



STATEMENT
UPR Pre-session on Uzbekistan
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Delivered by Association for Human Rights in Central Asia (AHRCA)

I speak today on behalf of Association for Human Rights in Central Asia (AHRCA) and International Partnership for Human Rights (IPHR) and our statement highlights our concerns about **access to justice and the rule of law** in Uzbekistan, two key areas for promoting accountability, ensuring that government actions are bound by established laws and procedures, and consistent with human rights standards.

In 2016 the government of Uzbekistan announced legal reforms for a 'New Uzbekistan', with greater transparency, an independent judiciary, protection from torture and slavery, and sustainable development of civil society. However, despite these reforms, access to justice remains severely restricted, the rule of law is often disregarded, and independent bloggers, journalists and critics are subjected to persecution, including by being convicted on politically motivated charges following trials held in violation of international standards.

The **government's response to mass protests in the Republic of Karakalpakstan in Uzbekistan in July 2022, is of particular concern**. There are credible allegations that authorities used excessive force, arbitrary detentions and torture and ill-treatment when putting down the protests. These allegations have not been impartially and thoroughly investigated, resulting in lack of accountability for violations. In addition, the legal proceedings initiated against several dozen people (including journalists, bloggers and activists), who faced criminal charges for their alleged involvement in anti-constitutional activities during the protests, have been undermined by a **lack of transparency and the lack of fair trial guarantees**. Although the first hearing in November 2022 was broadcast publicly, the live broadcast was cut off when defendants made allegations about having been tortured. Subsequent hearings were held behind closed doors, in a pattern frequently seen in politically-motivated cases against activists, human rights defenders, journalists and other critics of the authorities.

Not all of the 61 defendants who went on trial in November 2022 and March 2023 in relation to the Karakalpakstan events were allowed lawyers of their choice - the others were **provided with state-appointed lawyers**. Many defendants were pressured to confess wrongdoing and express remorse for taking part in the protests in exchange for lighter sentences. And, defendants in both trials and their relatives were **required to sign non-disclosure agreements**, forbidding them from discussing their cases with human rights and international organisations. These are clear violations of the procedural norms set out in Uzbekistan's national legislation, and of Uzbekistan's international commitments.

In an ongoing trend, independent journalists, bloggers, activists and social media users are charged and penalised for various alleged crimes because of their legitimate exercise of their right to freedom of expression. National legislation fails to set out clear criteria for identifying unlawful content on the internet and security service experts who monitor such content often qualify any criticism of the authorities as "incitement of hatred" or other serious crimes. This results in measures to arbitrarily block or delete such material, without judicial sanction or oversight, as well as in unfounded, politically-motivated charges against those posting the material in question.

We are also concerned at:

- Investigations and legal proceedings against government critics often fall short of national and international due process and fair trial guarantees;
- the growing practice of sentencing critical voices in absentia;
- the admission in court of evidence obtained under torture, despite a Supreme Court ruling holding that evidence obtained through illegal means is inadmissible;
- the failure to review the sentences of former political prisoners and provide redress and compensation as stipulated by national and international law;
- pressure on lawyers who try to lodge complaints of torture who are threatened with having their licenses to practice law revoked
- the frequent interference of the executive, the Supreme Judicial Council of Uzbekistan and Supreme Court judges in the judicial process obstructs access to justice.

We urge the permanent missions to use the upcoming UPR to prominently raise concerns about access to justice and the rule of law in Uzbekistan. Key recommendations to Uzbekistan

- Carry out an independent investigation into the Karakalpakstan events in 2022, involving independent international and national experts and bring those responsible to justice

- Take concrete measures to strengthen the independence of the judicial system and prevent it from being exploited to pursue politically motivated cases, by ensuring that the procedures for the selection, appointment, promotion and removal of judges comply with international standards and that fair trial guarantees are respected.
- [Review all criminal cases based on confessions allegedly obtained through the use of torture and ill-treatment, and ensure the proper consideration of all such allegations in order to prevent impunity.]

Thank you for your attention. We encourage you to read our full UPR submission, which provides more information on the issues summarised today, as well as other key issues of concern.