

# Uzbekistan

**IHF FOCUS: Elections; freedom of expression and the media; peaceful assembly; fair trial; arbitrary arrests and detainees' rights; torture and ill-treatment; death penalty; religious intolerance; human rights defenders.**

Following the events in Fergana Valley at the end of 1997, there has been a marked increase in the repression of both new and traditional religious communities in Uzbekistan – developing into a severe crackdown on independent Muslims, political opposition and human rights activists critical of the government or government policies.

The 16 February bombing in Tashkent, which was undoubtedly a terrorist act aimed at the president and which killed 16 people and wounded over one hundred, caused a wave of arbitrary arrests. Allegedly, several thousand people were detained. The IHF believed these actions were neither legally nor morally justified and were in violation of international standards to which Uzbekistan had committed itself.<sup>1</sup> Not only were the detentions to a large extent arbitrary, intended to obtain information about individuals with links to the political and religious opposition, but they were also intended purely to “serve as a lesson.”<sup>2</sup>

Also of serious concern were regularly emerging reports of police beatings and brutality, as well as the torture of detainees in order to obtain confessions. The trials were to a large extent “show” trials; the defendants having been already judged.

There was no independence of the judiciary. The planting of false evidence was regular practice among police officers, and the “discovery” of religious leaflets, weapons or drugs was thus used as the basis for arrests. The police also often brought their own “witnesses.” Nineteen people were sentenced to death following unfair trials.

In the name of a professed stability, and fearing the overthrow of his authoritarian regime by Islamic extremists, President Karimov was responsible for and supported these actions. However, the IHF believed that all the personal tragedies resulting from illegal government action in 1999, while committed and justified in the name of stability, were not in fact conducive to stability.

## Elections

In the run-up to the 5 December parliamentary elections, President Karimov said that he expected criticism from international observers after the elections. “If ... they did not find any shortcomings, ... this might mean that they have not carried out their duties properly. If they announce that everything was all right, it would not be correct.” He went on to accuse certain organizations and states of envying the democratic reforms in Uzbekistan, explaining that this was the source of the criticism.<sup>3</sup>

There were serious shortcomings in the legal framework regarding elections. The *Khokims*<sup>4</sup> and the executive apparatus (*khokimat*) at regional, district and city lev-

<sup>1</sup> Among others, article 18(1) of the ICCPR on freedom of religion, article 19 of the ICCPR on freedom of expression, article 9(1) of the ICCPR on arbitrary arrests, article 2 and 4 of the UN Convention against Torture, article 9(3) and 14 of the ICCPR on rights of defendants and due process, par.10.1–10.4 of the OSCE Copenhagen Document on Human Rights Defenders, as well as various other OSCE Documents.

<sup>2</sup> See also *Arbitrary Arrests and Detainees' Rights*.

<sup>3</sup> *Uzbek Television first channel*, by BBC, 7 December.

<sup>4</sup> *Governors and mayors, appointed directly or indirectly by the president*.

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els were heavily involved in, and exercised overwhelming influence over, the electoral process, including the nomination of candidates. Legally, they influenced the process through the nomination of candidates; illegally they interfered through undue influence and intimidation. Because more than 70 *Khokims*, their deputies and staff members were candidates in the elections, there was a large level of self-interest in deterring other candidates.<sup>5</sup>

Independent candidates faced enormous difficulties in collecting the necessary 8 percent of signatures in a given district. Where they did not have the support of the local authorities, they encountered further difficulties during the signature verification phase. The election commissions controlled campaign activities, and there were severe restrictions on freedom of association and assembly.<sup>6</sup>

1,242 candidates were registered for the 250 seats. More than 90 percent of the candidates were nominated by local authorities and political parties. Five parties fielded candidates, all of whom supported the government. Two opposition parties were banned. The OSCE decided not to deploy any observers on the day of elections, as voters did not have a genuine choice and the elections fell far short of international standards.<sup>7</sup>

Nazhmiddin Komilov, head of the Central Election Commission, rejected western criticism of the ban on opposition parties

and the restrictions in the election law. He argued that the fact that five or six candidates had contested each seat proved that the poll was democratic.<sup>8</sup>

## Freedom of Expression and the Media

Freedom of expression was severely limited in Uzbekistan. According to human rights observers, hundreds of supporters of the defendants in the 28 June February bombing trial were arrested for handing out leaflets in the bazaar and other public places in Tashkent.<sup>9</sup>

## Freedom of the Media

According to the constitution of Uzbekistan and the law on mass media, censorship was prohibited. However, self-censorship was prevalent, and the authorities exercised control over the media, which was tantamount to censorship. Yearly licensing requirements, the discriminatory renewal of broadcast licenses, heavy taxation and a lack of funding all discouraged the establishment of an independent media.<sup>10</sup>

State media were used as propaganda tools to discredit independent Muslim groups, human rights activists and members of the political opposition as “supporters of terrorism”, “traitors” and “enemies of the state.”<sup>11</sup>

■ On 13 January, the Uzbek authorities decided to move the BBC programs to fre-

<sup>5</sup> OSCE/ODIHR Limited Election Assessment Mission, *Preliminary Statement*,

6 December 1999.

<sup>6</sup> *Ibid.*

<sup>7</sup> *Ibid.*

<sup>8</sup> RFE/RL *Newsline*, 13 November 1999.

<sup>9</sup> Agence France Presse, 28 June 1999.

<sup>10</sup> OSCE/ODIHR, *op.cit.*

<sup>11</sup> Human Rights Watch/Europe and Central Asia Department, *Human Rights Watch World Report 2000: Uzbekistan*.

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quencies much less accessible to the public. According to a BBC representative, the BBC had practically "been taken off the air."<sup>12</sup>

■ On 20 November, the eve of the elections, the transmission of the Urgench city TV station, TV ALC, was discontinued for an indefinite period of time. The pretext was that the insufficient guarding of the transmitter meant that "Wahhabis" (Islamic fundamentalists) could enter the station and use the transmitter. They further alleged that the license had expired. The TV channel had to hire 6 militia officers as guards in order to regain the right to transmission. The TV station had had problems with the authorities before. A letter from the head of the governmental press department stated that the "TV company ALC airs programs without prior review and approval; such a liberty must be immediately liquidated."<sup>13</sup>

## Access to Information

The Uzbek government once again centralized all internet providers in the country under one government umbrella agency. The government monopoly was presumably established in order to monitor and control access to internet communications.<sup>14</sup>

## Peaceful Assembly

■ In November, a group of around 40 women demonstrated outside the Tashkent mayor's office to protest the illegal arrest and incarceration of their male relatives. As the protest was being dis-

banded, plain-clothed officers, presumably from the National Security Service (SNB), followed several of the participating women. The police and officials from the mayor's office attempted to take the names of the protesters, and apparently succeeded in videotaping all of the participants. Video recordings of demonstrations have been used before to locate participants, who have later been arrested on charges of anti-state activities, or called in for questioning about their political views. This was the first known protest on such a scale since January 1998, when around 100 women protested the arrest of their male relatives arrested for their religious affiliations.<sup>15</sup>

## Fair Trial

According to Human Rights Watch (HRW), the right to a fair trial was violated throughout 1999. The persons accused were most often held in incommunicado detention, deprived of the right to legal counsel and tortured. There were increasing reports of death in detention. An accusation was usually tantamount to a conviction, as the presumption of innocence was entirely lacking.<sup>16</sup>

■ On 8 January, a Tashkent court found five men guilty of attempting to overthrow the government, and sentenced them to prison terms ranging from two to 12 years. The five men were alleged "Wahhabis," said to have links with Obidkhan Nazarov, the former imam of Tashkent's Tokhtoboy mosque, who had been in hiding for a year. All five men pleaded innocent, and the head of the Independent Human

<sup>12</sup> *Reporters Sans Frontieres/International Freedom of Expression Exchange Clearing House (IFEX)*, 14 January 1999.

<sup>13</sup> *Tolib Yakubov, via Kyrgyz Committee for Human Rights*, 17 December 1999.

<sup>14</sup> *Human Rights Watch/Europe and Central Asia Department, Human Rights Watch World Report 2000: Uzbekistan*.

<sup>15</sup> *Human Rights Watch*, 18 November 1999.

<sup>16</sup> *Human Rights Watch in CSCE news release*, 18 October 1999.

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Rights Organization of Uzbekistan, Mikhail Ardzinov<sup>17</sup>, claimed the charges had been fabricated.<sup>18</sup>

■ At the 28 June trial for suspects in the 16 February bombings, where six men were sentenced to death and 16 others to 10–20 years imprisonment, the defendants' relatives were not permitted in the courtroom to hear the sentences, but were informed by journalists leaving the court. The father of Bakhrom Abdullayev, who was sentenced to death for heading the Opposition Islam Movement of Uzbekistan (considered one of the main organizations behind the bombings) said that his son had been in custody in the basement of the security services since October 1998, and could not have participated in the preparation of the terrorist act. Human rights observers stated that six of the defendants were already in jail at the time of the bombings, and criticized the court for biased procedures and shoddy legal practices.<sup>19</sup>

■ On 12 July, Mahbuba Kasymova (48) was sentenced to five years in prison at a trial held in violation due process standards. The day after Khasymova's arrest, Uzbekistan's state television news program showed Kasymova's picture and described her as a "criminal". This description was in breach of the right to be presumed innocent until proven guilty according to law. During the trial Kasymova was accused of "illegal actions" in con-

nection with her work at the Independent Human Rights Organization of Uzbekistan (NOPCHU).<sup>20</sup>

■ In August, Rashid and Muhammad Bekjanov, brothers of the exiled opposition leader Muhammed Solih, were, along with four others, sentenced to 8–15 years imprisonment for participating in criminal society, and for using the mass media to insult the president. The judge ignored the defendants' allegations that they had been subjected to severe torture during the interrogation and were forced to incriminate themselves.<sup>21</sup>

## Arbitrary Arrests and Detainees' Rights

Following the 16 February bombings, there was a wave of arrests targeting Islamic believers in particular, but also anyone perceived to be, or have relations with, persons in opposition to the government; whether religious, political or human rights activists. Referring to the mass arrests, President Karimov stated on television: "Maybe these people have grown wise during two or three months of imprisonment."<sup>22</sup>

The Islamic group Hizb-ut-Tahrir alleged that in the cities of Margilan and Kokand, approximately 300 people were arrested within one month.<sup>23</sup> In Tashkent, at least 200 persons were arrested between 16 February and 1 March.<sup>24</sup>

<sup>17</sup> See also *Human Rights Defenders*.

<sup>18</sup> *Transitions*, January 1999.

<sup>19</sup> *Agence France Presse*, 28 June 1999.

<sup>20</sup> *Human Rights Watch*, 14 July 1999.

<sup>21</sup> *Human Rights Watch*, 18 November 1999; *Human Rights Watch/Europe and Central Asia Department*, *Human Rights Watch World Report 2000: Uzbekistan*.

<sup>22</sup> Speech by President Karimov, *Uzbek Television first channel*, via BBC monitoring service, 16 February 1999. Refers to the wave of arrests of alleged Islamic terrorists leading up to and following the 16 February bombing.

<sup>23</sup> *Hizb-ut-tahrir*, 20 April 1999.

<sup>24</sup> Vitaly Ponomarev, *Society for Assistance of Human Rights in Central Asia*, in *RFE/RL Newswire*, 1 March 1999.

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Allegedly, it was not unusual for family members to be taken hostage. If law enforcement officers could not find the person they were seeking, they would arrest family members instead and keep them in prison until the wanted person surrendered to the police.<sup>25</sup> It was publicly declared that fathers would be held legally responsible for their sons who were under suspicion of having embraced radical Islam.<sup>26</sup>

■ In late February, Munira Nasriddinova, wife of independent Islamic leader Obidkhon Nazarov, was arrested and beaten in custody. She was arrested around the same time as Mamadali Makhmudov and both were held incommunicado. Makhmudov is a well-known writer whose arrest earlier in 1994 was believed to have been linked to his association with the exiled leader of the banned Erk party, Muhammad Salih.<sup>27</sup>

## “Disappearance” in Custody

■ Kamil Bekjanov, the brother of head of the opposition party Erk, Muhammad Solih,<sup>28</sup> was last heard from on 12 July, and there were serious concerns about his physical safety. He was reportedly transferred to another detention facility on 18 July, but his family was not informed of the new location.<sup>29</sup> Bekjanov was arrested in Khwarezm on 19 February, where he was questioned for three days, mainly about the activities of his brother. He was then released, but arrested again on 31 March after police reportedly planted opium and a weapon in his car. Bekjanov, who

worked as a farmer and claimed not to be politically active, denied the charges of narcotics and weapon possession. Following a three-day trial, which his lawyer was not allowed to attend, he was sentenced to 10 years imprisonment on 31 May.

■ Abdumalik Nazarov, brother of independent Imam Obidkhon Qori Nazarov, was last seen at the end of May, having reportedly “disappeared” in custody. He was convicted in April 1998 on allegedly fabricated charges of possession of narcotics. Information emerged that he might have been sent to the labor camp in Jaslik, Karakalpakstan, designed for religious prisoners.<sup>30</sup> Imam Nazarov’s uncle, brother-in-law and second brother were also sent to prison in the summer. Imam Nazarov himself had not been seen since 5 March 1998.<sup>31</sup>

## Torture and Ill-Treatment

Uzbekistan is a signatory to the UN Convention against Torture, which states that “No exceptional circumstances whatsoever may be invoked as a justification of torture” (article 2) and that “Each state party shall ensure that all acts of torture are offenses under its criminal law” (article 4).

Nevertheless, torture was routinely used to extract confessions. Methods included beatings, the use of electricity, temporary suffocation, the extraction of teeth, sexual torture, as well as threats of rape and other harm to family members. Thirty-eight deaths in custody were reported in the labor camp in Jaslik alone.

<sup>25</sup> *Hizb-ut-tahrir*, 20 April 1999.

<sup>26</sup> ITAR-TASS, 5 April.

<sup>27</sup> *Amnesty International*, EUR 62/02/99, 25 February 1999; *Compass*, 9 July 1999, by *Human Rights Without Frontiers* 12 July 1999.

<sup>28</sup> See also *Fair Trial*.

<sup>29</sup> *Human Rights Watch*, 18 November 1999

<sup>30</sup> *Human Rights Watch/Europe and Central Asia Department*, *Human Rights Watch World Report 2000: Uzbekistan*.

<sup>31</sup> *Human Rights Watch*, 18 November 1999.

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■ Aminov Muhammadjon, a member of the Mosque-Djame in Andijan, died on 7 February in the prison hospital. During the cleansing of the body, relatives found traces of removed fingernails, and a 25-cm scar on his chest. Aminov Muhammadjon was arrested on 10 February 1998 on the basis of planted evidence.<sup>32</sup>

■ Jurahon Azimov, one of the leaders of Birlilik, was arrested on 28 February after police planted evidence of drugs, bullets and religious leaflets. He was sentenced to 16 years imprisonment on 5 May at a trial based on fabricated evidence of anti-state activities and sent to the camp in Jaslik. On 17 July, his relatives received a message that Azimov had died of a heart attack. When bathing the deceased, relatives discovered large bruises and razor blade cuts on his body. The left side of his face was smashed beyond recognition.<sup>33</sup>

■ The Islamic group Hizb-ut Tahrir reported that several of their members were arrested on 29 April in the city of Margilan and taken to a secret service building where 'Umar 'Aleef Hasan Irkinovich was tortured within earshot of his companions. Allegedly, the guards engaged in the torture subsequently told the other detainees to write their identity reports, after which they were released. The next morning, the deputy governor of Margilan reported to Irkinovich's family that their son had died at night during the interrogation and that the cause of death had been a fear-induced heart attack. The body was then brought to the family together with a death certificate stating that death had resulted from food entering the respiratory tract

and choking him; the inconsistency in statements became obvious. When bathing the deceased, signs of severe torture could be seen on the body: a swollen head, torn mouth, broken ribs, marks left by chains around the hands and feet, and effects of beating and electricity all over the body.<sup>34</sup>

■ On 14 June, Tashkent police detained Farkhod Usmanov, the son of well-known Imam Nosir-kori Usmanov, reportedly for possession of a religious leaflet. He was held in incommunicado detention for 11 days. On 25 June, his body was returned to his family along with a death certificate claiming the 42-year old had died of heart failure. The body was reportedly covered with bruises and other evidence that Usmanov had in fact been tortured to death in custody.<sup>35</sup>

■ Azim Khodjaev, the father of two men sought for alleged Islamic extremism, was convicted and sent to the labor camp in Jaslik, Karakalpakstan. His body was returned to his family around 14 July, reportedly showing hideous signs of torture, including extracted fingernails.<sup>36</sup>

■ The authorities gave contradictory explanations for the death of Imam Kobil Muradov, stating first that he had fallen from his bunk, and later that he had been beaten to death by fellow prisoners. His injuries reportedly included broken ribs, a broken collarbone, missing teeth and extensive bruising.<sup>37</sup>

■ Sherali Jumaev was arrested on 28 September after sending an appeal to the pres-

<sup>32</sup> Human Rights Society of Uzbekistan, via Kyrgyz Committee for Human Rights, 8 November 1999.<sup>33</sup> *Ibid.*

<sup>34</sup> Hizb-ut Tahrir, *Islam-list – Uzbekistan*, 10 May 1999.

<sup>35</sup> Human Rights Watch, 11 July; RFE/RL Newsline, 28 June 1999.

<sup>36</sup> Human Rights Watch/Europe and Central Asia Department, *Human Rights Watch World Report 2000: Uzbekistan*.

<sup>37</sup> *Ibid.*

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ident. He died on 14 October, beaten nearly beyond recognition.<sup>38</sup>

## Death Penalty

President Karimov stated in April that he would gladly “strike the necks of 200 people to ensure stability in Uzbekistan.”<sup>39</sup> Official death sentences did not reach such heights, but given the number of deaths in custody, the president’s goal, and his means of achieving it, were within reach. According to HRW, a total of 19 men were sentenced to death in Uzbekistan in 1999.<sup>40</sup>

Although parliament abolished the death penalty for five offences in 1998, Uzbekistan retained the death penalty for a further eight offences.<sup>41</sup> There were consistent allegations of the torture of inmates, including persons on death row, indicating that evidence used as the basis for death sentences was extracted under duress.

■ On 28 June, six suspects in the 16 February attempted assassination of Karimov were sentenced to death by the Uzbek Supreme Court. Sixteen other dissidents were given prison sentences ranging from 10 to 20 years. Mamekulov and Askarov, two suspects who had caused a diplomatic crisis between Turkey and Uzbekistan, received prison sentences of 20 and 11 years respectively. According to the Uzbek authorities, the suspects were planning a coup d’état and the establishment of an Islamic state.<sup>42</sup>

■ On 3 November, Arsen Arutyunyan and Danis Sirazhev were sentenced to death by the Tashkent City Court for the murder of a famous Uzbek singer in April 1998. Both men were allegedly held in incommunicado detention for two weeks in June 1999, during which time they confessed to the murder. They were not given access to legal counsel. Following the period of incommunicado detention, Arsen Arutyunyan’s lawyer was still prevented from meeting his client in private, and there were allegations that his family had been subjected to threats and his sister assaulted. As a result, several members of Arsen Arutyunyan’s family fled Uzbekistan.<sup>43</sup>

## Religious Intolerance

Although religious freedom was formally guaranteed in article 31 of the constitution of Uzbekistan, the country continued to violate its OSCE and other international commitments to religious freedom and free expression. Uzbekistan’s 1998 law on religion was the most repressive in all of the former Soviet Union. In May 1999, the government formally criminalized religious dissent by amending its criminal code to impose prison terms of up to five years for unauthorized political activity. Under the law, Uzbekistan banned all forms of missionary activity, and subjected all imported religious literature to state censorship.<sup>44</sup>

Several amendments instituted by parliament to two articles of the criminal code, which specifically targeted unregistered

<sup>38</sup> Tolib Yakubov, via Kyrgyz Committee for Human Rights, 17 December 1999.

<sup>39</sup> *Neue Zürcher Zeitung*, 30 June 1999.

<sup>40</sup> Human Rights Watch/Europe and Central Asia Department, *Human Rights Watch World Report 2000: Uzbekistan*.

<sup>41</sup> Amnesty International, *AI Extra 178/99*.

<sup>42</sup> *Neue Zürcher Zeitung*, 30 June 1999; *Turkish Daily News*, (Azerbaijan News Distribution List, 5 July 1999).

<sup>43</sup> Amnesty International, *AI Extra 178/99*.

<sup>44</sup> Keston Institute in CSCE News Release, 18 October 1999.

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religious groups of all faiths, came into force on 12 May. Ostensibly aimed at terrorist actions, such as the February bomb attacks in Tashkent, the changes also provided for lengthy prison sentences, massive fines and the confiscation of property for Christians deprived of official registration rights.<sup>45</sup>

## Muslims

Over the last two years, the issues of religious freedom and political opposition have been highly intertwined in Uzbekistan. Several new religious groups faced harassment, and even prison sentences. Muslims believers<sup>46</sup> outside the control of the government, including their family and relatives, were targeted as terrorists, accused of threatening the stability of the country, and imprisoned on trumped-up charges. Fear of Islamic extremism was undoubtedly one of the factors behind the crackdown on religious groups, but this persecution of "Islamic extremists," in the name of stability, may well have increased what the government was trying to avoid, thereby contributing to the politicizing of religion and increased resentment towards the government.

Since the events in Fergana Valley in 1997, there has been a marked increase in the repression of both new and traditional religious communities in Uzbekistan. Particularly following the 16 February bombing, this repression developed into a general crackdown on political opposition, human rights activists, and anyone critical of government policies, even Muslim students with beards or headscarves were expelled from universities, and their parents threatened with losing their jobs.<sup>47</sup> The

government was allegedly building a labor camp exclusively for Muslim prisoners at Jaslyk,<sup>48</sup> in the ecological disaster zone of the Ust-Yurt plateau, where, according to the Human Rights Society of Uzbekistan, there have been at least 38 deaths in custody.<sup>49</sup>

## Jehovah's Witnesses

Several Jehovah's Witnesses faced harassment in the form of house searches, confiscation of private items, fines, and even arrests.

■ On 3 May, Aleksandr Li and Umid Sultanov, both Jehovah's Witnesses from the city of Chirchik, were stopped by the police who checked their identity papers and discovered that the two men were carrying religious magazines. They were taken to the police station and questioned about the origins of the magazines, which had been brought from Kazakhstan. On 5 May Aleksandr Li and Umid Sultanov were tried on the basis of article 240 of the administrative code, entitled "Violation of Legislation on Religious Organizations." They were sentenced to 15 days of administrative arrest and were taken to prison immediately. The congregation of Jehovah's Witnesses in the city of Chirchik was among the many organizations that faced registration problems.<sup>50</sup>

Article 240 of the code provided that performing illegal religious activities, i.e. keeping leaders of religious organizations from registering a charter, or organizing and practicing religious meetings for young people, was punishable by a minimal penalty of five to ten monthly salaries, or administrative arrest of up to 15 days.

<sup>45</sup> *Compass*, 17 May 1999, by Human Rights Without Frontiers, 20 May 1999.

<sup>46</sup> See also *Torture and Ill-Treatment and Arbitrary Arrests and Detainees' Rights*.

<sup>47</sup> *Human Rights Watch*, 20 October 1999.

<sup>48</sup> See also *Torture and Ill-Treatment*.

<sup>49</sup> *Human Rights Watch*, CSCE news release, 18 October 1999.

<sup>50</sup> Source: Lubomir Müller, *Attorney at Law – May 17, 1999*.

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The same punishment also applied to proselytism, converting believers of one confession to another, and other missionary activities.<sup>51</sup>

## Protestants

■ On 25 February, Sergei Brazgin from Uchkuduk was detained for participating in a private Bible meeting. He was later sentenced to two years imprisonment for “activity in prohibited, religious organizations ... after administrative punishment for such activity.” Sergei Brazgin had been fined in July 1998 for illegal missionary activity according to article 240 of the administrative code.<sup>52</sup>

■ On 5 March, Na’il Asanov (27) was arrested together with his fiancée and another woman in Bukhara, where he was a pastor in a church seeking official registration. He was reportedly beaten severely after officials produced a small packet of drugs during a strip-search. He was then forced to sign a document saying that he had found the packet on the street, after which he was released. Two days later, however, he was arrested again on drug charges. Friends who visited Asanov reportedly found him beaten, handcuffed to the bars with his hands above his head and deprived of food.<sup>53</sup> On 30 June he was sentenced to five years imprisonment on charges of possessing drugs and spreading extremist ideas. The sentence was later repealed by the regional court in Bukhara.<sup>54</sup>

■ Three members of the unregistered Full Gospel Church in Nukus, who were arrested in February and March 1999, were sentenced on 9 June under article 273 of the criminal code. The three men, 24-year-old Pastor Rashid Turibayev, Par’had Yangibayev and Eset Tanishev, were sentenced to long prison terms on allegedly fabricated drug charges. Turibayev, who was also sentenced under articles 216 and 217, which cover illegal religious activities, was sentenced to 15 years imprisonment. Yangibayev, Iss’ed and Salamat both received 10-year sentences.<sup>55</sup> Court hearings scheduled initially for 13 May, and later for 25 May, were postponed first when the defense lawyers failed to appear after apparent intimidation, and later because the judge reportedly refused to conduct the trial, fearing the consequences of trying such a sensitive case.<sup>56</sup> Turibayev had previously been detained in a psychiatric hospital for one month for holding illegal religious meetings. He was sentenced to two years of forced labor in October 1997. Although Turibayev was released from confinement, he was forbidden to leave the city without permission for the duration of his sentence. He was required to pay 20 percent of his salary to the local government, and state security officers kept his church under constant surveillance.<sup>57</sup>

Following a 19 August presidential decree, five prisoners belonging to non-Islamic religions were pardoned and released from jail, including Turibayev, Yangibayev and

<sup>51</sup> *Ibid.*

<sup>52</sup> *Human Rights Without Frontiers*, 15 June 1999.

<sup>53</sup> Barbara G. Baker, *Compass*, 17 May 1999, *Human Rights Without Frontiers*, 20 May 1999

<sup>54</sup> *Letter from the Embassy of Uzbekistan in Vienna*, 24 August 1999.

<sup>55</sup> *Compass/Human Rights Without Frontiers*, 12 July; 29 July 1999.

<sup>56</sup> Felix Corley, *Compass/Human Rights Without Frontiers*, 15 June 1999.

<sup>57</sup> Barbara G. Baker, *Compass/Human Rights Without Frontiers*, 20 May 1999

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Tanashev. A further two prisoners had their sentences repealed.<sup>58</sup>

■ On 24 June, Ibrahim Yusupov, the leader of the Pentecostal Church in Tashkent, was tried by a district court in the capital and given a one-year prison sentence on charges of conducting missionary activities. The church had, unsuccessfully, been trying to obtain registration since 1994.<sup>59</sup>

## Human Rights Defenders

In a 29 July letter to the president of Uzbekistan, the IHF expressed its concern regarding several cases of attacks and harassment of human rights defenders, including one who died in custody.

Several members of the unregistered Independent Human Rights Organization of Uzbekistan (NOPCHU), three of whom were also members of the political opposition party Birlilik, were arrested in 1999.

■ On 12 July, Mahbuba Kasymova<sup>60</sup> was sentenced to five years imprisonment on charges of fraud and harboring a criminal. Kasymova's conviction followed the 19 June death in detention of NOPCHU member Ahmadhon Turahonov, the 25 June arrest and beating of NOPCHU chairman Mikhail Ardzinov, and the 12 July arrest of NOPCHU activist Ismail Adylov.

■ Ahmadhon Turahanov, who died in prison on 19 June, suffered from chronic

diabetes. He was kept in the medical section of the prison in May because of his worsening health. However, the regional court did not quash the decision to keep him in detention. He was charged with the infringement of the constitutional order and hooliganism and sentenced to five and a half years imprisonment. It was feared that his trial was politically motivated and that Judge Latifhon Djurabaev conducted the trial under instructions from higher authorities. There were further allegations that witnesses were harassed and coerced into signing written statements by the investigator of the Namangan City Prosecution Office, Mr. Dolimov.<sup>61</sup>

■ On 25 June, police forcibly arrested Mikhail Ardzinov, former prisoner of conscience and chairman of the Independent Human Rights Organization of Uzbekistan (NOPCHU), as he was standing at a bus stop on his way to observe a trial of alleged Islamic extremists. He was held by the police and beaten for nearly fourteen hours. During the interrogation, in which Ardzinov was refused access to medical care and legal counsel, police brought Ardzinov before a panel of psychiatrists, threatening him with psychiatric detention. Human rights groups believed the ill-treatment may have been related to Mikhail Ardzinov's recent outspoken criticism of the authorities, in particular of the way they conducted the trial related to the Tashkent bombings.<sup>62</sup>

<sup>58</sup> Released from jail: R. Turebaev, P.D. Yangibaev and E.A. Tanashev from the Full Gospel Church in Nukus; I.A. Usupov, the minister of Full Gospel Church in Tashkent; S.V. Brazgin, Jehovah's Witness in Uchkuduk. Repealed sentences: Nail Asanov; L.D. Lyulkin, the minister of Full Gospel Church in Chirchik. Source: Letter from the Embassy of Uzbekistan in Vienna, 24 August 1999.

<sup>59</sup> *Compass/Human Rights Without Frontiers*, 12 July 1999.

<sup>60</sup> See also Fair Trial.

<sup>61</sup> *The Observatory for the Protection of Human Rights Defenders (FIDH/OMCT) via Kyrgyz Committee for Human Rights*, by, 8 May; *Amnesty International*, EUR 62/12/99, 28 June 1999.

<sup>62</sup> *Human Rights Watch*, 28 June 1999; *Amnesty International*, EUR 62/12/99, 28 June 1999.

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■ Ismail Adylov was detained on 10 July after police found leaflets for an Islamic organization in his apartment. According to Uzbek law, a person held for questioning by police must be released by 11 P.M. on the day he/she is detained, although the law was not respected in this case. On 11 July, the duty officer at the Ministry of Internal Affairs claimed to have no information regarding Adylov and refused to refer a superior officer who could provide such information. Ismail Adylov was still being held in the Tashkent prison in August, although this was not officially confirmed. In June, a judge presiding over a trial of Hizb ut-Tahrir members publicly threatened to charge Adylov, who was monitoring the trial, with membership in the group.<sup>63</sup> Thousands of independent Muslims and self-proclaimed members of Hizb ut-Tahrir were believed to have been arrested following the bombings, and there were at least two deaths in detention.<sup>64</sup>

■ Haidbai Yakubov, from the Human Rights Society of Uzbekistan in Khiva, was threatened with arrest in mid-July. When asked on what charges, the police reportedly answered "We'll find something."<sup>65</sup>

<sup>63</sup> *Human Rights Watch*, 11 July 1999; *August 1999*.

<sup>64</sup> See also *Torture and Ill-Treatment*.

<sup>65</sup> *Human Rights Watch*, *August 1999*; *Human Rights Watch/Europe and Central Asia Department*, *Human Rights Watch World Report 2000: Uzbekistan*.