

Uzbekistan's partners should push for implementation of UN recommendations

Brussels/The Hague/Tashkent 29 April 2013. A review of Uzbekistan by the UN Human Rights Council ended with the adoption of an outcome report containing a set of recommendations in Geneva on Friday. International Partnership for Human Rights, the Netherlands Helsinki Committee and the Initiative Group of Independent Human Rights Defenders of Uzbekistan appeal to Uzbekistan's partners to champion the implementation of these recommendations in its relations with the Central Asian country.

"The EU and its member states should use the recommendations emerging from this review as a tool to press for concrete improvements in Uzbekistan's dismal human rights record," said Brigitte Dufour, director of Brussels-based International Partnership for Human Rights (IPHR).

Uzbekistan was scrutinized in Geneva on 24 April under the Human Rights Council's Universal Periodic Review (UPR), which is a state peer review mechanism used to regularly assess the human rights situation in all UN member states. It was the second time Uzbekistan was subject to review since the UPR was launched in 2008. At the session, many member and observer states of the Human Rights Council [expressed concern](#) about serious ongoing violations of fundamental rights and freedoms in Uzbekistan, such as wide-ranging restrictions on media and internet freedoms; harassment of independent journalists and human rights defenders; laws and practices that seriously curtail freedom of association and assembly and obstruct the work of civil society groups; persecution of peaceful religious practice and misuse of "religious extremism" charges; widespread problems of torture and ill-treatment; unfair trials and politically motivated imprisonment; and the continued use of forced child and adult labour in the cotton harvest.

A number of states raised concern about the Uzbek government's lack of cooperation with independent international monitors. None of the 11 UN human rights rapporteurs and working groups who have requested to visit Uzbekistan since 2002 has been allowed to do so, and the Uzbek authorities have refused to invite monitors from the International Labour Organization (ILO) to oversee the cotton harvest. The International Committee of the Red Cross (ICRC) [announced](#) earlier this month that it has decided to terminate all visits to detainees in Uzbekistan because it has been unable to operate in accordance with its standard working procedures in the country.

The states that participated in the review also made recommendations to Uzbekistan for how to improve the current situation. As reflected in the outcome report (A/HRC/WG.6/16/L.5) that was endorsed by the UPR Working Group of the Human Rights Council on 26 April, Uzbekistan supported 101 recommendations, said it will examine 14, found 30 to already have been implemented or to be in the process of being implemented, and rejected 58. Among the recommendations that it accepted are:

- To take effective and appropriate measures to guarantee freedom of expression, including on internet, and freedom of association and assembly; and to prevent any harassment or intimidation of those exercising these rights.

- To ensure that independent media, journalists, human rights defenders and civil society groups can freely operate, and to allow representatives of international organizations and non-governmental organizations to work in the country.
- To ensure that all trials correspond to international standards for a fair, independent and impartial trial, including those that involve persons accused of religious extremism or members of unregistered organizations.
- To undertake effective measures against torture and ill-treatment, including human rights training of law enforcement bodies; to carry out reforms to guarantee that detention conditions correspond to international standards in practice; and to expedite establishment of an independent monitoring mechanism of all places of detention.
- To improve compliance with ILO standards, including in relation to forced labour; to develop comprehensive cooperation with ILO in this area; and to take immediate and effective time-bound measures to eradicate forced and hazardous labour by children.
- To cooperate fully and effectively with independent human rights monitoring bodies, including UN treaty bodies.
- To allow the ICRC unrestricted access to all penitentiary facilities, including pre-detention facilities, and to provide it with appropriate working conditions.

The recommendations that Uzbekistan promised to examine include, inter alia:

- To review its Criminal Code provisions on defamation and insult.
- To apply the recommendations of independent UN expert bodies with respect to efforts to eliminate torture and ill-treatment.
- To authorize the ILO to carry out monitoring of the cotton harvest.

“The EU member states and other states committed to advancing human rights protection in Uzbekistan should integrate the recommendations that its government undertook to address or consider into a consistent strategy of promoting human rights progress in the country,” said Harry Hummel, director of the Netherlands Helsinki Committee (NHC).

The Uzbek government claimed to already be implementing a number of other recommendations that are closely related to those it accepted and concern similar basic issues, e.g. the media environment and working conditions for journalists, human rights defenders and bloggers; opportunities of independent NGOs to register; and efforts to investigate and punish perpetrators of torture. IPHR, the NHC and the Initiative Group of Independent Human Rights Defenders of Uzbekistan (IGIHRDU) question the government’s assertions on these points and believe that it should also be challenged on account of them and asked to present specific and compelling evidence to demonstrate progress.

The Uzbek government further dismissed important recommendations, such as recommendations to stop persecuting individuals for their peaceful religious activity and to release all political prisoners, with the argument that they are “factually wrong.” Similarly it dismissed a question about ensuring an independent investigation of the 2005 Andijan events, when government troops killed hundreds of protestors, by saying that this issue “is closed.” IPHR, the NHC and the IGIHRDU regret the government’s failure to acknowledge these problems, in spite of the wealth of NGO and other information that document them, as well as the conclusions of independent UN expert bodies. The three organizations also deplore that the Uzbek

government rejected recommendations to respond positively to pending visit requests by special representatives of the UN Human Rights Council and to extend standing invitations to them. It asserted that these recommendations are “not part” of its international human rights obligations; however, all UN member states are obliged to cooperate with the special representatives. IPHR, NHC and IGIHRDU urge Uzbekistan’s international partners to continue to bring up these issues with its government, regardless of its attempts to avoid discussion on them.

Issues and recommendations raised by states during the review of Uzbekistan echoed concerns voiced by NGOs in written submissions to the review, including a [report](#) prepared by IPHR, the NHC and the IGIHRDU. This report fed into a [summary](#) of civil society information compiled by the Office of the UN High Commissioner for Human Rights. IPHR, NHC and IGIHRDU representatives also participated in a [pre-session](#) event organized by the NGO UPR-Info in Geneva on 27 March, where civil society representatives briefed UN member state delegations about the human rights situation in Uzbekistan ahead of the UPR session.

“The Human Rights Council review served to highlight the repressive policies of the Uzbek authorities and the need for far-reaching reforms,” commented Surat Ikramov, chairman of the IGIHRDU. *“Now we look to the international community for support to help ensure that our authorities follow up with meaningful steps in practice,”* he added.

The outcome report of the review of Uzbekistan will be finally approved at a plenary session of the Human Rights Council in the next few months.

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Background: The [Universal Periodic Review](#) (UPR) was established by a 2006 decision of the UN General Assembly. A first cycle of reviews was held in 2008-2011, and a second cycle commenced in 2012. The UPR involves a review of the human rights record of UN member states on the basis of information provided by the state being scrutinized, information from UN human rights bodies and information from civil society organizations and other stakeholders. Both member and observer states of the Human Rights Council can take part in the inter-active exchange with the state under review and make recommendations. Reviews end with the adoption of an outcome report summarizing the discussion held and listing recommendations to the state under review.