

# Uzbekistan

## Key human rights concerns and individual cases

**TORTURE, ILL-TREATMENT AND PRISON CONDITIONS – FREEDOM OF ASSOCIATION/  
CIVIL SOCIETY - FREEDOM OF ASSEMBLY – LGBTI - DOMESTIC VIOLENCE – FORCED  
EVICTIONS**

**30 September 2020**

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# Introduction

This briefing, prepared by Association for Human Rights in Central Asia (AHRCA) and International Partnership for Human Rights (IPHR), provides an overview of key ongoing human rights concerns in Uzbekistan ahead of the EU-Uzbekistan Human Rights Dialogue to take place on 7 October 2020. The document focuses on issues including torture and ill-treatment; prison conditions; ongoing pressure and harassment of civil society activists; violations of the right to freedom of expression; violations of the rights of LGBTI+ persons; domestic violence and housing evictions. Each thematic chapter concludes with suggested recommendations to the authorities of Uzbekistan. The case annex features cases of particular concern that we urge you to raise with the Uzbekistani representatives.

## Key government steps on human rights

The past year has seen some positive changes in Uzbekistan including legislative steps to prevent torture, the adoption of a human rights strategy and the release from prison of religious scholar Rukhiddin Fakhriiddinov, dissident and writer Akrom Malikov and political scientist Rustam Abdumannopov in September 2020.

In June 2020, the new National Strategy of Uzbekistan on Human Rights was approved by Presidential Decree. The strategy sets out action plans and monitoring mechanisms on human rights issues including on the prevention of torture. This decree joins a swathe of human rights and justice related legislation passed since President Shavkat Mirziyoyev came to power. Although some of the stated plans provide a framework for improvements in the human rights situation in the country, it is of utmost importance that the laws are implemented in practice and that civil society and international bodies and media outlets are allowed enough freedom to effectively monitor developments on the ground.

## The Coronavirus and its impact on the human rights situation

The first case of Coronavirus was detected in Uzbekistan on 15 March 2020, and on 23 March the Special Republican Commission put measures in place to prevent the spread of the pandemic. Nevertheless, by early July there were 10 982 confirmed cases amongst the 34 million population. As of 29 September the figures are 56 252 cases and 465 deaths. There are allegations of official under-reporting, although these have been denied by the authorities.

The Law “On sanitary and epidemiological welfare of the population” adopted by decree provides for restrictive measures. However, there is concern as to whether the exceptional measures were used to unnecessarily restrict fundamental freedoms, under the guise of protecting public health.

The 23 March decree stipulates that mobile phones, audio and video equipment, bank cards and other storage media belonging to persons infected or quarantined on suspicion of being infected with coronavirus will be temporarily confiscated.

State surveillance over individuals has increased and there is concern that new surveillance techniques could be used to tighten surveillance and violate the right to privacy. The government has not adopted legislative measures to prevent surveillance tools from being used once the pandemic ends.

Also, freedom of expression came under increased pressure as legislative amendments were introduced into the Criminal Code punishing the “dissemination of untruthful information about infections dangerous to humans” by fines of up to 9 400 USD, 360 days community services or deprivation of liberty for up to three years. These punishments introduced for disseminating false information have significantly reduced available information on the internet on this issue.

## Torture, ill-treatment and cruel, inhuman and degrading prison conditions

The use of torture in Uzbekistan has been well documented for many years by local and international human rights organizations. In December 2017, President Mirziyoyev announced that torture and ill treatment of detainees and prisoners would be prohibited and took some positive legislative steps, explicitly prohibiting the use of torture to obtain confessions. However, these provisions and other legal safeguards contained in domestic legislation are not consistently implemented. The use of torture remains systematic at all stages of the investigation in Uzbekistan. Official statements to the press from 2017 to 2019 indicate some 757 reports of torture, intimidation and harassment by law enforcement agencies. In 2020 continued reports of torture were widely reported in the media.

Association for Human Rights in Central Asia (AHRCA) and International Partnership for Human Rights (IPHR) continue to receive reports of torture and ill-treatment which mainly originate from the early hours or days of detention when detainees in Uzbekistan are frequently held incommunicado, without contact with the outside world, but since the beginning of 2020, AHRCA has also received several reports from people complaining of torture and other ill-treatment from post-conviction detention. Please refer to the annex for individual cases.

Despite some official press announcements reporting state actions to prosecute perpetrators of torture in specific cases, overall impunity remains the norm. In 2019, the Uzbekistani authorities *reported to the CAT* that in 2018 a total of 1069 complaints of torture were received by the offices of the Prosecutor General, compared with 189 in 2017 and 152 in 2016. In June 2020 the Ombudsman of Uzbekistan, Ulugbek Muhammadiyev, reported 138 cases of torture in 2019. Despite the increase in the number of complaints of torture received in 2018, only three cases against four people were heard in court.

In 2012 the UN Committee on Human Rights examined the case of **Erkin Musaev**<sup>1</sup> under its individual complaint procedure and urged Uzbekistan to provide him with an effective remedy, including an effective investigation into his allegations of torture and ill-treatment in detention. In its concluding observations issued in 2020 the UN Committee against Torture recommended that Uzbekistan re-examine allegations of torture made by *Bobomurod Abdullaev, Kadyr Yusupov and Rashitjon Kadirov*.

However, according to information obtained by the authors of this briefing, to date none of the alleged perpetrators has been brought to justice and some of the officials implicated in the allegations of torture have even been promoted within law enforcement agencies in the meantime.

In addition, we received allegations that imprisoned former diplomat **Kadyr Yusupov** was again subjected to physical abuse earlier this year when he was held in solitary confinement for 16 days for voicing his opinion about the right to perform namaz during the Muslim fast. For further information, refer to the case annex at the end of this briefing.

1 CCPR/C/104/D/1914, 1915 & 1916/2009 Communications No. 1914, 1915 & 1916/2009

At the November 2019 session of the UN Committee against Torture the Uzbekistani delegation claimed that they had investigated the allegations of torture in the cases of former political prisoners and found them all to be unsubstantiated, despite strong evidence to the contrary in many of these cases.

It remains difficult to assess the exact scale of the problem of torture as the authorities do not compile unified and comprehensive statistics on the issue featuring numbers of complaints, investigations, prosecutions and appeals. The available government statistics refer only to cases opened under Article 235 of the Criminal Code entitled “torture”, although cases involving allegations of torture and ill-treatment are often opened under other articles of the Code such as “abuse of authority”, “exceeding official authority” or “negligence”. Many victims refrain from complaining for fear of reprisals and lack of trust in the criminal justice system.

In addition, due to the repressive nature of the regime, independent NGOs working on torture have had difficulties obtaining official registration and have not been able to conduct monitoring in many detention facilities and prisons.

Since 2017, Mirziyoyev’s government has taken some positive legislative steps, such as explicitly prohibiting the use of torture to obtain confessions and the admission of such confessions as evidence in court, and obliging law enforcement agencies to make video recordings of certain investigative activities. The Presidential Decree *On measures to radically improve the system for prevention of torture during surveillance, criminal investigations and in the penitentiary system* was followed by a statement by Deputy Prosecutor General Svetlana Ortikova on 29 May 2020, saying that an Action Plan on the implementation of the measures proposed in the decree is being drafted. This plan reportedly includes drafting a law on a National Preventive Mechanism, and setting up mechanisms to investigate torture complaints. However, no information has yet been made publicly available about the mandate or structure of the preventative and investigative bodies proposed and if civil society will be represented.

## **No independent complaints mechanism**

Investigators and other officials often actively prevent detainees from lodging complaints, e.g. by threatening them with reprisals or by refusing lawyers’ visits as long as injuries resulting from torture and ill-treatment remain visible. We are aware of cases when prisoners who complained about their treatment were transferred to the facility’s punishment cell or sent to a stricter regime prison colony where more dangerous criminals are held. Other forms of reprisals include excluding them from presidential humanitarian acts such as amnesties that reduce prisoners’ sentences, preventing them from appealing their sentences, and restricting access to medical treatment.

The following cases illustrate ill-treatment in the penitentiary system and the problems prisoners encounter when they wish to lodge a complaints.

In February 2020, AHRCA received information that prisoners in prison colony No. 5 were holding a mass hunger strike to protest at prison conditions, involving over 1000 people.<sup>2</sup> But appeals for information about what was going on from relatives of prisoners and human rights defenders were left unanswered by the prison administration.

Later, AHRCA received a letter from a group of prisoners, stating that five prisoners had been transferred to colony No.4 on 24 April 2020: Gairat Kamirov; Farrukh Omonov; Sayfuddin Artikov; Erkin Mirzamakhmudov and Ozod Komilov. According to the letter, the head of colony No. 4, Lieutenant Colonel Sunnat Dusboev, took them to his office, where four officers from the prison administration reportedly handcuffed and beat them severely, including with truncheons until they bled. Then they were placed in solitary confinement 15 days. Reportedly, the officers admitted that they were being targeted for their alleged involvement in the hunger strike.

The prisoners reportedly asked the prison officials in the solitary confinement wing of the prison to record the signs of abuse on their bodies and provide them with medical assistance, but the latter refused, saying that they would be fired or imprisoned for doing so.

The letter also states that two days later, six more prisoners were brought to colony No. 4 from colony No. 5 and were subjected to ill-treatment, these included Zhurabek Pulatov and Zafar Islomov. And on 1 May 2020 a group of 20 prisoners arrived in prison colony No. 5, all of whom were beaten in the same way.

The prisoners held in prison colony No. 4 said that they were subjected to beatings and insulted by prison officials for holding a religious fast during the Ramadan holiday when they prayed for the welfare of Uzbekistan and President Mirziyoyev. The prisoners also stated that they were forced to write statements saying that they had no complaints against the employees of the prison colony, under threat of reprisals.

The prisoners reported that they had made several attempts to send the letter to the President and the Ombudsman via their relatives and the prison administration before sending the letter to AHRCA. However, officials of the prison administration refused to pass on the letters stating that they were not allowed to accept complaints during the Covid-19 quarantine period.

**Yakov Deryutin** has been serving a sentence in prison colony no. 5 in Navoi region in 2019 and the first half of 2020. He was reportedly subjected to torture or other ill-treatment which was so severe that he thrice attempted suicide. Complaints about his treatment sent by his mother and the human rights defender Tatyana Dovlatova, did not receive an official reply and no one has been brought to justice. **Sarvar Tashmukhamedov** was also allegedly recently subjected to abuse in the "Tavaksay" prison colony in Tashkent region.

The hunger strike mentioned in the case example above appears to be a reaction to a pattern of abuse and harsh prison conditions in prison colony No. 5 in Navoi. In October 2019 human rights activist Agzam Turgunov sent letters to the prosecutor's office, the Main Directorate for the Execution of Punishment (GUIN), the National Center for Human Rights and the Ombudsman, informing them of reports of torture and other ill-treatment and slave-like working conditions in this prison colony. AHRCA

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<sup>2</sup> <https://ahrca.org/uzbekistan/torture-prevention/1076-torture-continues-in-uzbekistan>

issued a statement outlining the concerns on 11 October 2019.<sup>3</sup> Two days after the statement was published, an answer was posted on the official GUIN website, refuting the reports.<sup>4</sup>

This issue was also discussed during the session of the UN Committee against Torture in November 2019, where the Director of the National Center for Human Rights, Akmal Saidov, explained that prisoners must perform work assigned by the prison authorities.<sup>5</sup> The issue of living and working conditions for prisoners was again raised at the UN HRC review in March 2020. However, reports indicate that the appalling working conditions for prisoners in this colony continue to violate safety and human rights standards.

Human rights defenders, lawyers, medical personnel and the victim's relatives similarly risk reprisals when challenging law enforcement agencies.

The following case of a man who died in police custody in May 2020 illustrates how the authorities try to control which information about torture cases becomes public by preventing family members from speaking to the media and human rights activists.

Alijon Abdukarimov, a 44-year-old businessman and father of three, entered the 4th Department of Internal Affairs in Andijon city (OVD) on 29 May 2020 a healthy man.

He was summoned for questioning for alleged theft, but in the police station he was beaten and tortured by several officers. On 30 May an ambulance took him to the hospital. He died two weeks later, on 11 June, from his injuries. A few days before his death, Alijon Abdukarimov's sister visited him in hospital, where she found him in a coma and on artificial respiration. The film she took of her brother showed bruises all over his body, including on his arms, chest and legs. His left eye was severely swollen.

On 13 June that the Uzbekistani Prosecutor General's Office made an official statement saying that on 30 May Alijon Abdukarimov had been taken to the hospital and that three officers of the Andijon OVD had been detained on charges of abuse of power, illegal detention and torture. The accused were remanded in custody. Five employees of the Andijan OVD were dismissed, and disciplinary measures were taken against 19 other employees, including senior management. The incident caused a public outcry. The behaviour of the police officers was condemned by the National Centre for Human Rights, the Defence and Security Committee of the Senate and political parties. Ombudsman Ulugbek Muhammadiyev called the incident "shameful" and stated that it was necessary to create a single investigative body and radically reform the Interior Ministry. The national movement "Yuxalish" stated that the law enforcement system needs to be fundamentally reformed. The court case against the police officers has not yet taken place.

However, although the authorities told the media they were investigating the case, officials from the prosecutor's office were permanently stationed at the victim's family home, effectively preventing the family from speaking to human rights defenders, bloggers or journalists.

Over the past four years the government agencies that are tasked with reviewing petitions from citizens have set up services enabling individuals to submit petitions and complaints online. However, it appears that whether online or offline, these are not effectively reviewed. This concerns petitions

3 <https://ahrca.org/publications/press-release/1031-uzbekistan-torture-and-slavery-of-convicts>

4 The post on the GUIN website was subsequently deleted, but it was saved on the website "Gazeta.uz" <https://www.gazeta.uz/ru/2019/10/15/prison/>

5 <https://www.iphronline.org/uzbekistan-submission-to-the-un-committee-against-torture.html>

and complaints on all kinds of issues, including those relating to allegations of torture. AHRCA is aware of cases where complaints about ineffective investigations were passed back to an agency that had already, unsatisfactorily, reviewed the case.

Complaint boxes are situated in prison colonies for prisoners to send complaints to the Office of the Prosecutor General, the Ombudsperson and the National Center for Human Rights. However, former prisoners told IPHR and AHRCA that the complaints rarely reach the intended recipients, they very rarely receive a reply, and that prison staff have keys to the complaint boxes. In a few cases prisoners reported receiving acknowledgment of receipt but no further follow up to investigate the complaint. For example, one prisoner from prison colony No. 6 wrote more than 70 applications and appeals in 2019 to various government bodies, but received no reply to any of them.

When prisoners find ways, for example, through lawyers, human rights defenders and relatives, to file complaints with investigatory authorities, governmental human rights institutions and other government agencies, they usually only receive a short standard reply stating “The allegations have not been confirmed”.

## **No independent investigation mechanism**

Uzbekistan has yet to set up an independent mechanism to investigate allegations of torture and other ill-treatment effectively, despite repeated promises to do so.

The agencies tasked with investigating complaints -- prosecutors' offices and the Ministry of Internal Affairs -- lack independence. As a result, investigations are often not opened at all or are opened so late that the physical evidence has disappeared; and those investigations that are opened are typically not conducted thoroughly and impartially. Often cases are not initiated or closed despite glaring evidence of abuse. The organizations jointly producing this briefing are aware of several cases where officers of the State Security Service participated in investigations into allegations of torture although they are not authorized by law to conduct such investigatory activities.

Under domestic law the Ombudsperson's Office has powers to conduct investigations into all reports and complaints of torture and other ill-treatment that come to its attention, but the agency lacks independence and resources. In addition, the results of monitoring carried out by our organizations found that the Ombudsperson typically only forwards allegations of torture to the Office of the Prosecutor General or the Ministry of Internal Affairs with a request to investigate as appropriate and report back.

The victim's position is further weakened by the fact that their lawyers are obligated to sign an agreement not to disclose information about the investigation to anybody other than their client and that, when they are in detention, their access to a lawyer is restricted.

Uzbekistani legislation does not allow for the conduct of independent forensic medical examinations.

For further information on torture and ill-treatment in Uzbekistan, refer to the *Joint NGO submission to the United Nations Human Rights Committee* ahead of the consideration of Uzbekistan's Fifth Periodic report at the 128<sup>th</sup> session in March 2020.

## Suggested questions and recommendations to the authorities of Uzbekistan

- Provide further details about the national Action Plan for the Prevention of Torture and the national Committee to Prevent Torture, which, according to a statement of the Deputy Prosecutor General in May 2020, is going to be established in Uzbekistan. Clarify its mandate, powers and composition including whether and in what capacity civil society organizations will be involved and whether it will review past cases of torture including those that occurred under former President Karimov.
- Initiate impartial and effective investigations into recent allegations that detainees **Kurbon Ostronoyev** and his son **Bahrom Avliyokulov**, **Ilkhombay Sadullayev**, **Shukhrat Dzhurayev**, **Tursunali Tursunov** and **Farrukh Khidirov** (refer to the annex for case descriptions) and prisoners of prison colonies in Tashkent region – **Yakov Deryutin**, **Sarvar Tashmukhamedov**, **Gairat Kamirov**, **Farrukh Omonov**, **Sayfuddin Artikov**, **Erkin Mirzamakhmudov**, **Ozod Komilov**, **Zhurabek Pulatov**, **Zafar Islomov**, and **Kadyr Yusupov** – were subjected to ill-treatment and ensure that the perpetrators are brought to justice in a fair trial.
- Initiate impartial and effective investigations into recent allegations that detainees were subjected to and ensure that the perpetrators are brought to justice in fair trials.
- Instigate impartial and effective investigations into allegations that **Bobomurod Abdullaev**, **Kadyr Yusupov** and **Rashitjon Kadirov** and **Erkin Musayev**, as well as **Agzam Turgunov**, **Muhammad Bekjanov** and others were tortured, and bring the perpetrators to justice, in line with views published by the Human Rights Committee under the individual complaint procedure in 2012 and concluding observations of the Committee against Torture, issued in 2014 and January 2020.
- Establish a genuinely independent mechanism to receive and investigate complaints of torture and other ill-treatment, and ensure that complainants are protected against any form of reprisal.

## Civil society activism restricted and former political prisoners targeted

Local independent civil society activists, human rights defenders, journalists, bloggers and former political prisoners who have been released from prison since President Mirziyoyev came to power, continue to be subjected to arbitrary detention, state surveillance, intimidation, harassment and other measures to deter them from carrying out their work. Often their relatives are also targeted and face problems for example, at their work places, when seeking employment or when attempting to enroll in educational institutions.

AHRCA and IPHR have received credible reports of State Security Services threatening or “advising” human rights defenders to refrain from their peaceful human rights activities. Many of them are reported to be included in “blacklists” kept and updated by the State Security Services.

Former political prisoners have been refused the right to lodge appeals against the verdicts that had formed the basis of their imprisonment, thus denying them the possibility to be legally rehabilitated.<sup>6</sup>

<sup>6</sup> Among those who have been denied the right to appeal their sentences, are human rights activist Agzam Turgunov, Erkin Musaev (10 years in prison) and former parliamentary deputy Samandar Kokanov (24 years in prison). Many of the cases were accompanied by serious allegations of torture. In several cases former prisoners have been unable to obtain copies of the court verdicts against them, a necessary precondition for challenging the verdict.

We received credible reports that Rukhiddin Fahriddinov's house was put under surveillance after his release in August 2020 and plainclothes officers stationed there took photos of his visitors.

The authorities are reported to be using new sophisticated surveillance equipment to carry out digital attacks and monitor human rights activists, as outlined in a report by Amnesty International.<sup>7</sup> The March 2020 report found that "a campaign of malicious emails using fake websites along with Windows and Android spyware embedded in legitimate software. This campaign was active between May and August 2019 and targeted human rights defenders from Uzbekistan. The identity of the person or group behind these attacks is unknown, but this campaign fits into a larger pattern of digital attacks against Uzbekistani activists and journalists already reported by Amnesty International in 2017."

In a related development, human rights activists in Uzbekistan and in exile frequently become the target of online defamation campaigns, accusing them of serious crimes including terrorism and corruption in order to destroy their reputation. Among the authors are political emigrants and anonymous sources. There are indications that the Uzbekistani special services use these unfounded accusations to intimidate and silence outspoken activists.

For example, unfounded accusations against Agzam Turgunov have been increasingly circulated on social media where commentators falsely accuse him of sending people to Syria, allegedly through Bishkek. In fact, Agzam Turgunov had recommended some activists to take part in a training course on the study of legal mechanisms for the protection of human rights, taught by renowned experts in international law and organised by the NGO Center for Assistance to International Protection. Nevertheless, the unfounded and libelous claims on social media have meant in practice that the surveillance on Turgunov continues.

Uzbekistan continues to reject or obstruct applications of independent human rights organizations to register with the authorities on spurious, bureaucratic grounds. The lack of registration makes it impossible for them to participate in human rights related events organized by the authorities. **Agzam Turgunov's** attempts to register a human rights group have been denied on unclear, bureaucratic grounds five times. He is currently waiting for a reply from the Ministry of Justice to his sixth attempt, dated 15 September 2020. (Please refer to the case annex for further information about Agzam Turgunov's attempts to register a human rights group). **Tatyana Dovlatova** is currently preparing documents for submission to the Ministry of Justice in order to register the independent human rights initiative group Open Line.

At the same time, national law prohibits the activities of unregistered NGOs and provides for both administrative and criminal penalties for involvement in such activities. While new regulations adopted since President Mirziyoyev came to power no longer require registered groups to obtain government approval in order to hold events, NGOs are still required to inform the authorities about planned events at least 10 days in advance, or 20 days if the event involves a foreign citizen or organization. They are also subject to burdensome reporting obligations and face significant barriers on receiving foreign funding. As a result, the operating environment for NGOs remains highly challenging and obstructive.

We are very concerned for the safety and welfare of independent journalist **Bobomurod Abdullayev**, who was extradited from Kyrgyzstan to Uzbekistan in August 2020 to face anti-constitutional charges which we believe are trumped up and in retaliation for his independent journalism. (Please see case annex for more details of this case).

7 <https://www.amnesty.org/en/latest/news/2020/03/uzbekistan-new-campaign-of-phishing-and-spyware-attacks-targeting-human-rights-defenders/>

## Suggested recommendations to the authorities of Uzbekistan

- Ensure that independent civil society activists, human rights defenders, journalists, bloggers and former political prisoners can go about their peaceful activities without government interference and reprisals.
- Ensure the swift registration of the group Human Rights House that is headed Agzam Turgunov and the group Open Line which human rights defender Tatyana Dovlatova is currently preparing to register.
- Clarify and publish the formal and other requirements for civil society groups to register their organizations and ensure that officials strictly adhere to these criteria.
- Ensure that human rights experts, whether they are members of registered organizations or not, are included in government round tables, working groups and other consultations on issues of their expertise and invited to submit recommendations on relevant draft legislation.
- Ensure that the recommendations by the UN Human Rights Committee are implemented, namely that the government “should [...] take measures to ensure that no one is punished for exercising his or her right under the Covenant to freedom of expression or to take part in public life” – and to “Guarantee the effective protection of independent journalists, government critics and dissidents, human rights defenders and other activists against any action that may constitute harassment, persecution or undue interference in the exercise of their professional activities or of their right to freedom of opinion and expression, and ensure that such acts are thoroughly and independently investigated, prosecuted and sanctioned and that victims are provided with effective remedies.”
- Increase transparency around the draft code on non-governmental non-commercial organizations and encourage meaningful input from a wide range of civil society actors and organizations.

## Concerns on draft Law on Freedom of Assembly

The Constitution of Uzbekistan provides for the right to freedom of assembly, and the government has tolerated some small public meetings and rallies, albeit whilst persecuting the organizers behind the scenes. In Uzbekistan, international treaties take precedence over national legislation but legal practice is governed by regulatory legal acts, which are often contradictory. The recent discussion around the draft Law on Assemblies illustrates this.

The draft law on Freedom of Assembly was published on a government portal from 18 August to 2 September 2020 for public consultation. It requires organisers of meetings to apply for permission 15 days in advance; and meetings will be allowed between 10am and 6pm but cannot last longer than two hours. The authorities have 10 days to respond to requests for permission to hold public meetings. We are concerned that this continued procedures of permission, rather than one of notification will in practice obstruct the right to freely assemble for critics of the authorities and others.

Also of concern is Article 15 of the draft Law on Assemblies, which continues to prohibit the allocation of places for holding public events which are situated near government buildings, buildings of foreign organizations, courts and prisons, transport infrastructure facilities and territories, paramilitary and

border facilities, cemeteries, mosques and churches, monuments and within 300 meters from private property. (This was previously 500 metres). This effectively makes it very difficult to find an appropriate location for protest.

Until the draft Law on Assemblies is adopted, it is not clear which laws regulate procedures for organizing meetings, rallies, street processions and demonstrations. The Ministry of the Interior issued information in August 2020 saying that currently these procedures are regulated by the Decree of the Presidium of the Supreme Soviet of the USSR No. 9306-XI from 1988<sup>8</sup>, but the Ministry Justice<sup>9</sup> rejected this response as unlawful stating that these legal acts were not part of Uzbekistan's domestic legislation.

## **Suggested recommendation to the authorities of Uzbekistan:**

- Ensure that laws allow that individuals fully enjoy their right to freedom of assembly, and that any restrictions imposed are in compliance with the strict requirements of article 21 of the ICCPR. (HRC recommendation (46))
- Effectively investigate all cases of violence, arbitrary arrest and detention of peaceful protesters and bring those responsible to justice.

## **Decriminalize homosexuality when adopting new Criminal Code**

The criminalization of consensual homosexual relations between adult males puts gay and bisexual men in a highly vulnerable situation. An LGBTI activist from Uzbekistan told IPHR on condition of anonymity: "Article 120 not only provides an ideal breeding ground for corruption, but it also gives people the right to abuse and discriminate against persons with a non-traditional sexual orientation and gender identification with impunity. As long as this article exists we will have to live in fear and homophobes will have power over us."

Along with Turkmenistan, Uzbekistan is the only country in the former Soviet region that continues to criminalize homosexual relations; they are punishable by up to three years' imprisonment under Article 120 of the Criminal Code. The NGOs jointly issuing this briefing believe that Uzbekistan should remove homosexuality from the current draft of the new Criminal Code that is expected to be adopted soon.

Groups defending the human rights of LGBTI persons are unable to operate safely in Uzbekistan and the authorities suppress all attempts to draw attention to rights violations.

In Uzbekistan, detained and imprisoned homosexual and bisexual men frequently become victims of torture and other forms of ill-treatment by police officers, National Security Service officers, prison guards and fellow inmates. The torture methods documented in recent years by the authors of this briefing include rape with bottles and truncheons, attaching heavy water bottles to the detainee's genitals, wrapping newspaper around the genitals and setting the paper on fire. Homosexual and bisexual prisoners and those suspected or accused of being gay have the lowest status in prisoner

8 As confirmed by the Ministry of Internal Affairs <https://hook.report/2020/08/mvd-otvechaet/>

9 [https://www.facebook.com/groups/480920865932066/permalink/590751844948967/?comment\\_id=590806374943514](https://www.facebook.com/groups/480920865932066/permalink/590751844948967/?comment_id=590806374943514)

hierarchy and are regularly used as “slaves” by guards and other inmates and are, for example, forced to clean dirty toilets with their bare hands.

Police do not press charges against all gay and bisexual men who they manage to track down, but in many cases officers threaten LGBTI individuals with imprisonment or with disclosing their sexual orientation to their families in order to blackmail them and extort money. Often police also coerce LGBTI people into collaboration aimed at tracking down wealthier gay and bisexual men. As many LGBTI persons in Uzbekistan lead double lives they have much to lose if their wives, husbands, parents, other relatives or neighbours find out about their sexual orientation or gender identity.

Homo- and transphobia are widespread in Uzbekistani society and encouraged by the systematic promotion at all levels of government of what the authorities regard as cultural and traditional norms and models of behaviour. Anti-LGBTI policy influences from contemporary Russia and anti-Western sentiment further strengthen intolerance and aggression towards LGBTI people. Homophobic mobs target LGBTI activists as well as transgender, homosexual or bisexual persons, subject them to physical abuse and extort money from them. On internet-based messaging services homophobic activists disseminate the names and contact details of homosexual and bisexual men whom they managed to track down and call for them to be “punished” and killed. Videos of such beatings have been disseminated and there are credible reports that several gay men have been murdered or severely injured by homophobic mobs in recent years.

Police are also known to exploit the fear of being labelled as “homosexual”, one of the accusations perceived to be most shameful in Uzbekistani society, and to have used the threat of imprisonment under Article 120 not only against homosexual and bisexual men, but also against heterosexual and pious Muslim men. The authors of this briefing are aware of several cases in recent years when police forced men to hand over large sums of money or property or to “confess” to serious crimes such as “terrorism” or “attempting to overthrow the constitutional order”, to avoid being charged with Article 120.

## **Suggested recommendation to the authorities of Uzbekistan:**

- Decriminalize consensual sexual relations between adult men by abolishing Article 120 of the Criminal Code of Uzbekistan.

## **Domestic violence**

Domestic violence is not a criminal offence in Uzbekistan. The rights of women who are subjected to domestic violence are regulated in the “Law on the protection of women from harassment and violence”, which was adopted in 2019. It stipulates that if the threat of violence persists, a protection order against the perpetrator will be issued for 30 days. According to the Ministry of Internal Affairs, from January to April 2020, 527 protection orders were issued, compared with none from September to December 2019.

Domestic violence is common in Uzbekistan. Founder of the initiative *nemolchi.uz*, Irina Matvinenko reported that domestic violence increased during COVID-19 and the state-imposed quarantine regime, as vulnerable families were forced to spend time together in a small space for weeks. According to

human rights defenders, the situation was exacerbated by the fact that of the 197 crisis centres country-wide, only five were able to function during the restrictive measures.

The UN CAT and UN HRC both expressed concern that domestic violence and marital rape are not explicitly criminalised in the 2019 Law; that women face legal and social impediments to being able to quickly reach out to the authorities for protection measures, and lack sufficient psychological, social and legal services. They also raised concern about ongoing reports of forced and early marriages. Additionally, both the CAT and the HRC regretted the lack of transparent statistical data on the number of investigations, prosecutions and convictions in cases of violence against women.

## Suggested recommendations to the authorities of Uzbekistan

- Implement in practice the recommendations of the UN CAT and UN HRC, and ensure that legislation is amended to include marital rape and domestic violence as criminal offenses;
- Ensure that women victims of domestic violence have access to medical and legal services;
- Ensure that all cases of violence against women are thoroughly investigated by law enforcement officials who have received training on domestic violence, that perpetrators are prosecuted, and, if convicted, are punished with appropriate sanctions.

## Forced evictions

From the outset, President Mirziyoyev's government has pursued ambitious urban renewal projects. In 2017, a decree "on measures to improve the architectural appearance and enhance the central part of Tashkent and to create favourable conditions for the population and visitors to the capital" was issued and a 1.3 billion USD urban project in the centre of Tashkent launched ("Tashkent City"), covering 80 hectares of the capital.<sup>10</sup> These projects involved thousands of people in Tashkent, but also in many other regions of the country, being forcefully evicted.<sup>11</sup> According to news reports, 10 000 people have already been evicted from their homes in Tashkent, and the homes of another 30 000 are also under threat.<sup>12</sup>

According to international human rights law, state authorities have to genuinely consult with the community at risk of eviction, give them reasonable notice, ensure transparency about the planned evictions, provide alternative housing for evictees or adequate compensation, as well as adequate legal support and legal aid for those who need it. State authorities must ensure that no one will be vulnerable to human rights abuses as a result of the eviction.

However, in Uzbekistan these principles have been disregarded. According to news reports, many of those evicted did not receive adequate compensation, either insufficient monetary compensation, or else alternative accommodation of poor quality. People also report being forced to stay in remote

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10 <https://fpcc.org.uk/the-perils-of-rebuilding-uzbekistan-the-rise-of-glass-and-glitter/>

11 Forced eviction is "the permanent or temporary removal against their will of individuals, families and/or communities from the homes and/or land which they occupy, without the provision of, and access to, appropriate forms of legal or other protection" (Committee on Economic, Social and Cultural Rights, general comment No. 7).

12 <https://www.theguardian.com/cities/2019/apr/02/evicted-without-warning-demolitions-spark-activism-in-tashkent-uzbekistan>

temporary accommodation for months while their new flats are built.<sup>13</sup> Amnesty International stated in its 2019 annual report that homeowners and tenants complained they were not given timely notice of eviction.<sup>14</sup> This has led to increased anger and desperation among the population in recent years.

On 20 July 2019, the owner of a workshop about to be demolished in the village of Yakkabog (Southeastern Qashqadaryo province) doused the deputy district head, Mansur Tuymaev, with petrol, when he arrived to supervise the demolition of the building.<sup>15</sup>

On 28 April 2020, authorities of the Yangiyul district ruled to demolish 14 residential buildings without a court order.<sup>16</sup> The original plan envisaged the demolition of 47 buildings. According to human rights defenders, the prosecutor threatened those who expressed dissatisfaction with their temporary accommodation.

On 11 September 2020, the authorities of Samarkand tore down a historic building ahead of a visit by President Mirziyoev despite an outcry by activists. Reportedly, the house was demolished before a final court ruling was issued regarding the legality of the decision to demolish the building.<sup>17</sup>

## Suggested recommendation to the authorities of Uzbekistan

- Ensure that evictions are only carried out as a last resort;
- Conduct genuine and transparent consultation processes with the community at risk of eviction, give them reasonable notice;
- Provide adequate alternative housing for evictees or adequate compensation, as well as adequate legal support and legal aid if necessary;
- Ensure that no one is made homeless or vulnerable to human rights abuses because of an eviction.

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13 <https://www.theguardian.com/cities/2019/apr/02/evicted-without-warning-demolitions-spark-activism-in-tashkent-uzbekistan>, <https://www.aljazeera.com/features/2019/10/31/alarm-as-demolitions-make-way-for-new-look-uzbekistan/>

14 <https://www.amnesty.org/en/countries/europe-and-central-asia/uzbekistan/report-uzbekistan/>

15 <https://www.hrw.org/world-report/2020/country-chapters/uzbekistan>

16 <https://www.gazeta.uz/ru/2019/07/14/demolitions/>

17 <https://www.rferl.org/a/uzbek-city-authorities-demolish-historic-building-before-presidential-visit/30840320.html>

# Case annex

## Human rights defender Tatyana Dovlatova

On 25 August 2020, a Deputy Prosecutor of the special prosecutor's office of Zangiatsinsk district in Tashkent region called Tatyana Dovlatova, a long-standing human rights activist from the city of Tashkent and founder of the initiative group Open Line, and informed her that he was investigating complaints against her lodged by two female prisoners in the local settlement colony No. 42 and that a criminal case had been opened against her. The women prisoners allegedly accused Dovlatova of taking photos of them and publishing them on social media. The prosecutor asked Dovlatova to come "for a conversation" and even offered to cover her transport fees, but she declined because she had not received an official summons. At the time of writing the exact charges against her were unknown.

Dovlatova told AHRCA that she does not remember the two women and did not take their photographs during her visits to the settlement colony. Dovlatova has defended the rights of prisoners for over 15 years. She regularly visits settlement colonies, which house convicts sentenced to short terms of imprisonment and are open for visitors. She helps prisoners and their relatives draft and file complaints, refers cases to lawyers, and brings them to the attention of relevant government agencies. When relevant government bodies fail to act on her written official statements, Dovlatova publishes her findings relying on support from the public and international organizations. In recent years she has frequently taken photos of prisoners and their complaints and posted them online after obtaining the complainants' agreement including a written statement authorizing her to present their complaints to the authorities and international organizations. The issues prisoners have asked Dovlatova to assist them with include torture and other ill-treatment, forced labour, attempted rape, the failure to observe protective measures during the Covid-19 pandemic, lack of or inadequate medical treatment, and poor prison conditions.

The organizations issuing this document are concerned that the case against Dovlatova was opened in order to silence her and put a stop to her human rights activism. There are credible allegations that the settlement colony's administration forced the prisoners to lodge complaints against Dovlatova in order to fabricate a case against her. When one of the complainants recently wanted to withdraw her complaint, stating that she had been forced to file it under duress, a senior official of the prison colony's administration immediately placed her in a punishment cell on 7 September to prevent her from doing so.

## Agzam Turgunov's unsuccessful attempts to register a human rights group

Since February 2019, the Ministry of Justice has rejected five requests to register a human rights organization lodged by the human rights defender and former political prisoner Agzam Turgunov on various pretexts. Turgunov was assisted by a lawyer in the preparation of several of these registration attempts. The reasons given included that the documents had not been sewn together with thread, as required; that Turgunov had not paid the necessary government fee (although when submitting the documents an official said that Turgunov would be informed in time when to pay the fee); or that the not all the necessary documents had been received and they had not been filed in line with the required procedure (although Turgunov had been told by a senior official of the Ministry of Justice that he should submit the documents by email and was subsequently told by an official on the phone that all

necessary documents had been received). On 15 September 2020 Turgunov submitted the registration documents for the NGO Human Rights House for the sixth time.

The authorities have previously attempted to silence Agzam Turgunov by bringing three sets of administrative charges against him in August 2018 and in March and June 2019.<sup>18</sup>

## Independent journalist Bobomurod Abdullayev

On 22 August 2020, authorities in Kyrgyzstan unlawfully extradited independent Uzbekistani journalist Bobomurod Abdullayev to Uzbekistan, even though he had effectively been denied his right to appeal and his claim for asylum was still pending.<sup>19</sup>

Immediately after his arrival in Tashkent, he was interrogated by the Uzbekistani State Security Services for several hours before being released. Abdullayev is currently not allowed to travel in Uzbekistan without permission or to leave the country. According to news reports the Uzbekistani authorities requested Abdullayev's extradition in connection with a criminal investigation on charges under Article 158 ("offenses against the president of the Republic of Uzbekistan") and Article 159 of the Criminal Code ("conspiracy to overthrow the constitutional regime"), each punishable by up to 20 years in prison. We are very concerned that Bobomurod Abdullayev could be arrested at any time.

The charges are believed to be linked to a series of publications critical of President Mirziyoyev and his family, which were posted on Facebook under the pseudonym Qora Mergan and on an anonymous site registered in Canada under a different pseudonym. Abdullayev has categorically denied being the author of these publications and the Uzbekistani authorities have reportedly produced no credible evidence to seriously implicate him.

Less than two weeks before his extradition, on 9 August 2020, Bobomurod Abdullayev was arrested in Bishkek – where he had spent several months on a scholarship - by officials of the State Committee for National Security (GKNB) of Kyrgyzstan.

On the same day the Kyrgyzstani security services confirmed his arrest in an official statement, stating that it was based on an extradition request from Uzbekistan. After his arrest in Kyrgyzstan, security officials denied Abdullaev the right to meet with his lawyers, *claiming* that he had been put under quarantine.

On 10 August, Pervomaisky District Court in Bishkek held a remand hearing and ruled to detain him until 8 September 2020. The Kyrgyzstani court confirmed that Bobomurod Abdullayev was wanted in Uzbekistan on the above-mentioned charges.

Although Abdullaev was told on 11 August that the Uzbekistani Prosecutor General's Office had issued an extradition order,<sup>20</sup> the Kyrgyzstani authorities failed to inform his lawyers, thus hindering his right to appeal.

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18 For further information, refer to the Joint NGO submission to the United Nations Human Rights Committee ahead of the consideration of Uzbekistan's Fifth Periodic Report at the 128th session in March 2020: [https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/UZB/INT\\_CCPR\\_CSS\\_UZB\\_41553\\_E.pdf](https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/UZB/INT_CCPR_CSS_UZB_41553_E.pdf)

19 <https://rus.azattyk.org/a/30811423.html>, <https://www.iphronline.org/kyrgyzstan-no-forced-return-to-uzbekistan.html>, <https://www.hrw.org/news/2020/08/26/uzbekistan-drop-dubious-case-against-journalist>, <https://www.rferl.org/a/30797958.html>

20 <https://www.hrw.org/news/2020/08/26/uzbekistan-drop-dubious-case-against-journalist>,

In addition, the Uzbekistani authorities violated Abdullayev's rights to legal assistance. Sergey Mayorov, the Uzbekistan-based lawyer of Bobomurod Abdullayev, stated that his rights as a lawyer to organize legal assistance and protect Abdullayev's rights as well as Bobomurod Abdullayev's rights to receive legal assistance in the period between 29 June to 22 August 2020 were grossly violated by three law enforcement agencies in Uzbekistan. He was neither informed about the initiation of criminal proceedings on 29 June nor invited to a closed court hearing on 23 July.

Despite an international outcry, Bobomurod Abdullayev was returned to Uzbekistan on 22 August, accompanied by the same officers of the Uzbekistani State Security Services (SGB) who had tortured him when he was in detention in 2017-2018.

## **TORTURED IN KYRGYZSTAN<sup>21</sup>**

The SGB in Uzbekistan interviewed Bobomurod Abdullayev and then released him. He subsequently gave a TV interview (Present Time TV) from his sister's house in Tashkent, and stated that he had been tortured on 11 August, the day after he was taken into custody by the Pervomaisky District Court in Bishkek.

The journalist reported that a Kyrgyzstani GKNB investigator tried to force him to sign a statement saying he was returning voluntarily to Uzbekistan and an extradition order, both of which he refused. Then he was taken to a cell where remand centre staff tried to force him to sign the document as well.

"I refused and, after unsuccessfully trying to persuade me, they entered my cell and began to threaten me... One of them, a bigger remand centre employee, threw me onto an iron bed and began choking me with a green towel. I tried to free myself from his grip and fell between two beds. I felt blood running down my face from a wound above my eyebrow. At this point I think the officers got really scared and they quickly left the cell".

## **BACKGROUND 2020**

In early 2020 Abdullayev became worried about his security after the Canada-based Uzbek journalist Ismat Khushevim named him as the possible author of several articles criticizing the authorities on an anonymous website.

In February 2020 Abdullayev travelled to Bishkek from Germany on an official invitation to follow a four-month course as part of a programme for independent journalists and former political prisoners at the American University of Central Asia which ended on 1 July. When his stay at the university ended, he was unable to leave Kyrgyzstan as the borders were closed due to the COVID-19 pandemic. On 13 July, the American University of Central Asia informed him that officials from the Kyrgyzstani security services were trying to locate him. Earlier in July 2020 Abdullayev told AHRCA that he was concerned about his security as he feared the Uzbekistani security services wanted to question him or abduct him after several anonymous persons had posted online accusing him of being the author of the above mentioned critical anonymous publications.

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21 <https://rus.azattyk.org/a/30811423.html>

## **BACKGROUND 2017**

Abdullayev was arrested on 27 September 2017 in Tashkent by officers of the State Security Service on anti-constitutional charges which were widely believed to have been politically motivated. He was held for several months in detention during which time he reports being tortured in order to force him to testify against himself and several other people including political opposition leaders, critics, civil society activists, and former diplomats. At a court hearing in 2018, Abdullayev admitted writing a series of articles under the pseudonym “Usman Khakhnazarov” which were critical of former President Karimov. Abdullayev was released from 7 May 2018 and vowed that he would not write anonymous articles again.

Since his release from detention, Abdullayev has been regularly subjected to surveillance and harassment by Uzbekistani security services.

## **Allegations of torture and other forms of ill-treatment from 2020**

This section details torture cases that are mentioned in the main part of the briefing in addition to further cases.

### **CASES WHERE PERPETRATORS HAVE YET TO BE BROUGHT TO JUSTICE**

#### **The case of Kurbon Ostonoyev and Bahrom Avliyokulov**

In January 2020 Kurbon Ostonoyev and his son Bahrom Avliyokulov were detained at the Internal Affairs Department (OVD) of the Chirakchi District of Kashkadarya Oblast for an alleged theft and saw Yusuf Abdurakhmonov on 22 January shortly before he died from torture (see his case below). According to Avliyokulov, they heard Abdurakhmonov scream. The officers showed them the beaten up, half conscious man and threatened to do the same to them. Bahrom Avliyokulov stated that “four or five OVD officers were standing” around Abdurakhmonov. Then Avliyokulov was allegedly locked in a room and beaten. He later told the Daryo newspaper: “I was asked to take the blame for the theft. I said that I did not do it. After that, one of the officers said: ‘He won’t admit his guilt’, and I was hit on the heel with a baton. First two people were hitting me, and then four or five”.

Later one of the OVD officers who had reportedly beaten the men said to Kurbon Ostonoyev: ‘If you save the policemen, if you say that they didn’t beat you, you will be thanked’. Father and son were released on 23 January, but they were brought back to the OVD once again. Then they learned that Yusuf Abdurakhmonov had passed away. OVD officers approached them and asked them not to say anything about what they had seen. During a discussion with the prosecutor’s office, the guilty officers did not admit that they had also beaten Kurbon Ostonoyev and Bahrom Avliyokulov.

#### **The case of Kadyr Yusupov**

In May 2020 former diplomat Kadyr Yusupov, who is currently serving a five-and-a-half-year prison sentence for treason (Article 157) handed down by the Military Court of Uzbekistan in January 2020, reportedly went on hunger strike to protest against the ban on observing the fast of Ramadan and performing namaz. After five days on hunger strike he was placed in a punishment cell for 16 days, reportedly to force him to stop the protest. In addition, he was reportedly tortured by having his hands

and feet shackled together behind his back in a position known as “Lastochka” (swallow). A prisoner may be suspended in this state, beaten, or simply held in this position until the victim complies with the request. After being tortured he reportedly gave up his hunger strike.

## **The case of Alijon Abdukarimov**

Alijon Abdukarimov, a 44-year-old businessman and father of three, entered the 4th Department of Internal Affairs in Andijon city (Uzbekistan) on 29 May 2020 in good health.

He was summoned for questioning for alleged theft, and in the police station he was beaten and tortured by several officers. On 30 May an ambulance took him to hospital. He died two weeks later, on 11 June, from his injuries. A few days before his death, Alijon Abdukarimov’s sister visited him in hospital, where she found him in a coma and on artificial respiration. The film she took of her brother showed bruises all over his body, including on his arms, chest and legs. His left eye was severely swollen.

On 13 June that the Uzbek Prosecutor General’s Office gave an official statement saying that on 30 May Alijon Abdukarimov had been taken to the hospital and that three officers of the Andijon Department of Internal Affairs had been detained on charges of abuse of power, illegal detention and torture. The accused were remanded in custody. Five employees of the Andijan OVD were dismissed, and disciplinary measures were taken against 19 other employees, including senior management. The incident caused a public outcry. The behaviour of the internal affairs officers was condemned by the National Centre for Human Rights, the Defence and Security Committee of the Senate and political parties. Ombudsman Ulugbek Muhammadiev called the incident “shameful” and stated that it was necessary to create a single investigative body and radically reform the Interior Ministry. The national movement “Yuxalish” stated that the law enforcement system needs to be fundamentally reformed. The court case against the police officers has not yet taken place.

However, although the authorities told the media they were investigating the case, officials from the prosecutor’s office were permanently stationed at the victim’s family home, effectively preventing the family from speaking to human rights defenders, bloggers or journalists.

## **The case of Farrukh Khidirov**

On 1 July 2020, Abdurakhman Tashanov, the Head of Ezgulik human rights organisation, posted a statement and a video of the mutilated body of torture victim Farrukh Khidirov on a social network. The video showed that his body was covered with spots, and the skin on his back was bright red. Farrukh Khidirov had died on 27 June in the medical facility of a Tashkent prison colony (Sangorod). He was brought to this medical facility from colony 11 in Navoi province, where he had been reportedly beaten and doused with boiling water. For eight days the doctors tried unsuccessfully to save Farrukh. According to the human rights activist, a few days before his death, Farrukh Khidirov called home to say that prison staff were demanding money from him. They provided him with details of bank accounts to which they asked him to transfer money. When Khidirov refused, they reportedly began to torture him. The Main Penal Correction Department of the Ministry of Internal Affairs immediately issued a press statement denying the allegations of torture which were circulating in Uzbekistani online media. The statement called Farrukh Khidirov a repeat offender and listed the articles of the Criminal Code under which he was serving his sentence, as well as listing the diseases he allegedly had, ranging from tuberculosis and diarrhea to a long-term fever. The statement further says that “the corpse was examined by the prosecutor’s office; no injuries were found and the appropriate investigation into the incident was

ordered. The redness that appeared on the video image of [the body] is a corpse stain and was in no way caused by injuries“.

Nevertheless, shortly afterwards the Ministry of Interior announced that investigations would be initiated. The post and the video showing Khidirov's body have both since been deleted from the internet.

### **The case of Tursunali Tursunov**

On 25 July 2020, Tursunali Tursunov was drinking beer in his car near his home in the city of Jizzakh (Zargarlik Mahalla). Reportedly, several police officers from the district police and the traffic police approached him and started beating him. They took him to a police station where the beatings continued. They reportedly hit him on the head, body and legs. Covered in blood, Tursunov was taken to the Emergency Medical Centre where he was refused admission at the request of law enforcement officers. When an administrative procedure was opened against the police officers accused of beating Tursunov, the judge found no grounds to detain the officers. According to the information available, the authorities have not initiated criminal proceedings on torture.

### **The case of Ilkhomboy Sadullayev**

Ilkhomboy Sadullayev was arrested on 26 July 2020 in the Turtkul district of Karakalpakstan. According to the Uzbek service of Radio Liberty, 39-year-old Ilkhomboy Sadullayev was taken to hospital from a police station in Turtkul district in a coma and died on 11 August. His wife claims that her husband was in good health when he was taken to the police station. Abdurasul Rajabboyev, head of the intensive care department at the district hospital, stated that the patient had died of a craniocerebral injury. The district prosecutor's office initiated an investigation into the death.

### **The case of Shukhrat Dzhurayev**

Shukhrat Dzhurayev, a 35-year-old teacher from the Furkat district in the Ferghana region, reported that he was beaten and insulted by district police investigators in an attempt to extort a confession about stealing a school computer. Dzhurayev claims that the investigators also forced him stand in stress positions on one leg for extended periods of time. The duty officer of the Furkat District Department of the Ministry of Interior (OVD) refused to answer the questions from an Ozodlik journalist about the school teacher's accusations against the district police investigators. Dzhurayev stated that the investigators who had beaten him were wearing civilian clothes, so he could not recognize their ranks and could only remember one of their names: "Vakhit also beat me. He stabbed me in the neck and chest, kicked me in the legs. His punches were very strong. I was exhausted after their beatings". An examination into the injuries was carried out, but the results were not shared with the victim. At the time of writing no further information was available about the investigation.

## **CASES WHERE PERPETRATORS HAVE BEEN BROUGHT TO JUSTICE**

### **Thirty-two-year-old Yusuf Abdurakhmonov beaten to death by police officers**

On 22 January 2020, the agricultural worker from the village of Langar in Kashkadarya region was detained in his home on suspicion of stealing livestock. This was the last time his family saw him alive. Abdurakhmonov was taken to the Chirakchi District Department of Internal Affairs No. 4 (OVD Department) of Kashkadarya region. There he was beaten so badly by officials – within earshot of other

detainees Kurbon Ostonoyev and Bahrom Avliyokulov (also victims of torture, see above) - that he died that same night. The next day his relatives were informed of his death. A relative was reported by media as saying: "When we washed his body, we felt that there wasn't a single bone that was whole anymore, that's how much they had beaten him".

On 27 January, Kashkadarya Regional Prosecutor's Office announced that two police officers had been detained and a criminal case opened against them under Article 206 part 1 of the Criminal Code ("Exceeding official powers"). Office of the Prosecutor General subsequently announced that the police officers involved were also charged with grievous bodily harm resulting in death (Article 104, part 3 "e") and torture and other cruel, inhuman or degrading treatment or punishment, resulting in the infliction of grievous bodily harm or other grave consequences (Article 235, part 3). The Ministry of Internal Affairs issued a statement on 30 January 2020 announcing the resignation of the first deputy head of the Internal Affairs Directorate of Kashkadarya Region.

On 21 September 2020 the press service of the Supreme Court of Uzbekistan announced that the case against the two former police officers and three other police officers from the same department had concluded. All perpetrators were sentenced to between four and nine years in prison.

Reportedly, the lawyer for the victim's family rejected an offer that material and moral compensation be paid to the wife of the deceased. According to an AHRCA source, it was not possible to find out why the victim's family refused this compensation, as they are afraid to communicate with human rights defenders.