

**Testimony before the House of Representatives Foreign Affairs Committee
Subcommittee on Europe, Eurasia and Emerging Threats**

Hearing on Current Developments in Central Asia

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Chairman Rohrabacher, Ranking Member Meeks, thank you for the opportunity to testify before the subcommittee on this important issue.

My remarks today focus on the changes we are witnessing in Uzbekistan's human rights situation and recommendations for how the US can best promote lasting improvements as this process of change unfolds. My key recommendation is that during a time of hope and political transition in Uzbekistan, it is vitally important that Washington maintain its strong commitment to promote human rights by pursuing a policy of principled engagement with Tashkent.

The US should encourage further positive changes on the ground and expand US educational exchanges and other forms of technical assistance. But it is also crucial Washington not lose sight of the fact that Uzbekistan's human rights challenges remain vast and that it continues to press the Uzbek government to make concrete improvements.

In the nearly two years since Uzbekistan's President Shavkat Mirziyoyev assumed power following the death of his predecessor, Islam Karimov, he has taken some concrete steps to improve the country's human rights record. He has released some 30 political prisoners, relaxed certain restrictions on free expression, and removed thousands of citizens from the security services' "black list." He has also committed publicly to combat forced labor in the country's cotton fields, and to ensure increasing accountability of government institutions to the public.

These moves, coupled with Tashkent's efforts to improve ties with its Central Asian neighbors, have contributed to a sense of hope in Uzbekistan about the possibility for change not witnessed in many years.

At the same time, the Uzbek government remains authoritarian. The security services' powers remain deep and vast, free elections and political pluralism are distant dreams, and there are still thousands of people in prison on politically motivated charges. It is far from clear that Uzbekistan's still authoritarian government will follow up the steps it has taken thus far with institutional change and sustainable human rights improvements.

This is precisely why the US should continue its crucial support for human rights and democratic development in Uzbekistan, speaking out where needed, providing assistance, but also not being afraid to impose consequences when abuses are ongoing.

Political Prisoners

Uzbek authorities have released at least 30 political prisoners since September 2016, including Yusuf Ruzimuradov and Muhammad Bekjanov—two of the world’s longest imprisoned journalists, in jail for 19 and 18 years, respectively—and peaceful political dissidents like Samandar Kukanov, Uzbekistan’s first vice-chairman of Parliament after independence. Unlawfully jailed for 24 years, Kukanov had been one of the world’s longest jailed political activists, after Nelson Mandela.

That these 30 individuals were released is not random; they are the specific individuals whose unlawful imprisonment the US government, European Union, and human rights groups have been publicly raising for years, illustrating the lesson that even in the hardest cases like Uzbekistan pressure does—eventually—work.

But authorities have yet to embark on any meaningful strategy of truth and reconciliation that would lead to the legal rehabilitation of those freed—many of whom remain in terrible health due to the ordeal they experienced for decades. They are entitled to justice and reparations for the serious violations that they have endured, a process that is not yet on the table in Uzbekistan. Absent a sobering national dialogue about past abuses, it is hard to imagine Uzbekistan making the difficult leap forward toward the more democratic society its citizenry deserves.

Moreover, thousands remain imprisoned on politically-motivated charges. Two weeks ago, in Tashkent, I met the wife of one of them, Feruza Djumaniyazova, who told me about her husband Andrei Kubatin, a professor of Turkic studies, imprisoned in December—under the new president—on fabricated charges and subjected to torture. His crime? Sharing publicly available documents with a Turkish cultural attaché. Kubatin’s case—around which numerous scholars have rallied—shows that despite some efforts by President Mirziyoyev to rein in the security services, they continue to play an outsize role in the life of the country.

The US government should remain at the forefront of efforts to support the release of all people imprisoned on politically motivated charges. It should push for accountability efforts that will allow Uzbekistan’s citizens a real voice in the reform process and a chance to discuss their history without fear of retaliation. Rehabilitation and human rights education, with US support, are tools that could help avoid a return to the darkest days of the Karimov era.

Freedom of Speech and Expression

Freedom of speech and of the press have improved under Mirziyoyev but remains very problematic. With 56 percent of the population under 30 years old and increasing numbers of mobile internet users, both Uzbek and Russian-language online media are experiencing a period of growth and change. The president has urged the media not to hold back in addressing urgent social issues. As Human Rights Watch has found, some journalists are now covering sensitive issues such as forced labor and corruption that were previously taboo. They have helped bring to the fore cases of injustice or wrongdoing by officials that have spurred unprecedented debate on social media, and in some cases, remedial action.

Yet much of the media remains under state control, and censorship is the norm. Journalists self-censor because it is unclear where the “red lines” are. Much of the internet remains blocked, and several pioneering online outlets such as kun.uz, xabar.uz, and qalampir.uz, were mysteriously unavailable for a period last month.

It is a step forward that the Voice of America's correspondent received accreditation last month, but the government is still blocking the same for the BBC, which got the green light over a year ago to appoint a local reporter. Keeping a lid on genuine free expression and independent media remain government cornerstones. The US should press the Uzbek government to fully unblock the internet and extend accreditation to media outlets and reporters, such as Radio Free Europe.

Torture

Torture and other ill-treatment is endemic in Uzbek police custody and prisons. Human Rights Watch documented this in our 2011 report. In startlingly frank comments, the head of the Supreme Court, Kozimjon Komilov, admitted in May that evidence obtained by torture had regularly been used in court. "We have indeed closed our eyes to this sensitive issue for many years," he said.

A November 2017 law bans using torture-tainted evidence in court. But there are few signs that torture has stopped, as the recent case of a journalist, Bobomurod Abdullayev, shows. He was arrested in September 2017 – a full year after Mirziyoyev became president – and charged with plotting to overthrow the government. The openness of his Tashkent trial drew praise, including from Human Rights Watch, but the torture he suffered is chilling. Abdullayev was brutally beaten, kept naked in a freezing cell, and not allowed to sit down or sleep for six days. Although in May, the judge who oversaw Abdullayev's criminal trial called for an investigation into the torture he suffered, no meaningful action has yet been taken.

Justice Minister Ruslanbek Davletov said in May that there would be "no impunity" for officers who use torture. And in June several security agency officers were jailed for their role in the death and torture of a businessman. The US should press the Uzbek government to ensure that zero tolerance for torture and ill treatment becomes the norm —by holding accountable those responsible when torture does occur by ratifying and implementing the optional protocol to the Convention against Torture and by allowing the International Committee of the Red Cross (ICRC) to conduct independent prison monitoring. These would be important steps forward.

Freedom of Religion

With a visit to Uzbekistan by US Ambassador-at-Large for International Religious Freedom Sam Brownback expected this September, Washington is closely watching Uzbekistan's restrictions on religious freedom. Since 2006 the US has designated Uzbekistan a "country of particular concern" for its serial and ongoing violations of religious freedom, which include banning all forms of proselytism, strictly regulating all forms of religious worship, clothing, and even the sermons delivered by the country's imams.

An important step forward in the past year was Tashkent's removal of over 16,000 people from the notorious "black list"—which requires citizens to report for police interrogation and restricts their ability to get a job or travel. In public remarks accompanying the move, President Mirziyoyev emphasized the need to rehabilitate citizens who had been "misled" by radical groups. In a speech to the UN General Assembly in September he touted Uzbekistan's identity as a center for Islamic education and enlightenment.

The UN special rapporteur on freedom of religion, Ahmed Shaheed visited Uzbekistan in October. At a press conference, he stated that "resilience against religious extremism can be built on strengthening diversity as well as freedom of religion or belief," adding that religious freedom rights "cannot be sacrificed in preventing or countering violent extremism."

Despite these moves, authorities have yet to amend the criminal code's overbroad definition of "extremism" which has been used to imprison many peaceful religious believers (as well as non-believers) on politically-motivated grounds. Moreover, regulations issued last month on the registration of religious communities, including Protestants and Jehovah's Witnesses, continue Tashkent's long-standing restrictive approach, leaving Christian communities in Uzbekistan vulnerable to constant harassment, home raids, short-term administrative detentions, and the denial of registration. Congress should remain vigilant on the issue of religious freedom and make clear that the CPC designation will be maintained absent demonstrable progress.

Forced Labor

In June, the United States upgraded Tashkent from Tier III to the less critical Tier II "watch list" in the State Department's annual trafficking report, which assesses Uzbekistan's efforts to combat forced and child labor in the cotton fields. Responding to significant pressure to end forced labor—by children and adults-- in the cotton sector, the Uzbek government in 2017 made significant strides. President Mirziyoyev acknowledged and pledged to abolish forced labor in his address to the United Nations General Assembly last year. At the start of last year's harvest, the government issued a decree prohibiting the forced mobilization of public sector workers, including teachers, medical personnel, and students into the cotton fields, which resulted in many forced laborers returning to their homes and places of work and study. However, the International Labor Organization (ILO) estimates that approximately 300,000 people were nonetheless forced to pick cotton during the 2017 harvest.

Independent cotton monitors like Elena Urlaeva, whom Human Rights Watch met recently in Uzbekistan, have welcomed the existence of a meaningful, regular dialogue between government officials, the ILO, and independent civil society on the issue of forced labor that was unimaginable two years ago. But it is still much too early to declare the issue solved.

Human Rights Watch has called on Uzbekistan's parliament to hold televised hearings during the harvest featuring independent activists like Urlaeva. We have also called on authorities to hold regular press conferences during the harvest season to educate citizens about their rights.

Key Recommendations to the US Government

For more than two decades, the US government has shown a strong interest in promoting respect for the rule of law, good governance and human rights in Central Asia and in Uzbekistan. The departing US Ambassador, Hon. Pamela Spratlen, has set a powerful example of leadership on human rights issues by publicly voicing her support for Uzbekistan's embattled human rights defenders and on more than one occasion during her three-year tenure spoke out publicly to condemn attacks on civil society. We hope to see more of this kind of principled diplomacy from Washington as a whole.

The human rights improvements Uzbekistan has witnessed over the past two years demonstrate a valuable lesson for US foreign policy: public pressure on human rights abuses, combined with principled public diplomacy, even in a highly authoritarian country, can reap very concrete benefits, such as the release of a significant number of political prisoners and advances in the fight to eliminate forced labor.

Washington should continue to use tools such as the International Religious Freedom Report, Annual Human Rights Report, Trafficking-in-Persons Report, discussions on military assistance under the Foreign Appropriations Act, and the Global Magnitsky Act, to articulate clear reform expectations for Uzbekistan.

Specifically, the US should urge Tashkent to:

- Release all persons imprisoned on politically-motivated charges, and take measures to provide justice and reparations for those who have already been released;
- Ensure that domestic and international independent civil society organizations can register in Uzbekistan and operate without government interference;
- Invite the thirteen UN special rapporteurs that have requested access to the country, to visit beginning with the special rapporteur on torture;
- Immediately and fully unblock the internet and grant accreditation to local reporters and representatives of domestic and international media outlets, including the BBC, Voice of America, and Radio Free Europe;
- End religious persecution, including by decriminalizing peaceful religious activity, and ordering the release of thousands of people imprisoned solely for nonviolent religious expression
- Eliminate forced labor of adults and children in the cotton sector, and permit international and independent national nongovernmental organizations and activists to conduct their own monitoring without harassment;
- Restore funding for educational exchange programs and fellowships, including the Edmund S. Muskie Graduate program, that formerly brought hundreds of Uzbeks to the US as master degree students

True support for the reform process underway will require the US to continue to press Tashkent to bring its laws and practices into line with its international human rights commitments. Washington should push for accountability efforts that will allow Uzbek citizens a real voice in the reform process and a chance to discuss their painful history without fear or retaliation. It also, however, will require pressing Uzbekistan to allow citizens to freely discuss and examine the past 27 years of egregious rights abuses, including widespread torture and politically-motivated imprisonment, committed during the Karimov era. This will not be easy an ask for either Uzbekistan or the United States. But it is a necessary investment in a more democratic, open, stable, and prosperous Uzbekistan, and US-Uzbekistan relationship.

Mr. Chairman, my sincere thanks once again for the opportunity to address this subcommittee. I am happy to respond to any questions you or your colleagues may have.

Thank you very much, and I look forward to answering your questions.