the kidnappings and gather information on the status of Dr. Pulatov.¹⁴

Dr. Pulatov is currently living in the United States.

Vasila Inoiatova

Vasila Inoiatova is a poet, a chemist, secretary of the central council of the Birlik Popular Movement and a member of the Human Rights Society of Uzbekistan. On February 26, 1993, Ms. Inoiatova was found guilty of violating Article 191-4 (2) of the criminal code of the Republic of Uzbekistan in connection with a poem she allegedly wrote, entitled "Last Letter to the President," and sentenced to two years of imprisonment. She was immediately released under amnesty. It is believed that Ms. Inoiatova's release and the fact that she was allowed to remain at liberty until the trial were concessions to pressure from the international community. (*See* "Freedom of Speech," "Freedom of the Press" and "Freedom of Movement.")

Several independent observers who attempted to attend her trial were interrogated by local authorities, and in two cases forcibly expelled from Uzbekistan.¹⁵

Possible Prisoner of Conscience

Abdulla Utaev

Abdulla Utaev, emir (chairman) of the Uzbekistan branch of the banned Islamic Renaissance Party, reportedly was taken from his home in Tashkent in late December 1992 by unidentified individuals who are believed to be with law enforcement. Although no independent confirmation has been available, Helsinki Watch believes Mr. Utaev may be in the custody of Uzbekistan law enforcement officials and that his disappearance may be politically motivated. (*See* "Freedom of Association.")

¹⁴ *Izvestia*, December 23, 1992, p. 1.

¹⁵ *See* Helsinki Watch press release "Human Rights Observers Harassed at Trial of Uzbek Political Activist," March 1, 1993.

FREEDOM OF EXPRESSION

Freedom of speech is in many ways the basis of all other human freedoms. Article 19 (1 and 2) of the International Covenant on Civil and Political Rights (ICCPR) states that "everyone shall have the right to hold opinions without interference" and that "everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice."

Article 29 of the Uzbekistan constitution, which was passed under the current administration, echoes this but fails to guarantee free expression as an absolute right: "Every one has the right to freedom of thought, speech and convictions. Every one has the right to seek, receive and impart any information *except [that which is] directed against the existing constitutional structure and other limitations proscribed by law*" (emphasis added). Indeed, Article 29 stipulates that even "freedom of opinion," let alone its expression, may be limited by law in some cases.¹⁶ In practice, as well, freedom of expression, primarily critical speech with a political content, has been restricted in Uzbekistan.

Freedom of Speech

On August 19, 1991, following the failed coup in Moscow, four leading members of Birlik reportedly wrote a letter supporting President Yeltsin and condemning the actions of coup organizers as anti-constitutional. On August 20, at least ten Birlik members, including Abdurakhim Pulatov, Shukhrat Ismatullaev, Anvar Usmanov, Mirolim Odylov and Pulatjon Okhunov, reportedly were detained by the militia for at least four hours.¹⁷

Helsinki Watch believes that certain anti-democratic legislation in force in Uzbekistan allows for limitations on free speech, and that these legal provisions have been invoked in a manner that discriminates against individuals who hold certain ideas and political beliefs. Most egregious is Article 191-4 of the criminal code of the Republic of Uzbekistan, which protects the "dignity and honor" of the president. At least two individuals — Abdumannob Pulatov and Vasila Inoiatova — have been found guilty of violating part 2 of the Article, which concerns slander through use of the mass media (*see* "Former Prisoners of Conscience" and "Freedom of the Press").

The government has also either ordered or at least done nothing to prevent or prosecute dismissals from work of individuals who have publicly expressed criticism of government officials or policy. These actions violate international laws guaranteeing both freedom of speech and freedom from discrimination (*see* "Discrimination-Political Dismissals from the Workplace").

Freedom of the Press

Officially there is no censorship in Uzbekistan; it is forbidden by the constitution. In practice, however, all forms of the printed and broadcast media are subject to review by censors and are often highly restricted by it. In addition, the publication and distribution of several newspapers, both local and

¹⁶ The cases stipulated are "for reasons of state or other secrets."

¹⁷ Helsinki Watch interview with Shukhrat Ismatullaev, December 2, 1992.

central, are outlawed in the republic.

Subscriptions and distribution of several independent daily newspapers published out of Moscow have been prohibited in Uzbekistan. *Komsomol'skaia Pravda's* local office has been closed, but was reopened after the editor, Mr. Fronin, had a closed-door meeting with President Karimov, after which the President gave permission for the newspaper to be printed in Tashkent.¹⁸ *Moskovskie Novosti* was banned in November 1992; its editor, Mr. Golembevskii, reportedly has also been invited for private discussions with President Karimov, but apparently has delayed on several occasions.¹⁹ Among others, *Izvestia*, which was approximately 160,000 subscribers in Uzbekistan, has been closed and reopened several times over the course of the last year or so, but has not appeared at all since November 1992.²⁰ In a statement to readers and subscribers, the editorial staff of *Izvestia* stated "The editorial collegium of *Izvestia* extends its apologies for the extended non-publication of the newspaper in Uzbekistan. It is not the fault of the editors... Based on completely unfounded excuses, and not without the knowledge of the government [vlasti], the publishing-polygraphic concern "Sharq" has been refusing to print *Izvestia* since November [1992]. No official explanations have been forthcoming... The editorial collegium of *Izvestia* views these actions as a fatal attack on the principles of democracy and freedom of speech and a violation of the rights of our subscribers and of the agreement on unified dissemination of information of the Commonwealth [of Independent States]."²¹

Helsinki Watch has evidence that in at least one case the Uzbekistan government has attempted to make distribution of the legal media contingent on favorable coverage of events in Uzbekistan. In a letter to the chairman of Ostankino, the Russian state-run television and radio broadcasting company, Sh. Iakh"iaev, press secretary to the president of Uzbekistan, threatened to discontinue transmission of Ostankino on Uzbekistan territory if the station did not condemn and presumably stop broadcasting "contradictory" and slanderous broadcasts about Uzbekistan (see Appendix G).

Some local newspapers have also been banned. *Birlik*, the newspaper of the Birlik Popular Movement, operated for more than two years before it was closed in the fall of 1991. At least seven people held a hunger strike beginning February 5, 1992, to press the government to permit registration; the strike did not produce the desired effect. *Erk*, the publication of its namesake party, operated for about six months beginning in early 1992 before it was ordered closed that fall.²² The Uzbekistan parliament ordered *Dustlik Toui* (Flag of Friendship), a daily newspaper published in the name of Uzbekistan's Kazakh minority, closed and half of its staff dismissed on February 14, 1993, over reported government displeasure with articles and poems it published unfavorably comparing the elections in Uzbekistan with those in the United States.²³

¹⁸ *The Express Chronicle*, March 22-29, 1993, p. 4.

¹⁹ *Ibid.*

²⁰ *Izvestia*, December 10, 1992, p. 3.

²¹ *Ibid.*, December 12, 1992, p. 1.

²² A total of some twenty issues of *Birlik*, which was not registered, have come out since the summer of 1989. *Erk* was registered in some areas of Uzbekistan.

²³ Reporters Sans Frontieres; cited in *International Freedom of Expression Exchange*, February 15, 1993.

The newspaper was then replaced with *Kourly Yao* (Bright Voice), which reportedly was mandated by the Uzbekistan parliament to reflect "the politics of the Uzbek government."²⁴ Sometime after March 1992, the presidium of the Supreme Soviet reportedly voted to dismiss the editor of *Khalq Suzi* (Word of the People), apparently over displeasure with the content of the publication, and later, following a strike by journalists in support of the editor, the newspaper was ordered closed.²⁵

Mustaqil Haftalik and *Nezavisimyi Ezhenedel'nik* (Independent Weekly) are banned from distribution on Uzbekistan territory, although officially registered there.²⁶ *Istikhlo* (Independence), whose focus is unknown; *Tarjima* (Translation), a news digest; *Tadbirkor* and *Predprinimatel'* (Entrepreneur), Uzbek- and Russian-language versions of a single weekly newspaper, which was closed and its offices reportedly sealed in August 1992; *Rokodrom*, a weekly Russian-language entertainment publication; and *Muloqot* and *Dialog*, differing Uzbek- and Russian-language versions of a monthly magazine devoted to political debate, have all been ordered closed since the beginning of 1992 apparently to silence criticisms expressed in them.

Mustaqil Haftalik has been confiscated on numerous occasions and the individuals in whose possession they were allegedly found harassed by militia and in some cases fined under Article 30 (1), which reportedly prevents dissemination of illegal materials. According to the newspapers' sponsor, Mahmud Inakov, on May 11, 1992, 5,000 copies of *Mustaqil Haftalik* were confiscated as they were being transported into Uzbekistan from Moscow. He reports that a letter dated May 18 to deputy municipal procurator Anvar Mirzaev requesting the return of the newspapers has not been answered. Mr. Inakov told Helsinki Watch that 3,000 copies of the newspaper he was transporting in Andijan were confiscated, at which time he was attacked, beaten, and kidnapped (see "Violent Acts - Beating"). He further reported that on November 1, some 5,000 copies of issue No. 12 of *Mustaqil Haftalik* were confiscated in Guliston *raion* (region) as they were being brought in by train from Moscow to Andijan. He stated that the officials did not present any documents to warrant the seizure. Mr. Inakov told Helsinki Watch representatives.²⁷

A week after the seizure, officials arrived from the transportation police. I was invited many times to the police station. They threatened my daughter and my wife five or six times in August when I was not home. I told them this is business. I said "Show me a piece of paper that says that officially registered newspapers like *Izvestia* and *Komsomol'skaia Pravda* cannot be distributed in Uzbekistan. You have no basis for such seizures." I told them they should be arrested instead of me. I said if it's wrong, by all means sue me.

²⁴ *Ibid.*

²⁵ Radio Rossiia and Reuter, March 9, 1992; cited in Radio Free Europe/Radio Liberty *Research Report*, July 31, 1992, p. 22.

²⁶ *Mustaqil Haftalik* and *Nezavisimyi Ezhenedel'nik* are publications of a single newspaper in Uzbek and Russian, respectively. The Russian version has a circulation of 5,000-6,000; the Uzbek version has a circulation of up to 20,000. The newspapers are published in Moscow and disseminated illegally in Uzbekistan. The newspaper was officially registered in Uzbekistan in August 1991.

²⁷ Helsinki Watch interview, December 2, 1992.

Vasila Inoiatova, a chemist, poet and secretary of the Birlik Popular Movement, told Helsinki Watch that on September 8, 1992, she was detained by the militia and fined for disseminating *Mustaqil Haftalik*²⁸

The officials came into my office. They asked whether I had copies of the newspaper. I said "Yes, they are on the table." Then about twenty people came in with cameras and other equipment. They ordered everyone else out of the room. They took me to the UVD [Directorate of Internal Affairs] at 10:00 a.m., and finally released me at 7:00 p.m.

That next day, September 9, at 8:00 in the morning, six men came to my house and announced that that same day I was to be tried. They told me "Your lawyer is in Moscow. You'll do without him." I had no one to take care of my three children, so I had to take them with me to court. The trial building was surrounded by militia men. The trial judge, Tursunmedov, said "On the basis of the evidence, I cannot bring charges against her," and promised to give me a written statement that I was acquitted. I left.

The next day, they came again at 10:00 p.m. to say that I was being charged under Article 30 of the administrative code of the Uzbek SSR for illegal distribution of an unofficial newspaper. So I appeared again before the same judge on September 10. I was fined 5,000 rubles but because of the children it was lowered to fifty rubles. I didn't pay it; they haven't given me a copy of the official decision. The procuracy had taken my materials, so I went to see Anvar Mirzaev, the deputy procurator for the city of Tashkent. He just laughed. I bounced between [him and the courts] like a soccer ball for two months. By coincidence I saw my materials at the office of Investigator Erova, advisor to the Ministry of Justice for cases of particular importance [po osobovazhnym delam]. On September 21, criminal charges were brought against me for violations of Article 191-1 of the criminal code of the Republic of Uzbekistan, protecting the dignity and honor of the president.²⁹ Since then they haven't given me a day's peace. They are constantly calling, threatening. They have taken my husband in, my mother-in-law, my neighbors. Every day a militia official comes to my house to take me in for interrogation. On October 19, they searched my house, ostensibly looking for the manuscript of my poem [for which I am being charged with slandering the president]. They found my old poems, but they didn't even look through them. Erova speaks very crudely to me, almost to the point of swearing [materinstvol]. Just give me someone who speaks to me normally.

Since they beat up [Abdurakhim] Pulatov in June I have been under constant surveillance. There are always three men around my house. It's terrible, I'm afraid. I never see my children. I'm terrified.

All told, I have been tried seven times since 1989 for illegal distribution of newspapers.

(*See* "Former Prisoners of Conscience," "Freedom of the Speech," and "Freedom of Movement.")

²⁸ Helsinki Watch interview, December 2, 1992.

²⁹ Ms. Inoiatova was actually charged under part two of that article, which stipulates violation of the "dignity and honor of the president" in the mass media.

A lawyer, Mr. Saifullo, reportedly served a six-month sentence on slander charges in connection with an article he wrote that appeared in the Moscow-based daily newspaper *Komsomol'skaia Pravda*, criticizing the Uzbekistan procuracy and other legal bodies and their representatives."³⁰

Bakhrom Khamroev, chairman of the Zaravshan branch of the Birlik Popular Movement, reported the following incident in connection with his possession of *Ekspress Khronika*, a weekly newspaper published in Moscow that focusses on human rights violations in the former Soviet Union. He told Helsinki Watch representatives:³¹

Upon my return from Tashkent to Zaravshan on September 24, 1992, I was detained at the station and taken directly to militia headquarters. At the militia station they took away from me several copies of *Ekspress Khronika* and an address of the former Vice-President, deputy of the Uzbekistan Supreme Soviet Shukurullo Mirsaidov, [who had publicly criticized government policies]. After that they took me to the procuracy. The procurator of the city of Zaravshan demanded that I sign an explanatory statement indicating where I got the newspapers from. They wrote up a statement of confiscation of the newspapers, but they did not give me a copy.

Anvar Usmanov, an independent journalist, reportedly has been the victim of numerous human rights violations, including violations of free expression, politically motivated detention in prison (*see* "Former Prisoners of Conscience" and "Administrative Arrest") and arson (*see* "Violent Acts — Arson"). He reports that he was arrested in August 1991 and June 1992 in connection with his coverage of events in Uzbekistan, and that in September 1992 his house was burned down by Uzbekistan authorities. Mr. Usmanov told Helsinki Watch representatives:³²

The first time [I was arrested] was around the time of the August 1991 putsch. In July my house was searched in connection with my coverage of the clashes in Shahrizabs [between officials and apparently unarmed protesters, resulting in one killed and one wounded, according to unofficial sources] for Radio Liberty. They filmed the search with a videocamera to get an image of my house.

On August 20, during the putsch in Moscow, several members of Birlik wrote a draft of a collective address to the people of Uzbekistan denouncing the putschists. They gave me the draft to edit; since I am a journalist, I usually did the editing. So I took the draft and went down to a cafe to work on the final version — a preliminary version had already been distributed. That's where they arrested me. I was taken in to the Investigative Isolation Cell (SIzo) in Tashkent. Other members of Birlik were fined.

Initially they charged me with slander under Article 112 of the criminal code. But under

³⁰ Helsinki Watch interview with Abdurakhim Pulatov, June 1992.

³¹ Helsinki Watch interview, December 2, 1992.

³² Helsinki Watch interview, April 15, 1993.

that article they can't isolate you, so eventually they changed the charge to "inciting interethnic hostilities" *Irazhiganie mezhnatsional'noi roznii*, Article 58 of the criminal code, because that article permits isolation. They told me I was conducting slanderous work as a correspondent of Radio Liberty, took away copies of my manuscripts, and told me I was to sit in jail until my trial. I sat for ten days; the putsch fell apart, and I was released and charges were dropped.

Later I met with President Karimov himself. He said that misunderstandings happen, and invited cooperative work with the opposition.

A total of at least nine people reportedly were arrested on August 20 on similar charges, including fellow Birlik activists Abdurakhim Pulatov, Mirolim Odylov, Quchqorboi Akhmedov and Shukhrat Ismatullaev.

Mr. Usmanov continued.³³

On Saturday, June 6, 1992, a neighbor of mine came by. He spent ten years in prison and is very savvy. He said "The whole building is surrounded. There are a lot of official cars outside. You'd better get out of here." So I went to my neighbor's house, which is across the courtyard from mine. The authorities began knocking at my door, at my neighbor's door. I looked out and saw that not only the building but the whole block was surrounded. They were apparently conducting some passport control check, a dragnet. I observed the whole scene through binoculars. When they came to my neighbor's house, he told them that I had just stopped by, but had hurried off somewhere. I waited, and they waited. Legally they do not have the right to conduct house searches between 10:00 p.m. and 6:00 a.m., so after 10:00 p.m. I went home.

Later on I got a knock at the door. They said they had come to conduct an official criminal search for the Kybyshev neighborhood. I said, "I won't open the door. Break it down." I blockaded myself inside the house and started calling all my friends. Soon afterwards, my phone line was cut off. At 2:00 a.m. they broke down my door. They came in, started cursing at me, and twisted my hands behind my back. I asked what they were looking for. They said I had a pistol under my bed. I said, "You're wrong. It's not a pistol, it's a flare." I asked "How do you know I have it under my bed?" They must have searched the place that morning. They took away my notebooks and my external passport.³⁴

They took me in for interrogation at the municipal procuracy office. They told me I was being questioned as a witness, not as a suspect. The interrogation went on for twelve hours. They asked whether the photograph in *Nezavisimyi Ezhenedel'nik* was mine.³⁵ It was

³³ *Ibid.*

³⁴ Separate passports are needed for internal identification and for travel abroad.

³⁵ The photograph, which appeared in *Nezavisimyi Ezhenedel'nik* and depicted a poster of President Karimov with the caption "There is an animal that eats its own children." Abdumannob Pulatov, a fellow member of Birlik and chairman of the Human Rights Society of Uzbekistan, was also arraigned on charges in connection with this photograph. *See*

in fact my photograph, but I told them it wasn't. There were after all many people taking pictures at the demonstration. They set up one-man showup (lopoznanie) where they brought in two students who said, "Yes, he's the photographer." Then there was a cross-examination. The questioner left the room for a moment and Mirolim Odylov, a lawyer who was with me, saw a piece of paper on his desk: it was a fully prepared statement of criminal charges against me. Remember, they had told me that I was only there as a witness, not as the accused, yet there were the charges. When he came back in, I said "Go ahead and charge me tomorrow — just stop bringing me in for interrogation." Members of Birlik had surrounded the building where they were questioning me, and finally I was released after twelve hours.

I said to my lawyer, "I'll go to the interrogation tomorrow." He said, "What are you, an idiot?" So I got into a car and drove home with two cars following us. I collected some things, jumped over the back fence, got into another car and drove to Kazakhstan. From there I flew to Moscow. I haven't been home since.

Censorship

Although there is no official censor in Uzbekistan, staff at Goskompechat' (State Print Committee), including Erkin Komilov and Rustam Sharguliamov, and other government agencies reportedly continue to censor the print and broadcast media. One indication of how certain topics are forbidden is that, according to Tashkent residents interviewed by Helsinki Watch, no mention was made at all in the local media of the student demonstrations of January 1992, although they left scores of casualties and caused widespread material damage to one neighborhood. Passages from the now closed newspaper *Erk* have appeared in print whited out.³⁶ Numerous individuals interviewed by Helsinki Watch report that censorship is more heavy-handed now than under the Soviet system. As one local journalist put it, "At least under the old system you could go and raise a stink (poskandalit'); now they do whatever they want."³⁷

The following examples may be illustrative of the severity and broad scope of current censorship. In the November 6, 1992, issue of *Izvestia*, the independent daily newspaper published in Moscow but circulated throughout the former Soviet Union and abroad, an article entitled "Censorship has been Introduced for All Mass Media in Uzbekistan" was replaced in the version that came out in Uzbekistan with an advertisement for a translation agency.³⁸ In the May 19, 1992, issue of *Erk*, the caption under a cartoon of an emaciated, elderly kolkhoz worker in a hospital bed and a visitor was changed from "Son, I wasn't practicing yoga; I was picking cotton" to "Father, practice yoga and you will get well soon."

According to some local journalists interviewed by Helsinki Watch, television is the most heavily

"Former Political Prisoners" and "Freedom of Speech."

³⁶ Helsinki Watch interview with student at Tashkent State University, name withheld, June 22, 1992.

³⁷ Helsinki Watch interview with Anvar Usmanov, August 15, 1993.

³⁸ Mohammad Solih, poet and chairman of the Democratic Party Erk, told Helsinki Watch representatives that that article caused the banning of *Izvestia* in Uzbekistan. Helsinki Watch interview, December 2, 1992.

censored medium because it reaches the largest audience. Programs broadcast from Russia which sometimes present unfavorable information about Uzbekistan reportedly have been replaced by programming from Turkey, which reportedly is almost uniformly affirmative of events in Uzbekistan. According to one local journalist, concerned individuals sent a letter to Uzbekistan authorities in 1992 protesting this limitation on Russian broadcasting. The explanation given was that the Russians were charging too much for the service. When asked for a confirmation, however, Russian officials reported that the programming is provided free of charge, prompting the initial protesters to send a letter to Uzbekistan authorities criticizing government "disinformation."³⁹

Abdughani Abdurahmon-oghli, a photographer for *Erk* newspaper, picked through a pile of photographs he had submitted to Goskompechat', most of which had been rejected or changed before they could be released, during a meeting with representatives of Helsinki Watch. He told them:⁴⁰

They used to let a lot of things through, including pictures like this one, of starving children in Karakalpakiston, [where there is a health and environmental crisis]. But serious censorship began in June, before the beginning of the anniversary celebration of the independence of the Republic of Uzbekistan on September 1.

One censorship technique is to diminish the size of photographs to the point of absurdity. In one photograph I took, I sat my little daughter down in front of a television set when the screen was visible as showing the Uzbek News program. No one watches this program — the point was to say that it's for no one but children. The censor ordered it diminished to thirty percent, or to approximately 1 1/2 inches by 2 1/2 inches, so that it's so small you can't see what's on the screen — you just see a toddler sitting in front of a television set. Then the censor added the caption "Coming up next, cartoons."

Here's a picture I took of an old man and an old lady sitting around a *dasturkhon* [picnic table cloth with food laid out on it] with six laughing, smiling grandchildren. Nothing but smiles and a happy life. The censor didn't let it through because there was nothing on the *dasturkhon* but bread and tea. They wanted to show that people in Uzbekistan are not only happy but rich.

FREEDOM OF ASSOCIATION

Article 22 of the ICCPR guarantees the freedom of association. Article 34 of the Uzbekistan constitution states that "citizens of the Republic of Uzbekistan have the right to form themselves into trade unions, political parties and other social associations [and] to participate in mass movements. No one may restrict the rights, freedoms and dignity of individuals who comprise the opposition minority in political parties, social associations, mass movements and also in the representative organs of power." Article 58 states that "the government provides for the observance of rights and the lawful interests of social associations, [and] create for them equal legal opportunities for participation in social life."

³⁹ Helsinki Watch interview with Anvar Usmanov, *op. cit.*

⁴⁰ Helsinki Watch interview with Abdughani Abdurahmon-oghli, December 2, 1992.

Helsinki Watch is troubled by the provisions of Article 57 of the constitution, which ban "political parties with national or religious features (priznaki)." (Similar restrictions are set out in the law on Public Organizations, which was passed in February 1991.) First, the stipulation discriminates against political and religious convictions and second, its wording is vague and risks arbitrary interpretation. We are also concerned by reliable although unconfirmed reports that an amendment to the Uzbekistan law on social organizations provides that such an organization may be closed and its possessions seized if the work of the organization goes beyond the limits of its mandate, even if such action does not constitute a violation of the law.

Several parties, movements and social and political groupings have been denied permission to register, have been driven underground or closed outright. Moreover, many members of these groups, mostly from their leadership, have been arrested, fired from their jobs, and in other ways subjected to harassment. The groups particularly targeted, listed here in no particular order, are the Birlik Popular Movement, the Democratic Party Erk, the Milli Majlis, the Turkistan Popular Movement, the Entrepreneurs' Trade Union of Uzbekistan, and the Islamic Renaissance Party. In most cases, the publications they issue have also been banned or closed.

Birlik Popular Movement

The Birlik Popular Movement, was born at its founding congress on May 28, 1989; on November 11, 1991, it was registered as a socio-political organization. It has been prevented from registering as a political party, and thus from proposing candidates for public office. Its newspaper, *Birlik*, has not been allowed to register. Although officials have offered Birlik premises in which to work, members refused them, saying they were too small and in unacceptable condition, and have not been offered any alternate locations.

The Birlik Party, a subdivision of the Popular Movement, was founded in the summer of 1990 under the original name of the Democratic Party of Uzbekistan and under the chairmanship of Abdurakhim Pulatov. According to a leading member of Birlik, the Party is its most political, most radical and most active division.⁴¹ All members of the Birlik Party are also members of the Popular Movement, but all Popular Movement members are not necessarily members of the Party. The Party was denied the right to register on November 11, 1991, for technical reasons motivated by political concerns. Abdumannob Pulatov, a member of the Birlik Popular Movement's Central Committee, told Helsinki Watch:⁴²

The Movement was already registered; it's full name is the Uzbekistan Popular Movement (Birlik). When we went to register the party — the Birlik Party — we were told it was illegal to have two organizations register under the same name. Even an idiot can see that one has four words in it and the other has two. But they refused. When we tried to change it they came up with a second reason to refuse us registration: they said that we didn't have enough signatures and that there was incorrect information on the forms. By law you need 3,000 signatures to register; we had 3,500, more than enough. But then they sent people from the militia and the KGB to talk to people who had signed the petition. Naturally in that

⁴¹ Helsinki Watch interview with Abdumannob Pulatov, April 22, 1993.

⁴² *Ibid.*

number of people it's possible to find someone who will say that they were coerced, that they never signed. I understand them: people were coming to their houses, bothering their families. So then the authorities said that we had falsified our application. When James Baker visited Uzbekistan he told Karimov to register Birlik, but it did no good. Finally, in May of 1992 we threw up our hands and gave up trying.

On January 19, 1993, the Supreme Court of Uzbekistan approved a decision to close Birlik for three months.⁴³ Birlik members allege that they were neither given sufficient time to prepare a legal defense nor a copy of the final decision.⁴⁴ Daria Fane, the second secretary of the American Embassy in Tashkent, who was attending the trial as an observer, reportedly was ordered to leave the room, and when she declined was "pushed out."⁴⁵

Numerous members of Birlik, particularly those in leadership positions, have been victims of human rights abuses presumably because of their affiliation with Birlik. Documentation of these abuses may be found throughout this report. The comments of one Birlik leader, Bakhrom Khamroev, chairman of the Zaravshan regional council of the Birlik Popular Movement, is telling:⁴⁶

Upon my return to Zaravshan from Tashkent on September 24, 1992, I was detained at the station and taken directly to the militia station. The next day I was again called in. They told me they would issue charges [against me for violating] Article 170 (1) — slandering the dignity and honor of the president. They said that if I cease being involved in politics they would do anything for me that I wanted. They offered me a meeting with the president if I'd quit Birlik.

Democratic Party Erk

⁴³ In its proposal to the Supreme Court, the Ministry of Justice stated the following as the basis for its decision: "During the period 1991-1992, 166 people have been brought up on [charges of violating] administrative [codes] (privlecheny k administrativnoi otvetstvennosti) and criminal charges have been brought against twenty people because of the intentions of the leadership and activists of Birlik to hold meetings, rallies and demonstrations. According to information held by the procuracy of the city of Tashkent, twenty-six meetings, rallies and demonstrations were held by registered and unregistered organizations in 1991, thirteen of which [took place] without permission. In 1992, these were held twenty-nine times, fourteen of which [were held] without receipt of permission. Activists of the movement have spoken out with words and conversations offending the authority, honor and dignity of the President and other leaders of the republic on the pages of the official and unofficial mass media."

⁴⁴ Shuhrat Ismatullaev, co-chairman of Birlik, told Helsinki Watch: "Following the presentation by the Ministry of Justice, [I] asked a second time to be given the opportunity to bring in a lawyer. After discussing it among themselves, the court allocated one hour and forty-five minutes, which coincided with the lunch break, for us to find a lawyer, sign a contract with him, and be back at 2:00 to continue the hearing. A lawyer was found and agreement was reached with him concerning his participation in the proceedings. Since he was simultaneously participating in another trial in the same building, he would be unable to attend to the case that following morning, i.e. on January 19, when the appeal had been reset to, for the second time, without any reason." Helsinki Watch interview, January 18, 1993.

⁴⁵ *Nezavisimaia Gazeta*, January 21, 1993, p. 2.

⁴⁶ Helsinki Watch interview, December 2, 1992.

Erk held its founding session on April 30, 1990, and was registered on August 28, 1991. It claimed a republic-wide membership of 54,000 in December 1992, when approximately eleven Erk members held seats in the Uzbekistan parliament. Party chairman Mohammad Solih was the only alternate candidate in the presidential race of December 1991, losing to President Karimov with 12.3 percent of the popular vote. He is currently awaiting trial on charges of attempted government overthrow (see "Prisoners of Conscience").

Through a series of closures of regional offices beginning roughly in February 1992, the Erk Party has gradually been crippled. Mohammad Solih told Helsinki Watch that following the January 1992 riots, the Erk offices at Tashkent State University and at the Polytechnical Institute were forcibly closed. He also stated that on December 1, the electricity and heat had been cut off to the building in Tashkent in which Erk headquarters is located. Helsinki Watch representatives viewed the results of an early morning visit on December 3 by officials from the *railispolkom* (regional executive political committee): ten of the twelve rooms occupied by Erk had been sealed, including the toilet. It has been reported that the remaining rooms were sealed sometime around April 15, 1993.⁴⁷ Mr. Solih also charged that government officials have seized Erk property, such as automobiles, and monies illegally, and that some 100 party members have been fired from work for their political activities between January 1 and December 2, 1992 (see "Discrimination-Political Dismissals from the Workplace").⁴⁸

Milli Majlis

The charter of the Milli Majlis, which was created in May 1992, had not been finalized when its initiator, Bobur Shokirov, was arrested (see "Prisoners of Conscience"); after several organizational meetings, the Milli Majlis was driven underground, so it is unclear what its work consists of. According to preliminary drafts of its charter, the Milli Majlis was created to coordinate a grouping of opposition organizations (parties, movements, trade unions and other social and political groupings) to serve as an alternative "parliament."

The leadership of the Milli Majlis has been arrested: one on charges of violating Article 60 of the Criminal Code of the Republic of Uzbekistan, and seven for violating Article 62 of that same code. Bobur Shokirov and Khazratkul Khudoiberdiev have been in prison since August and December 1992, respectively. Both men reportedly have been denied access to a lawyer of their choosing and to relatives, with the exception of one meeting between Mr. Shokirov and his wife. Otanazar Aripov, who was arrested in December 1991; Olim Karimov, who was arrested in January 1993; Muhammad Solih, chairman of the Democratic Party Erk; Abdulaziz Makhmudov, a member of the Birlik Popular Movement; and Salavat Umurzakov, a correspondent for the banned newspaper *Tadbirkor* (Entrepreneur). The latter three are believed to have been charged in March 1992, and are at liberty pending trial. (See "Prisoners of Conscience.")

Entrepreneurs' Trade Union of Uzbekistan

⁴⁷ Shukhrat Ismatullaev, co-chairman of Birlik, relayed to Helsinki Watch representatives by Abdumannob Pulatov, member of the Birlik central committee, April 22, 1993.

⁴⁸ Helsinki Watch interview, December 2, 1992.

This trade union was organized in early 1989. Its publication, *Tadbirkor* and *Predprinimatel'* (respectively Uzbek and Russian versions of one newspaper), reportedly was ordered closed in August 1992 (*see* "Freedom of the Press").

Islamic Renaissance Party

The Uzbekistan chapter of this party, which also exists in Tajikistan, has been banned because its platform includes promoting religious values. Party emir (chairman), Abdulla Utaev, was last seen in the custody of law enforcement officials and is believed to be held in prison. (*See* "Possible Prisoner of Conscience" and "Freedom of Religion.")

FREEDOM OF ASSEMBLY

Article 21 of the ICCPR guarantees the recognition of the right to peaceful assembly. Although the Uzbekistan constitution guarantees this right,⁴⁹ a presidential ukaz adopted in February 1991 reportedly limits that right. It was officially on the basis of the presidential ukaz that the student demonstrations of January 16-17, 1992, were dispersed by law enforcement authorities, for example. A resolution was passed on August 19, 1992, "On holding meetings and demonstrations in Uzbekistan," which apparently prohibits free assembly. On numerous occasions, violent attacks on and arrests of members of the opposition have increased on the eve of planned public gatherings (*see* "Violent Acts - Assault by Unidentified Assailants" and "Administrative Arrest"), strongly suggesting that government fear of assembly leads to other human rights violations.

One of the most egregious cases of punishment for alleged violations of legal assembly is the arrest of people's deputy and Birlik member Shovruh Ruzimuradov, who was sentenced on July 24, 1991, to four years of strict regime in a labor colony on charges of "organizing mass disturbances" (*see* "Prisoners of Conscience"). The sentence was upheld at a closed sitting of the collegium of the Uzbekistan Supreme Court.⁵⁰ Mr. Ruzimuradov was released conditionally, but not acquitted, in August of 1991 allegedly in connection with the attempted coup in Moscow.

The Moscow coup indirectly caused arbitrary arrests both when it appeared to be succeeding and after it failed. Shukhrat Ismatullaev, former assistant professor of mathematics and co-chairman of Birlik, recalled the following for Helsinki Watch:⁵¹

On August 26, after the attempted coup [GKChP] had fallen apart, we decided to hold a rally in honor of the victory of the democrats of Russia. Here, too, they took us in. Even though the meeting hadn't started yet, they started taking us in as soon as we started walking

⁴⁹ Article 33 of the constitution states that "citizens have the right to carry out their social activities in the form of rallies, gatherings and demonstrations in accordance with legislation of the Republic of Uzbekistan. The organs of power have the right to stop or ban the carrying out of these enterprises only for well-founded concerns for safety."

⁵⁰ Amnesty International EUR 46/65/91, October 11, 1991.

⁵¹ Helsinki Watch interview with Shukhrat Ismatullaev, *op. cit*

toward the gathering place. Then the rally was rescheduled for September 8. They took to this one capitally. Many thousands of militiamen made a ring around our main square, which is now called Independence Square. People's deputy Pulatjon Okhunov was arrested; I was arrested. A lot of foreign and Soviet correspondents were detained. Representatives of Democratic Russia and deputies who had come to participate in the rally were also detained. In all, about 150 of those moving toward the rally were detained.

These were both interesting uncompleted rallies, on August 26 and on September 8. In both instances, there were a lot of people from the Russian-speaking population. There was a kind of euphoria of victory. It revived hope in a lot of people. Many of those who participated weren't even members of any organizations. Of course, a significant portion was from Birlik — maybe one-half or three-quarters. [But] it's significant that a notable proportion was representatives of the Russian-speaking population.

Uktam Bekmukhammedov is senior secretary and committee chairman of the Samarqand Social-Cultural Association, senior secretary at large of the Samarqand National-Cultural Center, and chairman of the organizing committee of the Samarqand Helsinki Group (*See* "Former Prisoners of Conscience," "Freedom of Movement," "Discrimination" and "Administrative Arrest"). Mr. Bekmukhammedov describes "Samarqand" as a social-cultural association and human rights organization representing the interests of the ethnic Tajik population. He told Helsinki Watch representatives the following:⁵²

On May 12, 1991, we [members of the Center] turned to the leadership of the republic with a written initiative about conducting a peace march in Uzbekistan between June 1 and 5, and about [reaching] an agreement to protect peace and the environment. This initiative was perceived as an attempt by our Center to organize something tantamount to an uprising in Tashkent. A commission from the republic procuracy came to Samarqand and called us in to interrogations at the regional (*oblast'*) procuracy. We explained our goals; they couldn't initiate criminal proceedings against us.

[But] instead of an answer they started repressing us. Afterward, they didn't limit themselves to banning our undertakings. Slandorous materials began appearing against us in newspapers. Moreover, we were supporting the hunger strike [held by] Murad Subkhonov, an agricultural worker at the "Komsomol" kolkhoz in the Samarqand region, protesting arbitrary [actions] by the chairman of the kolkhoz. After we made a decision about the hunger strike, we issued demands [including either receipt of an answer concerning our initiative or a personal meeting with the president to discuss problems of Tajiks in Uzbekistan]. The hunger strike began on June 1, 1991. Three people participated: chairman of the social-cultural association Samarqand Hokim Akhmadien, member of the national-cultural Center Hekmatiar Kanoat, and I. Right away threats started emanating from the government [vlasti]. On the first day the head of the Interethnic Division of the KGB, a certain Tolib Khamidov, who saw one of the hunger strikers holding a poster laying out the demands of the strikers, said "Take that down immediately or I'll show you from human rights!" We didn't take down the posters. That same night we heard coming from the *chaikhona* (teahouse) across from us "Extremists have gathered in this building. They

⁵² Helsinki Watch interview, April 17, 1993.

want to cause a fight between the Uzbek and Tajik people. My father is an Uzbek, and they are demanding that Uzbeks be expelled from Samarqand."

On June 3 Benig Bagdesarian (joined us). He is an honorary member of the Samarqand national-cultural Center who has been put in prison numerous times on what he believes are fabricated charges. Between 1:00 and 2:00 a.m. the first secretary of the regional party Farukh Khomidov arrived accompanying about forty officials from the KGB, the militia and the procuracy. After a half-hour of conversation, Khomidov left, saying "Take them away." Just before that they had taken Khokim Akhmadien away by force. Three men jumped on me and dragged me toward the exit, hitting me all over my body and pulling my hair. They also took Benig away. Finally they pushed me into a car. Then the sound of a metal object hitting concrete and the shout of a militiaman rang out: "Who dropped a gun?" I lost consciousness because of the preceding struggle, and regained consciousness as I was being taken into the militia station. A sergeant of the militia walked into the room they had taken me to. They took him away somewhere and he came back about ten minutes later in a torn shirt with no shoulder straps. The investigator came in and told me that I was being charged with assault on the chief of the 9th precinct, and that I had torn this sergeant's shirt and shoulder straps.

I was sentenced to two years conditionally with mandatory corrective labor in accordance with Article 192 for violently resisting a militia officer. They planted three cartridges on Hekmatiar, and then they charged him with violating Article 210 of the criminal code: illegal possession of a weapon. Despite the fact that there weren't even his fingerprints on the gun, Benig Bagdesarian was sentenced to three and a half years strict regime, also for violating Article 210.

Mr. Kanoat was detained for ten days and then released because of insufficient evidence.⁵³ Mr. Bekmukhammedov was released on April 7, 1992, and Mr. Bagdesarian on September 27, 1992, under an amnesty.

On July 2, 1992, a demonstration organized apparently by Birlik and Erk that was scheduled to take place simultaneously in several Uzbekistan cities reportedly was cancelled because of police interference. According to Tashkent residents interviewed by Helsinki Watch, the MVD cut off all access to transportation and to main squares and other gathering places; it was cancelled in Tashkent. The fact that two leading figures in Birlik, Abdurakhim Pulatov and Mirolim Odylov, had been severely beaten just two days before the scheduled demonstration also undoubtedly had a chilling effect on potential demonstrators (see "Violent Acts - Assault by Unidentified Assailants"). Some 200 people reportedly were arrested in a sweep in Samarqand, Namangan, Bukhara and Qoqand for holding and attempting to hold the meeting.⁵⁴

Bakhrom Khamroev, engineer and chairman of the Zaravshan regional council of the Birlik Popular

⁵³ Reliable sources believe that Mr. Kanoat was released relatively quickly because he confessed and gave testimony incriminating the other two.

⁵⁴ Helsinki Watch interview with Tashkent resident, name withheld, July 2, 1992.

Movement, reported the following to Helsinki Watch representatives:⁵⁵

When we arrived in Alat to participate in a gathering of the Democratic Party Erk and Birlik, we were greeted by Erk activists. At first they didn't refuse to give us space to hold the meeting. After waiting for half an hour to get the space it became apparent that when the local government [vlastil] learned that Birlik activists were in attendance they banned the meeting. The chairman and deputy chairman of Erk went to find out what was going on. When they got back they said space would be provided only if Birlik takes itself elsewhere. Then a series of militia and procuracy officials drove up. The chief of the regional branch of the militia Saidumar Pulatov also arrived, in civilian clothing. They took us by force to the militia station, twisting my arms.

Mr. Khamroev described being beaten along with two others following the scheduled meeting (*see* "Mistreatment in Detention").

FREEDOM OF MOVEMENT

Article 12 (1) of the ICCPR guarantees the "liberty of movement and freedom to choose his residence." Article 12 (2) states that "everyone shall be free to leave any country, including his own." Article 28 of the Uzbekistan constitution enshrines this guarantee, but does not guarantee it as an absolute right. It states that "the citizen of the Republic of Uzbekistan has the right to free movement on the territory of the republic, of entry into the Republic of Uzbekistan and departure from it, *with the exception of limitations prescribed by law*" (emphasis added).

Individuals have been both forcibly brought into, forced out of and prevented from leaving the Republic of Uzbekistan. On December 8, 1992, the same day as the Republic of Uzbekistan ratified its new constitution, which enshrines the right to free movement, three residents of Uzbekistan were kidnapped by Uzbekistan law enforcement authorities and forcibly repatriated. Two of them — Uktam Bekmukhammedov (*see* "Former Prisoners of Conscience," "Freedom of Assembly," "Discrimination," "Administrative Arrest") and Tohir Bakaev⁵⁶ — reportedly were held overnight, interrogated, and released the following day. Mr. Bekmukhammedov also reported that he was forcibly taken to his home city of Samargand where he was detained for twenty-four hours before being released.⁵⁷ On December 13 he was sentenced to ten days in prison for allegedly offending a militiaman, a charge which Helsinki Watch believes to be fabricated (*see* "Administrative Arrest"). The third man, Abdumannob Pulatov, was the target of the kidnapping. He was arrested and spent almost the next two months in prison in Tashkent (*see* "Former Prisoners of Conscience").

The three men were abducted from neighboring Kyrgyzstan, where they had been participating in a conference entitled "Human Rights and the Fate of Nations," which was held in the Kyrgyzstan capital Bishkek between December 5 and 7. Prior to the conference, numerous individuals in Uzbekistan (and

⁵⁵ Helsinki Watch interview, *op. cit.*

⁵⁶ Mr. Bakaev is head of the Bukhara branch of the Birlik Popular Movement.

⁵⁷ Helsinki Watch interview, January 6, 1993.

Turkmenistan) who were known or believed by the government of Uzbekistan to be planning on attending the conference, were detained at the MVD by deputy procurator for the city of Tashkent Anvar Mirzaev and first assistant head of the MVD Odyl Khazanov.⁵⁸ Several of these men told Helsinki Watch that they were threatened with three years of imprisonment for violating the August 19, 1992, resolution on meetings and demonstrations if they attended the conference. Those detained included Shukhrat Ismatullaev, co-chairman of the Popular Movement Birlik, Olim Karimov (*see* "Prisoners of Conscience—Currently at Liberty") and Khazratkul Khudoiberdiev (*see* "Prisoners of Conscience"), members of the Birlik presidium, and Mikhail Ardzinov, deputy chairman of the Human Rights Society of Uzbekistan (*see* "Administrative Arrest" and "Violent Acts-Bombings"), and Abdulkhai Abdumalanov, secretary of Erk. According to several of them who were later interviewed by Helsinki Watch, they were asked to sign a statement promising not to leave the country. Shukhrat Ismatullaev recalled the events for Helsinki Watch representatives.⁵⁹

I told them I would not sign. "If I decide to go, I'll go; if not I'll stay home. It's my business."

Dr. Ismatullaev ultimately was prevented from attending the conference. Rafael' Nektalov, an associate worker with the U.S.-based Union of Councils for Soviet Jews, was detained at the airport as he was preparing to fly to Bishkek on December 4 or 5, and prevented from attending the conference.⁶⁰

Individuals, primarily foreign journalists and human rights observers, have also been forcibly expelled from Uzbekistan. On February 8, 1993, Aleksei Tavrizon and Nikolai Kalinkin, representatives of Memorial, an independent Moscow-based historical and human rights group, were deported after having attempted to attend the criminal trial of Vasila Inoiatova, secretary of the Birlik Popular Movement, on slander charges (*see* "Former Prisoners of Conscience"). Four days later, on February 12, Hubert Smeets, a Dutch journalist based in Moscow, and Oleg Klimov, a Russian photographer, were detained for questioning and later expelled. On February 22, Alexander Petrov, an associate at Helsinki Watch, Aleksei Tavrizon of Memorial, and Vitalii Ponomarev, a journalist for IMA-press based in Moscow, were detained and interrogated for ten hours after having attempted to attend the trial of Vasila Inoiatova, which had been postponed, and after having met with numerous members of political and social organizations. Mr. Petrov and Mr. Tavrizon were then escorted to the airport, where they flew to Moscow.⁶¹

FREEDOM OF RELIGION

Residents of Uzbekistan are now more free to practice their respective religions than they have been since the vicious and sometimes violent atheist propaganda campaign that took place in the 1930s and 1940s, when thousands of Muslim clerics were imprisoned and murdered. Helsinki Watch has received no reports of interference in the practice of religion. Nonetheless, in its efforts to promote the country as staunchly secular, a hostile attitude has developed on the part of the administration toward

⁵⁸ *The Express Chronicle*, December 1-7, 1992.

⁵⁹ Helsinki Watch interview, December 3, 1992.

⁶⁰ Helsinki Watch interview with Uktam Bekmukhammedov, *op. cit.*

⁶¹ *See* Appendix E for the full text of a letter sent by Helsinki Watch to President Karimov protesting these acts of harassment.

individuals and groups that advocate radical return to Islam. At a press conference on April 5, 1993, for example, President Karimov stated "Both Uzbekistan and Turkey hold an attitude of intolerance toward Islamic fundamentalism."⁶²

The campaign to discourage organized Islam in Uzbekistan apparently has resulted in numerous human rights violations, including arbitrary arrest and violent assault. On March 17, 1992, following a visit by President Karimov to the city of Namangan, a traditional center of Islamic culture in Uzbekistan, the Islamic center reportedly was ransacked, its property thrown out into the street, and at least nineteen members of the city's Islamic self-government and of Birlik were brought into militia custody for detention and arrest.⁶³

In its draft founding statement, the Milli Majlis claimed "the basics of the study of Islam" as one of its principals, and called for Islam to be given the status of the state religion of the republic. After several preliminary meetings, the Milli Majlis has been effectively disbanded and decapitated, with several leading figures facing charges of government overthrow (*see* "Prisoners of Conscience" and "Freedom of Association").

RIGHT TO PRIVACY

Article 17 (1 and 2) of the ICCPR states that "no one shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence" and that "everyone has the right to the protection of the law against such interference or attacks." Article 27 of the Uzbekistan constitution states that "every one has the right to protection from infringement on his honor and dignity, [and] from interference in his private life and the inviolability of his home. No one is within his rights to enter a home (zhilishche), conduct a search or inspection, [or] violate the privacy of correspondence or telephone conversations other than in cases and according to procedures prescribed by law."

Numerous individuals told Helsinki Watch representatives that they and their families are harassed by law enforcement officials. They are subjected to phone tapping, tailing, and constant surveillance. Some, including Mikhail Ardzinov, Tolib Iqubov, Mahmamin Narzikulov and Shukhrat Ismatullaev, are periodically taken to the militia station and interrogated about their activities. Frequently they are threatened with criminal charges. Every opposition member interviewed by Helsinki Watch representatives reported that at some point under the Karimov administration they had been followed, surveilled or had telephone conversations tapped or mail intercepted by Uzbekistan law enforcement and security authorities.

Khazratkul Khudoiberdiev (*see* "Prisoners of Conscience") told Helsinki Watch:⁶⁴

I have been visited by the militia probably about ten times. They come at night, during the day, they come to me at work. I called in to work: they took my personal documents. [They

⁶² Reuter, April 5, 1993.

⁶³ *Nezavisimaia Gazeta*, March 21, 1992, p. 3.

⁶⁴ Helsinki Watch interview, December 1, 1992.

took the documents I submitted to begin working there, to transfer to another division, to apply for a competition, my autobiography, my personnel file, my private affairs — they took everything. I ask you, on what basis? There is no basis. [The investigator] just showed his identification and took it.

RIGHT TO DUE PROCESS

Article 14 (3)(b) of the ICCPR states that everyone is entitled "to have adequate time and facilities for the preparation of his defence and to communicate with counsel of his own choosing."

On May 9, 1991, Shovruh Ruzimuradov, a people's deputy and member of Birlik, was arrested in connection with unsanctioned demonstrations in April and May. Amnesty International has reported numerous violations of due process in the course of his detention and trial. It alleges, among other things, that Mr. Ruzimuradov's lawyer was excluded from the closed session of the collegium of the Uzbekistan Supreme Court which upheld the sentence, that he was later expelled from the city in which the trial took place, and that the trial was closed to the public,⁶⁵ in violation of international law.⁶⁶ (See "Prisoners of Conscience" and "Administrative Arrest".)

Numerous individuals either currently in prison or recently released under amnesty have suffered violations of their right to due process, including timely access to the lawyer of their choice (see "Prisoners of Conscience"). Because of interference from local authorities, for example, Abdumannob Pulatov's chosen lawyer, Yurii Schmidt, reportedly was allowed only one hour, immediately preceding the opening of the trial, to acquaint himself with the necessary legal documents (see "Prisoners of Conscience").

Often bureaucratic explanations are given for the government's failure to fulfil its legal obligations. Numerous individuals interviewed by Helsinki Watch reported being turned away and often disparaged by representatives of the militia and procuracy, and as a result complaints are not processed properly or at all. Khazratkul Khudoiberdiev, who was assisting the arrested Bobur Shokirov's family, reported the following to Helsinki Watch representatives as they waited at the procuracy office for a meeting with officials:⁶⁷

The elementary demands of the people always end in... scandalous scenes. For example,

⁶⁵ Amnesty International, EUR 46/65/91, October 11, 1991.

⁶⁶ Article 14 (1) of the ICCPR states that "in the determination of any criminal charge against him, or of his rights and obligations in a suit at law, everyone shall be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law. The Press and the public may be excluded from all or part of a trial for reasons of morals, public order (*ordre public*) or national security in a democratic society, or when the interest of the private lives of the Parties so requires, or to the extent strictly necessary in the opinion of the court in special circumstances where publicity would prejudice the interests of justice; but any judgement rendered in a criminal case or in a suit at law shall be made public except where the interest of juvenile persons otherwise requires or the proceedings concern matrimonial disputes or the guardianship of children."

⁶⁷ Helsinki Watch interview, *op. cit.*

access to meetings in prison [svidaniel. Here we are waiting. Yesterday at 3:00 we gave [the secretary at the procuracy] a note that we are asking permission for access for our lawyer, whose services were requested by the Organizing Committee [of the Milli Majlis] and by his relatives, to Bobur Shokirov. She said, fine, leave it. First, she tried to get in touch with the investigator, Juraev, and couldn't find him. She said "[Come] tomorrow, give me time." We gave [the note] to her at 3:00 yesterday, now it's noon. We gave her the opportunity to find the investigator. He's not such a small person that he could disappear. We left a note and went to the KGB, to the MVD, we found the lawyer, but no one knows where Juraev is. We are beginning to feel that they are doing this deliberately so that we can't meet with him. He is avoiding meetings with us because as soon as he sees us he will have to sign the order of counsel's access to Bobur Shokirov. He has no reason not to meet with us because the law says that counsel must be allowed access on first request. He is constantly running away from us.

We've been sitting here for three hours and not one representative of the procuracy has come out or explained anything. This [secretary] is moving around, runs in there and discusses something, runs over here and says "Excuse me, leave your full addresses and we'll let you know. And you [speaking to the lawyer], fly home to Yekaterinburg [in Russia] and we'll send you a telegram as soon as we find him. We say "Who's going to pay 5,000 rubles for the airplane? The lawyer can't just fly to Yekaterinburg and then back again. Why can't we arrange a meeting? If the investigator isn't here, the deputy procurator [also], apparently, has the right to give permission for a [meeting with the lawyer]. Or the procurator himself. He's here now, Mr. Mustafaev. [The secretary] has already gone into his office four times to discuss how to resolve this problem. We told them we will sit here indefinitely. Have the procurator or the deputy decide. We aren't leaving, because we've had enough of being strung along.

The abduction of Abdumannob Pulatov, Uktam Bekmukhammedov and Tohir Bakaev on December 8, 1992, from Bishkek following the human rights conference and the subsequent arrest of Dr. Pulatov reflect numerous violations of due process. In independent interviews with Helsinki Watch, both Dr. Pulatov and Mr. Bekmukhammedov stated that the abductors did not present any identification or inform them of charges brought against them (no charges were ever filed against Mr. Bekmukhammedov or Mr. Bakaev). Dr. Pulatov was also denied access to his lawyer.

Administrative Arrest

The legal practice of administrative arrest (detaining an individual for a maximum of fifteen days without right of appeal) has been invoked arbitrarily and for politically motivated reasons in Uzbekistan to silence members of the opposition and limit their activities.

In some cases, mass arrests have coincided with planned public demonstrations. Administrative arrest began to be applied more frequently against the opposition beginning in late June, 1992, several days before a demonstration was scheduled to take place in several major cities in Uzbekistan to coincide with the opening of the session of the Supreme Soviet. Arrests were reported even in those cities where no demonstration actually took place. Confirmed reports of detentions under administrative arrest are indeed so numerous that it is not possible to document them all here; some representative and egregious incidents of administrative arrest follow.

Iadgor Obid, poet, member of the Central Council of the Birlik Popular Movement and a member of the Human Rights Society of Uzbekistan, told Helsinki Watch representatives that he has been sentenced to administrative arrest five times in connection with his political activities: for ten days in February 1990; for fifteen days in March 1991; for ten days in September 1991; for ten days beginning February 2, 1992; and for three days in May 1992.⁶⁸

Beginning May 9, 1991, Shovruh Ruzimuradov, a member of Birlik, was arrested at the Tashkent airport and confined to prison for fifteen days under administrative arrest in connection with unsanctioned demonstrations that took place in April and May. He was released on June 12, thirty-four days after his arrest and nineteen days beyond the legal limit of fifteen. It is also alleged that his lawyer, Mirolim Odylov, was denied access to his client. Mr. Ruzimuradov was later convicted to four years in a labor colony on charges of "organizing mass disturbances (*see* "Former Prisoners of Conscience" and "Freedom of Assembly").

On June 25, 1992, Pulatjon Okhunov (*see* "Prisoners of Conscience") was sentenced to ten day's administrative detention on charges of "petty delinquency" (*melkoe khulganstvo*) under Article 177 of the administrative code. He was fined 350 rubles (approximately half of an average monthly salary, according to the exchange rate of that time) for various infractions, including violating Article 187 ("obstinate disobedience to the lawful demands of the police") for his allegedly having tossed the keys to the car he was driving and which the police were confiscating onto the hood of the car instead of handing it to them. Several hours before he was scheduled to be released, Mr. Okhunov was sentenced to an additional ten days in prison, apparently for refusing to testify concerning charges that he had humiliated a fellow inmate — charges that were levelled at him that same day. Helsinki Watch believes the charges against him were fabricated.

On July 1, 1992, the day before the scheduled public demonstration, Mikhail Ardzinov, co-chairman of the Human Rights Society of Uzbekistan (*see* "Discriminatory Political Dismissals from the Workplace" and "Violent Acts — Bombings"), reportedly was seized on the street and sentenced to fifteen days of administrative arrest in the Special Reception Jail in Tashkent on suspicion of having incited a meeting. That same day he began a sixteen-day hunger strike to protest his illegal detention. He told Helsinki Watch representatives:⁶⁹

About fifteen of us went to the Hotel "Tashkent" to meet with deputies who were gathering for the session of the Supreme Council on July 2. We wanted to speak to them about the attack on Abdurakhim Pulatov, chairman of the Birlik Party, on June 29, and generally about the political terror against the opposition in Uzbekistan. We had posters with us, but decided not to unfold them and just restrict ourselves to a discussion. We were met by about 100 militiamen. I was surrounded by fifteen militiamen, they took me under the arm and put me in a bus with two others. They let the other two go, but they put me in jail for fifteen days. The judge was Sharakhmetov. He told me literally the following: "Go and

⁶⁸ Helsinki Watch interview with Iadgor Obid, April 18, 1993.

⁶⁹ Helsinki Watch interview, December 1, 1992.

create order where you're from in Ossetia, but this is not Ossetia."⁷⁰ I am Ossetian. I told him "You are a nationalist, and you will answer for your provocative statement and for your illegally trying me, and you will answer for it according to the law. That was it; he sent me to the cell. I said to him "Where is the evidence? What law did I break? Where is the procurator?" He said "I am the law, I am the evidence, I am the procurator."

On the 21st I began a political hunger strike in prison. On the sixth day of the strike they wanted to begin force-feeding me. I warned them that I would physically resist this and they won't be able to do anything about it. They got frightened and didn't force-feed me. Suddenly, on the ninth day, the prison director called in his assistants and they forcibly threw me out on the street, although I was starved and weak. It turns out that members of the Human Rights Society, Birlik and Erk were planning to hold a picket on the tenth day, the day I was supposed to be released, to greet me and photograph the scene. They found this out and threw me out a day early. I had to call someone from a pay phone to come pick me up. I spent two days in the hospital and then continued the hunger strike for another five days at home.

The militia later informed our Society [the Human Rights Society] that Ardzinov had held posters that read "Free Speech" and "We are not slaves," and, most important, had incited a meeting and disorder.

Mr. Ardzinov has opened a criminal investigation against police Lt. Colonel Karshiev and Judge Sharakhmetov, but as of this writing no criminal case has been initiated.

Numerous arrests reportedly took place on July 2, the day of the scheduled demonstrations. Olim Kasymov and Bakhtiyar Artykov, reportedly were sentenced to fifteen days administrative arrest reportedly on charges of attempted participation in an unsanctioned meeting.

Birlik members Quchqorboi Akhmedov and N. Eshniiazov reportedly were arrested and began serving ten and fifteen days under administrative arrest, respectively, on July 18. They reportedly were taken in by militia officials when they arrived to serve as bodyguards for Mirolim Odylov and Abdurakhim Pulatov, who had been patients at the Tashkent Traumatology Hospital following the latter's attack on June 29.

After being kidnapped in Bishkek on December 8 and forcibly repatriated to Samarqand (*see* "Freedom of Movement"), Uktam Bekmukhammedov was sentenced on December 13 to ten days of administrative arrest on charges of having yelled at a member of the militia. He told Helsinki Watch the following:

I was taken to the municipal people's court. In the deputy chairman of the municipal court's room was Judge Ilkhom Kabilov, who was personally known to me through our human rights work, through court procedures. He said "Where are your witnesses?" A door opened and in walks a young guy who starts saying in a very animated manner that yesterday at around 4:00 p.m. he personally witnessed that this man (he indicated me) had

⁷⁰ An area of the northern Caucasus.

cursed at Inetsenzurno vyrazhalsial and offended this militiaman (he indicated Sobir lakh"iaev) in the Sogdiana neighborhood near the medical college. There were four other militiamen there. "They offered to sit him in their car, then dragged him in order to get him into the car; he resisted. That's what I saw." The judge told him "You're free to go." That's when I turned around and said "Go where?! That is slander. Yesterday I was at my Bukharan cultural center from 2:00 to 6:00 p.m., tens of people saw (me), and a person, who was with me until 8:00, was the one who took me home; then I was taken in from my house." The judge said in a tired voice, "Alright, enough, Uktam-aka. Ten days." Two or three people grabbed me by my arms: "Let's go, Uktam-aka." I was forced to leave the office. By doing this, crudely, overtly, they gave me and my friends to understand that the law means nothing to them.⁷¹

I went on a dry hunger strike for six days to protest the arrest. At the end of the ten-day term they threatened to extend it another five days because they said "You may not have understood what you've done."⁷²

COLLECTIVE PUNISHMENT

Following the student riots of January 1992, the Uzbekistan government ordered some three thousand students from educational institutions in Tashkent deported from the capital, although no official determination was made of who had participated in the riots.⁷³ Students affected were from Tashkent State University (TashGU) and the Agricultural and Technology University. A student at TashGU told Helsinki Watch that in an apparent effort to hide witnesses, students were arbitrarily and forcibly resettled in other dormitories or outside the city, and dormitory buildings were renamed to add to the confusion.⁷⁴ Classes were also suspended from January 18 to March 2 as students were dismissed for mandatory "holidays."

DISCRIMINATION

Ethnic

Article 26 of the ICCPR states that "the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour (sic),...language,...national or social origin... or other status." Article 27 guarantees "ethnic, religious or linguistic minorities" the right "to enjoy their own culture,... or to use their own language."

Numerous schools in which the language of instruction is Tajik have been ordered closed in Uzbekistan since early 1992. The reported closure of Tajik University, located in Samarqand, historically a

⁷¹ Helsinki Watch interview with Uktam Bekmukhammedov, January 4, 1993.

⁷² *Ibid.*, January 6, 1993.

⁷³ Interfax via Ostankino, January 19, 1992; cited in FBIS, January 21, 1992.

⁷⁴ Helsinki Watch interview with student at Tashkent State University, name withheld, June 22, 1992.

city highly influenced by Tajik culture, was the most notable of these. Media reports have suggested that the closures were motivated by deteriorating relations between Uzbekistan and Tajikistan, rather than by financial or scholarly concerns.⁷⁵

Leaders of the Tajik cultural center in Samarqand report that they have been harassed by law enforcement officials (*see*, for example, "Freedom of Assembly").

Political Dismissals from the Workplace

Numerous individuals who are either members of the opposition, the Human Rights Society, or have expressed public criticism of government policy or elected officials have been dismissed from their jobs in an apparent attempt to punish and silence them.⁷⁶ In a speech delivered in January 1992, President Karimov reportedly asked that opposition party members not be allowed access to employment in universities and other institutes of higher education.⁷⁷ This attitude has become informal policy, leading to numerous dismissals of members of opposition parties and movement members for reasons that discriminate against their political orientation and that violate their rights to free association and free expression.

At least four individuals have lost their jobs for their views,⁷⁸ and at least two others are likely to have lost their jobs for this reason.⁷⁹ Helsinki Watch believes that these discriminatory dismissals are significantly more widespread than these documented incidents suggest.

VIOLENT ACTS

Use of Lethal Force

Article 24 of the Uzbekistan constitution states that "The right to life is the inalienable right of every person. Infringement upon it is a most grave crime." Article 26 states that "no one can be subjected to

⁷⁵ Radio Rossiia, July 14, 1992; cited in Radio Free Europe/Radio Liberty *Daily Report*, July 15, 1992, p. 3.

⁷⁶ *See* Helsinki Watch newsletter *"Straightening Out the Brains of One Hundred": Discriminatory Political Dismissals in Uzbekistan* (Vol. 5, Issue 7, April 1993).

⁷⁷ *Mustaqil Haftalik*, January 1992.

⁷⁸ They are Iadgor Obid, poet, former consultant to the Writers' Union of the Republic of Uzbekistan, and member of the Birlik Popular Movement; Shukhrat Ismatullaev, former associate professor of mathematics at Tashkent State University and co-chairman of the Birlik Popular Movement; Marat Zakhidov, former association professor in the Department of Applied Mathematics and Mechanics at Tashkent State University and member of the Radical Party (Italy), the Party of Free Peasants of Uzbekistan, and the Human Rights Society of Uzbekistan; and Tolib Iaqubov, former associate professor in the Department of Algebra at the Nizami State Pedagogical Institute, member of the presidium of the Birlik Popular Movement and a member of the board of the Human Rights Society of Uzbekistan.

⁷⁹ They are Mikhail Ardzinov, former deputy chief engineer at the Republic Construction Trust and deputy chairman of the Human Rights Society of Uzbekistan; and Gulchekhra Nurullaeva, poet, former secretary of the Writers' Union of Uzbekistan and former co-chairperson of the Birlik women's organization Tumaris.

torture, violence or other cruel or otherwise humiliating for a person treatment." Special Provision 9 of the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders in August 1990, states:

Law enforcement officials shall not use firearms against persons except in self-defense or defense of others against the imminent threat of death or serious injury, to prevent the perpetration of a particularly serious crime involving grave threat to life, to arrest a person presenting such a danger and resisting their authority, or to prevent his or her escape, and only when less extreme means are insufficient to achieve these objectives. In any event, intentional lethal use of firearms may only be made when *strictly unavoidable* in order to protect life (emphasis added).

On at least four occasions over the past four years, government law enforcement authorities reportedly have been responsible for killing and injuring peaceful and unarmed citizens during rallies. Although official investigations have been launched, no suspects have been detained and perpetrators remain at large.

The first, which took place on June 7-8, 1989, resulted in casualties in the city of Qoqand. On March 3, 1990, four people reportedly were killed and some seventy injured when MVD troops tried to disperse a Birlik demonstration in Parkent. Later that year, in December, shots reportedly were again fired at demonstrators in the city of Namangan.

Most recently, two students were killed and tens of other unarmed bystanders wounded when OMON officials fired into a rally in Tashkent on January 16-17, 1992. An announcement was issued that the price of food and other formerly subsidized goods would be freed, causing price jumps of three and four times overnight; simultaneously there was a delay in issuing students their ration coupons. The announcement sparked a demonstration on and around the campus of Tashkent State University, in which it is reported that windows were smashed and cars overturned, and students called for the resignation of President Karimov and his cabinet. Clashes between demonstrators and police resulted in numerous arrests, scores of wounded from both sides, numerous detentions and the death of two students.⁸⁰ Three thousand students reportedly were deported [*see* "Collective Punishment"]. According to witnesses whose names are being withheld, police used rubber clubs and firearms (unspecified) to quell the protesters.

Mistreatment in Detention

Article 7 of the ICCPR states that "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment." Principle 6 of the United Nation's "Body of Principles for the Protection of All Persons Under Any Form of Detention or Imprisonment" (1989) mandates that "No person under any form of detention or imprisonment shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. No circumstances whatever may be invoked as a justification for torture or other cruel, inhuman or degrading treatment or punishment." Principle 21 (2) of the "Body of Principles" further states that "No detained person while being interrogated shall be subject to violence, threats or methods of interrogation which impair his capacity of decision or his judgement."

⁸⁰ Interfax, January 17, 1992; cited in FBIS, January 21, 1992, p. 86.

Following a planned meeting of Erk and Birlik members in the city of Alat, in Bukhara *oblast'*, on August 1, 1992, several ostensible participants were detained. One of them, Bakhrom Khamroev, chairman of the Zaravshan regional council of the Birlik Popular Movement, recounted the following to Helsinki Watch representatives:⁸¹

They forcibly took us to the militia station, twisting my arms. They held us there from 11:00 a.m. to 7:00 p.m. They split us up, taking us into separate rooms, and beat us: me, Tohir Bakaev⁸² and Kasim Habibov.⁸³ We told them that we would lodge complaints with high-level organs. Chief of the regional militia division Sapdumar Pulatov said he was following the order of the president.

See "Freedom of Movement."

Assault by Unidentified Assailants

Article 7 of the ICCPR states that "no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment."

On numerous occasions, members of the opposition have been beaten, and their homes destroyed by arson and explosive devices. The frequency and commonalities of these individual incidents of violence (identity of victims, number and nature of assailants, time and circumstance) strongly suggest that they are part of a pattern and are perpetrated deliberately.

On December 20, 1991, Dr. Talat Khalikov, a member of the Birlik Central Committee, reportedly was beaten near his home. Several weeks later, on January 12, 1992, Abdulla Iusupov, chairman of the Council for the Khwarazm branch of Birlik, was also allegedly beaten near his home. That same month, on January 21, Pulatjon Okhunov, deputy chairman of the Birlik Party and former member of the Supreme Soviet of the USSR, reportedly was attacked by three individuals at the Tashkent airport (*see* "Prisoners of Conscience"). Two days later, and one week after the bloody student riots, journalist Abdurashid Sharipov reportedly was attacked in front of the Writers' Union, sustaining serious head injuries.

On May 6, 1992, the Tashkent home of Birlik member Akhat Kurbanov and his wife, was broken into by unidentified assailants, who reportedly broke furniture and otherwise did damage to the apartment, and beat Mr. Kurbanov and his wife. On May 19, chairman of the Union of Free Youth of Uzbekistan and member of the presidium of the Birlik Central Council Ravshan Juraev, reportedly was attacked. On June 7, two unidentified men reportedly told Birlik member Bekpulat Khaitov they would kill his children if he continued to accuse the head of the Ishtekhan *raion* (Samarqand *oblast'*) of abuse of power. Twelve days later, he himself reportedly was the victim of a shooting attack.

On May 26, lawyer and member of the presidium of the Birlik Central Council Mirolim Odylov

⁸¹ Helsinki Watch interview, *op. cit.*

⁸² Chairman of the Bukharan *oblast'* council of Birlik.

⁸³ Chairman of the Bukharan city council of Erk.

reportedly was attacked in his office by individuals with gas guns. Mr. Odylov reportedly was again assaulted on June 27 when a group of unidentified men attacked him and a friend, B. Akhmedov, with steel fixtures around midnight near his house.

Two days later, following an interrogation at the procuracy building and two days before a mass rally was scheduled to take place in several major Uzbekistan cities, Mr. Odylov and co-chairman of the Birlik Party Abdurakhim Pulatov were attacked with metal rods by a group of plainclothes men. Deputy city procurator Anvar Mirzaev and deputy chief of the Ministry of Internal Affairs Khasanov witnessed the attack and reportedly did not intervene.⁸⁴ Both men spent weeks recuperating in a Tashkent traumatology hospital, but were forced to leave the hospital and complete their recuperation in Turkey for fear that threats of further harm to the patients would be carried out, according to Mr. Pulatov's brother, Abdumannob.⁸⁵ The attacks in late June are believed to have been an attempt by Uzbekistan authorities to prevent the scheduled July 2 meeting of Birlik and Erk from taking place. Mr. Pulatov reportedly was again assaulted on October 19 by a group of men in a Tashkent subway. The attackers reportedly were apprehended by Mr. Pulatov's bodyguards and others, and were turned over to the militia.⁸⁶ There is no confirmed information available about the fate of those individuals.

Bobur Shokirov, one of the leaders of the still-born Milli Majlis, reportedly was attacked and beaten twice in July, 1992, one month prior to his arrest apparently on charges of attempted government overthrow (*see* "Prisoners of Conscience" and "Freedom of Association").

Vasila Inoiatova (*see* "Former Prisoner of Conscience") told Helsinki Watch representatives that in early September she and five other people participated in a hunger strike to press that Birlik be allocated premises. She reported that six people approached the hunger strikers, but beat her alone.⁸⁷

On or before November 6, a group of people who were holding a hunger strike to protest censorship and other violations of civil rights in the republic reportedly were attacked and beaten in Farghona (Fergana). According to newspaper reports, Gali Mamatkhonov, one of the hunger-strikers and a member of the Farghona *oblast'* council of Erk, was hospitalized briefly before being detained in the militia station.⁸⁸

⁸⁴ *See* Helsinki Watch press release, "Law Enforcement Turns Blind Eye on Violent Attacks Against Political Activists in Uzbekistan," July 15, 1992.

⁸⁵ Helsinki Watch interview, approximately September 10, 1992.

⁸⁶ RFE/RL *Daily Report*, October 20, 1992, p. 3.

⁸⁷ Helsinki Watch interview, December 2, 1992.

⁸⁸ *Izvestia*, November 6, 1992, p. 2.

Bombings

Mikhail Ardzinov, deputy chairman of the Human Rights Society of Uzbekistan, told Helsinki Watch representatives:⁸⁹

I have lived in my apartment for sixteen years. During one of my interrogation sessions at the police I was asked to fill in a form with basic information about myself, including my home address. I gave it: Chilarzar, block D20-A, building no. 1, apartment 70.

On August 27, 1992, an explosive device went off at 2:30 a.m. in the apartment of an elderly Crimean Tatar couple who live in apartment 70 of block D20 in my apartment complex. They were not hurt, but their apartment was damaged.

On August 29 there was an explosion in my apartment at about 2:00 a.m. It was very hot, and I had decided to sleep not on the couch, where I usually sleep, near the door, but on the balcony, where it was cooler. It was what saved me, or else who knows what damage I might have suffered. I suffered only minor burns and cuts from the broken glass. But the explosion blew out my front door, caused a fire, which I was able to put out only with my neighbors' help, broke the windows and shattered glass all over, blew out all the windows on all nine floor of the stairwell and twisted the door to the elevator. The apartment suffered a lot of material damage.

After the explosion, my neighbors, who of course woke up because of the blast, called the regional police; strangely, however, it was the city police who answered the call. No one had called them; they already knew. An ambulance arrived about an hour and a half later, although no one had called for one. Apparently they thought the person was already 'ready.' Lt. Colonel Muhammadjon Dekhqanov, deputy chief of the municipal police, was the one who arrived. I mentioned the explosion at the neighbors two nights before: in my parallel apartment, but in block D20, not D20-A. Building 1, apartment 70, third floor, everything the same. I said to him "O.K., you've blown up my apartment, but why did you blow up those poor people's apartment in the next block?" He said "You should have given us (your) correct address, Comrade Ardzinov." Then he realized what he had said and blushed and began taking it back: "I didn't say that."

I forced them to initiate a criminal case: #28577 of August 29. But they registered the case not with the procuracy but with the militia; I know that it's the procuracy that must initiate criminal proceedings, not the militia. So far, they haven't done anything, and of course they won't do anything.

The very next day after the Crimean Tatars' apartment was blown up repairmen came and fixed things up at no charge. To this day, no one has come to fix my apartment. I have to do it all myself. It's now three months later, and you can see there is still a lot of damage. There is about 10,000 rubles worth of damage to the apartment. A door alone costs 3,000

⁸⁹ Helsinki Watch interview, December 2, 1992.

rubles. Repairs are expensive, and I am unemployed. Even with a salary it would be difficult to renovate, but as it is...

Mr. Ardzinov filed a criminal complaint on the same day as the attack. He has received no reply as of this writing.

There are unconfirmed although reliable reports that a member of the Birlik Popular Movement and of the National Democratic Party (the former Communist Party) and his pregnant wife were killed by a bomb blast in Chinaz *raion* in the summer of 1992. According to members of the Human Rights Society, two days before the explosion the male victim was called in to the regional committee (*raikona*) and told to quit Birlik, but refused.⁹⁰

Arson

Anvar Usmanov is a journalist and a member of the central council of Birlik (*see* "Prisoners of Conscience" and "Freedom of the Press"). Mr. Usmanov told Helsinki Watch representatives the following:⁹¹

I lived at 8 Faizul Iudash-oghli Street in Tashkent. It is a private house with a big garden that my parents bought in 1973. It's a privileged region. The house gives out onto the street, and there is a garden in front and in back. There is a courtyard, and you can get into the house only through the courtyard. I have six neighbors, so it's hard to enter the courtyard without being seen. My parents died in that house.

On September 2, 1992, I got a phone call from my neighbor in Tashkent, saying my house had burned down (I was in Turkey at the time). He said two men had come in at about 3:00 in the morning. My neighbor said they heard a big explosion. He and other neighbors tried to put out the fire with water, but couldn't save the house. About three-quarters of the house was destroyed: the study, the hallway, the kitchen. The roof fell into the basement. The only things left were the veranda and my mother's room. I kept my personal archive and the Birlik archive at home. I'm afraid they stole the archives before the fire. I'm sure the fire was meant to threaten me; the message was "next time we'll come after you."

I called a friend of mine at the fire department to see about having an investigation conducted. He's a good guy and talked to me straight. He told me that the investigation results had been prepared a long time ago — no arson — so there was no need for an investigation.

The president himself gave the order for the arson, and the KGB and the procuracy carried it out. I believe the fire was a provocation against Birlik.

Mr. Usmanov is currently seeking political asylum in Germany.

⁹⁰ Helsinki Watch interview with Mikhail Ardzinov and Tolib Iaqubov, December 2, 1992.

⁹¹ Helsinki Watch interview with Anvar Usmanov, April 15, 1993.

** Topic: RFE/RL Daily Report 07 MAY, 1993 **
** Written 10:28 am May 7, 1993 by
rferl-daily-repo@AdminA.RFERL.ORG in cdp:glasnost.news **
Reply-To: rferl-daily-report-request@AdminA.RFERL.ORG
From: rferl-daily-report-request@admina.rferl.org
Subject: RFE/RL Daily Report 07 MAY, 1993

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RFE/RL Daily Report

No. 87, 7 May 1993

RUSSIA

YELTSIN ON HIS MANDATE FOLLOWING REFERENDUM. Russian President Boris Yeltsin went on TV on 6 May to set out his plans following the April referendum. He said that the vote had given him a mandate to call new parliamentary elections no later than autumn, to remove officials who oppose economic reform, and to go ahead with the adoption of a new constitution. He said he was drafting a new electoral law for a bicameral parliament to replace the Congress of People's Deputies. Yeltsin appears to be prepared to disregard the fact that according to the law the referendum question proposing early parliamentary elections was not approved, saying that "the will of the . . . majority of the electorate is higher than the will of the parliament or the Congress of People's Deputies." Yeltsin also said he had lost confidence in Vice President Aleksandr Rutskoi and criticised as illegal parliamentary chairman Ruslan Khasbulatov's convening of a session of the parliamentary constitutional commission on 6 May. Yeltsin nominally chairs the commission but has recently neglected it to prepare his own draft constitution. Wendy Slater, RFE/RL, Inc.

YELTSIN, CHURKIN ON BOSNIA. Yeltsin issued a statement on the crisis in Bosnia on 6 May saying "Russia will extend firm support to all those who will honestly follow the path of peace on the basis of the Vance-Owen plan, but will not back anyone who would seek to avoid it." Meanwhile, Deputy Foreign Minister Vitalii Churkin traveled to Belgrade on 6 May and held talks with rump Yugoslav President Dobrica Cosic. Speaking to reporters following the talks, Churkin said the results of the 15-16 May referendum on the Vance-Owen plan will be of "extreme importance," and he urged a "yes" vote by Bosnian Serbs. Churkin was scheduled to continue meetings on 7 May with Serbian President Slobodan Milosevic and Bosnian Serb leaders, ITAR-TASS reported. Suzanne Crow, RFE/RL, Inc.

SKOKOV'S STATUS. Russian television and radio carried numerous reports on 6 May quoting the Russian Information Agency as saying Boris Yeltsin fired Security Council Secretary Yurii Skokov. According to reports, Yeltsin's decision was based on Skokov's disagreement with Yeltsin's appeal to the citizens of Russia on 20 March and his plan to introduce presidential rule. The Russian president's staff has not confirmed these reports. Suzanne Crow, RFE/RL, Inc.

PARLIAMENT DEBATES 1 MAY DEMONSTRATIONS. On 6 May a joint sitting of the chambers of the parliament debated the violent 1 May demonstrations in Moscow, ITAR-TASS reported. The sitting also discussed demonstrations planned for 9 May. Interior Minister Viktor Ierin warned deputies that at these demonstrations the authorities would use more force than they had on 1 May if groups banned from demonstrating defied the ban. Speaking on Russian TV on 4 May, parliamentary speaker Ruslan Khasbulatov linked the violence to the split in society which he said had been deepened by the 25 April referendum. The parliamentary debate concluded that the Moscow city authorities had not taken sufficient measures to ensure that the march had been peaceful. Meanwhile, at a news conference on 6 May Vasilii Shakhnovsky, chief administrator of the Moscow City Council, expressed his fears that provocateurs from organizations banned from demonstrating on 9 May would infiltrate the authorized rallies. Wendy Slater, RFE/RL, Inc.

CONTROVERSY OVER PARLIAMENTARY REPORTING. The Union of Parliamentary Journalists issued a strongly worded statement on 6 May protesting against the previous day's ruling by Yurii Marchenkov, newly-appointed head of the parliamentary press service, that major news agencies ITAR-TASS, RIA, and Interfax would no longer be allowed to cover meetings of the parliamentary presidium. Marchenkov claimed that the agencies "interpret issues discussed at the presidium in their own way." However, he told RFE/RL's Moscow correspondent on 6 May that the agencies were banned from covering the sessions "for technical reasons." The journalists' union accused parliamentary speaker Ruslan Khasbulatov of being connected to the ban and called on correspondents to boycott information prepared by the parliamentary press service as "unreliable" if the ban were not lifted. Wendy Slater, RFE/RL, Inc.

GROMOV ON AFGHAN VETS IN ARMED FORCES. Addressing a gathering, Deputy Defense Minister Boris Gromov, who led the withdrawal from Afghanistan, gave a report on the current situation of Afghan vets, according to an account published in Krasnaya zvezda on 6 May. Gromov noted that 620,000 troops performed military service in Afghanistan, of whom approximately 260,000 now live in Russia. Of these, some 30,000 are still serving in the Russian armed forces, including 200 generals. Gromov stated that amongst the Afghan vets there are now almost 15,000 senior officers and 8,000 junior officers. Calling these troops the "backbone of the army" Gromov noted that training should be based on their combat

experience. John Lepingwell, RFE/RL, Inc.

TRANSCAUCASIA AND CENTRAL ASIA

AZERBAIJAN ACCEPTS KARABAKH PEACE PLAN, ARMENIA HAS RESERVATIONS. Speaking at a news conference in Baku on 6 May, Azerbaijani Prime Minister-designate Panakh Guseinov stated that Azerbaijan accepts the terms of the US/Russian/Turkish peace plan for Nagorno-Karabakh, Western agencies reported. In Erevan, Armenia's First Deputy Foreign Minister Gerard Libaridian described his government's reaction to the plan as "positive," but added that Armenia could not accept the plan unconditionally as the parliament of the self-proclaimed Nagorno-Karabakh Republic had asked for clarification of several points. It expressed concern that the plan required a full withdrawal of Armenian forces from the region of Kelbadzhar which they occupied in late March, but made no provision for the deployment of observers to preclude a resumption of hostilities by Azerbaijan. Liz Fuller, RFE/RL, Inc.

GEORGIAN PARLIAMENT NOMINATES NEW DEFENSE MINISTER. At a session of the Georgian parliament in Tbilisi on 6 May, deputies voted to approve parliament Chairman Eduard Shevardnadze's proposed candidate for minister of defense, 27-year old General Giorgi Karkarashvili, the Georgian Information Agency reported. Karkarashvili replaces Tengiz Kitovani, who has repeatedly been suspected of conspiring to overthrow Shevardnadze. Shevardnadze also announced the abolition of the Council for National Security and Defense, of which Kitovani and his arch-rival, Mkhedrioni militia leader Dzhaba Ioseliani, were both members. Kitovani reportedly refused Shevardnadze's offer to allow him to retain his post as deputy prime minister responsible for military affairs. Liz Fuller, RFE/RL, Inc.

KYRGYZSTAN TO INTRODUCE OWN CURRENCY ON 10 MAY. Kyrgyzstan's legislature, having voted to take the country out of the ruble zone and introduce a national currency, announced that the exchange of rubles for the new currency, the som, is to begin on 10 May and be completed by 14 May, ITAR-TASS reported on 6 May. After that date the ruble will no longer be legal tender in Kyrgyzstan. The exchange rate is set at one som for 200 rubles. The Supreme Soviet agreed to the currency change as a result of arguments by President Askar Akaev and government officials, who cited pressure from the International Monetary Fund and the World Bank, both of which have promised Kyrgyzstan large doses of financial assistance if the country agreed to leave the ruble zone. Several industrialized states, including the US, West European countries, and Japan, have also offered aid to what is widely perceived as the most democratically-oriented state in Central Asia. Bess Brown, RFE/RL, Inc.

KYRGYZSTAN'S CONSTITUTION HAS GONE INTO EFFECT. A correspondent of RFE/RL's Kyrgyz Service in Bishkek reported on 6 May that despite accounts on the adoption of Kyrgyzstan's new constitution that said the document would not go into effect until 1995 as part

of a compromise between President Askar Akaev and the Supreme Soviet, the compromise actually involved the terms of office of the country's top leaders, not the timing of the constitution's implementation. The constitution went into effect on 5 May. According to a statement by Akaev, the terms of office of himself, the current vice-president, and Supreme Soviet chairman will end in 1995. Bess Brown, RFE/RL, Inc.

OPPOSITION LEADERS ALLOWED TO VISIT INJURED BIRLIK OFFICIAL. Mamura Usmanova, head of Tomaris, a women's group close to the Uzbek opposition movement Birlik, told the RFE/RL Uzbek Service on 6 May that she and other Birlik and Erk Democratic Party leaders had been permitted to visit Birlik Co-Chairman Shokhrat Ismatullaev in a Tashkent hospital where he is being treated for injuries sustained in an attack on a Tashkent street. Usmanova said that Ismatullaev had sustained three skull fractures in the attack, which closely resembles an assault on Birlik's other co-chairman in 1992. Members of the Uzbek opposition are convinced that the attacks were orchestrated by the government, which has been harassing the democratic-oriented opposition since mid-1992. While Birlik was banned for three months earlier in 1993, no further legal steps have been taken against the organization to date, although several members were placed under house arrest at the end of April to prevent them attending a conference in Kazakhstan. Bess Brown, RFE/RL, Inc.

CENTRAL AND EASTERN EUROPE

BELGRADE CUTS ASSISTANCE TO BOSNIAN SERBS. In response to the Bosnian Serb assembly's failure to endorse the Vance-Owen peace plan and decision to hold a referendum on 15-16 May, the government of Serbia announced on 6 May that it will cut all aid to Bosnia's Serbs except humanitarian relief. The government statement explains that "reasons no longer exist for further assistance in money, fuel, and raw materials." The statement also describes the Bosnian Serb decision to hold the referendum as "irresponsible, because it is not the people who participated in the many months of negotiations," and because the people should not be put in the position of having to shield the leadership from critical decisions. The statement went on to blame the Bosnian Serb leadership for "the asphyxiation" of Serbia's economy brought about by international sanctions. On the other hand, Vojislav Seselj, head of the Radical Party, told reporters that he is satisfied with the Bosnian Serb decision, and announced he will continue to provide assistance for them and to send volunteers to Bosnia. Belgrade media carried the reports on 6 and 7 May. Milan Andrejevich, RFE/RL, Inc.

OTHER REACTIONS IN SERBIA. The Bosnian Serb actions were received with bitter disappointment in Serbia. It was widely believed that the Bosnian Serbs would understand why the war must end, since all political parties in Serbia-Montenegro, apart from the Serbian Radical Party, were in agreement about the need to establish peace. Democratic Party head Dragoljub Micunovic, said he thinks

the UN will ignore the decision and send troops to Bosnia. Serb resistance, he said, would bring a continuation of the war and a catastrophe. Micunovic said he thinks the talk about a referendum is nonsense, because "never before has an entire nation decided questions of war and peace." He reiterated what most critics have said, that "Serbia will now become hostages of the Bosnian Serbs." Vuk Draskovic, head of the Serbian Renewal Movement, says the only way out of the situation is for the international community not to recognize the legitimacy of the so-called Bosnian Serb assembly and treat Radovan Karadzic's signature on the Vance-Owen plan as legal. Draskovic said that nothing could now save the Bosnian Serbs: military intervention can be avoided only if the "main culprits of this war--Dobrica Cosic and Slobodan Milosevic--resign." "What was created over the past six years," he emphasized, "could not have been annulled in six days." A poll published in Politika on 7 May shows that 61.7% of the population in Serbia proper feels the Bosnian Serbs should have ratified the peace plan. Some 40% favor--and 33% oppose--foreign military intervention. Milan Andrejevich, RFE/RL, Inc.

REACTIONS IN MONTENEGRO. President Momir Bulatovic told Radio Montenegro on 6 May that the Bosnian Serb assembly's decision came "as a double shock" to him, first, because of the manner in which the decision was made, and second, because of the decision itself. Bulatovic said that, after more than 12 hours of debate, assembly deputies admitted that they had never been given access to three of the four documents of the Vance-Owen plan and that they had learned about their content only from the media. Bulatovic said that "such a degree of irresponsibility on the part of both the leadership and the deputies cannot be found anywhere in the world today." Bulatovic also described the referendum as "complete nonsense," saying that the assembly "had no right to abrogate its responsibility by letting the people decide." Political parties are also condemning the decision. Svetozar Marovic, a leader of the ruling Democratic Socialist Party, slammed the Bosnian Serbs for failing to accept the decisions of "those republics [i.e., Serbia and Montenegro] that are suffering with them." Slavko Perovic, head of the opposition Liberal Party has suggested that the republic close its border with Bosnia-Herzegovina. Milan Andrejevich, RFE/RL, Inc.

INTERNATIONAL DEVELOPMENTS IN THE BOSNIAN CRISIS. Reuters on 6 May reported President Bill Clinton's remarks to a conference of the Export-Import Bank in Washington. He described the Bosnian Serb parliament's call for a referendum as "a delaying tactic," and noted that "the Serbs' actions over the past year violate the principle that internationally recognized borders must not be violated or altered by aggression from without. Their actions threaten to widen the conflict and foster instability in other parts of Europe in ways that could be exceedingly damaging. And their savage and cynical ethnic cleansing offends the world's conscience." The president called "for the international community to unite and to act quickly and decisively." Meanwhile at the UN, the Security Council voted 15-0 to make Sarajevo, Tuzla, Zepa,

Gorazde, and Bihac safe areas, requiring the Serb besiegers to pull back so that they do not threaten the towns or their populations, and to allow free access for humanitarian relief. Srebrenica was similarly established as a safe area in April. The Croatian news agency Hina reports on 7 May, however, that Serb forces the previous day broke through the defenses of Zepa and are advancing, and that Serbian artillery shelled Bihac, killing 11. Patrick Moore, RFE/RL, Inc.

SERBIAN GENERALS SACKED. Borba and Politika reported on 5 May that the head of the Federal Yugoslav Army's intelligence service and the deputy commander of the armed forces have been "unexpectedly retired." Officials provided no explanations for the actions except to say that they were carried out on 30 April by a federal presidential decree "in line with the army's needs." Air Force Maj. Gen. Nedeljko Boskovic, the chief of intelligence, had been called back from early retirement in May 1992 after heading KOS, the counterintelligence service. He succeeded Gen. Aleksandar Vasiljevic, who was dismissed during a major shakeup of the former Yugoslav Army shortly after the creation of the rump Yugoslavia. Boskovic is said to be close to Vojislav Seselj, head of the nationalist Serbian Radical Party. Politika suggests that these supposed ties "apparently led to a serious reconsideration of the existence of an extremist wing in the military" by the ruling Socialists. The deputy commander of the armed forces, Lt. Col. Gen. Ljubomir Domazetovic, was close to former Yugoslav Prime Minister Milan Panic and supported his ideas to modernize the army. Domazetovic, according to rumors, also was working behind the scenes in hopes of becoming commander of the Army. He has been replaced by Gen. Dragoljub Simonovic. Boskovic's replacement was not identified by the press. Milan Andrejevich, RFE/RL, Inc.

ROMANIAN CONCERN. On 6 May Radio Bucharest broadcast a government statement deploring the rejection of the Vance-Owen peace plan by the Bosnian Serbs. In a separate statement, Traian Chebeleu, a spokesman for President Ion Iliescu, expressed fears that the rejection of the international peace plan could lead to an escalation of war in Bosnia and a spillover in the Balkan region. Chebeleu announced that Iliescu will visit Croatia and Slovenia next week with a stopover in Belgrade for talks with Slobodan Milosevic and Dobrica Cosic. On several occasions Romania has offered to mediate in the crisis. In a separate development, port authorities in Galati said that Ukrainian ships detained there on suspicion of violating UN sanctions are threatening to block that Danube port. Fourteen Ukrainian tugboats pulling 75 barges loaded with iron ore have been detained in Galati since 13 March. Their captains refuse to sail back to the Ukraine despite the fact that the ships lack UN approval to sail upstream to Serbia. Dan Ionescu, RFE/RL, Inc.

FIVE ARRESTED IN PLOT TO KILL HAVEL. Czech Interior Minister Jan Ruml revealed that five foreigners had been arrested after police uncovered a possible plot to assassinate President Vaclav Havel, Czech TV reported on 6 May. According to agency reports, at least

two more potential assassins are at large. The five were reportedly detained in their cars, which were packed with weapons. Czech TV said the suspects are believed responsible for a number of "acts of violence, blackmail, and murder." While the identities of the detained were not released, Czech TV speculated that the possible plot was connected with Havel's remarks on the Serb aggression in Bosnia. Several Czech dailies received anonymous letters on 4 May that warned that a Montenegrin radical group plans to assassinate the president and called on security agencies to prevent it. While Havel refused comment, his spokesman said that there is no final evidence yet that such a connection exists, nor convincing proof that the arrested really had the intention to kill Havel. Jan Obrman, RFE/RL, Inc.

KLAUS OPPOSED TO "ONE-SIDED" CRITICISM OF SERBS. Czech Prime Minister Vaclav Klaus declared at a press conference on 6 May that he is opposed to the "ideologization" of the Yugoslav question, CTK reported. He said that in his view it is a "simplification to declare the Serb leadership to be "communist, postcommunist, bad, and mean, while, at the same time, describing the other post-Yugoslav governments as noncommunist, and thus civilized and good." At the same time Klaus said that, despite his doubts, the Czech republic will support UN sanctions against the rump Yugoslavia. The prime minister's remarks are apparently aimed at President Vaclav Havel, who has repeatedly demanded a more determined approach to the solving of the Yugoslav crisis and has publicly said that air strikes against Serb artillery positions represent an option in the West's approach to the conflict. Jan Obrman, RFE/RL, Inc.

KLAUS REJECTS LIECHTENSTEIN DEMANDS. The Czech Prime Minister has rejected Liechtenstein's demands for the compensation of confiscated property in Bohemia and Moravia. In an interview published by Rude pravo on 6 May, Klaus said that he turned down the claims last year in a letter to Liechtenstein's ruler Prince Hans-Adam II. The Prince told reporters on 5 May that his country still seeks compensation for some 1,600 sq km of land, confiscated after the disintegration of the Austrian Empire. Jan Obrman, RFE/RL, Inc.

BULGARIAN BUDGET ADOPTED ON FIRST READING. After four days of intensive debates, the National Assembly on 6 May passed the government's 1993 budget, BTA reports. Of the 223 deputies present, 139 voted in favor, 83 against, and one abstained. The budget was opposed by the Union of Democratic Forces, whose group leader Stefan Savov warned that cuts in defense and law enforcement could have negative effects on public safety. UDF legislator and former finance minister Ivan Kostov argued that structural economic reforms can never be achieved by increased spending on state enterprises. Another former finance minister, Stefan Stoilov, said the Bulgarian Socialist Party is particularly satisfied with the fact that the government decided to assume a significant part of the debts of state companies. Kjell Engelbrekt, RFE/RL, Inc.

HUNGARIAN OFFICIAL ON TREATY WITH UKRAINE. The Hungarian-Ukrainian state treaty awaiting ratification by Hungary's parliament links the guarantees for minority rights with all other aspects of bilateral relations, Istvan Szent-Ivanyi, a deputy chairman of the parliamentary foreign relations committee and a member of the opposition Alliance of Free Democrats party, told Magyar Hirlap on 6 May. In his view, any proposals to modify a treaty already signed and ratified by Ukraine's parliament does not make sense; Hungary's parliament can now only ratify or reject the treaty. Any delay or obstruction in the ratification process could only affect Hungary's international prestige in neighboring countries and international organizations by creating the impression that some deputies still entertain the "illusion of territorial acquisitions" whereas Hungary has always made it clear that it had no territorial claims against anyone. Alfred Reisch, RFE/RL, Inc.

REVIEW OF HUNGARIAN-ROMANIAN TREATY. In a closed session attended by Deputy State Secretary for Foreign Affairs Ivan Baba and Hungarian Ambassador to Romania Erno Rudas the Hungarian parliament's foreign relations committee on May 5 discussed the state of the state treaty with Romania, under negotiation since 1991. According to the chairman and two deputy chairmen of the committee, the two issues still requiring settlement are the border and minority problems. For the ruling Hungarian Democratic Forum, the Romanian request for a border guarantee is not justified since both countries have signed a bilateral peace treaty as well as the 1975 Helsinki Final Act; the opposition feels that a compromise formula should be sought over the border issue that would result in no loss of face for both countries. All parties agreed that Hungary must continue its efforts to improve its relations with Romania in all fields at the bilateral level and in international organizations, and to pay attention to any "positive political developments" in that country. Alfred Reisch, RFE/RL, Inc.

NO GENERAL STRIKE IN ROMANIA. Romania's main trade union confederations called off plans for a general strike to begin on 7 May after reaching a last-minute agreement with the government. On the evening of 6 May, Radio Bucharest broadcast the text of a protocol signed by government representatives and leaders of five union organizations: the National Confederation of Romania's Free Trade Unions, Fratia, Alfa, Univers, and Ceres. A sixth confederation, the National Trade Union Bloc, which includes electrical, cultural and dock workers, refused to sign the agreement and announced that it is continuing its strike until a solution is found to claims related to port activities. The protocol provides for nearly doubling the minimum wage, from 17,600 to 30,000 lei. Government spokeswoman Doina Jalea said that the cabinet reluctantly agreed to a deal that is expected to accelerate inflation. Besides wage concessions, the new pact commits the government to creating a better mechanism to link salaries to the costs of living and to productivity in individual companies. Jalea said, however, that the cabinet is pleased to

have defused a labor conflict that would have had a serious impact on the economy. Dan Ionescu, RFE/RL, Inc.

POLISH STRIKE UPDATE. Solidarity unionists claimed on 6 May that the national teachers' strike is affecting 90% of Polish schools, while the labor ministry reports that only 12% of schools and 30% of teachers are striking. The strikers are demanding increased funding, but refuse the employment reductions the government views as necessary to streamline education and health care. The government's response has been stern, even testy. Labor Minister Jacek Kuron appealed to teachers and health care workers to negotiate rather than strike, but stressed that the 1993 budget cannot be revised. "No strike will force the Sejm to change the budget," he said. Responding to a letter from Solidarity leader Marian Krzaklewski, Kuron argued it is not the government's fault that relations with the union have gone sour. "Strikes by teachers and health care workers organized to force revisions in the Polish legal order are hardly actions oriented to the greater good," Kuron said. "If we fired all the teachers who are not working," he added, "the rest could make great money." Meanwhile, the deputy minister responsible for restructuring in the Walbrzych region called off a scheduled visit there, apparently to avoid creating the impression that a strike organized there by Solidarity is forcing the government's hand. Solidarity says 40 firms are on strike in the Walbrzych region; the government counts only 13. Louisa Vinton, RFE/RL, Inc.

ESTONIA'S PRESIDENT IN POLAND. Speaking to reporters in Warsaw on 6 May, Lennart Meri said he would toast independence with champagne only when the last Russian soldier leaves Estonian soil; Poles and Estonians could then toast the moment together. During the official portion of his two-day visit, Meri discussed regional security and economic cooperation with President Lech Walesa, Prime Minister Hanna Suchocka, and the speakers of the Sejm and Senate. Meri travels to Gdansk on 7 May for the final day of his visit, PAP reports. Louisa Vinton, RFE/RL, Inc.

ESTONIA OPPOSES NEW RUSSIAN PORT. Western media reported on 6 May that Estonian officials are concerned about Russian plans to build a gigantic new port at Luzhskaya Guba, southwest of St. Petersburg. The Estonians have pointed out that the site, closer to the Estonian town of Narva than St. Petersburg, is not well suited for a port because constant dredging would be required. They also fear that such a port would divert business from existing ports of the Baltic States. St. Petersburg mayor Anatolii Sobchak has asked the EBRD to help finance the new facility. Dzintra Bungas, RFE/RL, Inc.

LITHUANIA-IMF AGREEMENT. On 6 May at a press conference in Vilnius, Prime Minister Adolfas Slezevicius and head of the IMF's Baltic department Adalbert Knobl presented the results of their week-long talks, Radio Lithuania reports. Knobl said that Lithuania's main problem in introducing the litas, the continuing high rate of inflation, should be reduced by budget cuts and lower

money emissions by the Bank of Lithuania. Slezevicius noted that salary increases would not be 40% as previously planned, but 30% for teachers, 25% for cultural workers, 20% for health workers, and 10% for other state employees. The government and central bank prepared a joint letter to the IMF pledging to observe the conditions of Lithuania's 1992 economic memorandum. Saulius Girnius, RFE/RL, Inc.

PREELECTION DEBATES IN LATVIA. RFE/RL and Radio Riga reported on 6 May that preparations are under way for a series of debates, organized by the RFE/RL Latvian Service, among representatives of all political parties and groups fielding candidates in the June parliamentary elections. The first debate will take place in Cesis on 7 May and will be broadcast the following day by RFE/RL and Radio Riga, which rebroadcasts one hour of RFE/RL programming daily. The debates have received the official approval from the Latvian Central Election Commission, which insists that all parties receive equal time. In its nine-part series leading up to the elections, RFE/RL will present the views of all parties that wish to participate. Dzintra Bungis, RFE/RL, Inc.

UKRAINIAN-RUSSIAN TALKS. Russian First Deputy Foreign Minister Anatolii Adamishin met for talks with Ukrainian President Leonid Kravchuk in Kiev on the first leg of a tour of CIS countries, Ukrinform-TASS and Radio Ukraine report on 6 May. Adamishin told reporters afterwards that for Russia relations with Ukraine were not only a priority but "one of the most important if not the most important." The Russian diplomat said that his main task is to listen to what he is being told in Kiev and noted that both sides agree that relations must be improved. Adamishin is on a tour of the CIS countries at the request of Russian President Boris Yeltsin. Roman Solchanyk, RFE/RL, Inc.

UKRAINIAN PARLIAMENT BANS PRICE INCREASES. The legislature adopted a resolution blocking price increases until it hears a report on the economy from the cabinet of ministers on 18 May, Ukrainian TV reported on 6 May. The legislators criticized the government's economic performance and were incensed at the proposed price increases scheduled to go into effect on 10 May. The government argues that the price increases are necessitated by steep increases in the cost of energy. Roman Solchanyk, RFE/RL, Inc.

[As of 1200 CET]

Compiled by Ustina Markus and Charles Trumbull
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** End of text from cdp:glasnost.news **

APPENDIX A
Helsinki Watch Letter to President Islam Karimov
Dated July 15, 1992

APPENDIX B
Text of Letter from President Karimov to Helsinki Watch
Dated July 28, 1992

Translation of Letter from President Karimov to Helsinki Watch Dated July 28, 1992

**Ministry of Foreign Affairs of the Republic of Uzbekistan
Tashkent¹**

July 28, 1992

**Helsinki Watch
Executive Director
Ms. Jeri Laber**

Dear Ms. Laber,

At the request of the President of the Republic of Uzbekistan, Islam Karimov, we are sending you a response to your letter of July 15, 1992.

Uzbekistan has stood firmly on the path toward building a civil and democratic government. The citizens of the republic are guaranteed the following freedoms by the constitution: freedom of speech, of the press, of assembly, and to hold rallies, parades (shestviia) and demonstrations. In developing these rights in the Republic, the principle of a multi-party system was realized and the Law on social organizations was adopted, in accordance with which many parties and the Birlik Popular Movement are registered and [now] function.

As a result of this chosen course, Uzbekistan has deliberately become a member of the CSCE Helsinki movement.

Violations of law and order and of infringements on racial and national equality are discussed throughout the civilized world. The civilized and accepted means of holding parades, rallies and demonstrations throughout the world is through mandatory receipt of permission from the government requiring the organizers to observe social order and not to violate laws.

The political parties and movements in the Republic which organize hundreds of unsanctioned rallies, parades and demonstrations in the Republic, which as a rule have ended in acts of hooliganism and which threaten to grow into mass disorder and inter-ethnic clashes, fail to realize the importance of maintaining civil peace and harmony.

At a time when the malignant processes of the final collapse of the USSR and independent states should strengthen their own independence, violations of law and order and kindling of the flames of inter-ethnic differences may lead to tragedies, of which there are not a few today on the territory of the CIS.

Under these circumstances it would be incorrect for the state of the Republic to pretend that nothing is going on and to leave its citizens unprotected from the actions of those people whose interests

¹ Translated from Russian by Rachel Denber and Erika Dailey, Research Associates, Helsinki Watch.

contradict the interests of society as a whole. We hope that you know, also, that in every government which abides by the Universal Declaration of Human Rights steps are taken to protect the interests of its citizens.

Concerning the criminal encroachments (posigatel'stvo) against A. Pulatov and M. Adilov, we condemn this act and sincerely sympathize with them. A criminal case is being conducted by law enforcement organs and all measures are being taken to apprehend those responsible and bring them to trial. We also believe, not without foundation, that it is possible that it is the result of the activities of individuals or organizations who have a stake in socio-political instability in the Republic of Uzbekistan.

In order for you to have detailed information about this case we are enclosing clippings from the newspapers *Tashkentskaia Pravda* of July 18, 1992, and *Vechernyi Tashkent* of July 17, 1992, which shed light on the events to which you refer.

With sincere respect,

**U. Abdurazzakov
Minister of Foreign Affairs**

APPENDIX C
Helsinki Watch Letter to President Karimov
Dated February 10, 1993

APPENDIX D
Helsinki Watch Telegram to President Karimov
Dated February 22, 1993

February 22, 1993

Dear President Karimov,

Helsinki Watch, a division of Human Rights Watch, a non-governmental human rights organization based in the United States, calls on you to use your good offices to see that charges against Vasila Inoiatova, whose trial is scheduled to begin today in Tashkent. Ms. Inoiatova is charged with violating the law protecting the honor and dignity of the president (Article 191-4 (2) of the Uzbekistan criminal code). This article intrinsically violates the right to free speech, which the Republic of Uzbekistan is obliged to uphold under international human rights law.

At the very least, we call on you to guarantee that she be given a fair and open trial in full conformity with international human rights standards.

Thank you for taking this urgent matter into consideration.

Sincerely,

Jeri Laber
Executive Director

cc: Procurator General Buritosh Mustafaev
Human Rights Committee of the Uzbekistan Supreme Soviet,
Chairwoman Tursunoi Eshimbetova

APPENDIX E
Helsinki Watch Letter to President Karimov
Dated February 26, 1993

APPENDIX F
Helsinki Watch Press Release, Dated March 1, 1993

APPENDIX G
**Letter from the Press Secretary of the President of Uzbekistan
to the Chairman of the Russian State Television-Radio
Broadcasting Company "Ostankino," Viacheslav Bragin²**

January 10, 1993

Respected Viacheslav Ivanovich!

We congratulate you on your appointment to this highly responsible position. We look forward to fruitful cooperation. On behalf of all Uzbekistanians we thank you for the program which was broadcast on Sunday by the "Politika" station, "The Chosen Ones and the People." We are grateful to [its] authors, Marina Tochilina and Mukhtar Ganiev for their objective reflection of the life of the people of Uzbekistan and the work of their President.

Along with this, however, we would like to inform you that the material which was broadcast on Monday in the studio "ATV's" programming simply nullifies the preceding program.³ How is it possible to entertain the idea that a group of renegades could instruct an independent republic at a distance on how to live, to slander the honor and dignity of the people, frighten them with totalitarian, despotic, fascist regime, calling a policy of stabilization in the region gendarmism? Inhabitants of the outback of ignorance, how can one and the same company give out contradictory materials, setting the stage for the period immediately preceding the Minsk summit of the heads of state, where information space (prostranstvo), which all citizens of the CIS have a stake in, will be discussed?

We hope that you will deal with the situation, and that the authors of "ATV" will receive punishment and will submit an apology for their shortsightedness and, perhaps, evil intentions. If this is not done, we will think that this destructive policy of your center has received official support from above and we will be obliged to announce at the Minsk summit [our] refusal to transmit programming from television-radio company "Ostankino" in Uzbekistan.

We are sure that any [illegible] to accommodate, out of [respect] for each other's dignity and respectful relations are always better than any rash announcement. People say "One old friend is better than two new ones." Let us maintain our friendship.

With sincere best wishes

**Sh. Ia'khiaev
Press Secretary of the President of the Republic of Uzbekistan**

² Translated from Russian by Erika Dailey, Research Associate, Helsinki Watch.

³ The program featured interviews with Uktam Bektukhamedov and Al'bert Musin, members of the opposition living at the time in Moscow, who spoke critically of the Karimov administration.