



AMNESTY INTERNATIONAL

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UZBEKISTAN: APPEAL CASE UPDATE

Mutabar Tadzhibaeva – Human Rights Defender

On 6 March 2006 human rights defender Mutabar Tadzhibaeva, Chairwoman of the human rights organization Fiery Hearts Club, was sentenced to eight years' imprisonment. She faced 13 economic and political charges, including "membership of an illegal organization" and "using funds from Western governments to prepare or distribute materials containing a threat to public order and security" (Articles 216 and 244-1 Part 3 of the Uzbekistani Criminal Code). Mutabar Tadzhibaeva denied all charges against her.

Mutabar Tadzhibaeva's trial began on 30 January 2006 at Nizhnechirchinsk District Court in Tashkent Region, and access to the courtroom was restricted until 8 February, when some diplomatic representatives, journalists and human rights observers were allowed in. During the trial, security in Nizhnechirchinsk was said to be very tight. An eye-witness described how a barricade of concrete slabs was laid in the square in front of the court, topped with barbed wire. Road blocks were also allegedly set up in the approach to the small town, with passport-checks for all who sought to enter.

During the investigation and the trial, Mutabar Tadzhibaeva was reportedly denied access to some of the case files and was not given sufficient time to read all the materials that were available, or to consult with her lawyers. Amnesty International received reports from Mutabar Tadzhibaeva's defence lawyer, who explained that she was allowed access to her client only in the presence of three or four guards and throughout the trial Mutabar Tadzhibaeva was forced to sit in a cage. Mutabar Tadzhibaeva made several petitions to the court, none of which were granted by the judge, Abdulaziz Yoldashev. Her request for her family to be present at her trial was allegedly refused by the judge on the grounds that they might intimidate the witnesses. Her lawyer was also forbidden to cross-examine the prosecution witnesses.

The First Deputy Procurator General summed up on 28 February and asked for nine years' imprisonment, on a total of 17 economic and political charges. Four of these charges were dropped when Mutabar Tadzhibaeva was sentenced on 6 March.

Amnesty International considers Mutabar Tadzhibaeva to be a prisoner of conscience, detained solely for carrying out her human rights work, and calls for her immediate and unconditional release.

BACKGROUND INFORMATION:

Mutabar Tadzhibaeva is the Chairwoman of the human rights organization Fiery Hearts Club, which is based in Ferghana City in Uzbekistan. She is also one of the founders of the national movement Civil Society and a 2005 Nobel Peace Prize Nominee. Mutabar Tadzhibaeva has monitored human rights violations in Ferghana Valley and she has reported on issues such as the violations of women's rights to the Institute for War and Peace Reporting (IWPR), an international non-governmental organization which trains journalists in human rights reporting. Mutabar Tadzhibaeva was due to attend an international conference on human rights defenders in Dublin on 8 October 2005. She was detained on 7 October when she was scheduled to fly to Tashkent to get a connection to Ireland.



*Photograph of
Uzbekistani human
rights defender Mutabar
Tadzhibaeva © Private*

According to Mutabar Tadzhibaeva, an argument had arisen between her and an employee of her fish farm over a sum of money that he owed her and on 7 October the employee came to her house in Margilan, Ferghana Valley, to repay his debt. Reportedly, it was at this point that armed police and special force agents in masks entered her house and charged Mutabar Tadzhibaeva with swindling and extortion (Article 168 and Article 165 Part 2b of the Uzbekistani Criminal Code). The police and special force agents also allegedly searched her house without a warrant and seized a computer and several documents.

In recent years, Mutabar Tadzhibaeva has come under increasing pressure from the authorities for her human rights activities. On 22 September 2005 she gave an interview to *Radio Liberty* in Uzbekistan, (Radio Ozodlik), where she spoke out about the government's crackdown on human rights activities since the Andizhan events and the trial of 15 defendants in connection with the Andizhan events, which started on 20 September.

Before 13 May, Mutabar Tadzhibaeva had also been working with the families of 23 entrepreneurs on trial in Andizhan. It is believed that the events in Andizhan were triggered in part by the trial of 23 local entrepreneurs, who were charged under various articles of the Uzbekistani Criminal Code for their alleged involvement with an organization by the name of Akramia. The Uzbekistani authorities accused members and supporters of Akramia of attempting to organize the protests in Andizhan with a view to establishing an Islamic state in Uzbekistan. They also linked the movement to the banned Hizb-ut-Tahrir opposition party, which they categorize as a "terrorist" organization. The 23 men have denied being linked to any banned Islamic groups. Mutabar Tadzhibaeva was due to visit the families of 23 entrepreneurs on 13 May, but she was summoned to the police that day by the Anti-Terrorist Department of the Ministry of Internal Affairs where she was detained for three days.

During the trial of the defendants in connection with the Andizhan events, which started on 20 September, several of the 15 defendants reportedly accused her of being involved in the uprising. The authorities also reportedly spread a rumour that a criminal case had been filed against her for supporting members of Akramia. Mutabar Tadzhibaeva denied all allegations and reportedly started a hunger strike protest the day after her detention. It is believed that her health deteriorated and an ambulance was called.

Mutabar Tadzhibaeva was reportedly held in a pre-trial detention centre in Ferghana City (SIZO-10). According to information received from Mutabar Tadzhibaeva's lawyer, her state of health was poor and she was allegedly denied further medical attention. Her lawyer also reported that Mutabar Tadzhibaeva had been threatened by guards and fellow detainees whilst she was in detention. Furthermore, she had allegedly been denied all access to her family and she had often been refused access to her lawyer. Her lawyer had also reportedly been harassed by the authorities and was allegedly under constant police surveillance.

It is believed that Mutabar Tadzhibaeva was detained in order to suppress her human rights activities and to prevent her from attending the human rights defenders' conference in Dublin.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English, Russian, Uzbek or your own language:

- expressing concern that Mutabar Tadzhibaeva was sentenced to eight years' imprisonment after a trial that fell short of international fair trial standards, in contravention of Uzbekistan's international obligations, as a state party to the International Covenant on Civil and Political Rights (ICCPR);
- stating that Amnesty International considers Mutabar Tadzhibaeva to be a prisoner of conscience, imprisoned solely for carrying out her peaceful and legitimate human rights work, and calling for her immediate and unconditional release;
- urging the authorities to ensure that Mutabar Tadzhibaeva receives appropriate medical treatment;
- urging the authorities to ensure that everyone, including human rights defenders, can peacefully exercise their right to freedom of expression in conformity with Article 19 of the ICCPR to which Uzbekistan is a State Party;
- reminding the authorities of the right of human rights defenders to carry out their activities without any restrictions or fear of reprisals, as set out in the United Nations Declaration on the Rights and

Responsibilities of Individuals, Groups and Institutions to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms.

APPEALS TO:

President

Islam A. KARIMOV,
Rezidentsia prezidenta; ul. Uzbekistanskaia, 43; Tashkent 700163; UZBEKISTAN
Fax: + 998 71 139 53 25, email: presidents_office@press-service.uz
Salutation: Dear President Karimov

Minister of Internal Affairs

Bahodir MATLIUBOV
Ministerstvo vnutrennikh del RU, ul. Novruz, 1; Tashkent 700029; UZBEKISTAN
Fax: + 998 71 133 89 34
Salutation: Dear Minister Matliubov

Minister of Justice

Buritosh MUSTAFAEV
Ministerstvo yustitsii RU, ul. Sayilgokh, 5; Tashkent 700047; UZBEKISTAN
Fax: + 998 71 133 51 76; telex: 02 11 65 94 JUSTICE; email: info@minjust.gov.uz
Salutation: Dear Minister Mustafaev

Procurator General

Rashidjon KODIROV,
Prokuratura Respubliki Uzbekistan, ul. Gulyamova, 66; Tashkent; 700047; UZBEKISTAN
Fax: + 998 71 133 39 17/ 133 73 68, email: prokuratura@lawyer.com
Salutation: Dear Procurator General

COPIES TO:

Minister of Foreign Affairs

Elior GANIEV, Ministerstvo inostrannykh del RU; pl. Mustakillik, 5; Tashkent 700029; UZBEKISTAN
Fax: + 998 71 139 15 17

Head of the National Centre for Human Rights,

Akmal Saidov, Natsionalny tsentr po pravam cheloveka, 5/3, Mustakillik Maidoni, Tashkent 700029,
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and to diplomatic representatives of Uzbekistan accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY.

PLEASE SEND ANY REPLIES FROM THE UZBEKISTANI AUTHORITIES AS SOON AS POSSIBLE TO THE INTERNATIONAL SECRETARIAT OF AMNESTY INTERNATIONAL (Eurasia Research and Campaign Team, Amnesty International, 1 Easton Street, London WC1X 0DW, United Kingdom)