



INTERNATIONAL LEAGUE
FOR HUMAN RIGHTS

ALTERNATIVE REPORT

On Uzbekistan's Observance of the International Covenant
on Civil and Political Rights



NGO Comments to the Second Periodic Report of Uzbekistan to the
Human Rights Committee
March 2005

This report was prepared by the
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The International League for Human Rights

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This publication was supported by a grant from the OSI Assistance Foundation.

Introduction

The second periodic report to the UN Human Rights Committee (CCPR/C/UZB/2004/2), submitted by Uzbekistan on April 19, 2004, does not paint an accurate picture of the human rights climate in the country. The report deals primarily with the recently adopted laws and provisions of the Constitution, but fails to address fully the real-life situation with human rights in Uzbekistan, just as it failed to do so in its initial report in 1999. The government's report simply ignores a series of facts and tendencies that have been reported by leading local and international human rights organizations.

These NGO comments, prepared by the Memorial Human Rights Center in cooperation with the International League for Human Rights, are based on regular monitoring of human rights in Uzbekistan in the last several years. It is not the purpose of this report to analyze and comment on each and every line in the government's report, but rather to point out its deficiencies, inaccuracies and falsehoods. The report cites a number of instances of gross human rights abuses gathered by Memorial and other local and international human rights organizations.

In our opinion, Uzbekistan remains one of the most authoritarian and repressive Post-Soviet societies. Violations of Articles 7, 9, 10, 18, 19, 21 and 22 of the Covenant are systematic and take place on a massive scale. After persistent pressure by the international community in the period of 2001 to 2004, the Uzbek government took certain measures to improve the situation, establishing a dialogue with international and intergovernmental organizations. Unfortunately, most of the improvements remained on paper, such as the adoption of certain laws and amendments, but have not led to improvements in real life. These reforms, as limited as they were, stopped after the terrorist acts that shook Uzbekistan in March 2004. Since then, the government resumed its policy of cracking down on all voices of dissent, going as far as to break its promise of allowing the opposition to run in the parliamentary elections in December 2004.

1. Torture

Despite Uzbekistan's accession in August 1995 to the International Covenant on Civil and Political Rights and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, in practice the government continued to violate article 7 of the Covenant. Furthermore, since the end of 1997—when the campaign against independent Moslem worshippers began in earnest—use of torture as a main tool of criminal investigation has risen steadily.

Use of torture in Uzbekistan became so widespread that it attracted much international attention. In May 2002, the UN Committee Against Torture recommended to the Uzbek government to “Review cases of convictions based solely on confession in the period since Uzbekistan became a party to the Convention, recognizing that many of these may have been obtained through torture or ill-treatment” (CAT/C/CR/28/7, Para 6 (j)). We have not been persuaded that the government has complied with this recommendation.

In November-December 2002, after a long period of negotiations, the HRC Special Rapporteur on Torture Theodor Van Boven was finally able to visit Uzbekistan. In his report, Mr. Van Boven wrote that the use of torture in Uzbekistan was “systematic,” that “the pervasive and persistent nature of torture throughout the investigative process cannot be denied” and that there is “no doubt that the system of torture is condoned, if not encouraged, at the level of the heads of the

places of detention where it takes place or of the chief investigators” (E/CN.4/2003/68/add.2, Para 68-69).

In March 2004, the Uzbek Government ratified the “National Plan on Implementation of the Recommendations by the HRC Special Rapporteur on Torture.” The implementation of the Plan is scheduled to take place in the period of 2004-05. The very existence of this document has allowed Uzbek officials to claim that torture is “no longer systematic” in Uzbekistan.

While certain legislative amendments that have been adopted are a welcome development, the real state of affairs is not encouraging. According to local human rights groups, the use of torture in Uzbekistan remains as widespread and systematic as it was during the period of 1997-2003.

In 2004, Memorial received information about a series of trials, where defendants claimed that torture had been used against them. Here are just some of them:

- 15 defendants (N.Haidarov and others) sentenced by the Tashkent City Court on October 7, 2004;
- 13 defendants (U.Pirnazarov, K. Zijahanov and others) sentenced by the Akmal-Ikram District Court of the City of Tashkent on November 22, 2004;
- 2 defendants (M. Agzamov and U. Zhuraev) sentenced by the Shaihontohur District Court of the City of Tashkent on May 3, 2004;
- 2 defendants (D. Mamurov and M. Rahimov) sentenced by the Sobir-Rahimov District Court of the City of Tashkent on July 28, 2004;
- 5 defendants (B. Saparov, B. Muminov and others), sentenced by the Tashkent Regional Court on November 10, 2004;
- 4 defendants (I. Zhuraev and others) sentenced by the Kashkadarya Regional Court on August 26, 2004;
- 10 defendants (A. Latipov and others) sentenced by the Samarkand Regional Court on August 27, 2004;
- 5 defendants (Z. Ahmadhonov and others) sentenced by the Chust District Court of the Namangan Region on September 20, 2004;
- 2 defendants (A. Kamolov and others) sentenced by the Ferghana Regional Court on September 17, 2004.

And this list goes on. We have information from reliable sources that in 2004, torture was used against both potential witnesses in a criminal investigation (Abdumannop Muminov and others) and detainees (Shovkat Salihov, Asror Isazhonov and others). Defendant U. Turdiev, for example, was subjected to still more torture after testifying during his trial of the torture used against him while under the investigation.

To date, none of the known testimonies of the use of torture before and during the trial have been properly investigated.

The aforementioned use of torture during and after the investigation includes the following forms of cruel and degrading punishment: long and severe beatings; electric shocks; nail-pulling; inflicting of wounds with a knife or other sharp objects; burning with lighters and scolding with boiling water; throwing against the floor and walls; inserting police batons and other objects in the rectum; and, finally, threatening to rape the detainee or his relatives.

The ruling by the Supreme Court of Uzbekistan made on December 19, 2003, that “evidence received with the help of torture, violence, threats, deception and all other forms of cruel, unusual and degrading treatment, as well as all other unlawful methods and in violation of the defendant’s right to legal counsel of his own choosing is not admissible and cannot be used to convict the person,” remains largely on paper, similar to the ruling made by the same court on May 2, 1997.

Two policemen from the Kashkadarya Region were arrested in May 2004 and subsequently convicted for the use of torture, money extortion and fabrication of evidence against defendant Ergash Zhuraev. Despite their convictions, in August 2004, the Kashkadarya Regional Court convicted Zhuraev based on the fabricated evidence, sentencing him to 16 years in prison.

The second periodic report of the government of Uzbekistan fails to provide the exact number of law-enforcement officials who have been charged with the use of torture (article 235 of the Criminal Code), except for mentioning sentencing “over 15 officials,” found guilty of the defendants’ deaths. The report cites the numbers of complaints of “threats of torture and other methods of pressure” that the prosecutor’s office has received in recent years: 74 complaints in 2001 and 90 in 2002 (CCPR/C/UZB/2004/2, Para 90). The mild nature of complaints and their relatively small number do not indicate that the scale of the use of torture is insignificant in Uzbekistan, but rather testifies to the authorities’ reluctance to deal with the problem of torture genuinely.

It is important to note that neither the adoption of the “National Plan on Implementation of the Recommendations by the HRC Special Rapporteur on Torture” nor the issue of the use of torture in Uzbekistan has received any significant coverage in national media. It is extremely rare that the country’s radio and TV channels and print media report on trials of officials implicated in the use of torture.

2. Fair trial

Uzbekistan continues to lack the defendant’s right to *habeas corpus*, provided for in article 9 of the Covenant. Access to detainees by their lawyers, doctors or relatives is rarely granted in a timely and confidential matter, which is in direct violation of articles 7, 9 and 14 of the Covenant. Detainees are often tortured and forced to sign self-incriminating evidence, which is subsequently used by the courts as the sole basis for conviction and sentencing. Often lawyers provided to indigent defendants by the state lack professionalism and desire to defend their client.

In September 2004, a group of defendants (including A. Bobokulov and A. Muminov) testified during their trial in the Kashkadarya Region of having not been presented the charges against them for 6 months, which is a violation of article 9 of the Covenant. The judge refused to take into account their testimony that torture had been used against them during the investigation.

On February 25, 2005, Saidzhahon Zainabitdinov, a human rights activist from Andizhan who was participating in a trial as a public defender, had to discontinue representing his defendant after the judge had refused to share case materials with him, answer his questions and allow a confidential meeting with the defendant, provided for by law.

In October 2004, the Bukhara Regional Court refused to allow R. Komilov, an independent lawyer, to represent the defendant in a criminal case. In another criminal case, investigator F. Mirzaev refused to meet with R. Komilov or permit him to meet with the defendant for 1.5 months.

Memorial has also received a number of complaints when defendants’ relatives, journalists and human rights activists were barred from open trial sessions. On February 10, 2005, policemen

forced a group of journalists out of the building of the Andizhan City Court, which was conducting a trial of 23 defendants accused of membership in an unregistered religious organization “Akromija.” According to the judge’s statement, “the fact that the trial is open to public does not mean it is also open to the press.” Similar instances were reported in the Kashkadarya, Navoi and other regions, thus testifying of systematic violations of article 14 of the Covenant.

3. Kidnapping of Uzbek citizens abroad

Another gross violation of article 9 of the Covenant is the recent trend of kidnapping Uzbek citizens residing in other countries by Uzbek law-enforcement officials and subsequently secretly deporting them back to Uzbekistan for criminal prosecution. Beginning in 1998, a number of such kidnappings have been reported in Kazakhstan and the Russian Federation. Both the judges and the prosecutors ignore the illegality of such actions.

In January 2005, the Andizhan Regional Court sentenced in absentia Mannobzhon Rahmatullaev, a citizen of Uzbekistan who had been residing in Russia since 1995. In 2003, Russia refused to satisfy Uzbekistan’s request of Rahmatullaev’s extradition. In the summer of 2004, however, a group of unidentified persons kidnapped Rahmatullaev and brought him back to Uzbekistan where he was incarcerated. A year prior to this, in 2003, the husband of Rahmatullaev’s daughter, Ruvazhdin Rahmanov was likewise kidnapped, transported back to Uzbekistan and incarcerated after the Russian Government had refused to extradite him.

4. Conditions in prisons

In 2001-2003, the Uzbek Government adopted a series of legislative amendments designed to improve prison conditions and soften criminal sentences, grant increased access by international organizations and foreign diplomats to pre-trial detention centers, and, finally, amnesty a large number of inmates. While these steps are highly positive, having led to certain improvements in Uzbekistan’s penal system, we are extremely concerned by the continuing reports of instances of torture and cruel and degrading treatment of and the overall increased pressure placed on independent Moslem inmates after the terrorist acts committed in the spring 2004.

In 2004, Memorial received reports of torture used in the following penal colonies: UYa 64/25 (M. Akbarov, U. Ashurov, R. Jusupov and others); UYa 64/29 (H. Madumarov, D. Vosiev); UYa 64/47 (A. Hamrahuzhaev), UYa 64/48 (A. Isazhonov, A. Rahmonov); UYa 64/51 (F. Usmanov, A. Shokirov and others); T-1 (Sh. Salihov) and other colonies. Hamrahuzhaev’s case is typical. Hamrahuzhaev was repeatedly beaten and otherwise punished for his attempt to read Namaz (a Moslem prayer), an essential part of his religious beliefs. The chief of colony UYa 64/25 is reported to have forced devout Moslem inmates to bow down before him and kiss his shoes.

In April 2004, prison officials in colonies UYa 64/29 and UYa 64/51 are reported to have subjected Moslem inmates to group beatings, in order to force them to renounce their faith in writing.

Likewise, in the course of the 2002-2003 amnesty, prison officials tortured independent Moslem inmates forcing them to sign a “repentance letter,” where they not only confessed their “crimes” but also pledged to cooperate with the authorities in “fighting extremism.” Remarkably, such “repentance letters” were never asked of other inmates.

None of these instances have been properly investigated, which is a violation of articles 7, 10, 18 and 26 of the Covenant.

To date, the Uzbek Government has failed to comply with the recommendation made by the CHR Special Rapporteur on Torture to “give urgent consideration to closing Jaslyk colony which by its very location creates conditions of detention amounting to cruel, inhuman and degrading treatment or punishment of both its inmates and their relatives” (E/CN.4/2003/68/Add.2, Para 70).

5. Death penalty

Independent sources seem to corroborate the government’s claim that the number of death sentences has decreased recently. But still information about the methods of execution, conditions of prisoners on death row and other relevant issues remain a matter of state secret.

Although article 137 of the Criminal Code of Procedure grants prisoners on death row the right to one monthly visit by closest relatives, it is rarely honored. For example, in October 2004, prison officials refused to allow the parents of Shuhrat Aripov to visit their son with no explanation and despite the official permit to do so.

In most cases, death sentences are delivered based on self-incriminating evidence extracted under torture. Yet the Uzbek Government continues to ignore the recommendation by the CHR Special Rapporteur on Torture that “All competent government authorities should give immediate attention and respond to interim measures ordered by the Human Rights Committee and urgent appeals dispatched by United Nations monitoring mechanisms regarding persons whose life and physical integrity may be at risk of imminent and irreparable harm” (E/CN.4/2003/68/Add.2, Para 70).

On August 10, 2004, two death row inmates—Azizbek Karimov and Jusuf Dzhusmaev—were executed in Tashkent despite the petition by the UN Human Rights Committee to stay their execution.

6. Religious freedoms

Uzbekistan continues to limit religious freedoms and ignore the rights of worshippers in violation of articles 18, 19, 21 and 22 of the Covenant.

The stepped-up campaign to limit religious freedoms is the direct result of the “Law on Freedom of Conscience and Religious Organizations,” adopted on May 1, 1998, and the several subsequent amendments to the Criminal and Administrative Codes.

Article 244-1 of the Criminal Code, added in 1998, in particular, criminalizes the “publishing, storing and distributing materials containing ideas of religious extremism and fundamentalism.” Since Uzbekistan’s laws lack any precise definition of the terms “religious extremism” and “fundamentalism,” they can be applied to practically any kind of religious literature. Article 244-1 fails to make a distinction between peaceful expression of “fundamentalist ideas” and calls to violence. Beginning in 1999, thousands of Uzbek citizens have been charged and sentenced under this article of the Criminal Code.

These legally ambiguous and vague terms of “religious extremism” and “fundamentalism” can also be found elsewhere in the Criminal Code: article 244-2, added in 1999 (membership in religious extremist and fundamentalist organizations) and article 246 (contraband of materials advertising religious extremism and fundamentalism). Likewise, thousands of Uzbek citizens have been charged and sentenced under article 244-2 of the Criminal Code.

Judges often add to charges under article 244-2 charges under article 216 (illegal founding of public organizations) and/or article 242 (founding of criminal group), which carry sentences up to 20 years in prison.

Article 229-2 of the Criminal Code criminalizes any religious instruction by persons lacking special religious degrees; instruction without a permit from the central department responsible for regulation of religious organizations; or individual instruction. The following articles, added to the Criminal Code in 1998, significantly add to the scope of violations under the original “Law on Freedom of Conscience and Religious Organizations”: article 216-1 of the Criminal Code (coercion to membership in illegal public and religious organizations); article 216-2 (illegal religious activities, failure to draft a charter and register, organization by ministers or members of religious organizations of labor, literary and other clubs unrelated to their religious activities, proselytizing, missionary work). Articles 240 and 241 of the Administrative Code also contain a ban on “unsanctioned religious activities.”

In accordance with the 1998 “Law on Freedom of Conscience and Religious Organizations,” only an officially registered religious group is considered legal and has the right to conduct its ceremonies in specially designated places. Only the central headquarters of officially registered groups are allowed to publish religious literature. Any violation of these conditions entails administrative or criminal prosecution.

It is important to note that the 1998 Law has significantly complicated the procedure of registering religious organizations, which has led to the closure of approximately 70% of the more than 5,000 religious groups in existence at the time of the law’s adoption. Registration denials were issued under a great variety of pretexts, even in those cases when all conditions under the law had been met. According to the second periodic report by the Government of Uzbekistan, as of September 1, 2003, there were 1,948 registered religious organizations in the country—less than 40% of the total number of organizations in existence in 1997 (CCPR/UZB/2004/2, Para 224, Table 8).

Beginning in 1998, thousands of independent Moslems in Uzbekistan have been convicted on charges of “attempting to overthrow the constitutions order” (article 159 of the Criminal Code). The government has interpreted article 159 quite broadly, including any calls to create an Islamic state, any discussion of such ideas and distribution of literature containing them—even if these activities have not been accompanied by violence.

Although the Uzbek government does not publish such data, Memorial estimates that over 83% of the approximately 10,000 independent Moslem worshippers who were prosecuted in 1998-2003 were charged with violation of article 159 of the Criminal Code. In the majority of these cases, charges under other articles of the Criminal Code were added to the “attempt to overthrow the constitutional order.” Memorial has gathered and made public the names of 4,304 of those charged under article 159. Most of them continue to languish in prison. In 2004, several hundred more persons have been added to this number.

The attempt by the state to maintain total control over any and all religious activities in the country has resulted in the criminal prosecution of members of the so-called “Gap” groups—traditional male gatherings to discuss religious matters, as well as members of well-known unregistered religious groups, such as “Jehovah’s Witnesses.”

Article 184-1 of the Administrative Code is designed to supplement the 1998 “Law on Freedom of Conscience and Religious Organizations” and proscribes punishment for wearing “religious clothes” in public by persons who are not religious ministers. This ban, which the

authorities routinely use to persecute persons wearing clothes prescribed by their religion, violates article 18 of the Covenant.

It is evident from Uzbekistan's second periodic report that the Uzbek Government has ignored the recommendations of the UN Human Rights Committee regarding reforms of laws regulating religious activities: "The Committee is very concerned about provisions of the Freedom of Conscience and Religion Organizations Act that require religious organizations and associations to be registered to be entitled to manifest their religion and beliefs. The Committee is also concerned about article 240 of the Penal Code, which penalizes the failure of leaders of religious organizations to register their statutes. The Committee strongly recommends that the State party abolish the said provisions, which are not in conformity with the provisions of article 18, paragraphs 1 and 3, of the Covenant. Criminal procedures initiated on the basis of these provisions should be discontinued and convicted persons pardoned and compensated" (CCPR/CO/71/UZB, Para 24).

7. Freedom of information

The official abolition of censorship in 2002 and the adoption of the "Law on Principles and Guarantees of Freedom of Information" have not led to a genuine liberalization of Uzbekistan's mass media.

Memorial has received numerous reports of threats against journalists, persistent refusals to share information with them, state-sponsored pressure on editorial boards, blocking of disloyal and critical websites and other violations of the freedom of press.

In April 2004, a National Security Service official threatened Tulkin Karaev, an independent journalist from Karshi, with criminal prosecution unless he stopped writing his investigative articles dealing with the violations of law committed in the course of the state-organized campaign against independent Moslems.

In November 2004, the Tashkent City Court convicted and sentenced Abduvahib Abduvahobov on a number of charges, including printing out materials critical of the Uzbek Government and sharing them with the BBC, Radio Liberty and Voice of America radio services.

On February 2, 2005, Uzbekistan's Justice Ministry made an official warning to the "Ezgulik" human rights organization after it had informed colleagues abroad of the possibly violent death of a prisoner.

Uzbekistan has ignored the recommendation of the UN Human Rights Committee made in 2001 to amend the "Law on Protection of State Secrets," thus bringing it in compliance with article 19 of the Covenant (CCPR/CO/71/UZB, Para 18).

Of special concern are amendments to the Criminal Code (articles 160 and 157), adopted at the end of 2003. According to them, "gathering, storing and sharing with a foreign organization or state of information harmful to the Republic of Uzbekistan" is considered "espionage" and "state treason." The terms "harmful" and "hostile activities" can and have been given overbroad definitions, thus violating several of the rights contained in article 19 of the Covenant.

In January 2003, the Uzbek authorities deported well-known Russian human rights activist Nikolai Mitrokhin after he had placed on the internet several of his articles on the use of torture and conditions in Uzbekistan's prisons and the persecution of religious believers. Evidently, this act was interpreted as "hostile" and "harmful" to the state.

To date, the Uzbek Government has failed to clarify what kinds of information constitute a state secret.

8. Freedom of association and human rights defenders

Uzbekistan has failed to fully comply with the recommendation of the UN Human Rights Committee to revise the “relevant part of the State party's legislation to ensure that registration is not used to limit the rights of association guaranteed by the Covenant” (CCPR/CO/71/UZB, Para 22-23).

To date the Uzbek Government has not registered a single genuine opposition political party, including such well-known and popular parties as Birlik, Erk, Ozod Dehkon, some of which were founded in the late 1980-s. For example, the Justice Ministry has unlawfully turned down all three of Birlik's attempts to register since the fall of 2003. Uzbekistan's Supreme Court has refused to consider the testimony of those who claimed having been forced by state officials to disown their signature on the petition to register Birlik. The Justice Ministry then used the Supreme Court's refusal to invalidate all of the petition lists and deny Birlik its registration.

Likewise, the authorities used a variety of unlawful methods to prevent citizens from attempting to register independent candidates to run in the parliamentary elections in December 2004. Almost two-thirds of such candidates were prevented from running in the elections. During the pre-election period, law-enforcement officials put significant pressure on members of the opposition, including fabrication of evidence to initiate criminal prosecution, as in the cases of M. Kurbonov, G. Holmatov and B. Kambarov. In December 2004, policemen detained several members of Birlik in order to prevent them from attending a party meeting in Tashkent. Shortly afterwards, after Birlik submitted yet another registration request, having gathered the necessary 2,000 signatures, law-enforcement officials began trying to force the signers to cancel their party membership in writing. This is in direct violation of articles 9, 19, 21, 22, 25 and 26 of the Covenant.

To date, the recommendation to register independent human rights organizations have not been complied with, with the exception of two organizations, the Independent Human Rights Organization of Uzbekistan (IHROU) and the Ezgulik human rights organization, which have since splintered into several unregistered groups. Uzbekistan's oldest human rights NGO, the Human Rights Society of Uzbekistan, which was founded in 1992, remains unregistered. The Justice Ministry ignores the deadline prescribed by law for reviewing registration applications, denying them for various reasons. The decision to register the IHROU and Ezgulik in 2002 and 2003 seems to have been guided by the desire to appease some of the western critics. Among those NGOs that have been unable to register are prominent human rights organizations, including those mentioned in Uzbekistan's second periodic report.

It is important to keep in mind that under the current legal conditions in Uzbekistan, the absence of registration is a significant impediment to the work of non-governmental organizations. For example, in December 2003, the authorities cancelled the international conference on the death penalty, which had been organized by the Organization for Security and Cooperation in Europe (OSCE), basing its decision on the lack of registration of OSCE's local partner, the “Mothers against the Death Penalty” NGO.

Activists from independent human rights groups, including registered ones, are often subject to pressure and discrimination by the state. The authorities are reluctant to conduct full and transparent investigations into attacks on human rights activists.

The governmental report has only the following to say regarding the issue of cooperation with international non-governmental organizations: “The Government of Uzbekistan provides assistance in the establishment of the national offices of international NGOs. Various international NGOs and foundations, such as the Mercy Corps, USAIS, the Konrad Adenauer Foundation, the Eurasia Foundation and a number of others, have offices in Uzbekistan” (CCPR/C/UZB/2004/2, Para 259). Human Rights Watch, which has an office in Tashkent, paints a different picture. It says in its latest report that in 2004, “The government tightened its grip on civil society in 2004 by extending to international nongovernmental organizations (NGOs) many of the repressive tactics it has used against local NGOs. In 2004 it introduced burdensome new registration and reporting procedures requiring international NGOs to obtain “agreement” from the Ministry of Justice (MOJ) on the content, agenda, timing and place of any activity, and to invite MOJ officials to attend. The government closed the Open Society Institute, which provided vital support for civil society groups, and suspended the activities of the local affiliate of the media-support organization Internews for six-months for alleged minor administrative violations. It also forced all women’s NGOs to undergo re-registration procedures” (HRW World Report 2005-Uzbekistan).

9. Article 15 of the ICCPR

Of special concern is a series of isolated cases violating article 15 of the Covenant. In January 2005, during his trial, the defendant, Mr. Rahmatullaev, was charged with membership in 1990 in the “Party of Islamic Renaissance,” and issuing public appeals to overthrow the existing Constitutional order. Both the prosecutor and the judge ignored the obvious historical fact that Uzbekistan did not become an independent state until the end of 1991, which meant that Rahmatullaev could not have been attempting to overthrow the Constitutional order of the Republic of Uzbekistan in 1990. Furthermore, the “Party of Islamic Renaissance,” mentioned as a criminal organization in the sentence against Rahmatullaev, was still a legal entity in 1990.

Recommendations to the UN Human Rights Committee

The Memorial Human Rights Center and the International League for Human Rights appeal to the UN Human Rights Committee to recommend to the Government of Uzbekistan the implementation of the following measures in accordance with the International Covenant on Civil and Political Rights:

1. Undertake all measures to implement the recommendations of the HRC Special Rapporteur on Torture, including:

--public renunciation of torture

--introduction of *habeas corpus*

--provision of the right to a meeting with legal counsel and relatives within the first 24 hours of detention

--transparent investigation into claims of torture and refusal to accept as incriminating evidence information received under torture

--closure of the Jaslyk penal colony

--respond to regular appeals by UN treaty bodies and Special Rapporteurs regarding persons whose life is in danger

--sign the Optional Protocol of the UN Convention against Torture and other Forms of Cruel and Degrading Treatment or Punishment

2. Demonstrate the political will to deal with the problem of torture by:

--widening access to the penitentiary system by the International Committee of Red Cross

--allowing national media to cover the problem of torture, including trials of persons charged with use of torture

--grant full access to open trials by defendants' relatives and independent observers

3. Revise laws regulating the freedom of religion, including:

--simplify registration procedures for religious groups and denominations

--abolish the ban on "unsanctioned" religious instruction and education, restore the right to wear special religious clothes in public places

4. Take out articles of the Criminal Code that deal with "extremism" and "religious fundamentalism" as lacking precise legal definition; revise and rewrite article 159 of the Criminal Code which is used as to persecute citizens for their religious and political convictions

5. Review in accordance with the Covenant all criminal cases under the following articles of the Criminal Code: 159, 216, 216-1, 216-2, 229-2, 244-1, 244-2. Publish the full list of persons who have been convicted under these articles since Uzbekistan's accession to the Covenant

6. Bring the "Law on Protection of State Secrets" and the relevant amendments to articles 157 and 160 of the Criminal Code in compliance with article 19 of the Covenant

7. Cease blocking websites outside of state control, allow independent journalists and publications to work freely and without fear of persecution

8. Ensure full freedom of association, including:

--eliminating all obstacles to registration of independent non-governmental organizations and political parties;

--cease any persecution of or discrimination against human rights and opposition activists

9. Discontinue the practice of keeping lists of "disloyal elements," which include members of opposition parties, human rights and religious activists, and which violate articles 25 and 26 of the Covenant

10. Free all persons in detention who were kidnapped and illegally returned to Uzbekistan for prosecution.