

Human Rights in Central Asia: Developments in 2003

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Central Asian leaders continued to abuse basic political and human rights throughout last year.

Twelve years after the collapse of the Soviet Union, governments in the five states continued to jail opponents and suppress the media.

The following report charts the major human rights developments in 2003, drawing on reports from IWPR journalists in the region.

Kazakstan

Introduction

Economic indicators for oil-rich Kazakstan are good. But growth is restricted to a narrow industrial base, mainly concerned with oil, and in the rest of the country unemployment, poverty, inflation, drug addiction, prostitution and Aids continue to make life difficult for many.

There were signs in 2003 that the notoriously corrupt Kazak government is tightening its grip on domestic politics and the media.

Human Rights

There were significant developments concerning three jailed political figures in Kazakstan in 2003.

In January, opposition journalist Sergei Duvanov was sentenced to three and a half years in prison for the rape of a minor. (See [Duvanov Trial Fears](#)) Many observers said the charges against him were politically motivated and a number of international bodies voiced concern about the way in which the trial itself was conducted. (See [OSCE Calls for Duvanov Enquiry](#) and [Duvanov "Beaten in Prison"](#)).

Duvanov founded one of Kazakstan's first independent radio stations in 1992 and later ran a non-government news agency. He had worked with the Kazakstan International Bureau for Human Rights and the Rule of Law since 2000 and was a regular IWPR contributor.

Duvanov was arrested on October 28, 2002, a day before he was due to travel to the United States to give a talk on Kazakstan's civil liberties record.

The authorities eventually transferred him from prison to house arrest on January 15, 2004, in line with general policy on . ([Kazakhstan: Duvanov Defiant](#) covered his conditional release)

Another jailed political figure, Mukhtar Ablyazov, was released on May 13 following a controversial appeal for clemency, and subsequently said he would quit politics and had no plans to contest his trial verdict.

Ablyazov, a former trade and energy minister and co-founder and leader of the major opposition party Democratic Choice of Kazakhstan, DCK, was jailed on charges of abuse of power in 2002.

He denied that there had been any pressure on him in the run-up to his appeal for pardon or that he had made any kind of secret deal with the government. (See [Fears for DCK Prisoners](#)) But international observers voiced concern about the timing of his April 8 petition, which came a day before Kazakhstan was due to defend its human rights record before the European parliament. (See [Ablyazov Denies Amnesty Conditional](#))

Ablyazov was not pardoned but was released under amnesty, meaning he is technically still considered guilty of the charges brought against him and remains vulnerable to re-arrest if he commits any further perceived offence. (Reported in [One Voice Less in Kazakhstan](#))

In July it was announced that a second DCK leader Galymzhan Zhakiyanov had contracted tuberculosis in prison. ([Jailed Oppositionist Falls Sick](#)). Zhakiyanov was arrested for corruption at the same time as Ablyazov, fuelling accusations that the charges against both were politically motivated. He has so far refused to appeal for clemency and continues to fight to have his conviction quashed through the appeals process.

Political Rights

In 2003 the Kazak authorities did their best to marginalise the opposition DCK party.

The DCK's activities were suspended on July 4 for four months after it failed to fulfil a legal requirement to register in all regions of the country, and the government later banned the party, claiming its secretary Bakhtyly Tumenova had violated the suspension by appearing at a seminar in her official capacity. The authorities disregarded Tumenova's protests that her attendance at the meeting had nothing to do with her role in the DCK.

Attempts to re-register the DCK under a different name were rejected on October 14, apparently because of qualms about the legality of its charter. ([DCK Facing Oblivion](#)). Members set about altering the relevant parts of the charter in preparation for another application but there was widespread scepticism about their chances of ever succeeding in registering the party.

Media Rights

On December 26, the lower house of Kazakhstan's parliament passed a new media law, apparently intended to safeguard freedom of speech but criticised by local and international media analysts who said it would simply create further complications in Kazakh journalists' lives and would do nothing to protect their rights (Consternation at Media Law).

Amongst those who spoke out against the new legislation – which makes registration of a media organisation even more difficult than it was previously – was the president's daughter Dariga Nazarbaeva, who runs Kazakhstan's largest media conglomerate Khabar.

Rozlana Taukina of the Journalists in Trouble group told IWPR that the legislation would give the information ministry almost unlimited power over media activities by allowing it to close any outlet on the smallest pretext.

The new law is expected to be approved by President Nursultan Nazarbaev and then come into force in a few weeks.

Kyrgyzstan

Introduction

Kyrgyzstan remains perhaps the most open society in Central Asia. The government's decision in 2003 to officially ban torture was generally welcomed as an encouraging development. But overall, little has changed since the mid-Nineties – the government continues to interfere with the independent media, and international observers say a number of prisoners have been convicted for political rather than criminal offences.

Human Rights

International observers welcomed the mid-November announcement that President Askar Akaev had signed a ban on the use of torture. Police and officials face criminal charges and up to 10 years in prison if they are convicted of violating the new rules. (Reported in Kyrgyz Torture Ban)

The announcement followed the release of an OSCE report earlier in November naming Kyrgyzstan as one of the former Soviet states that had failed to fulfil an international obligation to prohibit torture.

Rights activists say torture – including beatings, electric shocks, suffocation, hanging suspects upside down, injecting them with needles and pulling their nails out – has been routinely used in Kyrgyzstan in recent years.

In April 2003 Kyrgyz opposition leader Felix Kulov was transferred to a low-security prison having spent nearly 1000 days in solitary confinement. ([Kulov Out of Solitary](#)).

Kulov, who was formerly Kyrgyzstan's vice president, interior minister and chief of the National Security Service, was sentenced to seven years in prison in January 2001 for abuse of power. This sentence was subsequently increased to ten years after he was found guilty of the further charge of embezzlement.

Kulov's supporters have always maintained that the charges against him are fabricated and politically motivated. Human rights organisations expressed suspicion about the fact that he was arrested just over a month after resigning from government in February 2000 in order to run in that year's presidential election.

Political Rights

A February 2 referendum saw 76 per cent of Kyrgyz voters behind governmental changes proposed by the president – including reducing the bicameral parliament to a single chamber – and 79 per cent saying Akaev should remain in office until his mandate expires in December 2005, according to Kyrgyzstan's Central Election Committee.

Opposition figures expressed concern that the approved changes could reduce parliament to a purely consultative body and concentrate power in the hands of the president. (These concerns were noted in [Parliament Under Threat and Fury Over New Constitution](#))

The Public Headquarters for Observing the Conduct of the Referendum, PHOCR, a monitoring committee organised by civil activists, opposition leaders and NGOs, also cast doubt over the reported 86.6 per cent turnout. ([Opposition Slams Referendum](#)) PHOCR members suggested the real figure was less than the 50 per cent required to validate the vote, and claimed to have testimony from a number of people who had been forced to vote. Observers from Kyrgyzstan's allies such as Armenia, Russia and Belarus declared the referendum fair.

Media Rights

Lawsuits from officials, and increasingly private individuals, continued to cripple Kyrgyz newspapers throughout 2003, with many observers expressing concern that such legal proceedings were merely a covert way for the authorities to shut down outspoken publications ([Sued and Stifled: Kyrgyzstan's Media](#)).

The newspaper Moya Stolitsa-Novosti folded after being ordered to pay almost 100,000 US dollars in damages to various government officials. Kyrgyz human rights ombudsman Tursunbai Bakir uulu wrote to the Supreme Court arguing that the rulings against the newspaper seemed "unobjective and unfair" and should be reassessed. But his recommendation was ignored.

Moya Stolitsa-Novosti, which faced 37 lawsuits in its year and a half of existence,

was one of three newspapers with independent views and a significant readership which have faced harassment. Another, Asaba, passed into the hands of pro-government businessman in 2000 after facing legal actions from a number of high-level officials. The third, Delo No, is currently entangled in a lengthy law case.

On September 13 the Kyrgyz government announced the formation of a body to deal with such disputes within the media, with the president's press secretary Abdil Segizbaev arguing that the high number of lawsuits against journalists and newspapers were damaging the image of the country. But participants at a conference held in Bishkek on September 17-18 criticised the way the new council had been put together, arguing that the process had been secretive and undemocratic. (Kyrgyz Media Council "Flawed")

The opening of an independent printing house on November 14 received a warmer welcome and was seen by many as an encouraging sign for Kyrgyzstan's media (Fuller report in Boost for Media Freedom).

The 800,000 US dollar venture, set up by Freedom House and sponsored by the United States, broke the monopoly previously held by the state-controlled Uchkun printing press, which was accused of regularly refusing to print material viewed unfavourably by the government.

But the management of one paper, Delo No., soon announced that rates offered by the new business were unreasonably high and returned to using the Uchkun printing house (Kyrgyz Free Press Comes at a Price).

Tajikistan

Introduction

While Tajikistan is the poorest country in the region and is still recovering from civil war, its political system has escaped the worst kinds of oppression seen in Uzbekistan and Turkmenistan.

But there were signs in 2003 that president Imomali Rahmonov hopes to consolidate his power. His speeches are increasingly broadcast in full in both the state media and independent media, and a referendum held in June resulted in the constitution being changed to allow him to stay in power longer.

Human Rights

At the bidding of President Rahmonov, parliament voted in October to overhaul the criminal code. But the reforms were disappointing and did little to change Tajikistan's widely criticised death penalty. (Tajik Penal Reforms Disappoint)

Human Rights Watch reported the arrest of a number of figures perceived by the Tajik government as potential political competitors were arrested in 2003. Shamsuddin Shamsuddinov, deputy chairman of the Islamic Rebirth Party, was arrested on May 31 and charged with crimes against the state. On June 21, former interior minister Yakub Salimov was detained by the Russian authorities. He was later extradited to Tajikistan, where there are outstanding charges against him for his role in a mutiny against Rahmonov. (Details in [Tajik Warlord Arrested](#)) On August 13, Russian police – again at the request of the Tajik authorities – arrested former government member Habibullo Nasrulloev and his son Muhammad on charges of crimes against the state and murder.

Political Rights

On June 22, Tajik citizens voted to change the country's constitution. In so doing they approved a package of changes to the law, but by far the most significant was permission for the president to stand for two further seven-year terms when his mandate expires in 2006.

The Central Election Committee reported a 93 per cent turnout but some international observers dismissed the referendum as badly organised and unfair ([Referendum Result Controversy](#)) The OSCE did not monitor the ballot because inadequate steps had been to ensure a fair vote count.

Most Tajik opposition parties joined the OSCE in criticising the fact that voters were given a single choice – between accepting all 56 proposed amendments or rejecting them wholesale.

The process was made more opaque by the fact that a full list of the proposed amendments was published only in two state newspapers, neither of which has a high circulation. And international observers said they witnessed Russian-speakers being given Tajik-language ballot papers which they would have little chance of understanding.

Media Rights

At the end of the year, two outspoken newspapers faced increasing problems, leading many analysts to believe they were targets of a deliberate campaign to silence independent media. (See [Tajikistan: Independent Newspapers Under Pressure](#)) In November, the Ruzi Nav newspaper lost an entire print-run edition when the government publishing house Sharki Ozod refused to print it, ostensibly for contractual reasons. Suspicions that there was a political motive were strengthened on December 23, when Ruzi Nav received a letter from the prosecutor general's office accusing it of carrying articles insulting to President Rahmonov and inciting ethnic animosity. A few days later, on December 29, tax officers ordered a stop to distribution of the new-year edition of the Nerui Sokhan newspaper. They accused its management of lying about its circulation figures in an attempt to evade taxes. Once again, the chief editor Mukhtor Bokizoda said it was a tactic to force print media to be less critical of the government.

New legislation approved by parliament in January 2003 put increasing pressure on Tajikistan's already weak media by ruling that advertising can make up only 30 per cent of a newspaper's space. ([Free](#)

Press in Financial Crisis) Newspapers were already struggling in the face of recession, low spending power, and rising paper and typesetting costs, leaving them reliant on advertising revenue to stay afloat.

Observers also voiced concern about an increasing tendency in 2003 for both state and private television channels to interrupt normal programming to broadcast presidential speeches. (Noted in Starring TV Role for Tajik Leader) Previously, such speeches were usually shown just once, and only on the state channels.

Although President Rahmonov has in the past insisted that he shouldn't be the focus of orchestrated public praise, observers expressed concern that the trend might signal the beginning of a personality cult similar to those that surround the leaders of Uzbekistan and Turkmenistan.

A more encouraging development came in July with the jailing of two men implicated in the murders of two journalists during the civil war that gripped Tajikistan following the collapse of the Soviet Union.

Mohyeddin Alempour, who was head of the BBC Persian Service's office in Dushanbe, and Russian television reporter Viktor Nikulin were killed in late 1995 and early 1996 respectively. The prosecutions in connection with their deaths were notable since, of the estimated dozens of journalists murdered by forces on both sides during the five years of conflict, only 15 or so cases have so far been pursued by prosecutors, who argue it is impossible to look into all the murders. (Tajikistan: Memories of Journalist Killings Revived)

Turkmenistan

Introduction

Inward-looking Turkmenistan has few friends both on the international scene and within Central Asia itself, and its unpredictable president, Saparmurat Niazov, also known as Turkmenbashi, oversees a regime that is oppressive even by the region's low standards.

There were signs in 2003 that things were getting even worse for the people of Turkmenistan. The government put further pressure on civil society, continued to stamp out political opposition in the wake of an apparent assassination attempt against the president in November 2002, and cracked down on ethnic Russians with dual citizenship, apparently fearing their links with the outside world.

Human Rights

The major crackdown that saw sweeping arrests following an apparent attempt on President Niazov's life in November 2002 continued into 2003, with new legislation making it easier than ever for the government to crush dissent

(State of Fear, Turkmenbashi Set to Crush Dissent).

A vaguely-worded treason law means anyone can be classed as a traitor for anything perceived to be “encroachments on the life and health of the president”, “attempting to sow doubt among people about the internal and foreign policies conducted by the first and permanent president of Turkmenistan, the Great Saparmurat” or “encouraging opposition to the state”.

The OSCE condemned the new legislation, under treason is punishable by life imprisonment with no chance of amnesty or parole.

Political Rights

On April 22 the government announced that anyone resident in Turkmenistan with dual citizenship would have two months to choose citizenship of one country and would then automatically lose their other passport.

The main affected group were ethnic Russians, who make up 90 per cent of the country’s dual citizens – there were 100,000 registered with the Russian embassy in Turkmenistan (Tough Choices for Turkmenistan’s Russians).

Those who opted to settle for Russian citizenship would automatically lose the right to own property and homes in Turkmenistan and, as aliens without visas, could be forced to leave at any time.

Many who chose to give up their Turkmen passport tried to flee the country before the two-months were up, but those who did so faced an expensive and gruelling ordeal of bureaucracy and bribery (Russians Queue to Leave, Flight from Ashgabat).

The change in regulations appeared to be designed at least partly to hamper the activities of Turkmen dissidents in exile in Russia, since the dual citizenship arrangement had allowed a limited amount of contact between the two countries.

Following an angry response from Moscow, the regulations appear to have been relaxed somewhat, though not entirely.

A new law concerning the activities of non-government organisations, NGOs, came into effect in November, threatening individual members of any unregistered group – including such innocuous ones as pensioners’ associations and dog breeders’ clubs – with a fine, “corrective labour” or a prison sentence.

The law was signed on October 21 but announced only six days prior to November 21, when it was due to become binding.

The regime immediately put the new legislation to use, beginning legal proceedings against the Dashkhauz Ecology Club on November 20. The club was charged with not having sent the government a report in its 11 years of existence, despite the fact that filing such reports was only made a legal requirement by the new legislation, which in any case wasn't due to become binding until the following day.

Media Rights

There was no oppression of locally-based independent media, because none exist.

On November 26, Reporters Without Borders urged the Turkmen authorities to stop harassing Radio Free Europe/Radio Liberty correspondent in Ashgabat, Saparmurat Ovezberdiev. The group said Ovezberdiev had been "tailed, beaten, drugged and illegally detained by police", and detailed an incident in which he had been abducted by two men - probably secret policemen - who took him to a cemetery in Ashgabat, where he was beaten and threatened before being dumped by the side of a road.

Uzbekistan

Introduction

Hopes that the Uzbek leadership would accept the need for at least a limited amount of political reform came to nothing by the end of the year. Moves towards making the national currency showed a new flexibility on economic matters, and for a while it seemed that the authorities were going to allow the two main opposition parties, Erk and Birlik, to revive their activities. By the end of the year, it became hard to defend this view as a credible argument - all the evidence pointed the other way.

Human Rights

The Uzbek government continued to arrest members of the outlawed Islamic group Hizb-ut-Tahrir in 2003, although Human Rights Watch said this happened at a slower rate than previously.

Hizb ut-Tahrir is perceived as a major threat by the Uzbek government. But the group explicitly rejects violence as a tool for furthering its aims and human rights groups are unified in their condemnation of the sweeping arrests of people associated with it.

Police even arrested the 62-mother of a deceased "Islamic prisoner". Many believed the reason was that she had made too much fuss about her son's death in custody. Avazov died in August 2002, and the nature of his injuries suggested strongly that he had been tortured as a matter of state policy.

Mukadirova was released just hours before US Secretary of Defence Donald Rumsfeld began a high-profile tour of Uzbekistan in February, a country with which he said American ties were gaining in strength every day

Uzbek agents also crossed international borders to arrest people viewed as Islamic activists. In September, several people in the town of Uzgen in southern Kyrgyzstan witnessed Muslim preacher Sadykjan Rahmanov being bundled into a car with Kyrgyz plates. He has not been seen since ([No Sign of Abducted Kyrgyz Mullah](#)). All the signs was that the man – a Kyrgyzstan national – was kidnapped and abducted by Uzbek secret servicemen. Human rights activist Azimjan Askarov, who has defended a number of abductees in the Uzbek courts, said at the time that there were 260 such people in jail in Uzbekistan, although the government claims they were arrested on Uzbek territory.

The justice system continued to be a tool of the state, used to silence its opponents.

One case that received international publicity concerned Ruslan Sharipov, a 25-year old journalist whose arrest on charges relating to homosexual acts was seen by international human rights and media watch groups as a tactic to get a critical journalist out of circulation – and in the process blacken his name. ([One More Dissident Out of the Way](#)).

Sharipov started out as a reporter in 2000 and was subsequently employed by the non-governmental Uzbek Human Rights Society. He later set up a union for independent journalists and founded his own human rights group. His work was particularly effective because he spoke English and used the internet to reach a wide audience.

Following his arrest in May, Sharipov faced a closed trial and in early August he dismissed his defence team and pleaded guilty to one of three offences he was charged with. On August 13 he was found guilty of all the charges and sentenced to five and a half years in prison, subsequently reduced to four years.

Sharipov later claimed – through his lawyers, in an interview with IWPR in November and in a series of letters from prison including one to UN Secretary General Kofi Annan – that his confession had been beaten out of him (See [Uzbek Activist Confessed “Under Torture”](#)).

On August 28, a lay court adviser to Sharipov was kidnapped and severely beaten whilst preparing an appeal in the case. He was left with concussion and two broken ribs.

On March 14, Sharipov was transferred from the harsh conditions of prison to a form of house release. It was a welcome change if only for the sake of his health, but if it was secured as a result of international pressure, it is worth noting that none of the charges against him have been diminished and there remains the danger that he could be imprisoned again.

In 2003, IWPR was able to speak to Uzbekistan’s most famous jailed political prisoner Muhammad Bekjanov. It was the first interview he had given since he

was imprisoned for 15 years in 1999 in connection with a series of bombings in Tashkent.

Human rights groups say his arrest, along with two of his brothers, was intended to damage a fourth brother, the famous dissident Muhammad Salih, who leads the opposition Erk party. In the interview Bekjanov, who has contracted tuberculosis in prison, maintained his innocence and said he intends to keep up his political campaigning when he is released ([Jailed Uzbek Dissident Defiant](#)). He also described the beatings, torture and back-breaking labour he had experienced during his time behind bars.

Another dissident, Bahrom Hamraev, who worked for the Birlik's journal Harakat in Moscow, was arrested by the Russian authorities in 2003 for heroin possession. Hamraev's lawyer claimed the drugs had been planted on him and said questioning following his arrest had focused on his political activities and alleged links to Islamic militants ([Uzbek Activist Arrest "Politically Motivated"](#)). Human rights groups voiced concern that Hamraev's arrest might be a sign that Moscow and Tashkent are cooperating in an effort to silence Uzbek dissidents.

Political Rights

Secular opposition parties made an attempt to claw back some of their position after years of operating underground, with their leaders in exile. But it was soon made very clear to both the Erk and Birlik parties that they would not be allowed to run in the parliamentary election scheduled for the end of 2004. Erk faced harassment and bureaucratic hurdles in holding a party congress, ([Uzbek Opposition Party Awakes](#)), while Birlik's application to register as a party was rejected.

President Karimov declared 2003 the year of the mahalla, the traditional community self-government committees. But a September report from Human Rights Watch focused on their more sinister aspects, arguing that the authorities have converted the mahalla bodies from a genuine form of community governance into a "system for surveillance and control". (IWPR looked at the mahalla system in [Eyes and Ears of Uzbek Government](#)).

Media Rights

Throughout 2003 the Uzbek government maintained its tight grip on the state media.

Ahmadjon Ibrahimov, chief political editor of the state television service, fired after the TV inadvertently broadcast pictures which showed President Karimov in a bad light ([Uzbek President's TV Shame](#)).

Ibrahimov's coverage of a May 4 meeting of the European Bank for Reconstruction and Development, EBRD, included live footage of people sleeping through a speech by Karimov, showed him being criticised by British member of parliament Clare Short, and included images of the president with his head in his hands.

The incident caused a furore in Uzbekistan, where the state-controlled media

avoids the slightest hint of criticism of the president.

The Uzbek government also announced a new decree in 2003 forcing all media organisations to re-register by the end of the year. The decree differed from previous similar moves insofar as it classified non-government organisations, NGOs, that publish newsletters and bulletins as part of the mass media (Bad News for Uzbek Publishers). NGO publications had previously not been covered by some of these controls and were known for their relative outspokenness. Observers voiced concern that the new legislation could signal a crackdown on the last surviving outlet for free speech in Uzbekistan.

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