

URGENT APPEAL - THE OBSERVATORY

New information
UZB 001 / 0109 / OBS 005.1
Release / Ongoing arbitrary detention
Uzbekistan
October 20, 2011

The Observatory for the Protection of Human Rights Defenders, a joint programme of the International Federation for Human Rights (FIDH) and the World Organisation Against Torture (OMCT) has received new information and requests your urgent intervention in the following situation in **Uzbekistan**.

New information :

The Observatory has been informed of the release of Mr. **Norboy Kholjigitov**, Former President and member of the Ishtikhan district branch of the Human Rights Society of Uzbekistan (HRSU) in the Samarkand region.

According to the information received, on October 14, 2011, Mr. Norboy Kholjigitov was released on parole and returned home in the evening.

The Observatory welcomes the release of Mr. Norboy Kholjigitov and thanks all the persons, institutions and organisations who intervened in his favour and recalls that human rights defenders in Uzbekistan continue to operate in a climate of fear.

However, the Observatory deplores that Mr. Kholjigitov's health has seriously deteriorated in detention after six years and four months in a colony and needs urgent medical care.

The Observatory also deplores the continued arbitrary detention of eight other members of HRSU, namely Messrs. **Nasim Isakov, Jamshid Karimov, Zafar Rahimov, Yuldash Rasulov, Azamjon Formonov, Khabibilla Okpulatov, Alisher Karamatov** and **Gaybullo Jalilov**, who remain today arbitrarily detained, notably despite the serious deterioration of their health and calls for their immediate and unconditional release.

The Observatory expresses its deep concern about their arbitrary detention, which seems to merely sanction their human rights activities in flagrant violation of the provisions of the United Nations (UN) Declaration on Human Rights Defenders, adopted by the General Assembly of the United Nations on December 9, 1998.

Background information :

The Observatory recalls that Mr. Kholjigitov had been arrested on June 4, 2005 and sentenced on October 18, 2005 to ten years' imprisonment on charges of "extortion" (Article 165 of the Criminal Code), "slander" (Article 139), "fraud" (Article 168), "infringement to the life of the President" (Article 158) and "infringement to the constitutional regime of the State" (Article 159) by the Kattakourgane Criminal Court, District of Samarkand. Mr. Kholjigitov suffered of bad conditions of detention. The cells were not heated and 80 inmates were detained per cell. Mr. Kholjigitov lost a lot of weight and was diagnosed with diabetes. He did not receive adequate treatment in prison.

In addition, twenty days following the submission in November 2008 of a complaint to the Supreme Court of Uzbekistan under the reference X.4175, Mr. Kholjigitov was tortured in detention. He was further threatened that he would be sent to a psychiatric ward, if he continued with his complaint.

In 2010, Mr. Norboy Kholjigitov was interrogated about a letter he sent to the President on May 5, 2010 asking to be transferred to a prison clinic for medical treatment, and subsequently accused of violating eight internal rules of the prison¹. On August 11, 2010, his wife who was visiting him in the prison was interrogated by the security services (SNB) about the letter her husband had sent to the President, and threatened. She was then requested to leave the prison after the first day of her two-day visit.

During a visit of the International Committee of the Red Cross (ICRC) representatives conducted from January 24 to 28, 2011 to prison colony U/Ya 64/61, Mr. Kholjigitov was placed in a solitary confinement cell of the Kasan local police precinct of Kashkadarya region, where he was kept until January 28, before being brought back to the U/Ya 64/61 colony. At the same period, the colony's chief medical practitioner had prescribed him to be placed in a medical facility, but the head of the colony administration refused.

Actions requested :

Please write to the Uzbek authorities and ask them to :

- i. Take all necessary measures to guarantee, in all circumstances, the physical and psychological integrity of Messrs. Norboy Kholjigitov, Nasim Isakov, Jamshid Karimov, Zafar Rahimov, Yuldash Rasulov, Azamjon Formonov, Khabibilla Okpulatov, Alisher Karamatov and Gaybullo Jalilov;
- ii. Release Messrs. Nasim Isakov, Jamshid Karimov, Zafar Rahimov, Yuldash Rasulov, Azamjon Formonov, Khabibilla Okpulatov, Alisher Karamatov and Gaybullo Jalilov immediately and unconditionally as their detention is arbitrary;
- iii. Put an end to any act of harassment - including at the judicial level - against Messrs. Norboy Kholjigitov, Nasim Isakov, Jamshid Karimov, Zafar Rahimov, Yuldash Rasulov, Azamjon Formonov, Khabibilla Okpulatov, Alisher Karamatov and Gaybullo Jalilov as well as against all human rights defenders in Uzbekistan ;
- iv. Comply with the provisions of the UN Declaration on Human Rights Defenders, in particular Article 1, which states that "everyone has the right, individually or collectively, to promote the protection and fulfilment of human rights and fundamental freedoms at the national and international levels", as well as Article 12.2, which provides that "the State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually or in association with others, against any violence, threats, retaliation, *de facto* or *de jure* adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration" ;
- v. Comply with the provisions of the Document of the Copenhagen Meeting of the 2nd Conference on the Human Dimension of the Cooperation and Security Conference in Europe (CSCE) (1990), and guarantee the respect of human rights and fundamental freedoms in accordance with the Universal Declaration on Human Rights and other international human rights instruments ratified by Uzbekistan.

Addresses :

- Mr. Islam Abduganiyevich Karimov President of Uzbekistan, ul. Uzbekistanskaya 43, Rezidentsia prezidenta, 700163 Tashkent, Uzbekistan. Fax: +998 71 133 1395325. E-mail: presidents_office@press-service.uz

¹ For example "wearing dirty clothes".

- Mr. Bahodir Matliubov, Minister of Internal Affairs; ul. Junus Rajabiy 1; Tashkent 700029, Uzbekistan. Fax: + 998 71 233 89 34. Email: mvd@mvd.uz, info@mvd.uz, secretariyat@mvd.uz
- Mr. Rashidjon Hamidovich Kodirov, General Prosecutor of the Republic of Uzbekistan, ul. Gulamova 66, 700047 Tashkent, Uzbekistan. Fax: +998 71 133 39 17. E-mail: prokuratura@lawyer.com
- Mr. Vladimir Norov, Minister of Foreign Affairs, pl. Mustakillik, 5; Tashkent 700029, Uzbekistan. Fax: + 998 71 139 15 17. E-mail: rnews@mfa.uz
- Ms. Sayora Rashidova, Parliamentary Commissioner for Human Rights, ul. Xalqlar Dostligi 1, 700035 Tashkent, Uzbekistan. Fax: +998 71 139 85 55. E-mail: office@ombudsman.gov.uz
- Senator Akmal Saidov, Natsionalny Tsentr po pravam cheloveka / National Centre for Human Rights, Mustakillik Maidoni 5/3, 700029 Tashkent, Republic of Uzbekistan Fax: + 998 71 139 13 56 / 45 16, E-mail: office@nchr.uz
- Head of the Nukus City Department of Internal Affairs (police), Glave GOVD, Gorodskoi Otdel Vnutrennikh Del, ul. Biruni, g. Nukus, AR Karakalpakstan, Uzbekistan.
- H.E Ms. Goulнора Karimova, Ambassador Extraordinary and Plenipotentiary, Permanent Mission of Uzbekistan to the United Nations in Geneva, International Centre Cointrin (ICC), Bloc G (7th Floor), Route de Pré-Bois 20, 1215 Geneva 15, Switzerland. Fax: +41 22 799 43 02. Email: uzbekistan@bluewin.ch

Please also write to the diplomatic representations of Uzbekistan in your respective countries as well as to the EU diplomatic missions or embassies in Uzbekistan.

Paris-Geneva, October 20, 2010

Kindly inform us of any action undertaken quoting the code of this appeal in your reply.

The Observatory, a FIDH and OMCT venture, is dedicated to the protection of Human Rights Defenders and aims to offer them concrete support in their time of need. T

To contact the Observatory, call the emergency line:

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