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European Union-Central Asia: Respect for human rights and human dignity should be the cornerstone of political engagement

On 27 and 28 March Foreign Ministers of the five Central Asian Republics -- Kazakstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan -- are meeting in Astana, Kazakstan, with the Foreign Minister of Germany, the current holder of the six-month rotating European Union (EU) Presidency, and other high-ranking EU officials, to discuss the EU's efforts to strengthen its relations with the region. As the EU is developing a new long-term strategy for its relations with Central Asia and more attention is being focused on the region, Amnesty International encourages the EU to make human rights and the rule of law key components in its strategy and political engagement with the Central Asian governments. The organization has been urging the EU to impress upon the governments of Central Asia the need to undertake concrete steps to implement and enforce legislative measures that will provide effective and durable guarantees for the protection of the human rights and the dignity of all the people of Central Asia.

Amnesty International remains concerned that despite professed efforts by governments to fulfil their human rights obligations and actual efforts by some states to remedy the worst abuses, grave human rights violations routinely continue to be committed with virtual impunity. The organization is issuing today a summary of its most pressing concerns in Central Asia with a particular focus on the plight of human rights defenders in Uzbekistan.

Very few law enforcement officers are ever brought to trial and held accountable for violations they have committed and yet thousands of people routinely allege that they have been arbitrarily detained and tortured or ill-treated in custody in order to extract a confession. Corruption in law enforcement and the judiciary contributes largely to a climate of impunity in the region. This climate of impunity leads to a lack of public confidence in the criminal justice system. People do not lodge complaints as they feel that they will not obtain justice, nor get compensation. Many are not willing to testify against police officers out of fear of reprisals against themselves or their relatives and associates.

Beatings by law enforcement officers, especially in temporary pre-charge detention centres and in the streets, are still considered routine. Torture or other ill-treatment in detention continues to be widespread throughout the region and systematic and systemic in Uzbekistan. In 2006 the UN Special Rapporteur on torture reiterated his concerns about the apparent widespread use of torture in Uzbekistan.

"War on terror" and national security are frequently quoted as crucial in securing stability, but only too frequently used as a cloak to clamp down on dissent, consolidate power and target vulnerable groups or groups perceived as a threat to national or regional security, such as banned Islamic groups and opposition political movements. Asylum-seekers and refugees are frequently extradited to China and Uzbekistan, where they are at grave risk of torture, as part of the "war on terror" and counter-terrorism agreements in blatant contravention of international refugee and human rights law.

Although presumption of innocence is enshrined in law, it is violated on a regular basis, especially in the context of national security and “the war on terror”, with suspects branded guilty in public before the start of their trials. Most of the trials in Uzbekistan of people charged with terrorism in 2005 and 2006 were closed or even held in secret, with no advance notice of the start date, no access to relatives or lawyers of the defendants’ choice, no publication of the verdict after the sentencing, no indication as to where the defendants were held. Defendants in criminal cases in Uzbekistan and other republics are usually held in a cage during the trial, thereby implying their guilt.

Evidence based on confessions extracted under torture is still routinely admitted in court.

Although provided for in law, in practice freedom of speech and of the press is severely restricted in Central Asia with few independent media outlets operating freely and governments controlling access to the internet. Libel and slander remain criminal offences and government officials, national and local, use criminal libel suits in order to restrict criticism and limit freedom of expression. Journalists and human rights activists have frequently been charged with libel and some have gone to prison for publishing articles on corruption allegations or reports of torture or ill-treatment by police officers.

In Turkmenistan and Uzbekistan freedom for the independent media, both local and international, remains severely restricted. All domestic media in Turkmenistan are state-controlled and the authorities routinely block websites that publicize “unwanted” information, and have been known to pay intimidating house calls on individuals whom they identified as visiting such sites. Foreign journalists, photographers and human rights monitors have in many cases been refused access to Turkmenistan to prevent them from gathering information about the repressive regime. Turkmenistani civil society activists who cooperate with foreign journalists risk imprisonment after unfair trials and torture and ill-treatment. They also risk being labelled as “traitors” by the authorities. Uzbekistan exercises virtual control over the media and the internet, controlling output by local media organizations as well as transmissions into the country from abroad and limiting access and free movement of foreign correspondents.

Repressive actions to silence human rights activists and journalists have been particularly harsh in Turkmenistan and Uzbekistan and show no sign of abating. In Uzbekistan the imprisonment, ill-treatment and harassment of individual human rights defenders have accelerated as a consequence of protests over the killings of hundreds of unarmed men, women and children in Andizhan on 13 May 2005. The authorities have continued to reject calls for an independent, international investigation into the Andizhan killings.

Draft legislation to abolish the death penalty in Kyrgyzstan has still not been passed despite the adoption of a new constitution enshrining abolition in November 2006. Kazakstan, Kyrgyzstan and Tajikistan all have moratoria on executions in place although the death penalty remains on the statute books. Uzbekistan has refused to impose a moratorium on executions despite a presidential decree introducing the abolition of the death penalty from 2008. Secrecy remains an issue in all the countries, with relatives not given the body of the executed person or told the burial site and statistics on the death penalty not published. Amnesty International is campaigning for Central Asia to become a death-penalty-free zone.

Amnesty International is calling on the EU and the governments of Kazakstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan to make respect and observance of human rights and human dignity the cornerstone of their engagement.