

EXTERNAL

29 March 1996

Kholiknazar GANI (_____)
Bakhtiyor NABI-ugly (_____ - _____)
Nosim BOBOY (_____)

Possible prisoners of conscience in UZBEKISTAN

Kholiknazar Gani, Bakhtiyor Nabi-ugly and Nosim Boboy, activists in the outlawed political opposition in Uzbekistan, were arrested on 16 February 1996 and have reportedly been charged with "illegal possession of a firearm, ammunition or explosives" and "illegal possession of narcotics". Amnesty International would not normally take up the case of a person charged with such offences. However, the organization is concerned about allegations that a criminal case has been fabricated against these three men because of their peaceful political opposition to the Government of Uzbekistan. Amnesty International believes that Kholiknazar Gani, Bakhtiyor Nabi-ugly and Nosim Boboy may be prisoners of conscience. It is seeking further information from the authorities in Uzbekistan about the charge or charges against them.

Kholiknazar Gani and Bakhtiyor Nabi-ugly are lecturers at Samarkand State University. Nosim Boboy has a doctorate in economics and works for the Samarkand regional tax inspectorate. All three are believed to be in their forties, and to be married with families.

The three men were arrested in Samarkand city, and are reportedly being held at the Samarkand regional pre-trial detention centre. It is unclear exactly which Criminal Code articles have been applied in the bringing of charges against the three men.

Charges of illegal possession of narcotics or firearms are often brought against activists in the illegal political opposition in Uzbekistan apparently not for legitimate reasons, but solely to punish them for their peaceful political activities, in violation of fundamental human rights standards. Unofficial sources claim that the real motive for the arrest of Kholiknazar Gani, Bakhtiyor Nabi-ugly and Nosim Boboy is their membership of the Samarkand regional branch of the Birlik ("Unity") movement, and particularly their possession of and involvement in distributing copies of the banned Birlik party newspaper (also called Birlik) as well as copies of the banned newspapers Erk ("Freedom" - published by the opposition party of the same name) and Forum.

[The names of the three men as given here are in their Uzbek form. The men may also be known in official documentation by the Russian forms of their names: Kholiknazar Ganiyev, Bakhtiar Nabiyeu and Nasim Boboyev.]

Background information on the outlawed political opposition in Uzbekistan

The opposition group Birlik, which first emerged in the late 1980s, advocates a secular democratic system and liberal economic reform, and claimed 54,000 members as of the end of 1992. In November 1991 Birlik was granted official registration as a movement, but the Justice Ministry later refused to register it as a political party, first of all arguing that a political party could not have the same name as a movement which was already registered, and then citing irregularities in the party's documentation, including its membership list. Birlik was also prevented on technical grounds from putting forward a candidate for the presidential election held the following month. In January 1993 it was suspended for three months by order of the Supreme Court on the grounds of "intent to organize public demonstrations", the movement's leaders being accused of having become "puppets of the forces that are interested in provoking discord, anarchy and arbitrariness in the now stable republic". Later that year it was effectively outlawed by a legal requirement for all public associations to re-register.

Birlik activists have been subjected to repeated harassment by the authorities, including arrest, assault and dismissal from work. Many of the movement's leaders, including its chairman Abdurakhim Pulatov, have fled into exile, and the extent to which the movement is still functioning underground within Uzbekistan is unclear.

The Erk party (officially the Freedom Democratic Party) is the only genuine opposition party ever to have been registered in Uzbekistan. Founded in April 1990 following a split in 1989 from Birlik, it was officially registered in September 1991, and party chairman Muhammad Salih contested Uzbekistan's presidential election in the following December. Before it was outlawed the party claimed over 50,000 registered members.

During 1992 Erk took an increasingly radical opposition stance in the face of harassment from the authorities. Muhammad Salih resigned his parliamentary seat in July in protest at not being allowed to address the country's parliament, of which he was a member. In August almost all of the party funds were sequestered by the authorities from the party's bank account under the pretext of a tax inspection. Moves began to evict the party from its offices in Tashkent, the capital. Since October 1993 the party has been effectively outlawed by the same legal requirement that outlawed Birlik.

A number of Erk members, especially senior party figures and their associates, have been targeted for arrest or other persecution by the authorities. Muhammad Salih has gone into exile after a criminal case was initiated against him in April 1993 in connection with formation of an opposition discussion forum called Milli Mejlis ("National Council").

Since February 1994 there has been a widespread clampdown against the clandestine publication and distribution of the Erk newspaper, including many arrests and prosecutions on charges such as illegal narcotics' or weapons' possession, or embezzlement. Such charges are alleged to be fabrications. One group of Erk sympathizers has been sentenced to long prison terms for much more serious crimes involving alleged preparation of terrorist acts, but the charges in this case also may have been fabricated.