

Human Rights Watch

Torture, Former Combatants, Political Prisoners, Terror Suspects, & Terrorists

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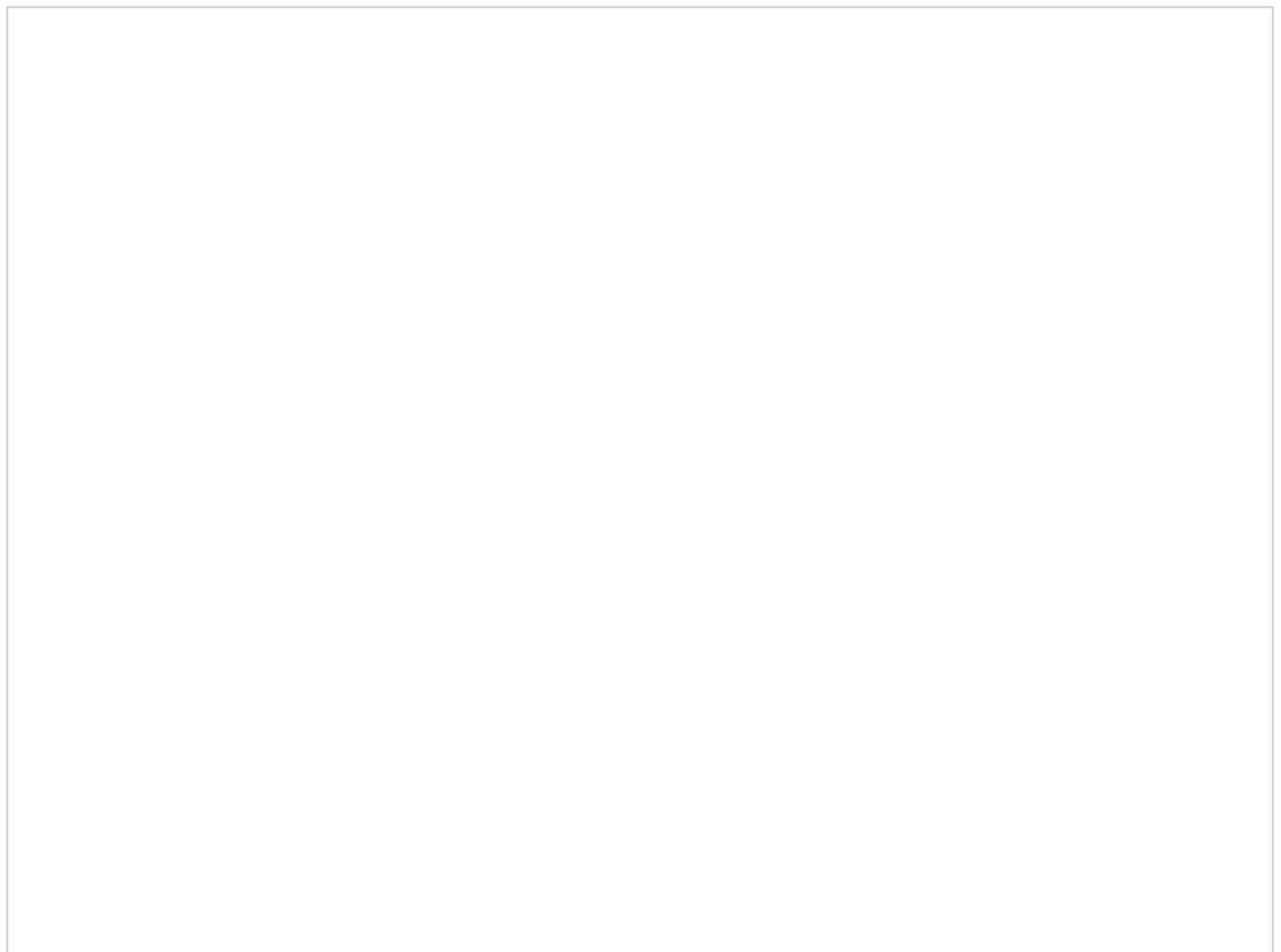
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Human Rights Watch, local human rights activists, and former political prisoners in Uzbekistan met with members of the Uzbek government in June 2018, to discuss, among other things, the creation of a special commission on political prisoners with a mandate including identifying measures of rehabilitation for prisoners when released. Left to right: Dilmurod Saidov, Muhammad Bekjanov, Hugh Williamson, Akzam Turgunov, Azam Farmonov, Kobuljon Tulashev, Ahmadjon Madumarov, Rakhimov Tashpulat, Erkin Musaev, Steve Swerdlow, Viktoriya Kim. 2018 Human Rights Watch

(Tashkent) The [Uzbek](#) government has released more than 35 people imprisoned on politically motivated charges, including journalists,

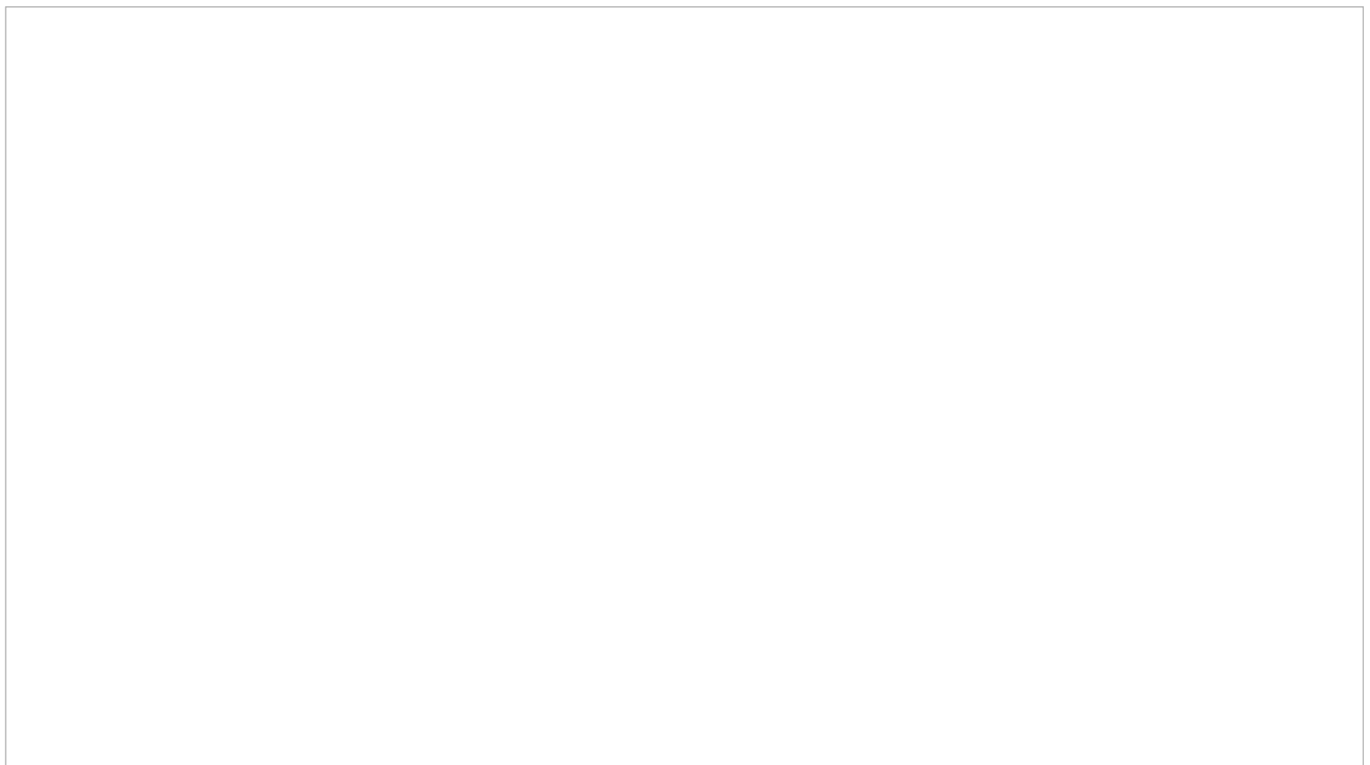
human rights defenders, and other activists since President Shavkat Mirziyoyev took office in September 2016, Human Rights Watch said today. The government should continue to release political prisoners and ensure that those released have access to remedies, including the right to overturn unlawful convictions and to get adequate medical care.

Alongside [other positive steps](#), the releases have raised hopes that the Uzbek government is making efforts to improve its human rights record. But thousands of people [remain behind bars on vague or overbroad charges](#), including for extremism. The government should immediately release everyone imprisoned on politically motivated charges and provide them with full rehabilitation and access to adequate medical treatment. Freeing the countrys remaining political prisoners and ensuring them justice would demonstrate a genuine commitment to reform.

The release of dozens of journalists, rights activists, opposition and religious figures over the past two years has been an important first step in the reform process, said [Steve Sverdlow](#), Central Asia researcher at Human Rights Watch. But the Uzbek government should make the changes systematic, free all those still imprisoned on unlawful grounds, and ensure justice for those released.

Human Rights Watch interviewed 23 recently released political prisoners between September 2017 and July 2018. They include 16 in Tashkent in June and seven in other cities, including Andijan, Fergana, Margilan, Bukhara, and Yangibozor. They described facing legal and economic barriers following their release, including restrictions on freedom of movement, inability to obtain court decisions needed to appeal unlawful sentences, surveillance, and inadequate medical care for health ailments stemming from their incarceration.

Among those still in prison are Andrei Kubatin, Akrom Malikov, Rustam Abdumannapov, Jamolidin Abdurakhmanov, scholars; Mirsobir Hamidkariev, a film producer; Aramais Avakyan, a fisherman; Ruhiddin Fahriddinov (Fahrutdinov), a religious figure; Ravshan Kosimov, Viktor Shin, and Alisher Achildiev, soldiers; Nodirbek Yusupov, a deportee from the United States and religious believer; Askar Ahmadiy and Jahongir Kulidzhanov, religious believers; and Aziz Yusupov, the brother of a Radio Free Europe/Radio Liberty journalist. Some of them, including Kubatin and Fahriddinov [have been tortured](#).



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Jahongir Kulidzhanov sentenced, in October 2017, to 5 years imprisonment for extremism because of reading with other Shiite believers, a religious text deemed illegal in Uzbekistan. Kulidzhanov is currently in Kiziltepa prison in Navoi oblast, and has been ill-treated. 2018 Human Rights Watch

The Uzbek government should immediately release these people and all others imprisoned on politically motivated charges, providing them with full rehabilitation and access to adequate medical treatment, Human Rights Watch said.

Though Uzbek authorities have amnestied some political prisoners and released others early, not a single political prisoner has been exonerated of the crimes for which they were convicted. Released prisoners told Human Rights Watch that in many cases they have been unable to obtain the court sentence documents, and other materials in their cases so they can file appeals of their unlawful convictions.

Those who were conditionally released under Article 73 of Uzbekistans Criminal Code said their freedom of movement had been restricted, that they were under surveillance, and that they are required to report regularly to the police for preventative conversations.

Uzbek authorities should address the significant medical, mental health, and economic needs of former political prisoners as they attempt to reintegrate into society, Human Rights Watch said. Several former prisoners said that they face great difficulties reintegrating into their families and society after years or decades in prison.



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Andrei Kubatin, an academic, convicted of treason in December 2017 by a military court in Tashkent and sentenced to 11 years in prison. 2017 Fergana

Many are suffering from severe physical and psychological health problems resulting from years of torture and detention in dismal conditions, often in isolation from other prisoners or in prisons far from their families. Social support structures and services they need are largely non-existent, meaning they must depend on often ill-prepared family members for the support they need.

Several former prisoners recommended that authorities should establish a special commission consisting of government officials, representatives of nongovernmental groups, and international experts to address the rehabilitation needs of former political prisoners, examine cases of people still in prison on politically motivated charges, and make recommendations to appropriate government agencies.

We urgently need a structure independent of the states prison administration that will have the authority to devise remedies in individual cases of past and ongoing abuse, one former political prisoner said. The creation of a commission of this type would signal the governments willingness to listen to its citizens calls to end human rights abuses and embark on a path that offers greater respect for human rights, Human Rights Watch said.

The United Nations Basic Principles and Guidelines on the Right to a Remedy and Reparation for Gross Violations of International Human Rights Law, adopted by the UN General Assembly in 2005, calls for reparations for victims of human rights abuses, including compensation, restitution, and equal and effective access to justice, as well as accountability for those responsible.

The government should also amend vague and overbroad criminal code provisions relating to extremism that are commonly used to criminalize dissent articles 159, 216, 244-1, and 244-2 of the Criminal Code and bring them into compliance with Uzbekistans international human rights obligations.

Authorities told Human Rights Watch in March that they had stopped using Article 221 of Uzbekistans Criminal Code regarding

violations of prison rules to arbitrarily extend the sentences of political prisoners.

The U.S., European Union, and Uzbekistan's other international partners, including international financial institutions such as the World Bank and the European Bank for Reconstruction and Development (EBRD) should support efforts to assist former political prisoners in obtaining justice. They should urge the government to provide adequate healthcare and support for reintegration into society.

Government surveillance and other restrictions on former political prisoners raise concerns about the true extent of reforms in Uzbekistan, Swerdlow said. Uzbekistan should help to reintegrate its former political prisoners into society, not keep them under restraint.

For detailed findings, please see below.

Human Rights Watch was able to interview 23 of the more than 35 political prisoners reported as released since Mirziyoyev took office. Government officials have reported to Human Rights Watch that prison authorities have also released hundreds of independent Muslims people who practice Islam outside of strict state controls who had been imprisoned on extremism charges for lengthy jail terms. However, Human Rights Watch has not yet been able to independently confirm claims about those releases or interview any of them without access to a list of people serving these sentences. The authorities should make available a list of all persons currently serving sentences for extremism-related charges.

The following are among the 23 former political prisoners interviewed:

Samandar Kukanov, a former member of parliament who served 23 years and five months in prison [in retaliation for his peaceful opposition political activity](#), was released on November 24, 2016. I served longer than any other political prisoner in Uzbekistan's history, Kukanov said. During the 23 years of my imprisonment, several of my family members were jailed and my wife's health was destroyed. More than anything I want to be exonerated because I never committed the crimes for which I was convicted.

In May, Kukanov filed an appeal with the Tashkent Regional Court to review his criminal sentence. Shortly thereafter the court summoned Kukanov and informed him that the case would be re-opened. But in September, Kukanov received a letter from the court informing him that the materials of his criminal case had been destroyed in accordance with established procedure on April 6, 2017 by the Tashkent Region State Archive. On this basis, the letter said, his requests for full rehabilitation could not be reviewed.

Erkin Musaev, a UN employee and former government official, tortured and unjustly jailed for 11 years, was freed on August 11, 2017 after the Supreme Court [issued a decision shortening his sentence](#). He said that his efforts to obtain legal rehabilitation have similarly stalled because court authorities refuse to provide him with his criminal sentence, and then denied his right to appeal on the basis that he has not submitted the decision.

Dilmurod Saidov, 56, an independent journalist who was [imprisoned for nine years and tortured](#), was released on February 3 after his 12-and-a-half-year sentence was reduced. I experienced both psychological and physical torture over the course of nine years in jail and lost my health and family, Saidov said. Along with two other released political prisoners, Akzam Turgunov and Azam Farmonov, Saidov aims to open a nongovernmental organization that will help released prisoners reintegrate into Uzbek society.

But the authorities require Saidov to report monthly to the police and have subjected him to preventative talks, where he is warned about re-engaging in criminal activity. During these visits police take his fingerprints and mugshot and require him to pledge in writing not to commit a crime. I am trying to focus on making contributions to my society, but in order for this to take place, I need formal acknowledgment that my own imprisonment was wrong, Saidov said. Saidov suffers from an acute form of tuberculosis and requires sustained medical treatment. While in prison, he lost most of his teeth.

Muhammad Bekjanov, one of the world's [longest imprisoned journalists](#) until his release by Uzbek authorities in February 2017, after 18 years, was unable to travel outside of his home region of Khorezm in northwestern Uzbekistan for one year. He has since left Uzbekistan to reunite with his family in the US. But he said that the authorities had not provided him any legal avenues to challenge his criminal convictions, nor to recover property that was confiscated after his arrest in 1999.

Former political prisoners **Akzam Turgunov** and **Bobomurod Abdullaev** have said that since their releases security services and police have subjected them to surveillance and intimidation. On August 29, Turgunov was briefly detained while using his phone to record a peaceful protest in front of the Supreme Court. Three men in civilian clothes approached him, refused to identify themselves, grabbed him and forced him to get into a car. The next day, [Turgunov was convicted](#) of failure to comply with the lawful demands of a police officer (Article 194) of the Uzbek Administrative Code and fined 20 euros (approximately US\$23). Turgunov is appealing the decision.

In May, following a trial that was open for observation by journalists and human rights monitors, a court [conditionally released and fined](#) independent journalist Bobomurod Abdullaev, who had been detained in September 2017 and then allegedly tortured while in pre-trial detention on charges of attempting to overthrow the government. While the trial set a precedent for its degree of openness and transparency, authorities have not investigated Abdullaev's credible allegations of severe torture.

Azam Farmonov, a human rights activist, whose 14-and-a-half-year sentence was [shortened upon his release](#) in October 2017, said that he still is required to pay a monthly portion of his salary to the government as part of his conditional release, and that it is extremely difficult to get the medical care payment that is supposed to be provided by the government for former prisoners. Obtaining the monetary stipend provided by the government for medical is so difficult, I simply gave up Farmonov said.

Possession of Extremist Material in Kyrgyzstan

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