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Introduction

Amnesty International submits this briefing for consideration by the Human Rights Committee in view of its adoption in July 2009 of a list of issues which it will raise in connection with the Committee's examination of Uzbekistan's third periodic report on measures taken to implement its obligations under the International Covenant on Civil and Political Rights (ICCPR).

Since the Human Rights Committee's examination of Uzbekistan's second periodic report on implementation of the ICCPR in March 2005, the authorities have introduced further legislative and judicial reforms aimed at bringing national legislation into line with international standards. Uzbekistan abolished the death penalty in January 2008 and ratified the Second Optional Protocol to the ICCPR in December 2008. Judicial supervision of detention was introduced in 2008 and several imprisoned human rights defenders were released conditionally during the year. The authorities have also continued with numerous, wide-ranging and officially endorsed, national initiatives in the fields of human rights education and reform, such as adopting the National Action Plan on torture in 2004. The government has also increased dialogue on human rights with the international community, in particular the European Union, following sanctions imposed by the EU in November 2005.

Amnesty International regrets, however, that all the above developments have failed to lead to necessary, genuine and wide-reaching systemic reforms. The organization remains seriously concerned at ongoing and persistent human rights violations in Uzbekistan and at the failure of the authorities to fully and effectively implement the state party's obligations under the ICCPR and the recommendations by the Human Rights Committee, as well as other UN treaty bodies and special procedures.

Since the examination of Uzbekistan's second periodic report in March 2005 and in spite of the reforms mentioned above, there has been a serious deterioration in the human rights situation especially since, and as a consequence of, the so-called Andizhan events in May 2005. Hundreds of individuals, including women and children, were killed when security forces opened fire on mostly unarmed demonstrators gathered in the centre of Andizhan, and as they fled. In the aftermath of the events the government severely clamped down on expression and manifestation of dissent and tried to suppress independent reporting on the killings. Hundreds of demonstrators were detained and reportedly ill-treated and witnesses were intimidated. Journalists and human rights defenders were harassed, beaten and detained; some were prisoners of conscience held on serious criminal charges. Following unfair trials, the majority of which were closed or secret, hundreds of people were convicted of "terrorism" offences and were sentenced to long prison terms for their alleged participation in the unrest. The authorities in Uzbekistan have actively sought the extradition of members or suspected members of banned Islamist parties or Islamic movements, which it blames for the Andizhan events.

Amnesty International is dismayed in particular at the authorities' continued refusal to allow an independent, international investigation into the killings in Andizhan in 2005.¹

This briefing outlines Amnesty International's main and most pressing areas of concern in relation to Uzbekistan's failure in practice to implement its obligations under Articles 2, 6, 7, 9, 10, 12, 14, 19, 21 and 22 of the ICCPR.

Amnesty International believes that at the roots of the concerns highlighted in this briefing lie a deep-seated culture of impunity for human rights violations and a failure by the Uzbekistani authorities to fully guarantee genuine freedom of expression and association as stipulated by the ICCPR.

Failure to initiate an international independent and impartial investigation into the Andizhan events of May 2005 - the right to an effective remedy, the right to life (Articles 2 and 6)

Amnesty International remains concerned that the authorities in Uzbekistan persist in their refusal to allow an independent, international investigation into the mass killings, including of women and children, in Andizhan in 2005 when security forces fired at demonstrators, most of them unarmed, who had gathered in the centre of the city and as they fled.² A report from the Office of the High Commissioner for Human Rights (OHCHR) into the events in Andizhan, which was based on interviews with refugees during an OHCHR mission to neighbouring Kyrgyzstan in June 2005, concluded that "[c]onsistent, credible eyewitness testimony strongly suggests that grave human rights violations mostly of the right to life, as enshrined in article 6 of the ICCPR and article 24 of the Constitution of Uzbekistan, were committed by Uzbek military and security forces. Several provisions of the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials were violated. It is not excluded – judging from the accounts of the eyewitnesses interviewed – that the incidents amounted to a mass killing." The report reiterated the High Commissioner's earlier call for an international independent and impartial investigation into the Andizhan events.³ The UN Special

¹ For more detailed information see *Uzbekistan: Lifting the siege on the truth about Andizhan*, September 2005, AI Index: EUR 62/021/2005 (Uzbekistan: Lifting the siege), <http://web.amnesty.org/library/index/engEUR620212005>; *Uzbekistan: Andizhan one year on - the victims must not be forgotten*, 11 May 2006, AI Index: EUR 62/011/2006, <http://www.amnesty.org/en/library/info/EUR62/011/2006/en>.

² For more information refer to *Uzbekistan – Lifting the siege*, chapter 3, pp.31-35.

³ Report of the mission to Kyrgyzstan by the Office of the United Nations High Commissioner for Human Rights (OHCHR) concerning the events in Andijan, Uzbekistan, 13-14 May 2005, Report of the High Commissioner for Human Rights, E/CN.4/2006/119, 1 February 2006, <http://daccess-ods.un.org/TMP/4466027.html>.

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Rapporteur on torture, the Working Group on arbitrary detention, and the Special Representative on human rights defenders joined this call.

Most recently during the Universal Periodic Review (UPR) in December 2008 Uzbekistan categorically rejected calls by several states to allow a thorough, impartial and independent international investigation into the events of May 2005.⁴ Of particular dismay was the fact that during the interactive dialogue the government's representatives rejected as unfounded reports that excessive and disproportionate force had been used. The government continues to assert that two rounds of expert talks with representatives of the European Union (EU) in December 2006 and April 2007 have addressed all the relevant issues.⁵ At the UPR the government stated that it considered the issue closed. However, Amnesty International considers that the talks with the EU are not a substitute for and are not sufficient to fulfil the government's obligation to ensure an effective, independent and impartial investigation.

Following the examination of Uzbekistan's third periodic report in November 2007, the UN Committee against Torture recommended that the authorities urgently "take effective measures to [...] institute a full, effective, impartial inquiry into the May 2005 events" and that "[in] accordance with the recommendations of the High Commissioner for Human Rights and others, [...] credible, independent experts conduct this inquiry".⁶

In 2005, the UN Special Rapporteur on torture, the Working Group on arbitrary detention, and the Special Representative on human rights defenders expressed their concern over allegations of serious human rights violations committed by the security forces in response to events in Andizhan and joined the call by the UN High Commissioner for Human Rights for an international independent and impartial investigation into these events.⁷

⁴ Report of the Working Group on the Universal Periodic Review – Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review, A/HRC/10/83/Add.1, 13 March 2009, http://lib.ohchr.org/HRBodies/UPR/Documents/Session3/UZ/A_HRC_10_82_Add1_Uzbekistan_E.pdf, paragraph 97.

⁵ In October 2008 the EU's General Affairs and External Relations Council (GAERC) decided to lift the visa ban it had imposed on 12 Uzbekistani officials fully. Disappointingly GAERC's final conclusions in October 2008 failed to mention the events at Andizhan or the demand for an international independent investigation of them.

⁶ Conclusions and Recommendations by the Committee against Torture, CAT/C/UZB/CO/3, 26 February 2008.

⁷ "UN Experts deplore response of Uzbekistan to Andijan events", United Nations Press Release, 23 June 2005, <http://www.unhcr.ch/hurricane/hurricane.nsf/0/CDBB208D87F48539C125702900369B71?opendocument>.

In December 2005, the UN General Assembly adopted a resolution expressing regret at the government's decision to reject the repeated calls for an international investigation and calling on the government to implement fully the recommendations contained in the report of the mission by the UN High Commissioner for Human Rights, "most notably with respect to granting permission to the establishment of an international commission of inquiry into the events in Andijan".⁸ As a party to the ICCPR, the authorities of Uzbekistan are obliged, including under Article 2(3), to ensure an independent, impartial and thorough investigation into the events of May 2005. As the Human Rights Committee noted that a government's failure to do so "could of itself give rise to a separate breach of the [right to life guaranteed under the] Covenant".⁹

Death penalty (Articles 6 and 7)

A presidential decree replacing the death penalty with life imprisonment came into effect on 1 January 2008, marking the formal abolition of the death penalty. On 23 December 2008 Uzbekistan acceded to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.

However, by the end of April 2009 the authorities had still not published statistics on the death penalty for previous years, including the number of sentences, executions and commutations. There was no progress on allowing relatives access to information on burial sites of executed prisoners.

By the end of April 2009 no list had yet been published of the total number of men on death row who had their sentences automatically commuted to life imprisonment, after the introduction of the law. The Supreme Court started reviewing death sentences pending at the point of abolition, and by the end of 2008 it had commuted at least 17 death sentences to long prison terms, of either 20 or 25 years. Also, there was no indication that old cases would be investigated where the accused or his relatives had alleged the use of torture in order to force a confession, nor was there any mention of possible compensation.

Torture or other ill-treatment, arbitrary detention, treatment of prisoners and the right to a fair trial (Articles 7, 9, and 14)

Amnesty International remains seriously concerned about persistent allegations of widespread torture and other ill-treatment of detainees and prisoners by law

⁸ Human Rights Committee General Comment 31, on Article 2 of the ICCPR, adopted on 29 March 2004, at paragraph 15 (CCPR/C/21/Rev.1/Add.13).

⁹ UN General Assembly Resolution A/RES/60/174, adopted 16 December 2005.

enforcement personnel and prison guards. In addition, the relevant authorities have failed to ensure that such allegations are independently, impartially and effectively investigated. Reports of torture or other ill-treatment stem not only from men and women suspected of membership of banned Islamic groups or Islamist parties or of having committed terrorist offences, but from all layers of civil society, including human rights activists, journalists and former - often high-profile - members of the government and security forces. Many of them have alleged that they had been tortured or otherwise ill-treated in custody in order to extract a "confession".

Allegations have also been made that individuals returned to Uzbekistan from other countries pursuant to extradition requests have been held in incommunicado detention, thereby increasing their risk of being tortured or otherwise ill-treated and have been subjected to unfair trial. In one case in 2008, for example, a man who was returned to Uzbekistan from Russia was sentenced to 11 years' imprisonment after an unfair trial. His relatives reported that, upon his return to Uzbekistan, he was held incommunicado for three months during which time he was subjected to torture and other ill-treatment in pre-trial detention. He did not have access to a lawyer of his own choice and the trial judge ruled evidence reportedly adduced as a result of torture admissible. In another case an Uzbekistani imam (religious teacher), was sentenced to 17 years' imprisonment in 2006 following a closed trial in Tashkent, the capital of Uzbekistan. He had been forcibly returned from Kazakstan in November 2005 and held incommunicado until March 2006. He claimed that he was tortured in pre-trial detention to force a "confession". His lawyer was only granted limited access to him in pre-trial detention and was not given full access to the case materials which made it difficult to prepare an effective defence. The lawyer claimed that there was no presumption of innocence and that the trial judge refused to rule as inadmissible evidence allegedly based on forced confessions or to order investigations into such allegations.

Concerns of other international bodies:

The European Court of Human Rights has been faced with determining the existence of the risk of torture and other serious human rights violations in Uzbekistan in cases relating to challenges to orders to forcibly transfer individuals (including people wanted by the Uzbekistani authorities for their alleged involvement in the events of Andizhan) from Council of Europe Member States back to Uzbekistan. In one such case, in April 2008 the Court ruled that given "the serious risk of being subjected to torture or inhuman or degrading treatment " in Uzbekistan, removal of 12 Uzbekistani nationals (who were refugees in Russia) would violate Russia's obligations under the European Convention for Human Rights. In its ruling, the Court stated that it was "not

persuaded that the assurances from the Uzbekistani authorities offered a reliable guarantee against the risk of ill-treatment".¹⁰

In November 2007, after examining Uzbekistan's third periodic report, the UN Committee against Torture urged the government to "apply a zero-tolerance approach to the continuing problem of torture and to the practice of impunity". The Committee urged the authorities to "publicly and unambiguously condemn practices of torture in all its forms" and reiterated its concern at the "numerous ongoing and consistent allegations concerning routine torture and other cruel, inhuman or degrading treatment or punishment." It regretted the "failure to conduct prompt and impartial investigations into such allegations".¹¹

On the UN Special Rapporteur's first visit to Uzbekistan in 2002, he had found that torture was widespread and systematic. The government of Uzbekistan has taken issue with this finding.

"By letter dated 17 December 2007, the Government replied that in accordance with the information received from the Special Rapporteur, currently no international instrument provides a definition of the scale of torture such as wide-spread or systematic, which means that certain conclusions and findings of the previous United Nations Special Rapporteur on Torture, Theo van Boven, after his visit to Uzbekistan in 2002 have no basis in international law whatsoever and are unfounded and arbitrary. In this connection it must be noted that in Uzbekistan all necessary legal and practical steps have been taken to prevent the use of torture and cruel, inhuman and other humiliating treatment and punishment."¹²

Uzbekistan has not extended an invitation to the Special Rapporteur on torture to visit the country again, despite renewed requests made.

¹⁰ *Ismoilov and Others VS Russia* (Application no. 2947/06), European Court of Human Rights Judgment, Strasbourg, 24 April 2008. These Uzbekistani nationals and others who have sought asylum in the Russian Federation were returned by Russian authorities to Uzbekistan despite Interim Measures ordered by the European Court of Human Rights requesting removals to be stayed pending the examination of the individual's applications by the European Court of Human Rights.

These rulings of the Court are also consistent with the conclusion of the UN Human Rights Committee that the forcible return to Uzbekistan in 2006 by Kyrgyzstan of four Uzbekistani nationals who were asylum seekers was inconsistent with Kyrgyzstan's obligations under the ICCPR, owing to the risk of torture faced by the individuals upon return. They had been returned in disregard of the Committee's request for interim measures of protection for the four men. See *Maksudov et al. v. Kyrgyzstan*, report of the UN Human Rights Committee, Volume II, A/63/40 (Vol. II).

¹¹ Conclusions and Recommendations by the Committee against Torture, CAT/C/UZB/CO/3, 26 February 2008.

¹² From the Report of the Special Rapporteur on torture to the General Assembly in February 2008: A/HRC/7/3/Add.2, para 745.

Monitoring of individuals deprived of their liberty

Amnesty International welcomed Uzbekistan's stated support of recommendations by several states at the UPR to establish a national independent mechanism to monitor all places of detention and to consider complaints. The organization considers that such a mechanism (the establishment of which had also been recommended repeatedly by UN mechanisms, including the Human Rights Committee in 2001 and 2005) could significantly contribute towards protecting individuals deprived of their liberty from torture or other ill-treatment. The organization also continues to call on the authorities to sign, ratify and implement the Optional Protocol to the Convention against Torture.

In March 2008, a spokesperson for the International Committee of the Red Cross (ICRC) confirmed that an agreement had been reached with the government for the ICRC to resume prison visits under its mandate, for a trial period of six months. The trial period came to an end in September 2008 and since then the ICRC reportedly has been discussing its findings and further access with the government. Negotiations were reportedly ongoing by the end of April 2009. Access by the ICRC to detention facilities in Uzbekistan had been a key demand by the UN bodies, including the General Assembly in its 2005 resolution, and by the EU, including as a benchmark in successive General Affairs and External Relations Council Conclusions relating to the EU sanctions regime on Uzbekistan. Amnesty International has called on the Uzbekistani authorities to ensure that the ICRC is granted unfettered access to detention facilities and to ensure that ICRC visits continue beyond the trial period.

Judicial supervision of arrest

Legislation introducing judicial supervision of arrest following a Presidential decree of 2005 came into effect in January 2008, transferring the power to sanction arrest from the prosecutor's office to the courts. Amnesty International considers the introduction of judicial supervision of arrest to be a positive development in Uzbekistan. However, the organization remains concerned about various aspects of the legislative changes and their implementation.

The authorities in Uzbekistan called the procedure "*habeas corpus*". However, Amnesty International believes this to be a misnomer as the law requires the authorities to bring people deprived of their liberty before a court following detention (similar, in some respects, to a procedure required under Article 9(3) of the ICCPR); it does not create a procedure whereby the detainee or someone on his or her behalf may bring a petition challenging the lawfulness of their detention before a court for rapid determination as required by Article 9(4) of the ICCPR. Under this procedure, a court rules on whether or not the decision by the competent law enforcement officials to detain a suspect in a pre-charge facility and the application by the prosecutor's

office to keep the suspect in pre-trial detention are in conformity with the law and are appropriate. The court does not rule on the lawfulness of the actual deprivation of liberty of an individual as required under Article 9(4) of the ICCPR. Amended legislation specifies that the prosecutor's office must apply to a judge to keep an individual in pre-charge detention no later than 12 hours before the end of their term of detention, which is 72 hours, and that the judge must review the application by the prosecutor's office no later than 12 hours after receiving it. This means that under amended legislation an individual deprived of their liberty must be brought before a judge within 72 hours of their detention, a length of custody considered excessive by the Human Rights Committee in its Concluding Observations in March 2005.¹³

Amnesty International considers that the obligation to bring people deprived of their liberty before a judicial authority promptly after detention is a key safeguard against torture or other ill-treatment and removes the absolute power over the detainee which the detaining law enforcement authorities might otherwise have.

While the law gives the detainee and his lawyer the right to be present during the court hearing, and the right to appeal against the decision taken by the judge, independent experts have raised concern that defence lawyers will not be given the opportunity to familiarize themselves with the materials submitted by the prosecutor's office; and that they will not be permitted to present evidence or call witnesses at the hearing. Furthermore Amnesty International has received reports that detainees have been denied the right to have a lawyer of their choice present at the court hearing.

Amnesty International is also concerned that judges have not been exercising their authority to independently and impartially decide on the legality of the arrest and detention and the necessity for continued detention. It is claimed by lawyers that judges merely "rubber stamp" the prosecutors' requests for detention rather than give due consideration to releasing the person, including on bail. This concern is based on findings by international governmental and research of non-governmental organizations, including Amnesty International, indicating that in the past, judges have rarely gone against the decisions taken by the prosecutor's office.

Human rights violations in the context of national security and the fight against terrorism (Articles 7, 9, 10 and 14,)

The Uzbekistani authorities continue to actively seek the extradition, in the name of national security and the fight against terrorism, of members or suspected members of banned Islamic movements or Islamist parties, such as Hizb-ut-Tahrir, or people

¹³ Concluding observations of the Human Rights Committee: Uzbekistan, 26/04/2005, CCPR/CO/83/UZB, paragraph 14.

suspected of involvement in the May 2005 Andizhan events, from neighbouring countries as well as the Russian Federation

Russian officials have also confirmed that Uzbekistani security forces have operated in the territory of the Russian Federation. In December 2007, for example, Russian human rights organizations received official confirmation that Uzbekistani security forces had detained an asylum-seeker in the Russian Federation and handed him over to their Russian counterparts. An interstate arrest warrant was only issued after his detention and reportedly backdated by the Uzbekistani authorities. Amnesty International has also received information that Uzbekistani security forces have operated in the territories of Kazakhstan and Kyrgyzstan and have detained or abducted asylum-seekers. Uzbekistani security forces have also exerted pressure on the families of people seeking asylum in neighbouring countries, sometimes paying for relatives to travel to Kazakhstan or Kyrgyzstan to convince the person in question to return “voluntarily”.

Concerns about the liberty of movement – the right to enter one’s own country (Article 12)

The rights to liberty of movement and freedom of residence as provided for in Article 12 do not exist in Uzbekistani law.

Amnesty International has been particularly concerned about the requirement that Uzbekistani nationals apply for and obtain permission to travel abroad before leaving the country and Article 223 of the Criminal Code which punishes illegal exit and entry of the country, including return to the country after the expiry of the permission to travel abroad.

According to the procedures in place, an individual submits their passport and a completed questionnaire to the local Department of Internal Affairs¹⁴ which, within 15 days, returns it with a sticker, valid for two years, authorizing the travel. Citizens who do not have a passport (authorizing foreign travel) are entitled to receive a passport and enabling sticker from their local Department of Internal Affairs, also within a period of 15 days. Throughout the two years of their authorized travel, Uzbekistani bearers of such passports may freely leave and enter Uzbekistan. Amnesty International is concerned that human rights defenders and independent journalists have been refused permission to travel abroad or have suffered long delays in being issued with permission to travel abroad.

¹⁴ Article 1, II Procedure for Citizens of the Republic of Uzbekistan to Cross the Border, as amended in 2002.

Illegal exit abroad or illegal entry into Uzbekistan, including by overstaying the permission to travel abroad or failing to renew it, are punishable under Article 223 of the Criminal Code with fines or with imprisonment from three to five years or in aggravated circumstances by up to 10 years' imprisonment. Returned asylum-seekers are particularly vulnerable to being charged under Article 223, as many will not have renewed their permission to travel abroad (having applied for asylum abroad). Other Uzbekistani nationals have reportedly also fallen increasingly foul of the travel regulations while they were abroad, as new regulations, in some instances, have not allowed nationals to renew their permission or exit visas in their nearest Uzbekistani consulate, but rather have required them to do so in Uzbekistan at the local Department of Internal Affairs which gave them their original documentation. Amnesty International has learned of at least one Uzbekistani national who was prosecuted under Article 223 of the Criminal Code for failure to do this in 2007, two years after the Human Rights Committee recommended that Uzbekistan "abolish the requirement of an exit visa for its nationals".¹⁵ This individual was charged with illegal exit abroad upon return to Uzbekistan and sentenced to five years' imprisonment. Although later released from prison under an amnesty, the individual remains under a form of house arrest and under a permanent foreign travel ban.

By law, Uzbekistani citizens do not require an exit visa if they are travelling to another country in the Commonwealth of Independent States (CIS). In at least three recent cases, however, Uzbekistani human rights defenders who went to Kyrgyzstan, a member of the CIS, were prosecuted under Article 223 of the Criminal Code.

Restrictions on the right to freedom of expression and assembly: the situation of human rights defenders and independent journalists (Articles 19, 21 and 22)

Amnesty International remains gravely concerned about the deterioration of respect for the freedoms of expression and assembly in Uzbekistan, particularly since May 2005, as well as the continued targeting of human rights defenders, civil society activists, political opposition activists and independent journalists. Repressive measures taken by the authorities have created a climate of fear among civil society.

At least ten human rights defenders remain in prison in cruel, inhuman and degrading conditions, having been sentenced to long prison terms after conviction in unfair trials. Only some of the imprisoned human rights defenders were released in 2008, under the terms of two separate presidential amnesties, and their releases were not unconditional. The human rights defenders who remain in prison have limited access to relatives and legal representatives, and there are reports that they have been tortured or otherwise ill-treated. Some were reported to be gravely ill in prison.

¹⁵ In its consideration of Uzbekistan's 2nd Periodic Report in 2005, the Human Rights Committee concluded that: Uzbekistan must abolish the law on illegal exit, paragraph 19, <http://daccessdds.un.org/doc/UNDOC/GEN/G05/413/69/PDF/G0541369.pdf?OpenElement>.

At least two human rights activists were sentenced to long prison terms in October 2008 on charges they claimed were fabricated in order to punish them for their human rights activities. Amnesty International was therefore dismayed that Uzbekistan rejected recommendations by several states during the UPR to release all detained human rights defenders; the authorities claimed that such information was factually wrong.

The Uzbekistani authorities have long disputed that human rights defenders are detained and imprisoned. At an EU Parliament hearing on Central Asia in 2008 the Uzbekistani Deputy Ambassador to the EU stated that those who called themselves human rights defenders in Uzbekistan and claimed to be persecuted by the authorities were not genuine human rights defenders but individuals out to undermine the image and reputation of the country.

Other human rights activists and independent journalists, who remain in the country, are routinely monitored by uniformed or plain-clothes law enforcement officers. Human rights defenders have been called in for questioning at their local police stations, placed under house arrest or otherwise prevented from attending meetings with foreign diplomats and delegations, or from taking part in peaceful demonstrations. Relatives of some human rights defenders have reported that they too have been threatened and harassed by the security forces; some of them have been detained and jailed in order to put pressure on the human rights defenders.

There are regular television programmes and articles in the national press denouncing independent journalists and the international networks they work for, and calling them traitors. Amnesty International fears that such statements give the green light for journalists to be harassed or attacked. Human rights defenders and independent journalists have reported being beaten and detained by law enforcement officers, or beaten by people suspected of working for the security services. For example, in June 2008, a programme aired on a TV station denounced Uzbekistani staff of the international media organization Radio Liberty/Radio Free Europe as traitors to their country. The TV programme also gave personal details, including names and addresses of local correspondents of Radio Liberty/Radio Free Europe.

Human rights defenders, both those active abroad and in Uzbekistan, have also found themselves the target of extensive and repeated media campaigns, both on government-owned or controlled websites and in the official printed press. In 2007 for example, parts of the Uzbekistani media had conducted a campaign denouncing the reporting of Alisher Saipov, an ethnic Uzbek independent journalist and human rights defender from Kyrgyzstan, as an attack on the Uzbekistani state. He was killed some weeks later in Kyrgyzstan amid allegations that his murder was linked to his journalistic and human rights activities. The perpetrators of this killing have not been brought to justice.

Pressure on members of international media and staff of international NGOs has continued despite assertions to the contrary by the authorities. In May 2008 the authorities refused to register the work permit of the country director of Human Rights Watch, for example, and in July they banned him from Uzbekistan.

When the EU decided in October 2008 to lift the visa ban on officials linked to the Andizhan killings, the General Affairs and External Relations Council cited certain positive developments which had influenced its decision, including Uzbekistan's willingness to host an EU-Uzbekistan seminar on media freedom in Tashkent. It should be noted however, that no independent media from Uzbekistan or foreign journalists were allowed to attend the seminar which took place on 2 - 3 October 2008. International NGOs which had participated at the invitation of the EU, including Amnesty International, issued a joint public statement condemning the seminar as "a decoy designed to extract concessions [from the EU] at no cost to the authorities" which "should not be considered as evidence of any improvement in the country's 17-year policy of suppressing freedom of speech".¹⁶

While welcoming a constructive dialogue with the government, the UN Special Representative on human rights defenders has repeatedly raised concerns about the deteriorating situation for human rights defenders, including by sending close to 50 individual communications, often together with other UN Special Procedures, such as the Special Rapporteur on torture and the Working Group on arbitrary detention.¹⁷ The Special Representative on human rights defenders has also repeatedly requested to undertake an official visit to the country; however, by the end of April 2009 the authorities had yet to extend such an invitation.

¹⁶ *Uzbekistan: Media Freedom Needs Action As Well As Dialogue*, 6 October 2008, Brussels.
<http://www.crisisgroup.org/home/index.cfm?id=5710&l=1&m=1>.

¹⁷ Most recently in the Annual Report of the Special Representative of the UN Secretary-General on the situation of human rights defenders, A/HRC/7/28/Add1, pps 392, 393.