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## **Summary prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21**

### **Uzbekistan\***

The present report is a summary of 16 stakeholders' submissions<sup>1</sup> to the universal periodic review. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. As provided for in Resolution 16/21 of the Human Rights Council, where appropriate, a separate section is provided for contributions by the national human rights institution of the State under review that is accredited in full compliance with the Paris Principles. The full texts of all submissions received are available on the OHCHR website. The report has been prepared taking into consideration the periodicity of the review and developments during that period.

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\* The present document was not edited before being sent to United Nations translation services.

## **I. Background and framework**

### **A. Scope of international obligations**

1. Central Asian Gender and Sexuality Advocacy Network (CAGSAN) noted that Uzbekistan has ratified six of the core United Nations human rights instruments, namely the Convention on Elimination of all forms of Racial Discrimination (ICERD), the International Convention on Civil and Political Rights (ICCPR), the Convention Against Torture (CAT), the Convention on Elimination of all forms of Discrimination Against Women (CEDAW), the International Convention on Economic, Social and Cultural Rights (ICESCR) and the Convention on the Rights of the Child (CRC).<sup>2</sup>
2. Amnesty International (AI) noted that in December 2008, Uzbekistan had acceded to the Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty.<sup>3</sup>
3. Joint Submission 3 (JS3) recalled the State's commitment made during the first UPR cycle to examine the possibility of ratifying the Optional Protocol to CAT.<sup>4</sup>
4. AI noted that Uzbekistan had neither ratified the 1951 Convention Relating to the Status of Refugees nor its 1967 Protocol.<sup>5</sup>
5. AI also noted that Uzbekistan had not ratified the Rome Statute of the International Criminal Court.<sup>6</sup>

### **B. Institutional human rights infrastructure**

6. AI recalled Uzbekistan's acceptance of recommendations by several States that it establish a national independent mechanism to monitor all places of detention and to consider complaints, noting that no such mechanism had been established to date.<sup>7</sup>

## **II. Cooperation with human rights mechanisms**

7. AI noted that Uzbekistan had refused to allow the Special Rapporteur on torture and the Special Rapporteur on human rights defenders an official visit to the country, despite repeated requests. AI recommended that Uzbekistan extend a standing invitation to the Special Procedures.<sup>8</sup>
8. Joint Submissions 1 and 5 (JS1 and JS5) recommended that Uzbekistan extend invitations to those Special Rapporteurs who have requested to visit the country, including the Rapporteurs on human rights defenders, freedom of expression, freedom of assembly and association, freedom of religion, torture, and the independence of judges and lawyers.<sup>9</sup>

## **III. Implementation of international human rights obligations**

### **A. Equality and non-discrimination**

9. JS1 stated that individuals serving prison sentences for "religious extremism" offences were frequently subjected to discriminatory treatment and abuse. In the past few years, numerous reports had been received about cases in which such prisoners were believed to have died as a result of harsh detention conditions, ill-treatment and torture.<sup>10</sup>

10. CAGSAN recalled that in 2008, Uzbekistan had rejected a recommendation to decriminalize consensual sexual contacts between men, for which article 120 of the Criminal Code envisages imprisonment for up to 3 years. CAGSAN noted that about 500 persons were presently imprisoned under that article. According to CAGSAN, LGBT persons had been harassed, beaten, raped and blackmailed by representatives of law enforcement bodies. CAGSAN recommended that article 120 of the Criminal Code be removed; that legislation be elaborated to counter hate crimes against LGBT persons; and that propaganda of homophobia by the mass media be prohibited.<sup>11</sup>

## **B. Right to life, liberty and security of the person**

11. AI noted that despite the introduction of new legislation to improve the treatment of detainees, many reports of torture or ill-treatment of detainees continued to emerge. Several thousand people convicted of involvement with banned Islamist parties or Islamic movements, as well as government critics, political opponents and human rights activists continued to serve long prison terms under conditions that amount to cruel, inhuman and degrading treatment.<sup>12</sup>

12. According to JS3, deaths in custody are still commonplace due the widespread practice of torture. In 2010 alone, 39 detained persons had allegedly died from torture. JS3 also drew attention to reports of violence against women, including sexual violence, in places of detention.<sup>13</sup>

13. According to Human Rights Watch (HRW), torture and ill-treatment remained endemic to the criminal justice system, notwithstanding positive steps to introduce habeas corpus (judicial review of detention), which had entered into force in 2009. HRW noted that it had collected evidence of wide-scale torture of detainees in the period following the 2008 UPR. HRW also stated that its research demonstrated that the habeas corpus reform failed to protect detainees from torture and did not comply with international norms. Habeas hearings were closed proceedings, and judges approved requests by prosecutors to arrest defendants in nearly every case. Judges also routinely ignored torture allegations.<sup>14</sup>

14. The Norwegian Helsinki Committee (NHC) noted that the methods of torture used during interrogations included beatings, electric shocks and simulated asphyxiation.<sup>15</sup> AI recommended that an independent mechanism is established to monitor all places of detention.<sup>16</sup>

15. AI noted that, although the authorities had released some human rights defenders over the past four years, at least eight human rights defenders continued to serve long prison terms in cruel, inhuman and degrading conditions of detention, including human rights defenders Salidzhon Abdurakhmanov and Agzam Turgunov.<sup>17</sup>

16. Global Initiative to End all Punishment of Children (GIEACPC) noted that in Uzbekistan corporal punishment is considered unlawful in schools and in the penal system, but lawful in the home.<sup>18</sup>

## **C. Administration of justice, including impunity, and the rule of law**

17. HRW observed that more than seven years after the Andijan events of May 2005, no one had been held accountable. Instead, the Government continued to relentlessly persecute those it suspects of having ties to the protest, and to intimidate and harass the families remaining in Uzbekistan of Andijan survivors who have sought refuge abroad.<sup>19</sup>

18. AI and JS1 recommended that Uzbekistan agree to a thorough, independent and impartial international investigation into the circumstances of the Andijan events.<sup>20</sup> JS3 also

recommended an independent investigation of cases of torture of Andijan prisoners, and the release of information relating to missing persons among those who had been arrested. JS3 recommended that an independent complaint mechanism be created to enable the family of refugees and survivors of Andijan to bring legal complaints without the risk of further victimization.<sup>21</sup>

19. According to JS1, allegations of torture and ill-treatment are still rarely adequately investigated and prosecuted. Family members of individuals accused of “religious extremism” often received no responses to complaints about torture submitted to the authorities, even if the names of the alleged perpetrators were indicated.<sup>22</sup>

20. JS3 observed a lack of substantial measures by the Government to put an end to impunity regarding the practice of torture. JS3 recommended the conduct of prompt, thorough and impartial investigations by an independent body into all complaints of torture; the prosecution and punishment of perpetrators; and the creation of an independent medical service to conduct medical examinations of all detainees promptly after arrest and on a regular basis, in line with the Istanbul Protocol.<sup>23</sup>

21. JS3 noted that torture and ill-treatment were used to extract confessions and coerce witnesses into testimonies to establish guilt.<sup>24</sup> AI recommended that Uzbekistan ensure that no statement obtained as a result of torture is used as evidence in trial proceedings, except as evidence against a person accused of torture; that prompt, thorough, independent and impartial investigations are conducted into all complaints of torture.<sup>25</sup>

22. AI noted that in September 2011, the President had approved a new law on the treatment of individuals in pre-charge and pre-trial detention, which, in theory, would improve access to those held in police custody and make it easier to monitor their treatment independently. However, there was scant evidence of a consistent and effective implementation of the law.<sup>26</sup>

23. Freedom Now noted that legal protections for citizens accused of criminal offenses were frequently ignored by the General Prosecutor’s Office. Trials of dissidents were almost always closed, and individuals expressing views critical of the government were often arbitrarily arrested and detained.<sup>27</sup>

24. JS3 noted that prosecutor's motions for detention were almost always accepted by the courts, and that alternative measures to detention were hardly ever considered. Counsels appointed ex officio did not argue sufficiently in favour of defendants. Trials were usually held without notice being given to the relatives of the defendants and without legal counsel being provided to defendants. Convictions were often based on undisclosed evidence. Appeals were usually dismissed. Furthermore, many defendants were tried several times for the same offence, violating the prohibition of double jeopardy.<sup>28</sup>

25. JS1 noted that trials in religious “extremist” cases were often held behind closed doors, without access for human rights monitors, journalists or relatives. They were characterized by gross procedural violations. Judges failed to pay attention to allegations of torture, in spite of Supreme Court resolutions prohibiting the admissibility as evidence of statements made under coercion.<sup>29</sup> AI recommended that Uzbekistan ensure that all trials, including those of people charged in connection with membership of banned religious organizations, scrupulously uphold international standards for fair trial.<sup>30</sup>

26. JS3 recommended that all suspects be granted mandatory access to legal counsel upon arrest; and that the defence be granted automatic access to exculpatory materials and evidence presented by the prosecution. Objective criteria should be established in law for the appointment, tenure, promotion, suspension and dismissal of the members of the judiciary, ensuring their total independence from the executive branch. As a general rule,

all trials should be held in public, and judgment should be made public in all circumstances, except where the interest of children otherwise requires or in matrimonial disputes.<sup>31</sup>

#### **D. Right to family life**

27. Joint Submission 6 (JS6) highlighted key reproductive rights issues, in particular the non-consensual sterilization of women of child-bearing age who have two or more children, based on the State Program on Compulsory Sterilization of Women. JS6 recommended that the compulsory sterilizations of women be stopped; that women be left to choose their methods of contraception and how many children they would like to have; and that awareness among the population about modern methods of contraception and family planning be increased.<sup>32</sup>

#### **E. Freedom of religion or belief, expression, association and peaceful assembly, and right to participate in public and political life**

28. AI stated that the space for freedom of expression and association had continued to shrink. Prominent human rights defenders, government critics and independent journalists had been forced to leave Uzbekistan to escape arrest or sustained harassment and intimidation by security forces and local authorities. Those who remained in the country were routinely monitored. According to AI, human rights defenders and journalists continued to be summoned for questioning at their local police stations, placed under house arrest or otherwise prevented from attending meetings with foreign diplomats, or from taking part in peaceful demonstrations. They were often beaten and detained by law enforcement officers. Television programmes and articles in the national press denounced independent journalists, calling them traitors. Human rights defenders regularly found themselves and their families the target of extensive and repeated media campaigns.<sup>33</sup>

29. HRW noted that, during the previous UPR, Uzbekistan had denied the facts on which recommendations to end the persecution of human rights defenders were based. However, since 2008 the Government had widened its crackdown on independent civil society, prosecuting rights activists and independent journalists on trumped-up charges, such as fraud or defamation.<sup>34</sup> AI recommended that Uzbekistan release immediately all prisoners of conscience; investigate all reports of assault of human rights defenders, independent journalists and civil society activists and bring to justice those responsible.<sup>35</sup>

30. HRW noted that civil society continued to operate under conditions of extreme repression and that no independent domestic human rights organization had been allowed to register since 2003. Uzbek authorities had persistently refused to allow independent human rights to operate in the country, and the few remaining activists faced constant surveillance, harassment and abuse. In March 2011, the Government had forced Human Rights Watch to close its Tashkent office.<sup>36</sup>

31. JS5 noted that the work of international human rights organisations remained severely obstructed, and that the authorities continued to harass, arrest and attack civil society activists and human rights defenders.<sup>37</sup>

32. JS5 also observed that Law N-ZRU-198, adopted on 31 December 2008 with the purported aim of restructuring the legal profession, prohibits the existence of any professional lawyers' organisations other than the Chamber of Lawyers, established by the Government. As a result, the independent Association of Lawyers and the Collegium of Advocates had been forced to disband. In addition, several lawyers who had represented human rights activists or supported the work of international human rights organisations had been stripped of their licenses.<sup>38</sup>

33. JS5 recommended that Law N-ZRU-198 be amended to allow for the establishment of independent lawyers' associations; the Law on NGOs be repealed or amended to ensure that restrictions on the freedom of association are removed; and all undue restrictions on cooperation with international actors be removed. All imprisoned civil society activists, human rights defenders and journalists should be unconditionally released. Attacks on and threats to journalists should be investigated and publicly condemned by senior government officials.<sup>39</sup>

34. According to JS1, members of Uzbekistan's small community of independent journalists and human rights defenders continued to face surveillance, house arrest, denial of exit visas, physical assaults, detentions and politically motivated charges and convictions. A few wrongfully imprisoned journalists and human rights defenders had been released in response to international pressure, but a considerable number of others continued to serve prison sentences on fabricated charges. JS1 noted that it was extremely difficult for non-governmental organizations to obtain registration. Only one active human rights group had been registered. Other human rights groups carried out their work without legal status, which increased their vulnerability to harassment. The efforts of international media and NGOs continued to be hampered by restrictive accreditation and visa rules.<sup>40</sup>

35. Freedom Now observed that the Government frequently subjected human rights activists to harassment, intimidation and violence, ordered journalists and activists to cease their contacts with foreign diplomats and international human rights organizations and retaliated against them for continuing these contacts. Independent journalists and human rights defenders were specifically targeted for politically motivated prosecutions, sham trials, and long prison sentences. False charges of defamation, religious extremism, extortion, tax evasion and drug dealing were used to arrest and detain human rights activists.<sup>41</sup>

36. NHC noted that civil society in Uzbekistan had grown increasingly smaller over the years, as activists were forced to flee the country and seek asylum abroad, or were arrested and imprisoned.<sup>42</sup>

37. HRW observed that in the period following the UPR, the Uzbek Government had continued to imprison and harass independent journalists and further tightened its control over the media and internet.<sup>43</sup> PEN noted that since the review in 2008, Uzbekistan had continued to threaten, prosecute and imprison writers and journalists. The government controlled major media channels, including television, and threatened or prosecuted journalists who cover topics such as corruption, torture or child labour.<sup>44</sup>

38. According to JS3, human rights defenders and journalists are often subjected to inhuman treatment and torture upon detention. The monitoring centre of the Communications and Information Agency produced «expert assessments» of journalistic publications, which were then used as ground for prosecution. Ezgulik, which was the only surviving independent local NGO, was regularly the object of government retaliation, and two of its activists were currently serving long prison sentences. Journalists were often forced to work under a pseudonym. JS3 recommended that articles 139 and 140 of the Criminal Code on defamation be amended in order to avoid any type of imprisonment with regard to these offences; that accreditation be given to all foreign news agencies and international NGOs; that journalists and human rights defenders convicted on questionable charges be released from detention, and that the criminal prosecution of journalists for their professional activities be abolished.<sup>45</sup>

39. Reporters Without Borders (RWB), referring to the 2008 review, noted that none of the recommendations related to press freedom had been implemented. Far from broadening freedom of information, the Government had stepped up its control and repression to adapt to the increasing role of the new media. At least 10 journalists were behind bars for

performing their professional activity or expressing dissident opinions. The few remaining independent local journalists operated in a climate of fear. Since 2011, the Government had been attempting to monitor media activities even more strictly. Journalists had been banned from talking to foreign diplomats without government permission, and more websites had been blocked.<sup>46</sup>

40. NHC observed that due to restrictive laws and practices, anyone raising critical questions in the media risked persecution and imprisonment. The official media were completely state-controlled.<sup>47</sup>

41. JS5 noted that 10 journalists remained in prison. In January 2012, days before his expected release from prison following a 13-year sentence, Muhammad Bekjanov, former editor of the *Erk* newspaper, had been sentenced to an additional five-year sentence for violations of internal prison rules. JS5 also informed that in August 2011, the Cabinet of Ministers had adopted resolution No. 228 ‘on additional measures to develop a monitoring system in the sphere of mass communications’, which provides for the creation of an ‘expert commission’ tasked with the identification and classification of information that could ostensibly exert “a negative social impact on the citizens of Uzbekistan.”<sup>48</sup>

42. JS1 drew attention to repressive measures targeting the use of the internet. Websites needed to be registered with the authorities, and the owners, editors and staff of websites could be held liable for the “objectivity” of published materials. Online material on controversial issues, such as corruption, human rights violations and religion were filtered and websites featuring criticism of the authorities were blocked. Internet cafes were held under surveillance by security services. Those who dared to use the internet to openly criticize authorities or comment on controversial issues were highly vulnerable to intimidation and harassment.<sup>49</sup> JS1 recommended that Uzbekistan respect freedom of expression in the internet and abolish excessive restrictions that are in violation of international human rights law, in particular article 19 of ICCPR.<sup>50</sup>

43. More generally, JS1 recommended that Uzbekistan stop intimidating and harassing independent journalists and human rights defenders, including by pursuing politically motivated charges against them; that it immediately and unconditionally release all journalists and defenders arrested or imprisoned on such grounds; that it adopt a law on assemblies that is consistent with international human rights standards and allow peaceful public protests to take place without interference by law-enforcement authorities; and that it enable independent NGOs to obtain registration in an uncomplicated process.<sup>51</sup>

44. PEN International (PEN) recommended that all imprisoned writers and journalists be released from detention, that criminal defamation laws be abrogated, and that all journalists, both domestic and foreign, be allowed to report on critical human rights issues.<sup>52</sup> RWB asked for information to be provided on the whereabouts of Jamshid Karimov.<sup>53</sup>

45. Freedom Now recommended that human rights activists Turgunov, Saidov, Jalilov and Abdurakhmanov be immediately released; that the harassment and persecution of independent journalists and human rights activists be ended; that responsible government officials be held accountable for the torture and degrading treatment of activists Turgunov and Jalilov; and that detainees’ rights be respected.<sup>54</sup>

46. JS5 noted that strict limitations had been placed on organisers of and participants in demonstrations, severely inhibiting the application of the right to peaceful assembly.<sup>55</sup> JS1 noted the lack of a specific law on the conduct of assemblies, as well as the inconsistent implementation of existing regulations. Typically authorities did not respond to letters from citizens concerning plans to hold assemblies. Small-scale peaceful pickets staged to demand respect for fundamental rights and freedoms were broken up by police, and participants were subjected to intimidation, detentions and administrative sanctions.<sup>56</sup>

47. Forum 18 found no improvement in Uzbekistan's record on freedom of thought, conscience and belief. All non-state registered religious activity, including the sharing of beliefs and meetings for religious purposes in private homes, remained a criminal offence. Religious communities were raided with impunity and their members threatened, assaulted, detained, imprisoned, deported and fined. Reportedly, thousands of Muslims had been imprisoned, usually on accusations of belonging to terrorist, extremist or banned organizations.<sup>57</sup>

48. JS1 stated that in its fight against "religious extremists," the authorities failed to make a distinction between individuals who advocate violence, and individuals who practise their beliefs peacefully, albeit outside strict state controls. Thus, Muslims believers were arrested and charged with "extremist" crimes because of non-violent activities such as praying outside state-sanctioned mosques, studying "non-approved" religious literature or meeting with other believers.<sup>58</sup>

49. NHC observed that over the past four years, Uzbekistan had continued the practice of suppressing and persecuting members of religious communities considered to be "non-traditional". These included certain Muslim communities as well as religious minorities such as Christians, Baha'is, Jehovah's Witnesses, Jews and Hare Krishna. Persecution took place through house searches, detention, imprisonment and torture, as well as through bureaucratic means.<sup>59</sup>

50. HRW stated that authorities continued to unlawfully arrest, torture, and imprison Muslims who practice their faith outside state controls or belong to unregistered religious organizations. In 2011, over 100 believers had been arrested or convicted on charges related to "religious extremism". Authorities also continued to impose prison sentences and fines on Christians and members of other minority religions conducting peaceful religious activities.<sup>60</sup>

51. JS3 noted that some religious groups were refused registration on technicalities and thus deprived of their right to worship. They experienced raids, harassment, detention and criminal charges. The registration of religious communities enabled the State to reinforce its control, which, according to JS3, resulted in systematic and thorough religious censorship. The dissemination of religious material needed to be licensed by the Committee on Religious Affairs, under the Cabinet of Ministers. Without permission and examination by the Committee, distribution or personal use of religious material was strictly forbidden.<sup>61</sup>

52. According to JS3, a Special Commission under the Cabinet of Ministers annually established restriction on the number of Muslims allowed to perform the Hajj. The training of imams for Shiites was prohibited, and women wearing the hijab were persecuted. Public places of worships were strictly controlled and supervised by law enforcement agencies and special security services, and members of religious groups deemed extremist were subject to criminal sanctions. A great number of followers of the Turkish Muslim theologian Said Nursi, accused of "extremism", had been convicted between 2009 and 2010 with sentences ranging from six to 12 years, apparently because they practised Islam outside State control. Many cases of torture of persons suspected of extremist activities had been reported, including in facility 64/6, located in the city of Chirchick, Tashkent region, where more than 350 religious prisoners convicted for "anti-constitutional activity" are detained.<sup>62</sup>

53. The European Association of Jehovah's Christian Witnesses (EAJCW) stated that, with the exception of a congregation established in the region of Tashkent, it could not obtain legal registration for any place of worship. In 2008, three Jehovah's Witnesses had been sentenced to up to four years imprisonment, and one of them had been sentenced to an additional two and a half years prison in June 2012, for an alleged break of prison rules. Dozens of others had been arrested and prosecuted for "illegal religious activity". EAJCW requested Uzbekistan to grant amnesty to Abdubannob Akhmedov, who remained



imprisoned, stop prosecuting Jehovah's Witnesses for their peaceful religious activity, and accept registration applications for congregations in the localities where Witnesses reside.<sup>63</sup>

54. JS3 recommended that legal provisions restricting freedom of religion in a disproportionate and unjustified manner, such as the criminalization of proselytism, restrictions on the freedom to prepare and distribute religious texts or publications, or the persecution of followers of alternative beliefs on the grounds of "extremism" or "fundamentalism", should be abrogated, and the requirements for the registration of religious groups simplified and applied without discrimination.<sup>64</sup>

55. Joint Submission 4 (JS4), referring to the right of conscientious objection to military service, indicated that military service in Uzbekistan could be substituted by alternative service only in very limited circumstances. Only members of a small number of registered religious communities were recognized as being entitled to perform alternative service. JS4 also noted that the duration of alternative service was twice as long as that of military service.<sup>65</sup>

## **F. Right to work and to just and favourable conditions of work**

56. Joint Submission 2 (JS2) noted that State-sponsored forced labour continued to underpin Uzbekistan's cotton industry. Despite recommendations for reform, children, public employees and private sector employees were forced to pick cotton under threat of punishment. They were forcibly mobilised by regional government officials to ensure that state cotton quotas could be met. According to JS2, each year an estimated one million children, some as young as 10, were forced to pick cotton by hand during term-time, supervised by their teachers, under threat of punishment such as expulsion from school. Adults were forced to participate in the cotton harvest alongside children for no compensation and under threat of punishment such as the loss of employment, pensions and social welfare benefits. JS2 noted that this represented a grave violation of Uzbekistan's obligations under international law, including ILO Conventions No. 29 on Forced Labour and No.182 on the Worst Forms of Child Labour, as well as CRC. There had been no meaningful progress towards the eradication of forced labour in the cotton harvest since the UPR in 2008. Although the Government had accepted a recommendation to "ensure regular inspection of harvesting practices to guarantee full compliance with international child labour standards", the Government had resisted calls for full and independent monitoring by the ILO.<sup>66</sup>

57. JS1 urged the Government to invite, without further delay, an ILO high-level tripartite monitoring mission to visit the country during the 2013 cotton harvest. Uzbekistan needed to renounce the use of forced labour during the cotton harvest publicly, and take immediate action to end the practice. It should allow independent journalists and human rights defenders unrestricted access to observe, document and report on the situation.<sup>67</sup>

58. HRW noted that schoolchildren were forced to help with the cotton harvest for two months a year, during which time they lived in filthy conditions, contracted illnesses, missed school, and worked daily from early morning until evening for little or no pay. Hunger, exhaustion, and heat strokes were common. According to HRW, there was no evidence of any meaningful steps taken by the Government to implement Conventions Nos. 182 or 138, which Uzbekistan had ratified in March 2008, although it had adopted a National Action Plan in 2008 and introduced legislative amendments in December 2009. The Government had repeatedly rebuffed ILO requests to gain access for its independent monitors. HRW was also aware of several cases in which activists trying to document forced child labour had been harassed by the authorities.<sup>68</sup> JS3 made similar observations.<sup>69</sup>

## **G. Right to Health**

59. CAGSAN noted that although a national program on HIV/AIDS had been established under the Ministry of Health, statistics on HIV/AIDS were considered confidential. In 2009, the Government had started to prosecute NGOs taking up the issue of HIV/AIDS, accusing them of propaganda of anti-social behavior and pornography. CAGSAN recommended that the Government remove all unjustified restrictions on NGOs working on rights issues related to LGBT, reproductive health and HIV/AIDS; and bring the national legislation in compliance with international standards.<sup>70</sup>

60. CAGSAN recommended that programmes of HIV prevention be expanded, information and statistical data about infection rates be revealed, and measures are taken to increase awareness among the population. Furthermore, Uzbekistan should grant migrant workers access to medical aid, including diagnostics and treatment of HIV/AIDS, in addition to social, psychological and legal aid.<sup>71</sup>

## **H. Migrants, refugees and asylum-seekers**

61. AI noted that the authorities had briefly granted shelter to tens of thousands of ethnic Uzbek refugees who had fled violence in neighbouring southern Kyrgyzstan in June 2010. The authorities had allowed emergency teams from UNHCR access to Uzbekistan and the refugee camps, for the first time since ordering the agency to leave the country in 2006. However, access had been only temporary, until the majority of refugees had returned to Kyrgyzstan in August 2012.<sup>72</sup>

## **I. Counter-terrorism**

62. AI was concerned that the authorities' response to alleged terrorist attacks in the Ferghana Valley and the capital Tashkent, in May and August 2009 respectively, was inconsistent with the obligations to respect the prohibitions against arbitrary detention, torture and the right to fair trial. The attacks had been followed by waves of arbitrary detentions, often without charge or trial. Twelve of the 25 men sentenced to imprisonment alleged that their confessions had been obtained under torture.<sup>73</sup>

63. AI stated that members or suspected members of banned Islamic movements and Islamist groups extradited to Uzbekistan from third countries faced incommunicado detention, torture and long prison sentences in cruel, inhuman and degrading conditions.<sup>74</sup>

64. AI recommended that Uzbekistan ensure that all trials, including of persons charged with terrorist offences, scrupulously observe international standards for fair trial.<sup>75</sup>

### *Notes*

<sup>1</sup> The stakeholders listed below have contributed information for this summary. The full texts of all original submissions are available at: [www.ohchr.org](http://www.ohchr.org).

<sup>2</sup> CAGSAN, p. 1.

<sup>3</sup> AI, p. 2.

<sup>4</sup> JS3, p. 2.

<sup>5</sup> AI, p. 2.

<sup>6</sup> AI, p. 2.

<sup>7</sup> AI, p. 1.

<sup>8</sup> AI pp. 2, 4.

<sup>9</sup> JS1, P8; JS5, p. 8.

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- 10 JS1, p.7.  
11 CAGSAN, pp. 2-4.  
12 AI, p. 1.  
13 JS3. P. 3.  
14 HRW, p. 3.  
15 NHC, p. 1.  
16 AI, p. 4.  
17 AI, p. 1.  
18 GIEACPC, p. 2.  
19 HRW, p. 1.  
20 AI, p. 4; JS1, p. 8.  
21 JS3, pp. 14-15.  
22 JS1, p. 7.  
23 JS3, p. 4.  
24 JS3. P. 3.  
25 AI, p. 4.  
26 AI, p. 2.  
27 Freedom Now, pp. 1-2.  
28 JS3, pp. 8-9.  
29 JS1, p. 6.  
30 AI, p. 4.  
31 JS3, p. 10.  
32 JS6, pp. 2, 5.  
33 AI, p. 2.  
34 HRW, pp. 1-2.  
35 AI, p. 4.  
36 HRW, p. 2.  
37 JS5, p. 4.  
38 JS5, pp. 3-4.  
39 JS5, p. 7.  
40 JS1, pp. 3-4.  
41 Freedom Now, p. 2.  
42 NHC, p. 2.  
43 HRW, p. 3.  
44 PEN, pp. 1, 3.  
45 JS3, pp. 10-11.  
46 RWB, pp. 1-2.  
47 NHC, p. 1.  
48 JS5, p. 5.  
49 JS2, pp. 2-3.  
50 JS1. P. 8.  
51 JS1, p. 8.  
52 PEN, p. 7.  
53 RWB, p. 2.  
54 Freedom Now, p. 4.  
55 JS5, p. 6.  
56 JS1, p. 5.  
57 Forum 18, p. 1.  
58 JS1, p. 6.  
59 NHC, pp. 1-2.  
60 HRW, p. 3.  
61 JS3, p. 12.  
62 JS3, pp. 11-13.  
63 EAJCW, pp. 2-5.  
64 JS3, p. 14.  
65 JS4, pp. 2-4.

- <sup>66</sup> JS1, pp. 3-4.
  - <sup>67</sup> JS1, pp. 3-4.
  - <sup>68</sup> HRW, p. 5.
  - <sup>69</sup> JS3, pp. 5-8.
  - <sup>70</sup> CAGSAN, p. 2.
  - <sup>71</sup> CAGSAN, p. 5.
  - <sup>72</sup> AI, p. 2.
  - <sup>73</sup> AI, p. 3.
  - <sup>74</sup> AI, p. 3.
  - <sup>75</sup> AI, p. 5.
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