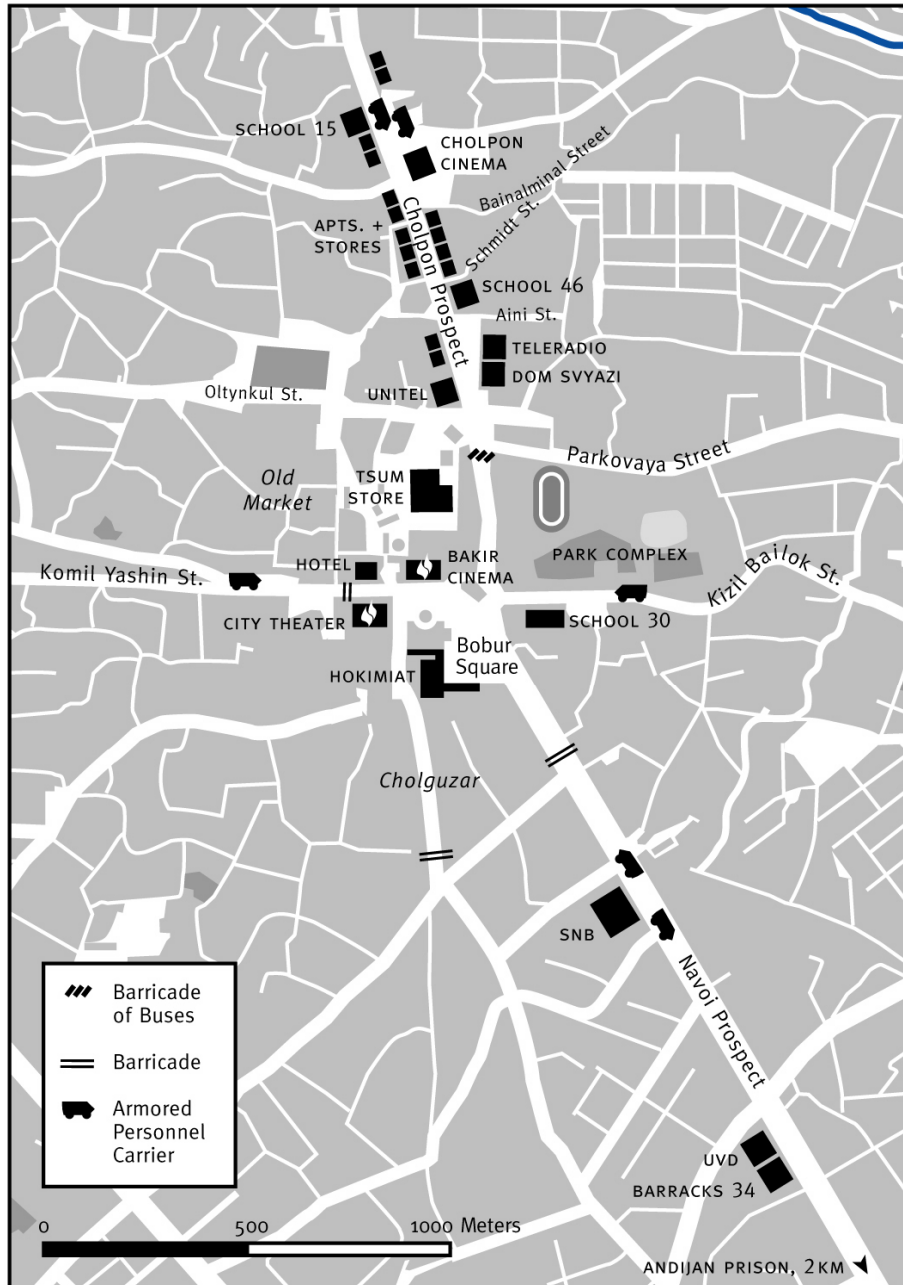


“Bullets Were Falling Like Rain” The Andijan Massacre, May 13, 2005

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Map of Andijan Center



Andijan Center

Most people died near School 15, near the Cholpon Cinema. There were armored cars there, and troops on the road. They were also shooting from the buildings. It was getting dark and the bullets were very big, they would go through several people. The road was completely blocked ahead. We couldn't even raise our heads, the bullets were falling like rain. Whoever raised their head died instantly. I also thought I was going to die right there.

Survivor of the Andijan massacre

The next day [May 14] I heard there were lots of bodies near School No 15, and I went there. I got there before lunch time, but there were already no bodies there — I just saw blood, insides, and brains everywhere on the street. In some places there were up to 1.5 centimeters of dried up blood on the asphalt. There were also lots of shoes — most of them looked really old and shabby, and there were some tiny kids' shoes there. Then I went to the bokimiat and saw the same scene there, plus lots of machine-gun and automatic gun shells.

A witness to the Andijan massacre

Executive Summary

On May 13, 2005, Uzbek government forces killed hundreds of unarmed people who participated in a massive public protest in the eastern Uzbek city of Andijan. The scale of this killing was so extensive, and its nature was so indiscriminate and disproportionate, that it can best be described as a massacre.

The government has denied all responsibility for the killings. It claims the death toll was 173 people— law enforcement officials and civilians killed by the attackers, along with the attackers themselves. The government says the attackers were “Islamic extremists,” who initiated “disturbances” in the city. Uzbek authorities did everything to hide the truth behind the massacre and have tried to block any independent inquiry into the events.

A Human Rights Watch field investigation in Uzbekistan and Kyrgyzstan recreated a comprehensive account of the events of May 13 and 14 in Andijan, presented in this report. Our findings clearly demonstrate the Uzbek government forces' undeniable responsibility for the massacre.

While the government's efforts at sealing off the city and intimidating people from talking about the events to outsiders have made it exceedingly difficult to establish the true death toll – and reveal an attempt to cover up the truth – Human Rights Watch

believes that hundreds were killed. Eyewitnesses told us that about 300-400 people were present at the worst shooting incident, which left few survivors. There were several incidents of shooting throughout the day.

The May 13 killings began when thousands of people participated in a rare, massive protest on Bobur Square in Andijan, voicing their anger about growing poverty and government repression. The protest was sparked by the freeing from jail of twenty-three businessmen who were being tried for “religious fundamentalism.” These charges were widely perceived as unfair, and had prompted hundreds of people to peacefully protest the trial in the weeks prior to May 13.

The businessmen were freed by a group of armed people who, earlier in the day, raided a military barracks and police station, seized weapons, led a prison break to free the businessmen, took over the local government building, and took law enforcement and government officials hostage.

The attackers who took over government buildings, took people hostage, and used people as human shields, committed serious crimes, punishable under the Uzbek criminal code.¹

But neither these crimes nor the peaceful protest that ensued can justify the government’s response. It is the right and the duty of any government to stop such crimes as hostage-taking and the takeover of government buildings. However, in doing so, governments are obligated to respect basic human rights standards governing the use of force in police operations. These universal standards are embodied in the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.² The Basic Principles provide the following:

Law enforcement officials, in carrying out their duty, shall as far as possible apply non-violent means before resorting to the use of force.
... Whenever the lawful use of force ... is unavoidable, law enforcement

¹ The procurator general has launched criminal investigations into terrorism, attacking the constitutional order, premeditated murder of two or more persons, the organization of a criminal band, mass disturbances, hostage taking, and illegal possession of arms and explosives. See “General Prosecutor Gives Press Conference,” The Times of Central Asia [online], May 19, 2005.

² Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, Eighth U.N. Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August to 7 September 1990, U.N. Doc. A/CONF.144/28/Rev.1 at 112 (1990).

officials shall ... exercise restraint in such use and act in proportion to the seriousness of the offense.³

The legitimate objective should be achieved with minimal damage and injury, and preservation of human life respected.⁴

As the subsequent sections of this report will show, Uzbek forces did not observe these rules. According to numerous witnesses interviewed by Human Rights Watch, there were many instances on May 13 when government troops on armored personnel carriers and military trucks, as well as snipers, fired indiscriminately into a crowd in which the overwhelming majority of people—numbering in the thousands—were unarmed. While some testimony indicates that, in one shooting incident, security forces first shot into the air, in all other incidents no warnings were given, and no other means of crowd control were attempted.

After troops sealed off the area surrounding the square, they continued to fire from various directions as the protesters attempted to flee. One group of fleeing protesters was literally mowed down by government gunfire. The presence of gunmen in the crowd, and even the possibility that they may have fired at or returned fire from government forces, cannot possibly justify this wanton slaughter.

Human Rights Watch interviewed more than fifty people in a refugee camp in neighboring Kyrgyzstan and in Andijan itself who participated in the demonstrations and witnessed the violence, marking the most comprehensive research into the events done so far by any nongovernmental or media organization.

The government sought to justify its acts by casting the events in the context of terrorism, and has claimed that all of the dead were killed by the gunmen, and has stated that the organizers of the protest were Islamic “fanatics and militants” who sought to overthrow the government and establish an Islamic state. This is unsurprising. For nearly a decade, the Uzbek government has cast nearly all of its domestic critics as “terrorists,” “extremists,” and “Islamic fundamentalists.” The government has faced serious incidents of terrorism and insurrection, but it has also used threats of terrorism to justify essentially banning nearly all political opposition, religious or secular. Human Rights Watch research found no evidence that the protesters or the gunmen had an Islamist agenda. Interviews with numerous people present at the demonstrations consistently

³ Basic Principles on the Use of Force and Firearms, principles 4 and 5.

⁴ Ibid., principle 5.

revealed that the protesters spoke about economic conditions in Andijan, government repression, and unfair trials—and not the creation of an Islamic state.

This report documents the government killings on May 13 and the government attempt to intimidate witnesses in the aftermath. The report places the events of that day against a background of Uzbekistan's worsening human rights record, its brutal campaign against Islamic "fundamentalism," and rising impoverishment, and explains how all three have affected the Fergana Valley in particular.

The Uzbek government has launched a criminal investigation into the events in Andijan, but as of this writing there is no indication that it will include an examination of government forces' use of lethal force against unarmed people.

The Uzbek parliament has created an independent commission of inquiry into the Andijan events whose mandate includes "a thorough analysis of the actions of government and [law enforcement, security and military] structures, and a legal assessment."⁵ But given evidence to date that the government has sought to cover up its troops' use of indiscriminate force, and the pressure it has put on people not to talk about what happened, it is reasonable to assert that this commission will be subject to political pressure and therefore lack credibility.

Finally, given the government's overall poor human rights record, and in particular its record of impunity for human rights violations, it is unlikely that any government-led investigation would be credible. This makes an independent, international investigation, led by the United Nations High Commissioner for Human Rights, imperative for the establishment of a true record of the killings and the start of an accountability process.

The Uzbek government has rejected an international investigation, saying that it is groundless. Last week the foreign minister said the government would allow foreign

⁵ "The Formation of an Independent Commission to Investigate the Events in Andijan," Resolution of the Legislative Chamber of the Oili Majlis [parliament] of Uzbekistan, May 23, 2005. <http://www.gov.uz/ru/content.scm?contentId=12831> (retrieved June 2, 2005). "The commission has been entrusted to conduct careful investigation of all circumstances of Andijan events, deep and all-round analysis of their development, revealing the reasons and conditions that led to tragic events on 13 May of this year, revealing basic relationships of causes and effects of these events, and also those forces which are behind these criminal acts those led to human casualties. The deputies have charged the commission to carry out the all-round analysis of actions of the government and the law enforcement agencies, to give them legal assessment, and also regularly inform the parliament and the public on the course of investigation, including through mass media." www.gov.uz/en/content.scm?contentId=12881

diplomats to monitor an investigation under way by the Uzbek parliament.⁶ But given the government's lack of credibility on investigating abuses, this is not enough to guarantee the integrity of the investigation.

While the present report demonstrates the government's use of excessive lethal force, questions about the precise death toll and the units responsible for the killings remain unanswered. A thorough investigation into the killings must therefore include ballistic, forensic and crime scene investigators, and must have unhindered and independent access to hospital, morgue, and other officials records.

We call on the international community, including the United Nations, the European Union, and the governments of the United States, Russian and China, to ensure that such an investigation is launched.

Note on the Use of Names

Most of the names of the witnesses interviewed for this report have been changed to protect their security and the security of their relatives. Government authorities and security forces were continuing to intimidate and arrest witnesses to the killings at the hour of the publication of this report and the safety of witnesses and their relatives could not be guaranteed.

Introduction: Prelude to the May 13 Events

Trial of 23 Businessmen

The Andijan protests were triggered by the arrest and trial of twenty-three successful local businessmen on charges of "religious extremism."⁷ Arrested in June 2004, they went on trial on February 11, 2005, in the Altinkul district court. Twenty-two defendants faced charges of organizing a criminal group, attempt to overthrow the constitutional order of Uzbekistan, membership in an illegal religious organization and possession or

⁶ Aziz Nuritov, "Uzbekistan Rejects International Probe," *Guardian Unlimited*, June 2, 2005.

⁷ The arrested businessmen were: Rasuljon Ajikhalilov, Abdumajit Ibragimov, Abdulboki Ibragimov, Tursunbek Nazarov, Makhammadshokir Artikov, Odil Makhsdaliyev, Dadakhon Nodirov, Shamsitdin Atamatov, Ortikboy Akbarov, Rasul Akbarov, Shavkat Shokirov, Abdurauf Khamidov, Muzaffar Kodirov, Mukhammadaziz Mamdiyev, Nasibillo Maksudov, Adkhamjon Babojonov, Khakimjon Zakirov, Gulomjon Nadirov, Musojon Mirzaboyev, Dilshodbek Mamadiyev, Abdulvosid Igamov, Shokurjon Shakirov, and Ravshanbek Mazimjonov.

distribution of literature containing a threat to public safety.⁸ One defendant was charged with abuse of power relating to his professional position.⁹

According to reports, journalists and most relatives of the defendants were prohibited from observing some sessions of the trial.¹⁰ A local activist, Saidjahon Zainabitdinov, served as a non-lawyer public defender for one of the defendants. Zainabitdinov eventually refused to participate in the proceedings, protesting that they were a sham and that the judge refused to allow him to pose questions to witnesses and carry out the defense of his client.¹¹

The government claimed that the men were members of an underground Islamic group, “Akramia” (see below), but the extent to which the defendants subscribed to the teachings of Akram Yuldashev or had links to the Akramia movement is unclear. The father of one of the defendants asserted that all the defendants were simply devout Muslims and successful businessmen who pooled resources to assist the growth of one another’s businesses and funded charitable work in the community.¹²

The defendants’ businesses—which included furniture factories, business supply companies, bakeries, tailoring firms, construction companies, and transportation firms—employed thousands of people in impoverished Andijan. The defendants were well known for their role as community leaders. They established a minimum wage that exceeded the meager government-mandated wage, paid employees’ medical expenses and sick leave, and provided free meals to staff. They also financially supported a local hospital and orphanage and made donations to local schools and *maballa*, or local neighborhood, committees.¹³

When interviewed by Human Rights Watch in the refugee camp in Kyrgyzstan, the freed businessmen explained that they did indeed have close ties to each other, but that their

⁸ Articles 242, 159, 244-1 and 244-2 of the Criminal Code of the Republic of Uzbekistan.

⁹ Article 205 of the Criminal Code of the Republic of Uzbekistan.

¹⁰ “In Andijan Trial Begins Against 23 ‘Akramists,’” statement of Abdugapur Dadboev, deputy chairman of the Andijan city branch of [the human rights organization] Ezgulik (Goodness). February 11, 2005. A copy of the statement is on file with Human Rights Watch.

¹¹ “Trial of ‘Akramists’: a District Judge is made into a Hawk,” statement of Abdugapur Dadboev, deputy chairman of the Andijan city branch of Ezgulik, February 17, 2005. A copy of the statement is on file with Human Rights Watch.

¹² “Uzbekistan: Islamic Charitable Work ‘Criminal’ and ‘Extremist?,” Igor Rotar, Forum 18 News Service, February 14, 2005. Available from http://www.forum18.org/Archive.php?article_id=508&printer=Y.

¹³ *Ibid*; and “Uzbekistan: The Andijon Uprising,” p. 3. International Crisis Group Asia Briefing No. 38, May 25, 2005. Available from <http://www.crisisgroup.org/home/index.cfm?id=3469&l=1>

relationships had nothing to do with religious extremism. Many of their families faced government repression after the 1999 Tashkent bombings (see below), and they were unable to obtain credit from government-controlled banks. The businessmen had joined and used their combined capital to finance each other's businesses.¹⁴

Operating outside the government-controlled banking system, the businessmen were beyond the usual levers of state control. In many areas of commerce and industry, they successfully undercut the market share of pro-government monopolies. They enjoyed the loyalty of thousands of employees who were generally paid better and had better working conditions than most others in Andijan. The entrepreneurs' popularity on these grounds presented a challenge to Uzbek authorities.

The twenty-three businessmen were not the only group of entrepreneurs targeted by the government. In January 2005, the authorities arrested a second group of thirteen businessmen on the same charges, and other businessmen in Andijan lived in fear of arrest. One Andijan businessman told Human Rights Watch that he had left Andijan in January for Moscow to escape arrest and that there were rumors that the Andijan authorities had drawn up a list of 500 businessmen whom they suspected of involvement in "Akramia."¹⁵

The crackdown on the Andijan business community and the closure of these firms raised tensions not only because of the unfairness of the businessmen's trials. In the already economically depressed Fergana Valley, the loss of thousands of jobs as a direct result of the crackdown was devastating, plunging many families into poverty. And no end to their misery was in sight: instead, the government was continuing to arrest more businessmen and shutting down their companies, adding to the economic hardship.

On April 25, 2005, the defendants announced a hunger strike during the trial to protest the judge's actions at the trial." Defense counsel petitioned the court to have a prosecution witness evaluated for mental fitness to testify, and to call as witnesses

¹⁴ Human Rights Watch interviews with "Faizullo F." (not his real name), April 24, 2005 and April 27, 2005; Human Rights Watch interviews with "Rovshan R." (not his real name), April 26, 2005 and April 27, 2005; Human Rights Watch interviews with "Yuldash Yu." (not his real name), April 26 and April 27, 2005; Human Rights Watch interview with "Kamil K." (not his real name), April 27, 2005.

¹⁵ Human Rights Watch interview with "Kamil K." (not his real name), April 27, 2005.

Akram Yuldashev as well as the government expert in religious affairs who had issued the conclusion that Yuldashev's writings should be banned as extremist.¹⁶

The judge refused all these defense motions, and the defendants abandoned the hunger strike when authorities attempted to force feed them through feeding tubes.¹⁷

Throughout the trial, relatives and supporters of the defendants gathered daily outside the court to protest the trial. The demonstrations were orderly and quiet and grew to include several hundred people. On May 10, approximately 700-1000 people protested outside of the city court where the trial was taking place.

On May 11, police arrested three young men who had been supporters of the twenty-three businessmen, apparently on suspicion of beating police officers in a neighborhood in the outskirts of Andijan.¹⁸ On May 12, the relatives of the three young men went to the local police station, where one officer acknowledged that the three were also connected to the trial protests. The officer told the relatives that two of the young men were at the local prosecutor's office, and that a third was at the city prosecutor's office, for questioning. No one from the local prosecutor's office would give any information about the two, according to a BBC correspondent who accompanied the relatives to the station.¹⁹

May 13: A Day of Violence, Protests, and Massacre

The Attacks in the Night and the Prison Break

The long-simmering tensions and protests over the case of the twenty-three businessmen finally boiled over into open violence on the night of May 12, when the verdict in their trial had been expected. After security officers began to arrest some who had protested the trial,²⁰ a group of friends and family of the businessmen "decided to try to get their friends and family out of detention."²¹

¹⁶ "Akramia' Defendants Announced Hunger Strike," statement of Saidjahon Zainabitdinov, chairman of the Andijan human rights group Apelliatsia, April 28, 2005. A copy of the statement is on file with Human Rights Watch.

¹⁷ Ibid.

¹⁸ The three were Murodjon Zokirjonov, Abdulaziz Mamadiev, and Alisher Abdulakhad.

¹⁹ Human Rights Watch telephone interview with BBC correspondent Jennifer Norton, May 31, 2005.

²⁰ Galima Bukharbaeva, "Blood Flows in Uzbek Crackdown," *Institute for War and Peace Reporting*, May 14, 2005.

²¹ Ibid.

Around midnight on May 12-13, a group of between fifty to one hundred men first attacked a local police building, and shortly thereafter attacked military barracks no. 34 of the Defense Ministry.²² It is unknown whether the men were armed prior to their attacks on the police building and military barracks, but during these attacks, the men managed to obtain a significant number of weapons, including automatic AK-47 rifles and grenades, as well as a Zil-130 military truck. It appears that the attackers managed to surprise the weakly guarded police and military units, and that only limited fighting took place during both attacks.²³ According to the government, the attack resulted in the deaths of four policemen at the police station and two soldiers at the military position.²⁴

The attackers

It appears that most of the attackers were young men, including relatives and supporters of the twenty-three imprisoned businessmen. According to one of the lawyers who defended the twenty-three businessmen, Ravshanbek Khajimov, the attackers were “their friends, their colleagues who were still free, and their relatives who just lost their heads. . . . They decided that all other means had been exhausted and total injustice was being done, and they could bear it no longer. They decided to resort to force.”²⁵ A second witness, a human rights activist from Andijan who went to Bobur Square on the morning of May 13 after hearing some shooting in town, told Human Rights Watch that he saw armed men deployed around the *hokimiat* (regional government building), after it was firmly under control of the gunmen:

Near the hokimiat, I saw a group of people in civilian clothes armed with submachine guns that kind of guarded the area. I recognized them: they were all familiar faces—people whom I had seen for three months

²² Speech of Islam Karimov, May 14, 2005, Uzbek Television First Channel in Uzbek, May 14, 2005; Human Rights Watch interview with a relative of a local policeman, Andijan, May 23, 2005; A reporter present in the square at the time of the protest reported that one of the protest leaders, Sharifjon Shokirov, brother of one of the twenty-three business men, told her (as paraphrased by the reporter) “that night people went to try to get their friends and family members out of detention. They started at the traffic police office, and as numbers built up they moved towards a military unit in the city, where they forced troops onto the defensive and seized Kalashnikovs.” Shokirov is believed to have been killed during the government assault. Galima Bukharbaeva, “Blood Flows in Uzbek Crackdown,” *Institute for War and Peace Reporting*, May 14, 2005.

²³ According to a lawyer for the twenty-three men, Ravshanbek Khajimov, the police unit was guarded by only five policemen, but the attackers managed to obtain about 100 AK-47 rifles. David Holley and Sergei L. Loiko, “Uzbek Witness Tells of Brutality on Both Sides; Government Troops Killed Hostages After Relatives and Friends of Men Freed in Jailbreak ‘Just Lost Their Heads,’ A Defense Lawyer Recounts,” *Los Angeles Times*, May 23, 2005.

²⁴ C.J. Chivers, “Survivors and Toe Tags Offer Clues to Uzbek Uprising,” *New York Times*, May 23, 2005.

²⁵ David Holley and Sergei L. Loiko, “Uzbek Witness Tells of Brutality on Both Sides; Government Troops Killed Hostages After Relatives and Friends of Men Freed in Jailbreak ‘Just Lost Their Heads,’ A Defense Lawyer Recounts,” *Los Angeles Times*, May 23, 2005.

in the court, supporters of the defendants. ...I also recognized some people at the door of the hokimiat. I did not dare to go inside the hokimiat. ...The gunmen looked like they had been busy fighting throughout the night: their clothes were dirty and shabby.²⁶

The attackers, who referred to each other as “brothers” and may have been members of an informal “brotherhood” of devout Muslims, would remain a cohesive group throughout the unfolding events in Andijan.²⁷ Among their leaders was Sharifjon Shokirov, the brother of one of the twenty-three defendants, Shakir Shokirov. The father of the Shokirov brothers, Bakaram Shokirov, had been imprisoned in 1998 on the charge of religious extremism and was an acquaintance of Akram Yuldashev.²⁸ Sharifjon Shokirov gave statements to the press during the protests, and is believed to have been killed during the government shooting. A second leader, Abduljon Parpiev, who had been imprisoned after the 1999 Tashkent bombings, conducted negotiations with Interior Minister Zokirjon Almatov (see below).²⁹ It is unknown whether Parpiev survived the crackdown.

Although it is clear that a small number of protesters were armed, there is no indication that they were “fanatics and militants” with an Islamist agenda as alleged by President Karimov.³⁰ The president has consistently painted his opponents as Islamic radicals, with little factual basis for such allegations, in a blatant attempt to discredit his opponents and gain international support for his war against “Islamic extremism.” None of the demands of the attackers had any manifest relation to Islamic fundamentalism, and Islam was barely mentioned in the speeches in Bobur Square, other than in the form of complaints against the imprisonment of people on charges of “Islamic extremism.” Interviews with numerous people present at the demonstrations consistently revealed that the protesters spoke about economic conditions in Andijan, government repression,

²⁶ Human Rights Watch interview with “Bakhit B.” (not his real name), Kyrgyzstan, May 20, 2005.

²⁷ Human Rights Watch interview with “Rustam R.,” Kyrgyzstan, May 20, 2005. “Brothers—that is what we called ourselves.” See also, David Holley and Sergei L. Loiko, “Uzbek Witness Tells of Brutality,” *supra*.

²⁸ Human Rights Watch interview with “Rovshan R.” (not his real name), Kyrgyzstan, May 26, 2005; Chivers, *supra*.

²⁹ Human Rights Watch interview with “Rovshan R.” (not his real name), Kyrgyzstan, May 26, 2005.

³⁰ In his press conference on May 14 President Karimov attributed to the protesters and their leaders a desire to overthrow the Andijan government and install a “Utopian Muslim caliphate.” Tashkent, Uzbek Television First Channel in Uzbek, May 14, 2005.

Interfax News Service cited President Karimov as saying, “According to the information we have, [the protest organizers] are brainwashing young people with ideas of creating a unified Islamic state,” See, “Andizhan unrest orchestrated by Hizb ut-Tahrir - Karimov (Part 2),” *Interfax News Service*, May 14, 2005. Several news outlets reported that in a press conference on May 15 President Karimov blamed “Akramia,” which he called an “extremist organization” and which he said was a part of Hizb ut-Tahrir, for organizing the protests.

and unfair trials—and not the creation of an Islamic state. People were shouting *Ozodliq!* (“Freedom”), not *Allahu Akbar!* (“God is Great”).³¹

A leaflet found by a reporter on Bobur Square, apparently written in the name of the imprisoned businessmen and distributed to encourage the residents of Andijan to attend the protest march, clearly explains the reasons behind the protest:

We could tolerate it no longer. We are unjustly accused of membership in Akramia. We were tormented for almost a year, but they could not prove us guilty in court. Then they started persecuting our nearest and dearest.

If we don't demand our rights, no one else will protect them for us. The problems that affect you trouble us as well. If you have a government job, your salary is not enough to live on. If you earn a living by yourself, they start envying you and putting obstacles in your way. If you talk about your pain, no one will listen. If you demand your rights, they will criminalize you.

Dear Andijanis! Let us defend our rights. Let the region's governor come, and representatives of the President too, and hear our pain. When we make demands together, the authorities should hear us. If we stick together, they will not harm us.³²

The prison break

After obtaining weapons, the attackers moved to the Andijan prison after midnight, breaking down the gate of the prison by ramming it with a vehicle. The attackers appear again to have faced minimal resistance and quickly managed to enter the prison. One of the twenty-three defendants, “Faizullo F.” (not his real name), explained to Human Rights Watch:

³¹ A Western journalist later commented: “This rebellion has nothing to do with religion. I did not hear cries of Allahu Akbar, and none of the rebels inside the regional administration building mentioned anything about an Islamic state.” Galima Bukharbaeva and Matluba Azamatova, “No Requiem for the Dead,” *Institute for War and Peace Reporting*, May 16, 2005.

³² Galima Bukharbaeva and Matluba Azamatova, “No Requiem for the Dead,” *Institute for War and Peace Reporting*, May 16, 2005.

On the twelfth of May, we were ordered to go to sleep at 10:00 p.m. We were woken after midnight. I was on the third floor. After midnight, we heard some noises, shouting and some shooting, single shots. Everything happened very fast. Ten, fifteen minutes later people were inside the prison and started breaking open the doors with metal bars. Those who attacked the prison had weapons, but we didn't. The persons took us out of the cells and said, "Now you are freed from injustice, please go out." At first we were shocked. Then we decided to go down and go out.³³

According to the government, three prison guards were killed during the attack. Several of the freed prisoners told Human Rights Watch that they had seen two bodies of guards near the entrance gate, but that they were not sure whether the guards were dead or wounded.

The attackers freed not only the defendants,³⁴ but hundreds of other prisoners, many of them also charged with "religious extremism." The freed prisoners claimed to Human Rights Watch that as many as a thousand prisoners were freed, although the Procuracy General publicly has stated that 527 of the 734 prisoners at the prison were freed during the attack.³⁵ After the attack, the freed prisoners were given the choice of joining a downtown protest, or going home: "The people who attacked the prison said that those who wanted to could go with them to the hokimiat to tell what happened to us."³⁶

Following the attack on the prison, the attackers began to make their way to the hokimiat, and called on others to join them, using cell phones to mobilize known

³³ Human Rights Watch interview with "Faizullo F." (not his real name) Kyrgyzstan, May 25, 2005.

³⁴ Some persons interviewed by Human Rights Watch claimed that six defendants were not at the prison at the time, but were in detention at the offices of the SNB (Sluzhba Natsionalnoi Bezopasnosti, the national security service). However, several of the twenty-three businessmen interviewed by Human Rights Watch stated that all twenty-three of them were at the prison at the time of the attack, and that all had been freed. President Karimov also suggested in his official version of events that some of the businessmen were still in government custody during the protest, stating that the first demand of the protesters was "There are six of our people held by you—you bring them here and hand them over to us, everything will be over." "Uzbek leader gives news conference on Andijon events - full version," *BBC Monitoring Central Asia*, May 14, 2005.

³⁵ Human Rights Watch interview with "Faizullo F." (not his real name), Kyrgyzstan, May 24, 2005; Human Rights Watch interview with attacker, May 24, 2005; C.J. Chivers, "Survivors and Toe Tags Offer Clues to Uzbek Uprising," *New York Times*, May 23, 2005. On May 30, the Procuracy General of Uzbekistan reported that 527 prisoners had been illegally freed, and that 470 subsequently voluntarily returned to the prison. www.gov.uz/ru/content.scm?contentId=12919. Earlier claims that up to 2,000 prisoners were freed appear inaccurate, as the population of the prison appears to have been about 1,000.

³⁶ Human Rights Watch interview with "Faizullo F.", Kyrgyzstan, May 24, 2005.

supporters. One of the participants in these early events described to Human Rights Watch how he came to join the events:

My brother-in-law is one of the twenty-three. I was taking part in the demonstrations to protest the unfair trials. Around 1:00 a.m. on the night of the 13th, I got a call and one of the organizers told me to come to the prison. When I arrived there, all of the prisoners were already out on the street. There were about fifty of us [attackers]. We told the prisoners, “if you want to join us, join us, if not, you can go home.” Some thirty people came with [our group], the rest went away. We got into two cars and drove to the hokimiat.³⁷

The shooting at the headquarters of the National Security Service

The attackers and the freed prisoners made their way over to the hokimiat, located about six kilometers from the prison. On the way, some of the attackers and their supporters ran into resistance from Uzbek security services being mobilized around the city. One of the participants told Human Rights Watch that soldiers in camouflage ambushed his convoy of two cars on Oshskaia Street, and that three of his colleagues were killed in the ambush.³⁸ However, most of the attackers made it to the hokimiat and easily took over of the building, which had only a single guard during the night.³⁹

A second shooting incident took place as the gunmen moved past the building of the National Security Service (in Russian, *Sluzhba Natsionalnoi Bezopasnosti*, and known locally as the SNB), which was a focal point of the protester’s anger, as SNB officers had arrested and interrogated most of the twenty-three defendants. A heavy gun battle broke out around the SNB building, although it is unclear whether the fighting was initiated by the attackers aiming to overrun the SNB building, or by SNB officers trying to stop the attackers’ progress. According to one of the freed defendants who had already reached the hokimiat by the time the shooting at the SNB took place, heavy gunfire at the SNB building lasted for about one hour. A local human rights defender walked by the SNB building, apparently after the attack had been repulsed: “There was blood [on the street] near the SNB building and automatic weapons lying on the street. Under an APC there was the body of a soldier in a bullet-proof vest, and there were bullet marks on the

³⁷ Human Rights Watch interview with “Rustam R.,” Kyrgyzstan, May 20, 2005.

³⁸ Human Rights Watch interview with “Rustam R.,” Kyrgyzstan, May 20, 2005.

³⁹ Human Rights Watch interview with “Rustam R.,” Kyrgyzstan, May 20, 2005: “When we arrived at the hokimiat, the building was already taken over by another group [which arrived before us].... When they were taking over the building, there was only one person there, so it was not difficult. They did not kill him, they just took him inside.”

building of the SNB,” and a second human rights defender gave an almost identical description to Human Rights Watch.⁴⁰ According to one of the attackers interviewed by Human Rights Watch, fifteen attackers died at the SNB building, although he personally had only seen two of the bodies.⁴¹ A reporter who interviewed Sharifjon Shokirov, one of the protest leaders, also confirmed the attack on the SNB building, writing that SNB officers successfully repelled the attack and that as many as thirty attackers may have died during the assault on the SNB.⁴²

The group of attackers, freed prisoners, and their supporters began reaching the hokimiat long before dawn:

There were only a few people in the square, about one hundred, when we first arrived. ... As we reached the square, we just waited. It was still dark, so we were waiting for the morning to come and for the people to join the meeting.⁴³

Meanwhile, the government started pulling its forces up to the city center. A journalist who was making his way to Bobur Square to see what was happening there in the early morning of May 13 told Human Rights Watch:

The first thing I saw was a column of military vehicles, four trucks. These were heavy military trucks, ZIL-131 and URALs. They were followed by a column of ten jeeps, seven or eight were open jeeps, American or British, and the rest were Russian jeeps. Inside were men armed with automatic guns pointed at people. They were going up

⁴⁰ Human Rights Watch interview with Kodyrzhon Ergashev, Andijan, May 24, 2005. A second human rights activist told Human Rights Watch: “I went to see what was happening at the SNB and the MVD [Ministry of Internal Affairs] buildings. I drove around the center of the city and saw several burned military cars and bodies here and there. At the SNB, I saw intensive shooting, and a dead soldier at a damaged APC.” Human Rights Watch interview with “Bakhit B.” (not his real name), Kyrgyzstan, May 20, 2005. President Karimov said in his statement after the attack: “Then [the attackers] went and encircled the regional interior directorate’s building and the building of the regional department of the [National] Security Services [SNB]. As officers at these buildings were armed, they were not able to overrun them.” Speech of President Islam Karimov, May 14, 2005. See, “Uzbek leader gives news conference on Andijon events - full version”, *BBC Monitoring Central Asia*, May 14, 2005.

⁴¹ Human Rights Watch interview with “Rustam R.”, Kyrgyzstan, May 20, 2005.

⁴² Galima Buhkarbaeva, “Blood Flows in Uzbek Crackdown,” *Institute for War and Peace Reporting*, May 14, 2005. According to Bukharbaeva, “As the night went on, [the attackers] went to the SNB building for Andijan region, where the newly arrested people [protesters from the trial of the businessmen] were being held. There was gunfire as SNB officers held off the crowds, and protest leaders said at least thirty people were killed, although in the continuing confusion, there have been no verified casualty figures.”

⁴³ Human Rights Watch interview with “Faizullo F.” (not his real name). Kyrgyzstan, May 24, 2005.

Navoi Prospect. I saw no policemen in the streets, but near the UVD [local department of Ministry of Interior] we saw huge number of policemen, fully armed and in bullet-proof vests.⁴⁴

The Protests at Bobur Square

The group began to prepare for a massive protest in Bobur Square, in front of the hokimiat. At the stage next to the Bobur monument at the northern end of the square, a loudspeaker system was activated to allow people to address the growing crowd. While many protesters joined the crowd on their own initiative, the original group continued to use their mobile phones and other means to draw more people to the protest. According to one person who was inside the hokimiat during the protest, the group leader, Sharifjon Shokirov, kept asking his men, “Have you invited the people from the *mahallas* (neighborhoods)?”⁴⁵

As the crowd grew into the thousands, the protest was transformed from the actions of several dozen armed gunmen into a massive expression of dissatisfaction with the endemic poverty, corruption, unemployment, repression, and unfair trials that plagued the area. The first speakers were the attackers themselves, who explained to the crowd that they had acted because “they were displeased about the unjust imprisonment of the twenty-three defendants, and demanded justice and a fair sentence in the case.”⁴⁶ They were followed by some of the freed prisoners themselves, who described their unfair trials and the terrible conditions they faced in prison.⁴⁷

Witnesses interviewed by Human Rights Watch spoke only of gunmen around the hokimiat building and at the perimeter of the square, and not within the protesting crowd or on the speaker podium. Human Rights Watch has reviewed numerous photographs taken by international and local journalists during the protest, and these photographs confirm the description of witnesses of a massive civilian crowd of protesters, as well as the location of a small number of gunmen outside the crowd and away from the protesters. The photographs clearly show that there were large numbers of women and children among the civilians in the square during the protest.

Soon, the loudspeaker was opened to the crowd, and ordinary people came forward to voice their grievances and demand jobs and fair treatment from the government. Even

⁴⁴ Human Rights Watch interview with “Bakhrom B.” (not his real name), May 29, 2005.

⁴⁵ Human Rights Watch interview with Kodyrzhon Ergashev, Andijan, May 24, 2005.

⁴⁶ Human Rights Watch interview with “Rustam R.”, Kyrgyzstan, May 20, 2005.

⁴⁷ Human Rights Watch interview with Kodyrzhon Ergashev, Andijan, May 24, 2005.

government employees came to the microphone, explaining that they too were suffering, and had not received their salaries since January.⁴⁸ The crowd soon swelled to thousands persons, according to many accounts, up to 10,000.⁴⁹ In deeply repressive Uzbekistan, such open expression of discontent was virtually unheard of, and many residents of Andijan quickly took advantage of this unique opportunity to express their dissatisfaction with government policies.

The Taking of Hostages

In the early morning of May 13, as the crowd grew in Bobur Square, the gunmen started taking law enforcement and government officials hostages. Some of the hostages were also captured by unarmed people in the square and handed over to the gunmen.

The first hostages were people in military uniforms, either policemen or military, who drove along the fence surrounding the hokimiat building and started shooting at the crowd through the fence. A witness who at the time was standing near the hokimiat building told Human Rights Watch:

Early in the morning a green car with black windows arrived from the side of Cholguzar with three people inside.⁵⁰ Two of them came out of the car and fired several shots from sniper rifles at the crowd through the fence around hokimiat. A seven- or ten-year-old boy was killed. The bullet hit him in the head. I saw it with my own eyes. A big group of people rushed there, surrounded and detained these people with their bare hands and took away their weapons. They tied them up, beat them and brought them to the hokimiat. These three people wore very light green or yellowish military uniform, caps and army boots.

Fifteen or twenty minutes later people detained a policeman with a submachine gun who was dressed in police uniform but wore a red and blue jacket over the uniform. He made a few shots from his Kalashnikov and also killed a guy.⁵¹

⁴⁸ Human Rights Watch interview with "Aziza A." (not her real name), Kyrgyzstan, May 25, 2005.

⁴⁹ For example, a Russian NTV Mir correspondent reporting on May 14 stated that 10,000 people attended the rally. See, "Ten thousand protesters gather in troubled Uzbek town-Russian TV," *BBC Monitoring Newsfile*, May 14, 2005. Andijan's regional administration head, however, denied several media reports that as many as 10,000 people had joined on the city's square. See, "Thirty-seven policemen killed in Andizhan riot-minister (Part 4)," *Interfax News Service*, May 18, 2005.

⁵⁰ The witness called the car a jeep or "Villis." He explained that Cholguzar is a nickname for a place between the theatre and hokimiat.

⁵¹ Human Rights Watch interview with "Akhmed A." (not his real name), Kyrgyzstan, May 21, 2005.

One of the gunmen confirmed to Human Rights Watch that they had taken hostages, and explained the process. He claimed that cars of police and soldiers kept driving past the square, shooting at the crowd, and that they started taking hostages in response to these shootings:

We started stopping the cars by throwing stones and blocking the roads. We took the soldiers and policemen out of the cars and took them hostage. Besides, people from the square also brought hostages to us. We kept them inside the hokimiat, there were about twenty of them. We let the soldiers go because we didn't believe them responsible, they were just following orders. ... But we kept the policemen, the tax inspector, and the city prosecutor.⁵²

A second man involved in the hostage-taking gave Human Rights Watch a very similar account:

First they came with a military KAMAZ truck and just [drove and] shot at people, and then left. We lost about ten people in that first attack. Also among the crowd were a few police in uniform and some SNB officers.⁵³

The man said that the soldiers first fired shots in the air and that then several small children were hit.

After these first shootings, the people became very angry—Why was the government shooting peaceful people? When they became angry, they started capturing people in uniform, catching seven or eight police officers and five or six SNB officers.

Near the hokimiat there were buildings for housing officials, just fifty meters away. The people went to capture these officials also. They captured the prosecutor and the trial judge, and the head of the tax department. About twenty government officials were captured, also

⁵² Human Rights Watch interview with "Rustam R", Kyrgyzstan, May 20, 2005.

⁵³ Several other witnesses told Human Rights Watch that at least two children were shot during the episode. Human Rights Watch interview with "Akhmed A.," Human Rights Watch interview with "Uktam U." (not his real name), Kyrgyzstan, May 22, 2005; Human Rights Watch interview with "Abror A." (not his real name), Kyrgyzstan, May 19, 2005.

some when they came to work. I am a witness to this myself: when they captured the[se] hostages, they did not allow anyone to beat them.⁵⁴

The hostages were taken into the hokimiat building. Throughout the day, the gunmen as well as civilian protesters continued to bring more hostages into the hokimiat, including suspected government agents in the crowd.

According to several witnesses, more than twenty-five people, and possibly as many as forty persons, were taken hostage.⁵⁵ Among the hostages were uniformed and plain-clothed policemen, firemen, the head of the tax inspectors, at least one judge, and the city prosecutor. A journalist who was allowed by the gunmen inside the hokimiat told Human Rights Watch that he saw ten tied-up policemen on the second floor of the building.⁵⁶ In the afternoon, around 3:00 p.m., several of the high-profile hostages were forced to appear in front of the crowd and “confess” their role in the unfair trials of the twenty-three businessmen:

They brought the head of the prosecutor’s office and the head of the tax department. They had captured them and brought them to the podium, and told them to tell the truth about the twenty-three jailed persons—they were factory owners and provided work for the people. The [armed] men accused [the prosecutor and tax inspector] of being unjust. The prosecutor said he knew [the defendants] are good [people], but “we can’t do anything, we were ordered to do it [convict them], we are like puppets [*kukly*] in the hands of the power.”...The head of the tax inspectors also said they were compelled to do what the government ordered.⁵⁷

At the same time, small groups of armed men engaged in skirmishes with government troops in the streets adjacent to Bobur Square, and chaos ruled in parts of the city. The Bakirov and Akhunbabev cinemas were set on fire during the early afternoon, although all of the participants in the events interviewed by Human Rights Watch denied that the militants had been responsible for these arson attacks, instead blaming them on

⁵⁴ Human Rights Watch interview with “Kamil K.” (not his real name), Kyrgyzstan, May 27, 2005.

⁵⁵ Human Rights Watch interview with “Rustam R.”, May 20, 2005, Kyrgyzstan; Human Rights Watch interview with Kodyrjon Ergashev, Andijan, May 24, 2005

⁵⁶ Human Rights Watch interview with “Bakhrom B.”, May 29, 2005.

⁵⁷ Human Rights Watch interview with “Aziza A.”, Kyrgyzstan, May 24, 2005.

“provocateurs.”⁵⁸ Sporadic fighting also continued in parts of the city away from the square. One witness told Human Rights Watch that his relative, a local policeman, was ambushed with his unit during their morning patrol, in an attack that killed one policeman and forced the others to hide in the bushes. When the police tried to leave, they engaged in a gun battle with six fighters, killing four of them and capturing two.⁵⁹

The Continuing Rally and Government Shootings

Throughout the day, the protest rally in Bobur Square continued to attract more and more people. The overwhelming majority of people on the square at all times were unarmed protesters, whose numbers grew as the day wore on. By noon the crowd numbered up to 10,000 people, and included many women and children. Two of the women interviewed by Human Rights Watch, “Razia R.” and “Makhbuba M.,” (not their real names) said they had come to the protest with their five and four children respectively.⁶⁰ According to all of the witnesses interviewed by Human Rights Watch, the overwhelming majority of the protesters behaved peacefully and did not engage in any violence or threats. Women and children were sitting on carpets brought to the square from the hokimiat building; at lunchtime, food was distributed.⁶¹

Witnesses who were around or inside the hokimiat estimated the number of armed men around and inside the building at between fifty and one hundred; although many people in Bobur Square said they had seen only a few armed men in the area.

However, at various points during the day, troops in armored personnel carriers (APCs) and military trucks periodically drove by, firing randomly into the edge of the largely unarmed crowd. The government had also deployed snipers above the square, but neither the snipers nor the drive-by shooters appeared to be directing fire at persons who were posing any threat. Protesters and observers interviewed by Human Rights Watch all stated that there were almost no armed men on the square itself, and there is no evidence to suggest that the security forces made any attempts to focus their fire on

⁵⁸ The presence of provocateurs was commented upon by several witnesses interviewed by Human Rights Watch. One woman recalled how she saw several cars on fire in Navoi Street, just below Bobur Square where the crowd had gathered, and hearing speakers plead with the crowd to stay away from the area of the burning crowds, saying that provocateurs had set the cars on fire: “On the road where burning cars, but they told us not to go there over the microphone, saying they were provocateurs. The leaders said not to leave and not to be afraid, because if we left now, such things would be blamed on us.” Human Rights Watch interview with “Aziza A.,” Kyrgyzstan, May 24, 2005.

⁵⁹ Human Rights Watch interview with a relative of a local policeman, Andijan, May 23, 2005.

⁶⁰ Human Rights Watch interview with “Razia R.” (not her real name), Kyrgyzstan, May 19, 2005; Human Rights Watch interview with “Makhbuba M.” (nor her real name), Kyrgyzstan, May 19, 2005.

⁶¹ *Ibid.*

legitimate targets such as the few gunmen in the square. One of the witnesses said, “The people in the APCs were not aiming at specific people, they just shot at the edges of the crowd as they were moving. They were driving and while they drove, they were shooting at people from the side openings of the APCs.”⁶² Means of restoring order or dispersing the crowd short of lethal force do not appear to have been used.

The first attack on the crowd in Bobur Square by security forces took place early in the morning, around 6:00 or 7:00 a.m., when the crowd in the square numbered only about 300 to 400 persons, many of them the released prisoners and the armed men who had attacked the prison. A military vehicle came from the direction of the old market and polyclinic, and opened fire on the crowd from automatic weapons while continuing to drive, ultimately driving away onto Cholpon Prospect.⁶³

Around 10:00 a.m., troops in an APC drove around the edges of the square, firing into the much larger crowd, and killing as many as twelve people, including a young boy and a woman: “They came in one APC and shot [into the crowd] at the edge of the crowd, and then a few minutes later they also came to the opposite edge and shot.”⁶⁴ One of the attackers gave a similar account of the attacks on the protesters:

Several cars drove along the square, and people were shooting from the cars. They were policemen and soldiers. They would kill five, six people in the square as they were shooting, and the rest of the people would get on the ground. The rally would then continue, and people would come back. ... Then we started stopping the cars by throwing stones and blocking the roads. ... After the cars, an APC arrived. It drove along the square six, seven times, shooting. Every time, several people would fall. It was a yellowish APC. I believe it was military.⁶⁵

“Muhamed M.” (not his real name), a thirty-eight-year-old furniture maker and father of two, recalled how he came to the square and witnessed the attack on the demonstrators at around 10:00 a.m.:

Suddenly, at 10:00 a.m., a military car drove along Komil Yashin Street [running east-west along the edge of the square] and they were just

⁶² Human Rights Watch interview with “Rovshan R.” (not his real name), May 26, 2005.

⁶³ Human Rights Watch interview with “Faizullo F.”, Kyrgyzstan, May 25, 2005.

⁶⁴ Human Rights Watch interview with “Gulnara G.” (not her real name), Kyrgyzstan, May 25, 2005.

⁶⁵ Human Rights Watch interview with “Rustam R.”, Kyrgyzstan, May 20, 2005.

shooting as they were driving. I was shocked they would just shoot at the people. A twelve-year-old boy was shot in the legs right in front of me, a lot of people were wounded. ...In front of us, there were no armed people. They were driving at high speed and just shooting as they drove by.⁶⁶

When asked why he remained in Bobur Square despite this and subsequent attacks, Muhamed M. explained that government repression was directly responsible for the determination of the protesters to stay in the square:

Why did we stay in the square? People had waited for this moment for so long. When we were shot at, we came back. We were waiting for the officials to come to the meeting, we wanted this so badly. The people had become scared because of the repression of the regime, and they had no opportunity to express their problems because of it. People just thought that if they gathered all together and stated their complaints, the government would do nothing [against them]. But if you are alone, one or two, the government would deal with you [arrest you]. That is why the people were so happy the crowd was so big. Finally, after all this time, they could express their problems. The whole population had been waiting for this moment.⁶⁷

The attacks by APCs firing blindly into the crowds continued throughout the day. One of the witnesses said the snipers deployed around the square were systematically shooting people who had just finished speaking at the podium.⁶⁸ Because the crowd had grown to fill the entirety of Bobur Square by mid-day and was overflowing into the nearby streets, protesters were often only aware of what was happening in their immediate area, and could no longer see what was happening on opposite sides of the square. But almost all of the protesters recalled regular shooting incidents at the square: “While we were staying in the square, the APC passed through five or six times, driving two ways. The time in between varied, sometimes forty-five minutes or one hour, sometimes longer.”⁶⁹

⁶⁶ Human Rights Watch interview with “Muhamed M.” (not his real name), Kyrgyzstan, May 27, 2005.

⁶⁷ Human Rights Watch interview with “Muhamed M.”, Kyrgyzstan, May 27, 2005.

⁶⁸ Human Rights Watch interview with a relative of a policeman who was on duty in Andijan on May 13 and told his family about the event, Andijan, May 23, 2005.

⁶⁹ Human Rights Watch interview with “Yuldash Yu.”, Kyrgyzstan, May 26, 2005.

In addition to those killed from the APC and sniper fire there were many wounded people at the square. The wounded had initially been taken to nearby hospitals, but then security forces began blocking the roads and it became too dangerous to take the wounded to the hospital. A first-aid station was established inside the hokimiat, staffed by doctors and other medical personnel who were attending the protest. It is not known what happened to the wounded in the hokimiat after Bobur Square was stormed (see below).

The Negotiations with the Government

Some of the gunmen made contact with top government officials, and began negotiating with Uzbekistan's interior minister, Zokirjon Almatov. According to a witness who was inside the hokimiat, the contact was initiated when the city prosecutor gave Abduljon Parpiev Almatov's phone number, and urged Parpiev to call Almatov, saying he was certain the government would come to listen to their demands once officials realized how big a crowd had gathered.⁷⁰ The witness said that Parpiev called Almatov,⁷¹ and negotiations began.

This and one other witness familiar with the negotiations, who were interviewed separately by Human Rights Watch, both said that Parpiev demanded that the government respect the human rights of the population, stop illegal arrests and persecutions, and release illegally arrested persons, including Akram Yuldashev. Parpiev also asked Almatov to send a high-ranking government representative to the square to listen to and address the grievances of the population.⁷² Almatov apparently responded by suggesting that the government open a corridor to Kyrgyzstan to allow the protesters to leave the country—a strategy used in the past to end a stand-off with armed Islamic militants in Central Asia,⁷³ Parpiev tried to explain that this is not what the protesters

⁷⁰ Human Rights Watch interview with "Rovshan R.", Kyrgyzstan, May 26, 2005.

⁷¹ According to President Karimov, it was Minister Almatov who established contact with the people in the hokimiat. "I can also tell you about the people who held negotiations with us. In the first place, we gave [Uzbek Interior Minister] Zokirjon Almatov this difficult and complicated task. He constantly guided negotiations on the phone". See, "Uzbek leader gives news conference on Andijon events - full version", *BBC Monitoring Central Asia*, May 14, 2005.

⁷² Human Rights Watch interview with "Rovshan R.", Kyrgyzstan, May 26, 2005; Human Rights Watch interview with "Kamil K.", Kyrgyzstan, May 27, 2005. See also Chivers, *supra* ("Parpiev...made three demands: that the government release its political prisoners, grant human rights and political freedoms, and send a senior official to address the demonstration."); Galima Bukharbaeva and Matluba Azamatova, "No Requiem for the Dead," *Institute for War and Peace Reporting*, May 16, 2005 ("Parpiev...told reporters shortly before the assault that they were not making political demands. 'We only want freedom, justice and protection of human rights. Also, we want the release of Akram Yuldashev from prison,' he said.").

⁷³ In 1999 the Islamic Movement of Uzbekistan (see below) took hostages in Kyrgyzstan and apparently negotiated money from the Japanese government in exchange for the release of Japanese hostages, and then were allowed by Kyrgyz and Uzbek forces to leave the country, presumably to Tajikistan and eventually

wanted, saying “Don’t look at it like this, you have to come and meet the people and listen to their demands.”⁷⁴ Almatov said he would consider the demands, and call back. According to two separate witnesses, Almatov called back about thirty minutes later and said that the government would not negotiate.⁷⁵

Aside from the negotiations that took place between the gunmen and the Minister of Interior, there is no indication that the government engaged in any contact with the protesters. All of the witnesses interviewed by Human Rights Watch said that no authorities—other than a few local officials who were taken hostage and thus forced to speak—came to address the people, listened to their demands, or requested that they leave the square.

The Storming of Bobur Square and the Killing Zone

For most of the day, the protesters in the square endured periodic attacks by the security forces. According to witnesses who were at different locations in the square at the time of these attacks, each of the attacks resulted in casualties among the protesters. One of the witnesses said that he saw five people wounded around him.⁷⁶ Another witness, who was standing near the Bobur monument, recalled:

An APC was moving by, shooting at the street and at the square. Three people who were standing not far from me were killed. One of them was hit with a bullet in the head—the entire upper part of his skull was blown off by the shot. The other one was hit by two bullets—one in the stomach and one in the neck. I could not tell how the third one was wounded—other people carried him away immediately. When the APC drove by I suddenly felt like my right ear was burning—I thought I was wounded, but it turned out the bullet passed just by me. I became deaf for some time.⁷⁷

Human Rights Watch does not know of any source that performed a body count, but through the interviews we have conducted, it seems likely that well more than a dozen, and possibly up to fifty persons were killed in these early skirmishes.

Afghanistan. Prior to that resolution, the Kyrgyz and Uzbek governments used force against the hostage-takers, including bombing the area where they were presumed to be hiding

⁷⁴ Human Rights Watch interview with “Kamil K.” (not his real name), Kyrgyzstan, May 27, 2005.

⁷⁵ “Ravshan R.” and “Kamil K.”, Kyrgyzstan, May 27, 2005.

⁷⁶ Human Rights Watch interview with “Uktam U.” (not his real name), Kyrgyzstan, May 22, 2005.

⁷⁷ Human Rights Watch interview with “Tursinbai T.” (not his real name), Andijan, May 21, 2005.

Rumors spread around the square that President Karimov himself was coming to address the crowd, as demanded by the protesters. The demands of the protesters in Andijan had belied the government's own claims that they were "fanatic and extremist groups" aiming to "overthrow the constitutional government." Witness after witness told Human Rights Watch that the main aim of the protest was to bring their grievances to the attention of President Karimov, and that cheers had gone up in the crowd when it was incorrectly announced that Karimov was coming. A baker with two children arrived at the protest in the afternoon and stayed on, even after being shot at:

After the shooting was done, the people just stood up and continued with the meeting. People were waiting for the president to come. They wanted to meet him and explain their problems. They wanted to know if their problems came from the local [administrative] level, or if they came from the top. We wanted to ask the president to solve our problems and make our lives easier, but we were not trying to get rid of the government of Karimov.⁷⁸

Another woman said, "I came to the protest with my five kids. We came there because the president had always promised to take care of the people and we believed [him]; we heard [rumors] and we were hoping that the president would come and we were waiting for him."⁷⁹

A third witness, a mother of two, simply said, "we stayed in the square because we thought Karimov was coming, especially when we saw the helicopter flying overhead. ... We were expecting Karimov, but they started shooting at us instead."⁸⁰

Sealing off of Bobur Square

Despite the expectations of the demonstrators, no government official came to address the crowd. Instead, the security forces began to prepare to attack the protesters. Protesters had still been able to freely reach the square at 3:00 p.m.,⁸¹ but by about 4:00 p.m., they began to understand that the roads around the square were being blocked off:

⁷⁸ Human Rights Watch interview with "Batir B." (not his real name), Kyrgyzstan, May 28, 2005.

⁷⁹ Human Rights Watch interview with "Razia R.", Kyrgyzstan, May 19, 2005.

⁸⁰ Human Rights Watch interview with "Diloram D." (not her real name), Kyrgyzstan, May 27, 2005.

⁸¹ Human Rights Watch interviewed one witness who came to the square at 3:00 PM, freely walking north along Navoi Prospect and passing the SNB building on her way to the square.

People said that we were all blocked off, that the military had deployed in all the streets, that there was no way out of there and that the troops were going to storm the square. We did not see the troops, but the people who tried to get out told us about this. The military did not let people in or out. People who tried to escape through the side streets near the Detskii Mir shop [one block north of the square, along Cholpon Prospect] returned and said the road was blocked. ...The people were getting panicked.⁸²

Most of the roads out of Bobur Square were blocked by government troops, APCs, or by buses parked across the road. Navoi Prospect and Cholguzar streets, running south from the square, were both blocked; troops were also deployed at School 30, the park east of the square, and at the market area north of the square. The only effective escape path was north onto the main avenue of the city, Cholpon Prospect, which had also been blocked off by three buses being parked across the road.

Shortly after 5:00 p.m., APCs and military lorries suddenly arrived at the far end of the square, and the troops began firing directly into the massive crowd. Other troops emerged from behind the hokimiat, which by this time had brick barricades around it, and various side streets. Galima Bukharbaeva, the Uzbekistan project director for the impartial *Institute for War and Peace Reporting* (IWPR), was in the square at the time of the assault and later described it in her dispatch:

The assault began at 5:20 p.m. local time. At least nine people were killed in the first volley of gunfire. Their fellow demonstrators carried their blood-covered bodies inside the compound of the Andijan regional government building, which was being held by protesters....

The eight-wheeled armoured personnel carriers, APCs, appeared out of nowhere, moving through the streets at speed, past the people on the outer fringes of the rally. The first column of vehicles thundered past without taking any aggressive action.

But a second column arriving five minutes later suddenly opened fire on the crowds, firing off round after round without even slowing down to

⁸² Human Rights Watch interview with "Akhmed A.", Kyrgyzstan, May 21, 2005.

take aim.... Overhead, helicopters circled, clearly spying out where the biggest concentrations of people were gathered.⁸³

Another journalist, who was standing near the hokimiat at the time, provided a similar account to Human Rights Watch:

At 5:15 p.m. I saw an APC and then a truck moving along Navoi Prospect. They passed by me and moved up towards Cholpon Prospect... Five minutes later I saw another truck on Navoi Prospect. While the first truck was covered with an awning and there were submachine-gunners inside, the second one had an open top and there were thirty or forty soldiers with Kalashnikovs sitting there. There wore camouflage uniforms. Those were military uniforms and a military truck.

I felt that something is about to happen and moved to a more secure location, closer to the pavement. The truck stopped at a distance of five or six meters from me. And as soon as it stopped, they opened fire, without any warning.

I immediately hit the ground. It lasted for may be a minute, was hard to tell. The truck was moving all the time and shooting in all directions... I could not see what was happening on the square. When the shooting ceased, I got up and started running... People were fleeing from the square, the [sounds of] heavy shooting were coming from there, and two columns of smoke were rising into the air.⁸⁴

Numerous witnesses told Human Rights Watch that the attack on the square, like the previous attacks throughout the day, took place without any warning. Those interviewed said that the authorities did not make any announcements to order the massive crowd to disperse or to warn them of the upcoming attack, or to call on the gunmen to surrender. Certainly the Uzbek authorities could have issued warning calls, using the public address systems of the APCs or the helicopters flying overhead, or from the neighboring apartment buildings in which snipers were deployed. One of the demonstrators recalled: “No one from the government gave any warning. We were just waiting for a government representative [to come talk to us]. There were no announcements to leave the square,

⁸³ Galima Bukharbaeva, “Blood Flows in Uzbek Crackdown,” *Institute for War and Peace Reporting*, May 14, 2005.

⁸⁴ Human Rights Watch interview with “Bakhrom B.,” May 29, 2005.

and without any warning they just started to shoot.”⁸⁵ A second witness told Human Rights Watch: “There was no warning, they started shooting without any warning.”⁸⁶

The shooting [at the square] was very severe, and a lot of people died there. After this, the people were directed to go to the side of the old city,” recalled one survivor. Panic ensued in the crowd. A woman who had been in the crowd told Human Rights Watch: “There was a guy on the podium, and he was shouting, ‘Look! Look, people! At the back they are shooting at us! People are dying! Run away!’”⁸⁷

A journalist who was trying to escape along with a group of about a dozen people said that around 5:45 p.m. he heard heavy shooting right behind him. He said:

I turned around and saw an armored personnel carrier moving right on to us... We started running in the direction of the square, and we got very lucky—there was a park on our way, the side gates were open, and we ran in. I was counting from there—after the APCs, five URAL trucks passed by. As we were running through the park, we kept hearing heavy submachine gun fire. They were shooting at us, at all the people who were fleeing... We understood that a real carnage was happening there.⁸⁸

Human shields and the flight down Cholpon Prospect

Another survivor gave a detailed account of the chaos which ensued when government troops stormed the square, and of the failed effort by the armed militants to bring the massive crowd to safety by using the hostages as human shields:

Then the shooting started. We saw people falling down from the shooting, I saw a twelve-year-old boy killed next to me. People got up confused, saying “They are shooting us, people are dying!” After standing up, we ran to all sides. People were being shot as we ran, and fell down. The fellows who brought the prosecutors and tax inspector [to the podium] brought the people together. They told us not to be afraid—they would put the hostages in front of the crowd to cover us.

⁸⁵ Human Rights Watch interview with “Batir B.” (not his real name), Kyrgyzstan, May 27, 2005.

⁸⁶ Human Rights Watch interview with “Tolib T.” (not his real name), Kyrgyzstan, May 28, 2005.

⁸⁷ Human Rights Watch interview with “Dilarom D.” (not her real name), Kyrgyzstan, May 27, 2005.

⁸⁸ Human Rights Watch interview with “Bakhrom B.”, May 29, 2005

They told us [over the microphone] that when the soldiers saw the government people, they would not shoot us. We were directed towards Cholpon Prospect. I can't say how big our group was, we were running and pushing our way out of the square. If you ran into another direction, you were shot, so your life depended on staying with the group.⁸⁹

Two separate groups made their way into Cholpon Prospect: a first group of about three hundred persons, mostly men, with a large group of hostages in front of them, and a second, much larger group, which included many women, children and old men, and was surrounded by men trying to protect them and also headed by a group of hostages.⁹⁰ “At 6:00 p.m., the shooting started again, “Kamil K.” (not his real name), who was in the second group, told Human Rights Watch the following:

People were afraid they were being attacked. Two hundred or three hundred people took fifteen or twenty of the hostages in front of them, and headed towards Cholpon Prospect. ... There were about 500 meters between us and this first group, and we also had hostages in front of us, maybe six or so policemen.⁹¹

As the crowd moved into Cholpon Prospect and headed north, they immediately found their way blocked by three buses parked across it, at the crossing of Parkovaya Street. Some shots were fired at parts of the crowd from the area of the stadium to the right.⁹² The panicked crowd pushed aside the middle bus to allow people to pass through, but soon came under heavier fire as people moved ahead. “The shooting began again as we passed the buses. Automatic weapons were being fired at us from everywhere, from the roofs and behind the trees,” one survivor recalled.⁹³ A second witness told Human Rights Watch:

⁸⁹ Human Rights Watch interview with “Aziza A.”, Kyrgyzstan, May 25, 2005.

⁹⁰ Human Rights Watch interview with “Rustam R.”, Kyrgyzstan, May 21, 2005 (“There were two groups in the column: about 300 in the first group, and the rest of the people, 1,500 to 2,000 people, including women, children, and elderly people, were in the second group”); Human Rights Watch interview with “Marat M.” (not his real name), Kyrgyzstan, May 28, 2005 (“We left the square in two different groups. ... In the first group were 300, 400 people, in the second group were 3,000. The first group was mostly men, I don't know exactly who they were. The second group was behind because there were many women and children and so we had to [organize] to protect them”).

⁹¹ Human Rights Watch interview with “Kamil K.”, Kyrgyzstan, May 27, 2005.

⁹² Human Rights Watch interview with “Marat M.”, Kyrgystan, May 28, 2005.

⁹³ Ibid..

I saw a few buses in front of us that blocked the road. People pushed one of them aside and made their way through. The shooting resumed. I heard a scream behind me. I looked back and saw a man with half of his head. The shooting became heavier. The number of wounded was more than those killed. They fired at us with all kinds of weapons. There were [red] tracer bullets. People got down on the ground and the shooting stopped. Then we got up and walked again. After we walked twenty meters the shooting resumed.⁹⁴

The killing near School 15

The worst was still to come. Just a hundred meters ahead, APCs were parked across the road, effectively blocking the main escape route of the crowd, and trapping the crowd in a sniper alley. In front of the APCs, soldiers were laying down on the ground behind sandbags. As the first group reached this area, they were wiped out by the fire from the APCs, the soldiers behind sandbags, and soldiers shooting from the roofs of nearby apartments. The second group similarly came under heavy fire, causing massive casualties. “As we moved ahead on Cholpon Prospect, we saw the APCs and the soldiers lying down in front of them,” one survivor from the second group stated. “We were just shocked. It was like a bowling game, when the ball strikes the pins and everything falls down. There were flashes from the APCs, there were bodies everywhere. I don’t think anyone in front of us survived,” he said.⁹⁵ Another survivor recalled:

At School 15, in front of us were several armored cars at a distance of about 300 meters. They started shooting and people were screaming. We lay down, and some tried to run away. They were also shooting from the roofs of Cholpon Cinema. There were also soldiers on the ground [in front of the APCs] shooting at us. The street was full of blood.⁹⁶

All of the other witnesses interviewed by Human Rights Watch who had been present in Cholpon Prospect gave almost identical testimony of the heavy fire they faced when they came face to face with the APCs blocking Cholpon Prospect near School 15. “Yuldash Yu.”, a businessman freed during the prison break, told Human Rights Watch:

Most people died near School 15, near the Cholpon Cinema. There were armored cars there, and troops on the road. They were also shooting

⁹⁴ Human Rights Watch interview with “Ulugbek U.” (not his real name), Kyrgyzstan, May 21, 2005.

⁹⁵ Human Rights Watch interview with “Marat M.”, Kyrgyzstan, May 28, 2005.

⁹⁶ Human Rights Watch interview with “Muhamed M.”, Kyrgyzstan, May 27, 2005.

from the buildings. It was getting dark . . . The road was completely blocked ahead. We couldn't even raise our heads, the bullets were falling like rain. Whoever raised their head died instantly. I also thought I was going to die right there.⁹⁷

Almost all of the people in the first group to move up Cholpon Prospect were killed near School 15, and heavy casualties resulted in the second group as well. "When we came to Cholpon Cinema, we saw how the first group of [200 to 300] people had been shot dead," recalled one survivor of the second group.⁹⁸

As the fleeing people were trapped at the top of Cholpon Prospect, thousands of protesters were attempting to leave the square but became effectively trapped in a sniper alley behind the lead group, unable to flee to safety. As they attempted to move down Cholpon Prospect and were blocked from advancing, they came under constant fire from snipers located in the apartment buildings and a school lining the roads, as well as soldiers located in the trees along the road: "As we moved past the buses, we continued to head down Cholpon Prospect. Along the way, there were four and five-story buildings. They were shooting from those buildings' apartments, and about 100 people died here," one survivor recalled.⁹⁹ A second survivor said:

Some soldiers had climbed into the trees and the buildings and they were shooting down on us. I was in the middle of the crowd, a distance from the front. I had not yet gone past Cholpon Cinema. One man was killed right in front of me, he was shot in the head and we were covered with his blood. People went to lie down, but this did not stop the shooting.

There were two buses right near the square, at the beginning of Cholpon Prospect [blocking the road]. They did not block the street completely, we had some space [to sneak through]. They were shooting all around us, all around, even in the park. The whole Cholpon Prospect was a shooting gallery, they were shooting from the roofs of the apartments. They shot at people when they tried to move. I raised my head, and as

⁹⁷ Human Rights Watch interview with "Yuldash Yu.", Kyrgyzstan, May 26, 2005.

⁹⁸ Human Rights Watch interview with "Kamil K.", Kyrgyzstan, May 27, 2005.

⁹⁹ Human Rights Watch interview with "Faizullo F.", Kyrgyzstan, May 25, 2005.

soon as I did, they fired [on me]. Nobody could help anyone, because if you tried to move they would shoot at you.¹⁰⁰

Two of those interviewed told Human Rights Watch that the gunmen who were moving along with the crowd fired back at the government troops. One witness said:

When I walked with the crowd along the Cholpon Prospect I saw several armed men among us who fired at the soldiers. People shouted at them, 'Do not shoot! Do not shoot!,' but they did. They were in civilian clothes and walked aside from the crowd, hiding themselves closer to the houses.¹⁰¹

Another witness, "Shukhrat Sh." (not his real name) said, "First we sent the women and then we followed [onto Bainalminal street]. Two or three people with weapons stayed behind [on the corner], to cover the others, but they [gunmen] were killed."¹⁰²

The presence of gunmen in the crowd, and the fact that some of them fired at or returned fire from government forces, cannot possibly justify this wanton slaughter.

The heavy fire from the APCs and the snipers killed hundreds of protesters, as well as all but four of the hostages. One of the survivors recalled suddenly finding himself in front of the crowd as row after row of people was mowed down, and seeing a street of dead bodies ahead of him: "Ahead of us, I saw the road blocked by APCs, and there were 150 to 250 people dead in the street. ... The man right in front of me was shot and died."¹⁰³

Realizing that there was no escape on the main road, the survivors decided to veer right, onto the small Bainalminal Street, still facing heavy gunfire. As people around them were being shot down, the survivors ran for their lives. "Our women were the first to turn onto Bainalminal Street. There was a low fence at the sidewalk, and some of us jumped over the fence, but the people who followed broke it down. Many people of our group were killed there," one person recalled.¹⁰⁴ They left behind a street filled with bodies and wounded people.

¹⁰⁰ Human Rights Watch interview with "Aziza A.," Kyrgyzstan, May 25, 2005.

¹⁰¹ Human Rights Watch interview with "Abukadir A.," (not his real name), Kyrgyzstan, May 19, 2005.

¹⁰² Human Rights Watch interview with "Shukhrat Sh." Kyrgyzstan, May 27, 2005..

¹⁰³ Human Rights Watch interview with "Faizullo F.," Kyrgyzstan, May 25, 2005.

¹⁰⁴ Human Rights Watch interview with "Rustam R.," Kyrgyzstan, May 21, 2005.

The Flight from Andijan

A group of more than six hundred survivors made their way out of Cholpon Prospect, and remained together, deciding to flee to Kyrgyzstan. Much of the information in this report is based on the information of this single column of refugees, who fled Bobur Square together in one direction and entered what can only be described as the “killing zone” of Cholpon Prospect. It is not known what happened to the protesters who fled in other directions from the square, and it is possible that other significant casualties were caused by troops firing on those fleeing protesters, as well. The survivors of Cholpon Prospect made their way to Kyrgyzstan and lived to tell their stories. As Andijan remains sealed off at the time of the writing of this report, little is known about the fate of protesters who fled in other directions.

The fleeing survivors left with local residents, many of the wounded and others unable to make the fifty kilometer walk to the Kyrgyz border: “We had a lot of old and wounded people with us who couldn’t walk, so we left them at the gates of the houses, with the local people.”¹⁰⁵ It is not known what became of these wounded persons.

The Cholpon Prospect survivors walked throughout the night towards the border with Kyrgyzstan, remaining in a tight-knit group. One of the women with the group recalled the exhausting, desperate journey:

I was wearing high heeled shoes, and had to take them off and continue barefoot. It started raining and we were all wet. We walked on a gravel road, and we had to keep going. If you slowed down, the people behind you would just push you. We couldn’t use the toilet or drink water. We knocked on some doors, but the people just told us to go away, they were very afraid. It took eleven, twelve hours to walk to the border.¹⁰⁶

When the group reached the border town of Teshik-Tosh around 6:00 a.m., they did not know how to cross. Local villagers offered to show them the way. As they crossed a small hill, they came under fire from Uzbek soldiers or border troops, and two local villagers showing them the way were killed:

When we reached Teshik-Tosh, a villager said there was another way to Kyrgyzstan through the hills. We had to reach Kyrgyzstan by any means.

¹⁰⁵ Human Rights Watch interview with “Marat M.” (not his real name), Kyrgyzstan, May 28, 2005; Human Rights Watch interview with “Alimjon A.” (not his real name), Kyrgyzstan, May 28, 2005.

¹⁰⁶ Human Rights Watch interview with “Aziza A.” (not his real name), Kyrgyzstan, May 25, 2005.

He showed the road and we followed him. ... I was in the rear, in the front were mostly women. Troops were waiting for us up ahead, they were expecting us. We got ambushed, they opened fire on us. I myself saw three dead women, three dead men, and a dead child. A lot of people were wounded in the back, they were shot as they were running away.¹⁰⁷

Local residents in the Pakhtabad border area of Uzbekistan said that Uzbek authorities had warned them not to open their doors and that a large crowd of armed people were moving towards the area.¹⁰⁸ The crowd retreated to the village of Teshik-Tosh, where a nurse in the crowd attempted to save the wounded. In total, eight people were killed in the ambush, including thirty-six-year-old Odinakhan Teshebaeva, a mother of two, forty-three-year-old Hidaia Zahidova, twenty-two-year-old Makhbuba Egamberdieva, and a boy aged around nineteen.¹⁰⁹ Between eight and twelve people were wounded. The local villagers managed to arrange for ambulances to take away the wounded, but some of the wounded refused to go with the ambulances, afraid they would be arrested or killed if they remained in Uzbekistan.

Human Rights Watch investigated media reports that further unrest in Pakhtabad had resulted in the deaths of some two hundred persons. A visit to the town of Pakhtabad found no evidence of unrest there. It appears that the only incident in the area took place in the village of Teshik-Tosh, as described above, which is near the Pakhtabad administrative district.

Ultimately, after negotiating for safe passage into Kyrgyzstan, the group managed to cross safely to Kyrgyzstan, where they remain to date.

Lack of Medical Attention for the Wounded, and the Execution of Wounded Persons

Human Rights Watch was able to locate two survivors who were wounded but remained in Cholpon Prospect until the next morning, May 14. Both gave troubling accounts suggesting that throughout the night no ambulances were brought to evacuate the

¹⁰⁷ Human Rights Watch interview with "Rovshan R." (not his real name), Kyrgyzstan, May 27, 2005.

¹⁰⁸ Based on interviews conducted with residents by a local rights defender, name withheld, Pakhtabad, May 20, 2005.

¹⁰⁹ Human Rights Watch interview with "Gulnara G.", Kyrgyzstan, May 25, 2005; Human Rights Watch interview with "Muhamed M.", Kyrgyzstan, May 27, 2005; Human Rights Watch interview with "Razia R.", Kyrgyzstan, May 19, 2005.

wounded and, on the contrary, that people were simply left to die in the street. According to both witnesses, soldiers began to summarily execute the wounded during the morning of May 14.

“Rustam R.” was in the first group of people to arrive at the killing zone near School 15, and was shot in the arm but managed to crawl and hide in a nearby construction college. He told Human Rights Watch:

When the shooting started, the first rows fell. I lay on the ground for two hours, fearing to move. From time to time, the soldiers continued to shoot when someone raised their head. When it got dark, I was wounded in my arm and started crawling away. I got to the construction college and hid there for the night [and was unconscious much of the time].

Around 5:00 a.m., five KAMAZ trucks arrived and a bus with soldiers. The soldiers would ask the wounded, “Where are the rest of you?” When they would not respond, they would shoot them dead and load them into the trucks. There were no ambulances there. . . . Soldiers were cleaning the [area of] bodies for two hours, but they left about fifteen bodies on the spot.¹¹⁰

A second witness, one of the hostages who was in front of the first group, survived by remaining motionless under several dead bodies throughout the night. His testimony also shows that no ambulances came to collect the wounded throughout the night, and that soldiers continued to kill wounded persons:

[The shooting] lasted [sporadically] almost until the morning. . . . There were four dead bodies on top of me. When someone tried to get up, the shooting would start again. Close to morning, someone walked up to me, [touched me] and said in Russian, “Oh fuck, there are still people alive here!” He touched my leg and said, “He is still warm!” Apparently, he wanted to kill me. . . . Around 6:00 a.m., everything became very quiet. APCs started moving back and forth. Four of us were wounded [but survived]: a Ministry of Emergency guy, a fireman, a policeman, and myself. All of us were seriously wounded. I believe there were only four

¹¹⁰ Human Rights Watch interview with “Rustam R.” (not his real name), Kyrgyzstan, May 20, 2005.

of us alive in the area. Prosecutors arrived and were making video footage. They ordered us to lay there until our identities could be checked. The prosecutor and a policeman recognized me and they took us on a bus. As we were getting on the bus, I turned around and saw the bodies. There were many of them, on the road and the sides of the road.¹¹¹

A human rights activist from Andijan confirmed to Human Rights Watch that seventeen bodies remained in the street when he went to the area on the morning of May 14, and that all were muscular males. He believed the bodies had been left to create the impression that only militant-looking men had been killed, and to lower the official body-count of the incident.¹¹²

Another group of bodies was seen by witnesses near the hokimiat building on May 14. The bodies matched a similar profile. “Tursinbai T.” said:

I saw thirteen bodies not far from the hokimiat, near the Bobur statue. I was looking for my friends among them, but have not found anyone. All of these bodies were big men thirty to fifty years old. Their feet and jaws were already tied in accordance with Muslim tradition. Many people came there to look for their relatives among these bodies but I have not seen anyone taking any of the bodies from there.¹¹³

Later in the morning of May 14, Andijan residents who went out into the streets looking for their relatives and friends were able to observe unmistakable evidence of the night’s bloodshed. “Tursunbai T.” was one of them. He told Human Rights Watch:

The next day [May 14] I heard there were lots of bodies near School No. 15, and I went there. I got there before lunch time, but there were already no bodies there—I just saw blood, insides and brains everywhere on the street. In some places there were up to 1.5 centimeters of dried up blood on the asphalt. There were also lots of shoes—most of them looked really old and shabby, and there were

¹¹¹ Human Rights Watch interview with Kodirjon Ergashev, Andijan, May 24, 2005.

¹¹² Human Rights Watch interview with “Bakhit B.” (not his real name), Kyrgyzstan, May 20, 2005.

¹¹³ Human Rights Watch interview with “Tursinbai T.” (not his real name), Andijan, Uzbekistan, May 21, 2005.

some tiny kids' shoes there. Then I went to the hokimiat and saw the same scene there, plus lots of machine-gun and automatic gun shells.¹¹⁴

The Aftermath of the May 13 Shootings

The Government's Account of the Events

The government has characterized the Andijan events as an attempt by terrorists, motivated by an Islamist agenda and supported by foreigners, to seize power in Andijan.¹¹⁵ It has attributed all deaths to the gunmen and in public has not explicitly acknowledged any casualties inflicted by government forces.

The government rejects characterizing the gathering on Bobur Square as a “protest.” In his statement to the press on May 19, President Karimov said that after gunmen seized the weapons, the army barracks no. 34, and conducted the prison break, they gathered people at the hokimiat “and used them as human shields.”¹¹⁶ President Karimov also said that people were promised up to U.S. \$3,000 to go Bobur Square.¹¹⁷

President Karimov said that he personally went to Andijan to set up headquarters, consulted with local leaders, and sought to establish contact with the gunmen. Minister of Internal Affairs, Zokirjon Almatov, then was tasked with negotiating with the gunmen.¹¹⁸ As Karimov said at the press conference, the negotiations continued for the whole day until 5:00 p.m. when the gunmen rejected the last government proposal that would allow them to leave the city. They left the hokimiat building after they realized

¹¹⁴ Ibid.

¹¹⁵ In several public statements President Karimov blamed the violence on Islamic extremist and particularly Hizb ut-Tahrir (Party of Liberation, see below). In his press conference on May 14 President Karimov said that the unrest was led by “fanatic and extremist groups” who were trying to repeat in Uzbekistan the political upheaval that had taken place in Kyrgyzstan in March. “Their main intention was. . .to set up a branch of Utopian Muslim Caliphate.” Regarding the participation of foreigners, the president said that some of the gunmen and their weapons came from abroad. He also said “. . . Without help from outside, without foreign sponsors, they would not be able to commit such a crime. And without the funds they would not have been able to organize their action.” See, “Uzbek leader gives news conference on Andijon events - full version”, *BBC Monitoring Central Asia*, May 14, 2005.

¹¹⁶ “Uzbekistani President Details Negotiations with Andijon Rebels—Full Version,” Tashkent, Uzbek Television First Channel in Uzbek, May 19, 2005.

¹¹⁷ See, “Uzbek leader says no international probe into Andijon crisis,” *BBC Monitoring Central Asia* [online], May 25, 2005. President Karimov is quoted as saying, “There is money behind the lies. The investigation will show how people in Andijon were taken to the street with promises of \$1,000 or \$3,000. Their photos will be shown on TV, they will be shown speaking on TV.”

¹¹⁸ “Uzbekistani President Details Negotiations with Andijon Rebels—Full Version,” Tashkent, Uzbek Television First Channel in Uzbek, May 19, 2005.

that the military were surrounding them, he said. President Karimov said that after the gunmen left the hokimiat building, at about 7:40 p.m., government forces “pursued” them, and indicated that government forces fired only in response to gunfire from the gunmen.¹¹⁹

The government denies that military or internal affairs troops shot at fleeing protesters, and has attributed all deaths to the gunmen. Minister Almatov told diplomats and journalists visiting Andijan on May 18 that “the extremists. . .forced their way through the ring of law enforcement bodies using women and children doused [sic] with gasoline as a cover. The terrorists shot down dozens of peaceful people, including three ambulance doctors going by.”¹²⁰

The government has launched an investigation into “terrorism, attacking the constitutional order, murder, the organization of a criminal band, mass disturbances, the taking of hostages, and illegal possession of arms and explosive materials.”¹²¹ According to Xinhua news agency, the prosecutor’s office announced the arrest of fifty-two of ninety-eight people detained for the Andijan “riot.”¹²² To date, no government statement of which Human Rights Watch is aware has indicated that the criminal investigation will examine the government’s use of lethal force.

The Uzbek parliament has created an independent commission of inquiry into the Andijan events whose mandate includes “a thorough analysis of the actions of government and [law enforcement, security and military] structures, and a legal assessment.”¹²³

¹¹⁹ Ibid.

¹²⁰ “Foreign Diplomats and Journalists visit Andijan”, , May 19, 2005 [online] <http://www.uzreport.com/e/index.cfm?searching=1> (retrieved June 3, 2005) .

¹²¹ “General Prosecutor gives press conference,” The Times of Central Asia, [online], May 19, 2005.

¹²² “Death Toll in Uzbekistan’s Andijan unrest rises to 173,” Xinhua News Agency, [online] May 28, 2005.

¹²³ “The Formation of an Independent Commission to Investigate the Events in Andijan,” Resolution of the Legislative Chamber of the Oili Majlis [parliament] of Uzbekistan, May 23, 2005. <http://www.gov.uz/ru/content.scm?contentId=12831> [accessed June 2, 2005] “The commission has been entrusted to conduct careful investigation of all circumstances of Andijan events, deep and all-round analysis of their development, revealing the reasons and conditions that led to tragic events on 13 May of this year, revealing basic relationships of causes and effects of these events, and also those forces which are behind these criminal acts those led to human casualties. The deputies have charged the commission to carry out the all-round analysis of actions of the government and the law enforcement agencies, to give them legal assessment, and also regularly inform the parliament and the public on the course of investigation, including through mass media.” www.gov.uz/en/content.scm?contentId=12881

President Karimov has categorically rejected an international investigation, suggesting that it would be inconsistent with Uzbekistan's sovereignty, that it would cause further upheaval, and would be biased.¹²⁴

Unknown Fate of the Bodies

One of the enduring mysteries of the Andijan events is the fate of the bodies of those killed. After the authorities removed most of the bodies from the streets during the night of May 13, they delivered some of them to at least one official and several ad-hoc morgues. Some of the bodies were buried by the authorities in the following days rather than being handed over to the families for burial, probably because the morgues did not have the storage capacity for all of the bodies.

While some families managed to find the bodies of their relatives in the streets immediately after the killings or later in the local morgue, as of this writing it is unclear where most of the bodies were taken. Human Rights Watch was unable to verify persistent rumors about mass graves in various locations outside of the city, yet a large number of the bodies clearly did not end up in the local morgue. A law enforcement official who was among the team collecting the bodies told his relative that:

I was called in on May 14 and we were loading the bodies – from the square and the avenue [Cholpon Prospect]. I think there were about 500 bodies there. We first brought them in three URAL trucks to the morgue, but there was no space there, and the trucks had to leave. I was not with the group that drove [the bodies] away from the morgue, but colleagues said they were taken to Bogshamal [an area outside Andijan where there is a cemetery].¹²⁵

Several other witnesses also mentioned a rumor that some bodies were buried near the Bogshamal cemetery.¹²⁶ This and other suspected burial places were off limits for journalists and human rights workers. A journalist who tried to investigate the Andijan

¹²⁴ See, Uzbek leader says no international probe into Andijon crisis," BBC Monitoring Central Asia [online], May 25, 2005. President Karimov is quoted as saying, "Uzbekistan is a sovereign state, it has its own gates and dorrsteps . . . its own constitutional system, elected government and elected president. . . .How could a commission from outside come and . . .be compromised by them, and they would . . .make another upheaval and draw their own conclusion and cry to the entire world. I can even say in advnce what their conclusions would be. The conclusions would be no different from those in Chechnya and other countries. Their aim is to label us with what we have not done, and, after they do so, we would be responsible for it. . . .And as if we are a guilty country and, as a poor thing, beg them for forgiveness." Uzbek

¹²⁵ Human Rights Watch interview with the relative, Andijan, May 23, 2005.

¹²⁶ Human Rights Watch interview with "Tursinbai T.", Andijan, May 21. 2005.

slaughter cited a Bogshamal cemetery caretaker saying that thirty-seven bodies had been buried by government workers in a nearby field. The journalist, who reportedly visited sixteen cemeteries in Andijan, said he had found only sixty-one graves of the people allegedly killed in the city during the May 13 events.¹²⁷

It is unclear whether any investigative activity preceded the removal of the bodies from Cholpon Prospect on May 14 and whether the necessary forensic and ballistic examinations, such as on-the-spot photographing, identification, or collecting of material evidence (clothes, bullet shells, etc.) have been undertaken. Aside from one person who mentioned that law enforcement officials were shooting video footage on Cholpon Prospect in the early morning, none of the three other witnesses whom Human Rights Watch interviewed who saw the crime scene the next day observed any of these measures taken. The fact that some of the bodies of militant-looking men were left in Cholpon Prospect and near the hokimiat building (see above) suggests that the government might have already started arranging the evidence at that point to corroborate its version of the events.

It does appear that a number of the bodies were photographed at some point to help with identification, as some relatives looking for the missing were given stacks of photographs of individual corpses to look through.¹²⁸ It is unclear, however, whether the authorities took steps such as compiling full lists of those killed, notifying relatives, or keeping track of identification documents found on corpses, all measures to facilitate people's efforts to locate and identify dead relatives.

The way the bodies were removed from the streets and handled made it very difficult for families to find the bodies of their relatives and bury them. The family of twenty-five-year-old "Khasan Kh." (not his real name), who was killed while trying to return home from the Old Market, where he worked, found his body in the morgue after several days of searching. His relative said:

We were looking for him everywhere around the city, and then we went to the morgue on Semashko street. Lots of bodies were piled up there, with their insides out. There were so many bodies there — we kept looking for a long time. We hardly found him —there was almost nothing left from his head, we recognized him by his clothes. There were soldiers and policemen in the morgue. They asked, 'who was your

¹²⁷ Burt Herman, "Questions Linger Over Bodies," *The Moscow Times*, May 26, 2005.

¹²⁸ Human Rights Watch interview with "Saiora S." (not her real name), Kyrgyzstan, May 26, 2005.

son?’ We told them he was just a tradesman in the market and then they told [the morgue workers] to give the body to us.¹²⁹

Almost two weeks after the events, some families were still looking for their relatives. “Orzibeka O.” (not her real name) told Human Rights Watch that she has not seen her fifteen-year old son since 5:30 p.m. on May 13 when he left with his friends to see what was happening in the city. She was waiting for him all night and went to look for him at dawn the next day. She said:

First I went to Sai [area]. Other people also came there to look for their relatives. I heard that about forty dead bodies were there. But I did not find him there. I also checked in all hospitals and morgues, but he was not there. When I looked through the lists in the morgue, I saw 390 names but I did not see my son’s name among them.¹³⁰

The woman eventually came to Kyrgyzstan hoping that her son might have been among the refugees who fled across the border after the May 13 events. However, she did not find him in the camp.

Media reports also suggested that many families never found their relatives or their relatives’ bodies after the events.¹³¹

The morgue in Andijan remained practically off limits for any human rights workers or journalists. Several journalists said that their attempts to enter the morgue and receive official information from its staff proved futile, as they or their local colleagues helping them were prevented from entering the premises by plainclothes security officials.¹³²

Andijan cemeteries, where some of the victims of the killings have been buried over the last weeks, are also being closely watched to prevent the spread of information about the dead. In one of the areas of Andijan visited by Human Rights Watch, local residents

¹²⁹ Human Rights Watch interview with a relative of “Khassan Kh.”, Andijan, May 23, 2005.

¹³⁰ Human Rights Watch interview with “Orzibeka O”, Kyrgyzstan, May 22, 2005. “Orzibeka O.” said that the names were numbered. She did not know, however, whether the numbering system referred to the total number of dead from May 13, or whether it corresponded to some other time period.

¹³¹ See e.g., David Holley and Sergei L. Loiko, “Lethal Clashes in Uzbekistan Sow Fear for the Fates of the Missing; Many are unaccounted for after last week’s protest, which ended in bloodshed. A key Islamic dissident is reportedly arrested,” *Los Angeles Times*, May 20, 2005.

¹³² Human Rights Watch telephone interview with Andrei Babitski, May 26, 2005. See also, Burt Herman, “Questions Linger Over Bodies,” *The Moscow Times*, May 26, 2005.

warned us not to go to the local cemetery where there were visibly fresh graves, because “there is an informant sitting near the gates watching for any strangers who come to the cemetery.”¹³³ Passing by the cemetery gates, Human Rights Watch indeed saw a man matching the description provided by the residents.

The fate and the actual number of the wounded also remain unknown to date. Uzbek officials referred to 276 people who “sought medical attention” after the May 13 shooting in Andijan.¹³⁴ The actual number, however, is likely to be much higher.

Several witnesses who were in Andijan hospitals on May 13 for different reasons said they saw “lots and lots” of wounded being brought there, but nobody knew the exact number.¹³⁵

When a group of journalists decided to visit a local hospital on the morning of May 14 to seek information about the wounded, they saw that the hospital was surrounded by “the military and APCs.” A member of this group later told Human Rights Watch:

[The soldiers] pointed their guns at us and said, ‘Go away.’ While my colleagues tried to talk to the soldiers, I saw a doctor who stepped out of the hospital. He looked very tired. I asked him how many wounded [there were]. He said that ninety-six persons were brought during the night. I asked him, ‘how many killed?’ He said he could not tell. I asked, ‘twenty?’ He was silent. I went on, ‘thirty? fifty?’ He said, ‘more.’ I asked, ‘hundred?’ He said, ‘I don’t want to talk about it; lots and lots...’ He said most were civilians, and added that at night he was operating on a pregnant woman who was hit by a bullet while she was walking along a street.¹³⁶

A worker from one of the hospitals told Human Rights Watch that when he came to work on May 14 he was not allowed in and was told to “go home and rest.” He said that when he got to the hospital on May 16, there were already no wounded there— the

¹³³ Human Rights Watch interview, Andijan, May 23, 2005. The witness requested not to be indicated by any name.

¹³⁴ Sergei Ezhkov, “Uzbekskie Prokurori Vstretilis s Pressoi” (Uzbek Procurators Met With Press), *Arena*, May 27, 2005 [online], <http://www.freeuz.org/news/?id1=471> (retrieved May 27, 2005).

¹³⁵ One of the witnesses was in the Andijan regional hospital with her daughter who got sick on May 13; another was a woman wounded on the night of May 13; the third was a person working in one of the hospitals. All three interviews were taken on May 21, 2005.

¹³⁶ Human Rights Watch interview with “Madamin M.” (not his real name), May 30, 2005.

doctors told him that all of the wounded from various hospitals were moved to one hospital—he believed it was Regional Emergency Hospital (*Oblastnaia Bolnitsa Skoroi Pomoschi*). The hospital, he was told, was heavily guarded by SNB agents who watch everyone coming in.¹³⁷

City Sealed Off

Prompt removal of the bodies from city streets was followed by a thorough cleaning and covering up of the traces at the sites where major shooting took place. Witnesses said the government used fire trucks and water cannons to wash the blood off the streets; buildings with the most bullet marks on the walls were quickly painted over and windows were replaced.¹³⁸

At the same time, access to Andijan was essentially closed to obvious strangers, with numerous checkpoints established on all of the main roads leading to the city. Ten days after the events, the checkpoints were still in place, at every entrance to the city, and along the roads. While traveling to the city, a Human Rights Watch researcher went through six checkpoints on one of the roads in just one hour. Travelers to the city also undergo thorough searches and document checks.

Nearly two weeks after the events, all over the city Human Rights Watch saw large groups of young men wearing blue camouflage uniforms and closely monitoring the streets. Local residents said that these were mostly students hired shortly after the shooting as “people’s militias” to monitor and prevent any suspicious activity in the streets.¹³⁹

Intimidation of Witnesses

An essential part of the Uzbek authorities’ cover-up strategy was to ensure that numerous participants and witnesses to the May 13 events keep silent.

A prominent Andijan-based human rights defender, name withheld, and his colleague, “Bakhit B.,” (not his real name) told Human Rights Watch that on May 13 and the day after people were still willing to share what they saw or experienced, but several days

¹³⁷ Human Rights Watch interview with “Tursinbai T.,” Andijan, May 21, 2005.

¹³⁸ Human Rights Watch interview with “Tursinbai T.,” Andijan, May 21, 2005;

Human Rights Watch interview with “Karim K.” (not his real name), Andijan, May 22, 2005.

¹³⁹ E.g., Human Rights Watch interview with “Karim K.,” Andijan, May 22, 2005.

later a large-scale state effort to silence the witnesses attained remarkable results. “Bakhit B.” said:

During the event, people were running to you to give an interview, and at present they run away and say ‘we just want to live in peace.’ They say ‘Karimov and Alamatov on TV said that they know everybody who gives information; Alamatov said they know all telephone numbers of the people who gave details and information [to journalists] and they will deal with them.’¹⁴⁰

Most witnesses interviewed by Human Rights Watch in Andijan clearly feared government retribution for speaking about the events. They insisted that Human Rights Watch not release their names or any details that may allow the authorities to identify them. A woman who was wounded and lost two family members on May 13 told Human Rights Watch:

I am so scared, I don’t want anything, I don’t want any justice. Don’t tell our names, don’t say you came to our house—just say you heard about what happened to us from other people.¹⁴¹

Many other people refused to talk even on condition of anonymity. Several people told Human Rights Watch that police had explicitly warned them not to talk to journalists or other “outsiders.” One person told Human Rights Watch:

Last night there was an [identification] check throughout the neighborhood. Several policemen were checking the documents in every house. They warned us, “If the journalists, correspondents come— you should not tell them anything, otherwise we will find you.”¹⁴²

People from several different neighborhoods of Andijan told Human Rights Watch that “spies from *maballa* committees” are watching closely for any strangers coming to the

¹⁴⁰ Human Rights Watch interview with “Bakhit B.”, Kyrgyzstan, May 20, 2005.

¹⁴¹ Human Rights Watch interview with “Farida F.” (not her real name), Andijan, May 23, 2005.

¹⁴² Human Rights Watch interview, Andijan, May 23, 2005. The witness requested not to be indicated by any name.

neighborhood and especially visiting the families whose relatives were killed during the May 13 shooting.¹⁴³

Relatives of persons who have fled to Kyrgyzstan are also being pressured by the Uzbek security services. Human Rights Watch met one elderly man who had come from Andijan to the Kyrgyz refugee camp to try to convince his relatives to return home. He explained to his relatives that Uzbek security services were going house to house in the neighborhood, checking whether every person in each house was accounted for, confiscating the passports of missing people. He had been pressured to come to Kyrgyzstan to urge his relatives to return to Andijan. The relatives refused, and the elderly man unsuccessfully tried to convince the authorities to allow him to stay in the camp, because he was afraid he would face further problems with the Uzbek security services if he returned without his relatives.¹⁴⁴

Preventing the Flow of Information

Immediately following the May 13 protest and killings, Uzbek authorities imposed a strict clampdown on media coverage of the events, effectively banning journalists from entering the city and taking harsh measures against those who tried to report openly on the events.

First, authorities made sure to deal with the journalists who happened to witness the killings in Andijan, confiscating materials they managed to gather and blatantly threatening them. One journalist who was closely following the May 13 events in Andijan and stayed in the city through the night with several of his colleagues, told Human Rights Watch:

[In the morning of May 14] we were brought to a police station where we spent about three hours. They told us it was unsafe for journalists in the city, and that there were lots of fighters in the streets. They wrote down the information from our passports.... Then three men in camouflage uniforms with no insignia searched us. They confiscated memory cards from a photo camera, a cheap digital camera, and tapes from tape-recorders... They requested that I show the photo files from

¹⁴³ Human Rights Watch interview with "Bakhit B.", Kyrgyzstan, May 20, 2005; Human Rights Watch interview with "Tursunbau T." Andijan, Uzbekistan, May 21, 2005; and Human Rights Watch interview with "Farida F.", Andijan, May 23, 2005.

¹⁴⁴ Human Rights Watch interview with "Muhammed M." and his father, Kyrgyzstan, May 27, 2005.

my cell phone, asked me to produce my laptop computer, and took a CD.

Then they put us into a bus and brought us to the Elite hotel. As we were leaving the bus, a guy in civilian clothes approached one of my colleagues and said, “They are foreigners, and you are a local, you probably understand what may happen [to you]. You all have thirty minutes to leave the city; otherwise, we are not responsible for your safety.”

We discussed that with colleagues and decided that we should leave, because there may be a provocation against us, and we left Andijan.¹⁴⁵

Journalists who tried to get to Andijan in the days following the killings encountered considerable obstacles.

A crew from the Russian television station REN-TV tried to get to Andijan on May 14, 2005. The journalists were first stopped and briefly detained in a village near the city of Namangan, and then again at one of the checkpoint at the entrance to Andijan. REN-TV correspondent Dmitri Iasminov told Human Rights Watch:

At the checkpoint they requested the tapes [the crew had filmed the checkpoint], and we had to delete the recording immediately. [The security officials] then told us that they were not allowed to take footage and should leave immediately. It was late, and we decided to spend the night in the Namangan hotel—there we were closely watched by the local criminal police who had breakfast with us and made sure we left the town.¹⁴⁶

The journalists returned to Tashkent the next day to acquire accreditation. Shortly afterwards, a press secretary of the Russian embassy in Tashkent told the crew that they should leave the country immediately because “Uzbek authorities were seriously displeased with them.” Realizing that they would not be allowed to work any further, the journalist left the next day.¹⁴⁷

¹⁴⁵ Human Rights Watch interview with “Bakhrom B.” (not his real name), May 29, 2005.

¹⁴⁶ Human Rights Watch telephone interview with REN-TV correspondent Dmitri Iasminov, May 28, 2005.

¹⁴⁷ Ibid.

The British newspaper, *The Independent*, reported on May 16 that it “made two attempts to by-pass the checkpoints around the city” but its reporter “was briefly threatened with detention and then escorted to the nearby city of Namangan, under the guard of a man who identified himself as a police colonel.”¹⁴⁸

Another foreign journalist, *Associated Press's* Burt Herman, who managed to get into Andijan, wrote in one of his reports that he interviewed several families whose relatives were killed during the May 13 violence, but “details of those interviews were lost when officers confiscated the AP reporter's notebook after physically threatening him.”¹⁴⁹

Radio Liberty's Andrei Babitski told Human Rights Watch that he managed to get to Andijan without revealing that he was a journalist, and worked there for several days by not drawing any attention to himself. On May 18, however, he was approached by an official who requested his documents and then “recommended” that he leave Andijan. Babitski left the next day.¹⁵⁰

While blocking journalists from entering Andijan and suppressing every effort to report on the events independently, Uzbek authorities responded to growing international concern by demonstrating that they have nothing to hide, and organized a tour for diplomats and journalists to Andijan on May 18.

About sixty diplomats and journalists, mostly representing official Russian media (TV Channels 1 and 2, ITAR-TASS, *Rossiiskaia Gazeta*, and the like) were taken to Andijan on a special plane from Tashkent and driven across Andijan in the course of approximately one hour, accompanied by heavily armed special forces troops. The participants were shown the major sites of “rebel” attacks—the prison and the hokimiat.

According to media reports, the only witness diplomats and journalists were allowed to talk to was the father of one of the killed policemen who spoke supportively of the actions of the government to fight off the terrorists.¹⁵¹ Uzbek TV channels aired this conversation many times thereafter.

¹⁴⁸ Peter Boehm and Daniel Howden, “Slaughter in the Streets: Hundreds of Bodies Lie in Schoolyard as Regime Seeks to Blame ‘Islamist Rebels,’” *The Independent*, May 26, 2005.

¹⁴⁹ Burt Herman, “Questions Linger Over Bodies,” *The Moscow Times*, May 26, 2005.

¹⁵⁰ Human Rights Watch telephone interview with Andrei Babitski, May 26, 2005.

¹⁵¹ “Uzbekistan carefully conceals traces of the uprising from foreign diplomats and reporters,” *Pravda*, May 19, 2005.

People later alleged that prior to the official visit, authorities explicitly prohibited people from showing up in the streets along the tour's path or attempting to talk to the visitors.¹⁵²

Western diplomats expressed disappointment about the visit to Andijan, complaining about the short term and limited nature of the visit. However, when they tried to emphasize the need for further visits and investigation, the Uzbek president unequivocally stated that the tour was "enough."¹⁵³

Meanwhile, state-run Uzbek media incessantly disseminated the government version of events, putting the blame for the violence exclusively on the "terrorists and extremist elements," persuading the public that the government response was necessary and adequate, accusing foreign media and international organizations of disseminating false information about the events, and warning citizens against participating in any mass protests, even as on-lookers, as it may result in "tragic consequences."¹⁵⁴

With foreign journalists denied access to Andijan and Uzbek media strictly censored, local stringers and Andijan-based human rights activists became the most important source of information for the outside world, especially in the first days after the events. These journalists and human rights defenders, who witnessed the events and dared to speak publicly about them, faced serious consequences. Some had to flee the country shortly after their first reports were published, having received death threats.

One of the most outspoken human rights defenders, Saidjahon Zainabidinov, whose description of the killings in Andijan was widely reported in the media, was arrested on May 21 and remains in custody to date.¹⁵⁵ He is charged with slander, which is punishable by up to three years of imprisonment.

The Andijan province branch of the human rights group Ezgulik (*Goodness*) reported that on May 20, 2005, the authorities beat and harassed two Ezgulik members as they conducted independent research on the events in Andijan. Ulugbek Bakirov and Fazliddin Gafurov were on their way to interview witnesses of the Andijan demonstrations and relatives of those killed when they were stopped by three men in

¹⁵²Based on interviews conducted by a local rights defender, name withheld, Andijan, May 19, 2005.

¹⁵³See e.g., "No Inquiry into Clashes: Uzbekistan," TV World News Transcripts, May 20, 2005.

¹⁵⁴See e.g., Uzbek TV Channel One, news program in Russian language, May 24, 2005.

¹⁵⁵For more information on Zainabidinov's detention see "Uzbekistan: Rights Defender in Andijan Arrested Crackdown on Activists Follows Demonstrations," Human Rights Watch press release, May 24, 2005.

plainclothes who followed them in a car without a license plate. According to Ezgulik, the men got out of the car and asked Bakirov and Gafurov where they were going. One of the men grabbed Bakirov and began hitting him. Gafurov intervened and was also beaten by the men, reportedly suffering a concussion and an injury to his left shoulder.¹⁵⁶

On May 28, 2005, a group of six armed policemen broke into the house of Dilmurod Muhitdinov, head of the Markhamat district branch of Ezgulik and one of the public defenders of the twenty-three businessmen. Police seized human rights documents, the program and charter of the unregistered *Birlik* (Unity) opposition party and a computer belonging to Ezgulik. Musozhon Bobozhonov, Muhitdinov's assistant, was treated in the same way by the police. That day the police team also visited Mukhammadqodir Otakhonov, an activist of the Uzbek branch of the International Human Rights Society, and detained him. All three activists remain in Asaka district internal affairs custody in Andijan province. All three are being charged under article 244-1 of the criminal code ("preparing or distributing materials that threaten public safety and order").¹⁵⁷

The Human Rights Context of the Andijan Events

President Karimov has presided over an increasingly restrictive and abusive government. Authorities tightly control the population and harshly punish dissent. The government's campaign to arrest so-called Islamic fundamentalists, which the government considers an important counterterrorism measure, has resulted in wide-spread persecution of religious and secular dissidents. Cities in the Fergana Valley, including Andijan, have been particularly hard-hit by government repression. Worsening economic conditions throughout the country have further exacerbated people's suffering and discontent.

Terrorism and Political Violence in Uzbekistan

The Uzbek government has placed the Andijan events in the framework of terrorism and has argued that its perpetrators were terrorists with an Islamic "fundamentalist" agenda. Human Rights Watch research found no evidence to support the notion that the attackers who seized the prison and government buildings or the protesters on Bobur Square were in any way motivated by an Islamist agenda.

¹⁵⁶ "Human Rights Defenders Beaten Up," Ezgulik press release, May 20, 2005 [online], at www.ezgulik.org (retrieved June 2, 2005).

¹⁵⁷ "Aresty Pravozaashitnikov v Andizhane Prodolzhaitsia" (Arrests of human rights activists in Andijan are going on"), Ezgulik report, May 29, 2005 [online], <http://www.ezgulik.org/news.php?id=197&status=1> (retrieved May 31, 2005).

This does not minimize the acts of terrorism and political violence Uzbekistan has endured in recent years. In 1999, bombings of government buildings in Tashkent killed more than a dozen people and wounded many others; the government blamed the bombings on the Islamic Movement of Uzbekistan (IMU), independent Muslim leaders, and members of the secular political opposition. The country also faced incursions in 1999 and 2000 by the IMU, an armed group that had been based in Afghanistan (and at times in Tajikistan), that had links with the Taliban, and was routed with it in 2001 by U.S.-led forces in Afghanistan. The IMU has been designated by the U.S. government as a terrorist organization.

In late March and early April 2004, a series of explosions directed against police officers in Tashkent and Bukhara, combined with shoot-outs between gunmen and police, resulted in the death of forty-seven people. Four of the dead were innocent bystanders, ten were police officers, and the rest were perpetrators, most of whom were killed either in shoot-outs or in an explosion in a house that the government has said was used to make bombs. The government accused Hizb ut-Tahrir (see below), of orchestrating the violence.

On July 30, 2004, bombs exploded near the U.S. and Israeli embassies and the General Prosecutor's office in Tashkent, killing four police and security officials, as well as the suicide bombers.

Uzbekistan's Human Rights Record

Civic freedoms

Uzbekistan has faced growing public criticism over its dismal human rights record that is long-standing and well-documented, with major violations of the rights to freedom of religion, expression, association, and assembly.¹⁵⁸ In response to such pressure, the government has made some incremental reforms in legislation, for instance in torture reform, but these have not been implemented in practice or translated into more

¹⁵⁸ See for example, Human Rights Watch, "Persecution of Human Rights Defenders in Uzbekistan," Human Rights Watch briefing paper May 1, 2003. Available at: <http://hrw.org/backgrounder/eca/uzbek050103-bck.htm>. "Uzbekistan and the EBRD: Progress Report on the Human Rights Benchmarks", Human Rights Watch briefing paper March 23, 2004. Available at <http://hrw.org/backgrounder/eca/uzbekistan/2004/>. "Uzbekistan's Reform Program: Illusion or Reality?" International Crisis Group, Asia Report No. 46, February 18, 2003. Available at: http://www.icg.org/library/documents/report_archive/A400894_18022003.pdf. "Uzbekistan 2004 Report," Amnesty International, January 2004. Available at: <http://web.amnesty.org/report2004/uzb-summary-eng>. "The Worst of the Worst: the World's Most Repressive Societies 2005," Freedom House, Special Report to the 61st Session of the United Nations Commission on Human Rights, Geneva. Available at: <http://www.freedomhouse.org/research/mrr2005.pdf>.

systemic change. Moreover, they have been undermined by other setbacks to human rights, particularly the deepening of restrictions on civil society the government imposed following public uprisings in Georgia (2003) and Ukraine (2004).

The government of Uzbekistan exercises tight control over most aspects of public life and imposes restrictions on all avenues of peaceful civic participation. It has a long record of formal and informal censorship of the media, intimidating independent civil society activists, severely restricting public demonstrations, and banning political parties that are not loyal to the government. These restrictions violate fundamental rights and stifle peaceful outlets for citizens' expression and participation, essential to accountable government and the rule of law.

The government has refused to register all genuine opposition political parties and elections are empty exercises. Although five registered political parties participated in Uzbekistan's December 2004 parliamentary elections, all of them publicly supported the policies of the president and current administration, offering voters no real choice.¹⁵⁹ The government formally lifted pre-publication censorship in 2002, but continues to exercise control over media to restrict critical content. No independent media operate in Uzbekistan, and editors and journalists practice self-censorship. The government still restricts undesirable content through intimidation and by bringing arbitrary lawsuits against journalists, editors, and media outlets for criminal libel, or purported violations of tax and registration regulations.¹⁶⁰

Following the popular uprising in Georgia, the environment for Uzbekistan's nascent civil society has grown increasingly hostile, as the government tightened restrictions on local and international nongovernmental organizations (NGOs), harassed and arbitrarily detained human rights defenders, broke up peaceful demonstrations, and tightened restrictions on international NGOs.¹⁶¹

¹⁵⁹ Organization for Security and Cooperation in Europe (OSCE) Office for Democratic Institutions and Human Rights (ODIHR), "Republic of Uzbekistan, Parliamentary Elections 26 December 2004, OSCE/ODIHR Limited Election Observation Mission Report." Available at: www.osce.org/documents/odihr/2005/03/4355_en.pdf.

¹⁶⁰ For example, on April 13, 2005, authorities in Tashkent arrested Sobirjon Yaqubov, a journalist for the newspaper *Hurriyat*; he is being charged with attempting to overthrow the constitutional system of Uzbekistan (article 159 of the Criminal Code of Uzbekistan), on what appear to be politically motivated grounds. On April 23, Ulugbek Haidarov, a journalist for IWPR was beaten by unknown assailants while waiting at a bus stop in Jizzakh, suffering a broken arm. According to Haidarov, the assailants yelled "we'll teach you how to write," suggesting that he was targeted for his articles critical of the local government.

¹⁶¹ Human Rights Watch, *World Report: Events of 2004*. (New York: Human Rights Watch, 2005), p.446-451.

The government for the first time registered an independent local human rights organization in 2002, and registered another in 2003. The authorities have included some human rights defenders in roundtable events with government officials but at the same time steadfastly refuse to allow independent domestic human rights groups to register, restricting their operation and rendering them vulnerable to harassment and abuse, including physical assault, arbitrary detention and house arrest. Uzbek authorities have harassed, detained or held under effective house arrest activists who attempt to stage demonstrations.

Since the May 13 killings in Andijan the authorities have arrested at least five human rights defenders in connection with the Andijan events and have harassed and intimidated others. Saidjahon Zainabitdinov, chair of the group “Appeliatsia,” was arrested on May 21 and has reportedly been charged with inciting the May 13 demonstration through an article he published on the Internet.¹⁶² Zainabitdinov had spoken out about the killings on May 13 to the press and was cited by foreign news outlets. On May 23, Sobitkhon Uztabaev was arrested in Namangan, after he announced a hunger strike to protest the May 13 killings. And on May 28, Mukhammadqodir Otakhonov, Dilmurod Muhiddinov, and Musazhon Bobozhonov, all from the Andijan branch of the human rights group Ezgulik, were arrested. The men are being charged under article 244-1 of the criminal code (“preparing or distributing materials that threaten public safety and order”).¹⁶³

Also, authorities in Tashkent and Jizzakh, in central Uzbekistan, have harassed and intimidated human rights defenders, warning them not to plan or participate in public protests.

Torture

Uzbekistan has no independent judiciary and torture is widespread in pre-trial detention and post-conviction facilities. Prison conditions are atrocious. In 2003, the United Nations Special Rapporteur on Torture, Theo van Boven, called the use of torture “systematic” in Uzbekistan.¹⁶⁴ Torture and ill-treatment remain pervasive throughout the

¹⁶² The internet article was a rebuttal of an article in another outlet calling Akramists terrorists. A copy of the article is on file with Human Rights Watch.

¹⁶³ “Aresty Pravozashitnikov v Andizhane Prodolzhaitsia” (Arrests of human rights activists in Andijan are going on”), Ezgulik report, May 29, 2005 [online], <http://www.ezgulik.org/news.php?id=197&status=1> (retrieved May 31, 2005).

¹⁶⁴ Report of the Special Rapporteur on the question of torture, Theo van Boven, submitted in accordance with Commission resolution 2002/38, Mission to Uzbekistan, February 3, 2003. E/CN.4/2003/68/Add.2. Available from: [http://www.unhcr.ch/Huridocda/Huridoca.nsf/0/29d0f1eaf87cf3eac1256ce9005a0170/\\$FILE/G0310766.pdf](http://www.unhcr.ch/Huridocda/Huridoca.nsf/0/29d0f1eaf87cf3eac1256ce9005a0170/$FILE/G0310766.pdf).

Uzbek criminal justice system, and occur with near-total impunity. Although the government claims to have increased prosecutions of law enforcement officials for using torture and other illegal methods, no information about these convictions has been made available, despite requests, rendering them impossible to verify. Countless reports of torture remain without remedy; legal safeguards against torture that have been introduced are rarely implemented in practice, despite persistent recommendations to that effect by international monitoring bodies. For example, judges routinely admit confessions as evidence even when defendants allege that the confessions were coerced or obtained under torture or mistreatment, despite rules that prohibit the admission of any evidence gained through the use of torture.

Religious Persecution

The arrest and trial of the twenty-three businessmen on charges of “religious fundamentalism,” which set off events off the events of May 13, should be seen in a much broader context. Throughout the past ten years, the Uzbek government has imprisoned as many as 7,000 people on charges of religious “extremism” or “attempt to overthrow the constitutional system.” The government first justified this tight control over religion as necessary in defense of a secular state, and then, in the late 1990’s, as necessary to the fight against terrorism. However, the targets of the campaign are nonviolent believers who preach or study Islam outside official institutions and guidelines.

The government repression that has attended this campaign against *independent Muslims*—those who practice their faith independent of government-sanctioned mosques and other government religious institutions—has included illegal arrest and torture, sometimes resulting in death. The accused have faced unfair trials and lengthy terms in prison under inhumane conditions. Family members of those targeted have also been detained, tortured, threatened, and stigmatized.

Arrests of independent Muslims have occurred nationwide, but the overwhelming majority have taken place in Uzbekistan’s capital, Tashkent, and the Fergana Valley cities of Andijan and Namangan.¹⁶⁵

¹⁶⁵ The overwhelming majority of cases documented by Human Rights Watch and the Russian rights group Memorial involved the arrest of people from these regions. The Minister of Internal Affairs, Zokirjon Almatov, head of the agency responsible for carrying out many of the arrests, acknowledged this regional targeting. Speaking of “criminals” acting under the influence of “extremist religious groups” the minister said, “Investigations have shown that those who have committed crimes are mainly citizens who live in Tashkent, Andijan, and Namangan regions.” Uzbek Radio first programme, January 27, 2000, English translation in BBC Monitoring, January 27, 2000.

Over the years, the scope of the campaign has been expanded from a focus on independent-minded and popular spiritual leaders to anyone in the religious community who expresses dissent with the policies of the Karimov government.

Religious activity deemed deviant by the state has included studying Arabic in order to read the Koran in its original language, sticking strictly to the observance of the five daily prayers, or appearing in public dressed in a way that suggested piety, i.e. wearing conservative Islamic dress. Refusal to praise the president and his policies during religious services or expression of a desire for a state governed by Islamic law has been treated as anti-state activity. In fact, the government views as an affront to its power any display of loyalty not directly associated with the state. This includes visits to the homes of local religious teachers, attendance at mosques not registered with the state, and most importantly the placement of loyalty to Islam before loyalty to the country's political leaders. Imams who have become popular and developed a regular following or who refuse to serve as informants for the state security agents are similarly seen as unacceptably insolent. The Uzbek government has labeled these independent Muslims "Wahhabis" to denote "Islamic fundamentalism" and as a slur.¹⁶⁶

In addition to so-called Wahhabis, at least half of those arrested on religion-related charges have been members of the group Hizb ut-Tahrir (Party of Liberation). Hizb ut-Tahrir members form a distinct segment of the independent Muslim population by virtue of their affiliation with a separate and defined Islamic group with its own principles, structure, activities, and religious texts. Hizb ut-Tahrir is an unregistered—effectively, banned—organization in Uzbekistan. The group is an international Islamic organization with branches in many parts of the world, including the Middle East and Europe. Hizb ut-Tahrir propagates a particular vision of an Islamic state. Its aims are restoration of the Caliphate, or Islamic rule, in Central Asia and other traditionally Muslim lands, and the practice of Islamic piety, as the group interprets it, (e.g., praying five times daily, shunning alcohol and tobacco, and, for women, wearing clothing that covers the body and sometimes the face). Hizb ut-Tahrir renounces violence as a means to achieve reestablishment of the Caliphate. However, it does not reject the use of violence during armed conflicts already under way and in which the group regards Muslims as struggling against oppressors, such as Palestinian violence against Israeli occupation. Its literature denounces secularism and Western-style democracy. Its anti-

¹⁶⁶ The "Wahhabi" label has also been used in other parts of the former Soviet Union as short-hand for militant. According to Central Asia scholar Mehrdad Haghayeghi, the term was first used by the Soviets to refer to "fundamentalist" Muslims in general during the 1980s. Mehrdad Haghayeghi, *Islam and Politics in Central Asia*, St. Martin's Press, New York, 1995, p. 227, note 55. In the Tajik civil war, fighters seeking to overthrow the government were nicknamed "vofchiki," a diminutive form of "Vahabit," or "Wahhabi."

Semitic and anti-Israel¹⁶⁷ statements have led the government of Germany to ban it.¹⁶⁸ The government of Russia has also banned the group, classifying it as a terrorist organization.¹⁶⁹

Akramia

The twenty-three businessmen whose arrests sparked the protests and subsequent killings in Andijan were accused of being followers of “Akramia,” which refers to the religious teachings of Akram Yuldashev, a former mathematics teacher from Andijan. In 1992, Yuldashev wrote a religious pamphlet entitled *Yimonga Yul* (“Path to Faith”), consisting of twelve lessons on the path to faith which analyze thought and logic in Islam.¹⁷⁰

Yuldashev was arrested on drug charges in 1998 and sentenced to two and a half years in prison. He was released under a presidential amnesty in December of the same year but re-arrested the day after the February 1999 bombings in Tashkent. He was sentenced to seventeen years of imprisonment, having been found guilty of being a main organizer of the bombings and of forming an extremist religious organization whose aim was the overthrow of the secular Uzbek government and the establishment of an Islamic state.

¹⁶⁷ Hizb ut-Tahrir materials often denounce Israeli occupation of Palestine and Israeli conduct in the conflict there.

¹⁶⁸ The German Ministry of the Interior issued a statement on January 15, 2003 announcing that Hizb ut-Tahrir was banned in the country. http://www.bmi.bund.de/dokumente/Pressemitteilung/ix_91334.htm. The ministry statement cited as grounds for the decision, paragraphs 3, 14, 15, and 18 of the German Vereinsgesetz (congregation laws). German Minister of the Interior Otto Schilly said that, “Hizb ut-Tahrir abuses the democratic system to propagate violence and disseminate anti-Semitic hate-speeches. The organization wants to sow hatred and violence.” He also stated that, “The organization supports violence as a means to realize political goals. Hizb ut-Tahrir denies Israel’s right to exist and calls for its destruction. The organization further spreads massively anti-Semitic propaganda and calls for killing Jews.” See also, Peter Finn, “Germany Bans Islamic Group; Recruitment of Youths Worried Officials,” *The Washington Post*, January 16, 2003. That article states that German officials accused Hizb ut-Tahrir of spreading “violent anti-Semitism” and establishing contacts with neo-Nazis. In April, German police searched the homes of more than eighty people suspected of supporting Hizb ut-Tahrir. No arrests were made. See, Associated Press, “Germany stages new raids against banned Islamic organization,” April 11, 2003.

¹⁶⁹ On February 14, 2003, Russia’s Supreme Court, acting on a recommendation from the Office of the Prosecutor General, designated Hizb ut-Tahrir a terrorist organization. According to a press statement released by Russia’s Ministry of Foreign Affairs on June 9, 2003, “The main criteria for the inclusion of organizations in the list of terrorist outfits were: the carrying out of activities aimed at a forcible change of the constitutional system of the Russian Federation; ties with illegal armed bands, as well as with radical Islamic structures operating on the territory of the North Caucasus region, and ties with or membership of organizations deemed by the international community terrorist organizations.” “On the Detention of Members of the Terrorist Organization ‘Islamic Liberation Party’ (‘Hizb ut-Tahrir al Islami’),” Publication of the Ministry of Foreign Affairs of the Russian Federation, Information and Press Department, June 9, 2003, from the *Daily News Bulletin*, posted June 11, 2003. <http://www.in.mid.ru/bl.nsf/0/43bb94f12ad12c7543256d42005a9b49?OpenDocument>.

¹⁷⁰ “Uzbekistan: Islamic Charitable Work “Criminal” and “Extremist?,” Igor Rotar, Forum 18 News Service, February 14, 2005. Available from http://www.forum18.org/Archive.php?article_id=508&printer=Y.

Around the time of his trial the State Committee on Religious Affairs banned Yuldashev's pamphlet as "extremist," and the court that sentenced Yuldashev found his writings to advocate the overthrow of the Uzbek government.¹⁷¹

The government alleges that Akramia is an extremist religious group related to Hizb ut-Tahrir. Yuldashev did join Hizb ut-Tahrir in 1986, but left the group in 1988.

While some claim that Akramia is a group entirely of the government's invention, a pro-government scholar insists that Akramia is a group intent on establishing an Islamic state and allows the use of alcohol and drugs to entice new members.¹⁷² Independent writers who have examined Yuldashev's text find little in it to support the government's view, finding Yuldashev's tract a logical examination of Muslim spiritual values devoid of political content entirely.¹⁷³

Significance of the Fergana Valley

Due to its history, location and demographics, the Fergana Valley occupies a special place in Uzbek politics. The valley cuts a path through the three neighboring states of Uzbekistan, Kyrgyzstan, and Tajikistan. Areas on the Uzbekistan side are densely populated—Andijan province accounts for about 7 percent of Uzbekistan's population—and impoverished (see below).¹⁷⁴ The area's residents are perceived as being especially devout Muslims and socially conservative.

The Fergana Valley handed President Karimov a major political challenge in the first days of Uzbekistan's independence from the Soviet Union. In December 1991, residents demanding reforms in the Fergana Valley city of Namangan took over a government building. Karimov traveled to Namangan to address the large group of protesters, but was met with jeers and derision and was openly challenged by a young and charismatic political opposition leader, Tohir Yuldash. Karimov was silenced by the crowds' shouts and consigned to crouching on the stage as Yuldash and others articulated their demands, including for application of Shari'a (Islamic law) as the law of

¹⁷¹ Ibid and "Uzbekistan: The Andijon Uprising," p. 2. International Crisis Group Asia Briefing No. 38, May 25, 2005. Available from <http://www.crisisgroup.org/home/index.cfm?id=3469&l=1>; and "Akramia: Mif i destvitel'nost'," (Akramia: Myth and Reality), Saidjahon Zainabitdinov, August 25, 2004. Available from: <http://centrasia.ru/newsA.php4?st=1093410660>.

¹⁷² Ibid.

¹⁷³ "Akramia: Mif i destvitel'nost'," (Akramia: Myth and Reality), Saidjahon Zainabitdinov, August 25, 2004. Available from: <http://centrasia.ru/newsA.php4?st=1093410660>.

¹⁷⁴ The population is 1,899,000. Information provided by the Andijan Hokimiat, at www.gov.uz/ru/section.scm?sectionId=363&contentId=411 (accessed May 29, 2005)

the land. Karimov left Namangan humiliated, but exacted his revenge, as those involved in the rally were arrested or forced to flee the ensuing government crackdown.

Yuldash fled the country and went on to form the IMU along with another Fergana Valley native, Jumaboi Khajiev (aka Juma Namangani). Namangani was presumed killed when U.S. bombing operations in Afghanistan destroyed the group's camps in 2001. Yuldash is believed to have survived.

In addition to being a site of political crackdown, the Fergana Valley has been a focal point of the Karimov government's multi-year campaign against independent Islam. Along with Namangan and the capital, Tashkent, Andijan has been particularly hard-hit by government repression. The "disappearance" of Andijan's most famous imam in 1995 was in fact the first major indication of the government's increasing hostility toward independent Islam.¹⁷⁵ Sheikh Abduvali Mirzoev, head of the Jo'mi (Friday) mosque in Andijan, was extremely popular in Andijan province and with the independent-minded Muslim community throughout Uzbekistan. In the years that followed his "disappearance," government antagonism for independent Islam deepened and the list of "suspects" grew. Andijan, home to numerous Muslims who practice their faith outside state controls, saw estimated hundreds and possibly thousands of its residents caught in the crackdown.

Economic Background

Uzbekistan's underdeveloped economy remains heavily agricultural¹⁷⁶ and also relies on the export of primary commodities, including cotton and gold.¹⁷⁷ The growth rate lags behind nearly all of the countries of the former Soviet Union.¹⁷⁸ Limited industrialization has produced no significant positive impact on the economy, owing to low production

¹⁷⁵ Human Rights Watch, *Creating Enemies of the State: Religious Persecution in Uzbekistan*, March 2004, p. 23.

¹⁷⁶ http://www.iwpr.net/index.pl?archive/rca2/rca2_333_1_eng.txt (retrieved May 24, 2005).

¹⁷⁷ Cotton accounts for approximately 41.5 percent of exports, gold 9.6 percent and energy products 9.6 percent. United States Central Intelligence Agency Factbook [online] <http://www.cia.gov/cia/publications/factbook/geos/uz.html> (retrieved May 25, 2005).

¹⁷⁸ Only Moldova ranked lower. Furthermore, growth has not generated sufficient employment opportunities or generated substantially improved incomes of the population. World Bank, *Living Standards Assessment*, May 2003, pp. 3-5.

capacity of most industries.¹⁷⁹ The incomes, living standards, and health status of the population have improved little since the early 1990s.¹⁸⁰

Although the official unemployment rate is recorded as less than 1 percent, hidden and informal unemployment and underemployment are serious problems.¹⁸¹ Unemployment and underemployment are particularly significant in rural areas, where more than 60 percent of the population lives.¹⁸² Furthermore, even full employment does not protect from poverty, due to low wages and wage arrears.¹⁸³ Some 28 percent of the population is poor and approximately 1/3 of all poor households can be considered extremely.¹⁸⁴ People living in rural areas suffer disproportionately: the poverty rate in rural areas is estimated at 30.5 percent compared to 22.5 percent in urban areas.¹⁸⁵ Poverty in the Fergana Valley economic area is recorded at 30.3 percent—the second highest rate among all economic regions in Uzbekistan.¹⁸⁶ In the densely-populated Andijan province, which accounts for 8.9 percent of the total population of Uzbekistan, the incidence of poverty is 31.8 percent and the incidence of extreme poverty 9.1 percent.¹⁸⁷

As a result of the limited economic opportunities and real problem of poverty, many Uzbeks have turned to shuttle trading and work in local bazaars as some of the only options for generating income. However, since June 2002, the government has imposed numerous restrictive regulations on traders' activities, including high tariffs on imported

¹⁷⁹ In fact, UNDP notes that "the direct overall effect of industrialization may have been a negative one as far as living standards were concerned" due to resource extraction from the agricultural sector and protectionist government policies. UNDP, *Common Country Assessment 2003*, p. 15.

¹⁸⁰ World Bank, *Republic of Uzbekistan Country Economic Memorandum*, April 30, 2003, p. 4. UNDP notes that immediately following the collapse of the Soviet Union, health status declined dramatically, but has recovered to 1990 levels. Pressing health problems include currently high-rates of infectious and non-infectious diseases and poor nutrition, particularly among children and women. UNDP, *Common Country Assessment 2003*, p. 25.

¹⁸¹ The official unemployment rate is .4 percent. The World Bank estimates that this number is extremely low owing to poor incentives to register as unemployed. World Bank, *Living Standards Assessment*, p. 25. Using International Labor Organization standards, the IMF estimated unemployment for 2003 to be 3.6 percent.

¹⁸² World Bank, *Living Standards Assessment*, p. 64.

¹⁸³ Fifty percent of the poor are families in which the head of household is employed. IMF, *Republic of Uzbekistan: Interim Poverty Reduction Strategy Paper*, p. 5. Wage inequality between agricultural workers and all other workers has increased, despite the fact that agricultural productivity growth has been higher than that in industry. And, wage arrears are common, in particular in the agricultural sector. World Bank, *Living Standards Assessment*, p. 31.

¹⁸⁴ World Bank, *Living Standards Assessment*, p. 10.

¹⁸⁵ IMF, *Republic of Uzbekistan: Interim Poverty Reduction Strategy Paper*, p. 5. According to the World Bank, rural populations are 35 percent more likely to be poor and 58 percent more likely to be extremely poor. Approximately 4.5 million people, or 70 percent of Uzbekistan's poor, live in rural areas. World Bank, *Living Standards Assessment*, p. 11.

¹⁸⁶ IMF, *Republic of Uzbekistan: Interim Poverty Reduction Strategy Paper*, p. 4.

¹⁸⁷ World Bank, *Living Standards Assessment*, p. 12.

goods, restrictions on border crossings, and requirements for traders to obtain licenses, register with various government agencies, and deposit all revenue in bank accounts.¹⁸⁸ Tax inspectors and police often have enforced these regulations aggressively. Countless traders have been forced out of business. Government policies in the agricultural sector have been similarly damaging to individual livelihoods, as authorities pay below market rates for crops or impose quotas and confiscate land for failure to meet expected production levels.¹⁸⁹

In recent years, both farmers and traders in many regions of Uzbekistan have organized small protests over economic conditions and restrictive government policies. In Andijan province, traders participated in several protests in the months prior to the May 13 uprising. In early September 2004, traders of imported goods at the Kholis market and in the vicinity of the city's Central Department Store were forced to stop selling as a result of new government resolutions requiring individual registration. On September 7, a group of nearly 500 women halted traffic on a major street in protest. A few days later, the government began demolishing trading booths, leading to more demonstrations that continued for several days.¹⁹⁰ In January 2005, a group of traders gathered near a district administration building in Andijan province to protest interference by the tax authorities.¹⁹¹

Risks of Future Violence and Instability

According to foreign journalists and local activists in Tashkent, the official version of events in Andijan offered by the Karimov government has been met with extreme skepticism by the general population. This, on top of years of government repression, corruption, and a deteriorating standard of living, has the potential to create further popular discontent and unrest. There are no indications that the government would respond to future protests or other dissident activities with greater restraint than practiced in Andijan. The risk of additional violence, including use of excessive force by law enforcement agencies, is therefore acute. The possibility that such unrest would

¹⁸⁸ Galima Bukharbaeva, "Uzbek Authorities Mount Witchhunt after Unrest," Institute for War and Peace Reporting, November 9, 2004 [online] http://www.iwpr.net/index.pl?archive/rca2/rca2_325_1_eng.txt (Retrieved May 24, 2005). See also, *inter alia*, Decree 387 of the Cabinet of Ministers of the Republic of Uzbekistan, August 12, 2004 and Decree 413 of the Cabinet of Ministers of the Republic of Uzbekistan, September 2, 2004.

¹⁸⁹ Yevgeny Zavyalov and Galima Bukharbaeva, "Angry Uzbek Farmers Force Official Climbdown," Institute of War and Peace Reporting, April 5, 2005 [online] http://www.iwpr.net/index.pl?archive/rca2/rca2_365_2_eng.txt (retrieved May 24, 2005).

¹⁹⁰ Daniel Kimmage, "Analysis: Taking to the Streets in Uzbekistan," RFE/RL, September 28, 2004 [online] <http://www.rferl.org/featuresarticle/2004/9/73FA4EE3-64EB-4A92-ADC1-CC05FB56875F.html> (retrieved May 24, 2005).

¹⁹¹ International Crisis Group, "Uzbekistan: The Andijon Uprising," Crisis Group Asia Briefing No 38, May 25, 2005, p. 11.

result in mass refugee flows to neighboring states and regional instability also remains of concern. As noted above, a government crackdown on human rights defenders and other perceived critics is already underway and there is a real threat that further restrictions will be placed on the population as a whole.

Recommendations

The government of Uzbekistan has a record of resisting serious investigation into human rights abuses by law enforcement and security forces agents. Statements by Uzbek officials to date indicate that the government's investigation into the Andijan events will not include a serious examination of abuses by government forces. The commission of inquiry established by the Uzbek parliament is welcome, but is unlikely to be free of government pressure. For these reasons, the international community should press for and make possible an independent, international investigation into the events of May 13 in Andijan, and in particular, into the killings. The investigation should have competent expertise in forensics, ballistics, and crime scene investigation and must include in its mandate a determination as to whether, and which, Uzbek troops used excessive force against unarmed protesters.

The Uzbek government should cooperate with and support an independent, international investigation into the events of May 13 and should hold accountable, in a manner consistent with international human rights law, those responsible for using excessive force on unarmed protesters.

To the United Nations:

Secretary General Kofi Annan has endorsed a call by Office of the High Commissioner for Human Rights for an independent, international investigation into the events in Andijan.

The Secretary General should mandate the Office of the High Commissioner to conduct an investigation into the events in Andijan that has relevant expertise in forensics, ballistics, and crime scene investigation, and to report on its findings to the Secretary General and the Security Council.

The Security Council should stand ready to receive the findings of an investigation by the Office of the High Commissioner. It should acknowledge the threat to peace and security that is posed by the lack of a transparent, credible investigation and, in the event

that Uzbekistan continues to reject an independent, international investigation, should explicitly intervene to demand that such an investigation be carried out.

To the United States:

Uzbekistan has been an important ally for the United States in its global campaign against terrorism. The United States has a military base in southern Uzbekistan to support its operations in Afghanistan and has provided aid and training to the Uzbek military, as well as counterterrorism assistance.

The U.S. and Uzbek governments have been engaged in discussions on a formal, long-term agreement that would allow the United States to maintain its military base in southern Uzbekistan. The United States currently uses the Uzbek base rent-free; a formal arrangement would provide the Uzbek government considerably greater financial benefits. The U.S. Central Intelligence Agency has also reportedly "rendered" prisoners to the Uzbek security services, even as the State Department has denounced torture by those very same services.

In July 2004, the U.S. government cut most direct government-to-government assistance, including military aid, to Uzbekistan because of the country's poor human rights record.¹⁹² The U.S. Defense Department, however, has continued to provide some counter-terrorism assistance to Uzbekistan. Under a U.S. law known as the Leahy Amendment, this aid would have to be suspended if the units receiving it were found to have participated in gross human rights violations, such as any unlawful killings in Andijan.

The U.S. government should not engage in any further discussions with Uzbekistan about a long-term agreement on its military base until the Uzbek government accepts an independent, international investigation into the Andijan events. The United States should begin exploring alternative basing facilities elsewhere in the region. If the Uzbek government does not accept such an investigation, the United States should bring an end to its post-September 11 strategic partnership with Uzbekistan and discontinue its military presence in the country.

¹⁹² It cut U.S. \$18 million in direct assistance to the Uzbek government allocated under a 2002 supplemental appropriations act for fighting terrorism. But several weeks later, during a visit to Tashkent, General Richard Myers, Chairman of the Joint Chiefs of Staff said publicly that he regretted this decision, while announcing \$23 million in new Pentagon assistance to Uzbekistan under another program not subject to human rights restrictions. These mixed signals cannot be lost on the Uzbek government.

To the European Union:

The European Union has a Partnership and Cooperation Agreement with Uzbekistan (PCA), under which Uzbekistan receives about 16 million Euros, though little of this is in direct government-to government assistance. While the PCA has a human rights clause, the EU to date has rejected conditioning any assistance to Uzbekistan on human rights compliance.

The European Union should suspend the PCA until the Uzbek government agrees to an independent, international investigation. E.U. member states should use their membership in the EBRD to reinforce new vetting of EBRD projects in Uzbekistan (see below).

To the Government of the Russian Federation:

The Russian government should publicly acknowledge the need for an independent international investigation that includes in its mandate examining human rights abuses committed by government forces.

To the Government of China:

The government of China should lend support to the idea of an independent, international investigation.

To the Organization for Security and Cooperation in Europe (OSCE):

The OSCE should deploy special missions to Kyrgyzstan and Uzbekistan specially mandated to monitor the rapidly deteriorating human rights situation in Uzbekistan and its effect on stability in the region.

To the European Bank for Reconstruction and Development (EBRD):

In 2004 the EBRD cut back its assistance in Uzbekistan over the government's lack of progress toward human rights and economic benchmarks the Bank had set out in 2003. The Bank limits investment to the private sector and stays involved in public sector projects only to the extent that they directly contribute to the well-being of the general population, or involve neighboring countries.

Until the Uzbek government accepts an international investigation, the EBRD should vet all lending to Uzbekistan to identify private sector projects in which the government or particular government officials have a stake in order to suspend assistance to those projects.

Acknowledgements

This report was researched and written by a team of Human Rights Watch researchers. It was edited by Rachel Denber, deputy director of the Europe and Central Asia division, and Iain Levine, program director of Human Rights Watch. Dinah PoKempner, general counsel for Human Rights Watch, also reviewed the report. Valuable technical support was provided by Inara Gulpe-Laganovska and Victoria Elman, associates from the Europe and Central Asia division in New York. John Emerson designed the map.

Human Rights Watch expresses its sincere thanks to the brave women and men who shared their stories with us about the tragic events in Andijan. We extend our sympathies for the loss of life there. We also recognize the contribution that rights defenders in Uzbekistan and Kyrgyzstan have made to this report. They have faced great personal risk researching the events in Andijan and have shown deep commitment to the cause of human rights.

Human Rights Watch is profoundly grateful to the Open Society Institute for its generous support for our work on Central Asia.