

General Evaluation Report
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Introduction

The present research demonstrates analysis structural causes of violence in Uzbekistan and its correlation with the socio-economic factors and governance in Uzbekistan.

For the purpose of the present research we had taken into consideration that;

Generally accepted forms of physical violence such as torture, extra judicial killings etc., are not full and sufficient means of the contemporary understanding to the violence.

Indeed the well-known form of violence such as torture does not demonstrate and reflect the whole problem therefore in order to find the roots and causes of violence in the society the research is aimed to focus on the state as the main actor and analyze its action and inaction in the every noteworthy field of modern Uzbek society.

While researching and writing present document we were focusing on the forms of violence, which are widespread and attempted to find the roots. No doubt, that any socially dangerous situation have very many linkages to society, the state, the family. To see those dependencies means to influence on them or at least to attempt to do so, and hope for the change.

For the last years of independence we have noted tremendous paradigm shift of the roots of violence, from ideological to socio-economic factors. The violence we researching and analyzing were primarily the result of the socio-economic situation in the country (deep inequality, growth of poverty etc).

We gave our assessment to the socio-economic situation in the country and their impact on the violence and violation of human rights. We have tried to prove correlation between state's policies in general and the violence in the society caused by the same state or on its behalf and in its favor.

The Soviet Legacy

In chorus with high degree of human security, economic and social entitlement such full, lifetime employment, stable and secure cash incomes, urban gender equality, and simply said high or better to say stable social security system, Uzbekistan has inherited negative aspects of the economy, political development etc. The system of production was not adapted to competitive environment, but to command system of management for meeting centrally set quotas. So, within the former Soviet Union Uzbekistan had a role of supplier of raw materials and cotton. This one side developing economy had very negative impact on the environment, whereas land was exhausted with the yearly records in cotton harvesting. The long and exhaustive role of raw materials supplier has perverted the economical structure of the republic and in fact meant regress in the development. The republic oriented predominantly for cotton production was not allocated with the substantial level of attention and care for production development. Even though training in the soviet educational centers was good and equally accessible to everyone, the economy was not directed or oriented to apply those resources available.

From the political point of view, Uzbekistan has inherited communistic apparatus under the new democratic slogans and logos. Politically, Uzbekistan has not changed anything or at least has invented something new for masses of people expecting changes and freedoms arising in the neighboring countries and Russia. Politically, Uzbekistan has not refused from the old soviet system of management, and in the contrary made it even more rigid and corrupted then in comparison to the soviet times. Indeed modest demands of communistic bosses substituted by the new horrible alliances of authority and business. Participation of public officials in some business and control over them make it untouchable to law enforcement, fiscal or other control agency. At the same time, such business enjoy unbelievable preferences and enrich the government officials having only self interests in the government rather than to serve to public interests.

Danger of the nowadays situation, that people have forgot all weaknesses and difficulties of old times, and relying on their memories of stable social security. The government is responsible for

people's disbelief to market economy, and to secular authority as well. There are obvious wish for return to the soviet life among old and middle aged people, and some legendary imaginations among the young population. Young people can hardly imagine the normal situation of state support and care for their leisure, cultural or sport life. Regrettably, failure to keep traditions and institutions well functioning in the soviet empire, give births to mystification and glorifications of old times.

Obviously the government loosing ideological front to religious groups advancing Shariah transformations and at the same time fails to support any secular dialog.

The Shock of the Transition and Economic Restructuring

When the Soviet Union collapsed politically, and the most important economically, the whole system of the soviet central planned economy has collapsed. The start of reforms and transition to a market economy was coupled with poverty, great uncertainties and growing inequality in the society.

In addition the country has faced with vanish long term relationships with the suppliers from other republics, especially in heavily dependent industries such as oil and gas and supply of essential food.

Since the independence the government has followed up the course of gradual shift to market economy, whereas the role of the state could be characterized in strong social security, and to prevent the wild market to be occurred in Uzbekistan, and would not shock the population with high process and accompanying diseases of development. Indeed the first few years of independence were very promising and the government was succeeding in preventing the shock in the society. However the last 7-8 years of independence are known for increasing rates in unemployment, the decreased access to health and education services, the continued degradation almost in all spheres of life, threatening the relatively high level of human development which was built up during the Soviet period. At the same time the government has stopped economical and political reforms and came back to the planned economy and the slogans of market economy. For example financial institutions like banks, pension funds, insurance companies are still belonging or controlled by the government.

The current state of affairs in Uzbekistan requires intense changes in social and economic policy and intelligent intervention by the state and the whole society inspired by the political will and good expertise.

In our opinion below is the list of exclusive characteristics belonging to Uzbekistan in socio-economic life, needing no source or reference;

Low income and high consumer prices;

Enormous poverty;

The government that left the social welfare arena, including social welfare of pensioners, unemployed, handicapped people and children;

Enormous unemployment;

Dominance of black economy;

Total corruption of state officials and law enforcement agencies.

The existence of the above said leads to the violence in respect of the whole nation, and the analysis of the above said factors on the society is the main task of the present document.

Nowadays, Uzbekistan is the state that lives for export of raw materials, foreign aid and foreign credits, and continuously suffer dwindling human resources in technology and science. Our economy is at constant leisure. Nonappearance of any program supporting business and production, the consumer prices on the domestic market are getting closer to those on the world markets.

The government has imposed personal income tax and mandatory social insurance contributions at the rate of 70 percent. Nevertheless the quality of social insurance to the most vulnerable people is miserable and does not cover the most vital needs. On the other hand Uzbek government efforts keeping the army of police, security service officers and the army. Simply said, nowadays Uzbekistan represents the “Police state”.

The growing income differentiation in the society, explicitly demonstrates disproportions existing in

the country. Very little part of the society that hardly could be determined is the rich population, about 10% percent are the middle class, and the rest are poor. Please note that according to the opinion poll conducted among residents of the capital, families living for 200 USD are considered to be a middle class, whereas the rationale norm of consumption (includes payment for utilities, minimum clothes and food) is about 148 USD per person.

This we believe clearly illustrates the life standard in Uzbekistan. However as we know, the middle class is the fundament of any state. For sure, should not we succeed to change the situation urgently, the outcome will be awful.

For many years, the society lived expecting for reforms and changes in political and economical life. However as a result of meaningless efforts and destructions we have got criminal control over the economy, and instead of freedom of entrepreneurial activity - chaos and disorder.

The government does not pursue the purposes of any reform - neither privatization nor life standard, income and social justice. The government is not able to learn on their own mistakes, this means that the government is either imprudent or is somehow interested to get worse the situation in the state. The state does not need stability, which is making comfortable the possibility easily enrich for the small group of people, but constructive and positive reforms.

All through this research we shall not targeting the government, but to analyze the situation in general and try to find the roots of the violence and probably at some stages give our own recommendations ways out.

Rule of Law and Political Process

In 1995 a referendum on the extension of Karimov's term of office until the year 2000 yielded a 99% 'yes' vote. International observers were not invited to the referendum. The Uzbek Parliament (Oliy Majlis), which sits for only about twelve days a year, subsequently decided that the referendum should count as an extension of the President's first term of office.

Nevertheless, the Uzbeks pressed ahead with a Presidential election on 9 January 2000. Karimov won with 91.9% of the vote from a reported turn-out of 95%. The OSCE's ODIHR made clear its reservations about the electoral process and did not, as a consequence, deploy even a limited mission. A referendum in January 2002 extended the President's term to seven years, till 2008.

A general election for all seats in the Oliy Majlis was held on 5 December 1999. It failed to meet international standards of freedom and fairness, as laid down in the OSCE's Copenhagen Document. The Oliy Majlis consist almost entirely of officials appointed by the President and members of parties that support him.

On practice, only government approved political parties and candidates were allowed to participate. No credible opposition alternative was on offer to the electorate. Throughout the campaign there was no let up in the strict government control of the media. Official figures indicate a turnout in excess of 93%. The OSCE/ODIHR limited Election Assessment Mission issued a strongly critical statement on the elections. This focused mainly on the control over the electoral process exercised by the government (including the lack of choice offered to the electorate). Run-off elections took place on 21 December 1999.

Since the independence Uzbekistan established a national state by so-called breaking with the Soviet system and maintaining the idea of secular democratic government. Uzbekistan has succeeded in pseudo-democratic transformations and has established plenty of “democratic” institutions such as domesticated political parties, ombudsmen institutions or National Center for Human Rights. In the situation of total control and subordination to executive branch, and no authority outside of executives, the state continuing to disregard to the interests both of an individual or majority. The whole governmental structure does not mater what institutions and agencies it contains, subordinated to the will and only one decision maker. Surely, and it’s widely accepted fact that there are almost nothing in the republic decided or implemented without the agreement from the President Apparatus or President himself.

In this situation, some intra political opposition has emerged, and whereas not different political parties nor ideologies, but different clans within the existing government have conflicting between themselves and share the power.

Traditionally, Uzbek elite very much rely on patronage, family links, and territorial clans which very much on influence on human resources policy in the government. In the situation whereas the power of the president and the government does not limit either by law nor by the existence of opposition, and the government is the only distributing finance, raw materials import and export, hard currency convertibility to favored business corporations, it is very hard to talk about the social strength, development of the whole society and the rule of law. Thus, the main task of the political process appears in preserving the balance between regional, family and political alliances and clans to maintain visible social and political stability.

For the convenience of the same group of people at rule, primary sources of legislation often disregarded or contradictive in nature. Despite the theory of law, which is determining the priority of the primary sources over the secondary, the state bodies usually (almost always) are governed by the secondary normative acts contradicting to the Constitution and the Laws. Thus, we have got the legislation, with the features pictured below.

Incompetent drafting;

Aimed to declare rather than perform;

Incompliance with the international law standards;

Opposite values between different normative acts, favoring small group interests and make available to enrich and control over the whole industries.

At first sight unprofessional lawmaking should not cause the violence in the society; however this is not the case since;

Implementation of those norms leads to unemployment; decrease on incomes, poverty and as a result criminal, black economy and prosecution of the law enforcement agencies.

Thus, copious mistakes in lawmaking and corruption among the top state officials make them liable

for the present situation in the society.

The above said examples shows;

- That state officials instigate the violence under the umbrella of law;
- And do not bear any responsibility, since issuing the laws by and in favor of themselves.

All said above become unbearable since the level of democracy and transparency in lawmaking is equal to null and thus limits any possibilities to influence on the state. It's widely accepted opinion that the situation with the democracy and socio-economic rights in Uzbekistan is one of the worst in the world, and does not take into consideration any rights and ideas of an individual. This conclusion becomes clear after looking at the modern history of Uzbekistan. The most obvious example is dual exchange rate existed in Uzbekistan for more then ten years. In fact, the rates vary two times, and while all business were purchasing the hard currency on the black market for 800 Uzbek soums for a dollar, some businesses having a special license of the government could exchange the Uzbek soums for 250-300 Uzbek soums for the same dollar, and at the same time enjoy other preferences and holidays. Isn't it weird policy when businesses of the same domicile exchanging the money by drastically different exchange rates? What competition or market economy can exist when the same goods but under the different licenses varies in prices few times. Thus preferred business amounting to less then a percent out of total number of Uzbek businesses enjoyed 300 percent profits just due to exchange rate differences between general economy and preferred government entities.

We believe there is no need to give the whole picture, that exchanging money on the black market makes the whole economy as a criminals, and having the extensive law enforcement apparatus, jailing and bribing every business. Follow the same logic it's getting obvious that 99 percent of Uzbek economy highly dependent on import of goods, technologies, raw materials, spare parts, etc were in shadow, black economy. Isn't it obvious that since 1991 till 2003 government and law enforcement have ruined the economy and lives of thousands if not millions of people doing business in Uzbekistan, under the slogans of the Uzbek path.

This becomes possible with total extermination of secular opposition and then in order to fend off

criticism, by establishing quasi-independent political parties. Obviously this is not the way how to achieve pluralism reflecting interests of everybody living in the country. Official parties have no any influence to our day to day life, and passively exist just for the quasi-political illustration. The phenomenon of quasi-political existence expressing the same ideas as the government, recently has compelled the official newspaper *Narodnoe Slovo* to criticize official opposition (political parties) work and expose their incomprehensible political programs. The same edition correctly was saying that despite numerous places in the Parliament and visible ability to stand for their believes and ideas, they do not do anything. Political trustworthiness reached it top levels where the government must drive the forces of political parties, in order to this time illustrate some sort of political struggle in the policy. We believe that having such a pocket Parliament, the government and the President are the only one who responsible for the current economical situation. Obviously, they are looking for some “public” participation in order to share responsibility for those disastrous consequences awaiting us and one more time demonstrate their counterfeit face which likes very much to show off, declare and pretend.

At the same time, the judiciary which is supposedly could change the situation to the better is still in the same position as during the soviet empire. Despite the extensive legislative activity the judiciary is weak and does not contribute at all to fighting corruption or guarantee rule of law and cruelty of law enforcement. Judges have terms of office (nominated and approved by the executive branch), receive low salaries, overloaded with work, and thus are easily targeted by corruption and other deceases. Unbalanced relationships between different branches of the state make judiciary domesticated to the needs of executive branch. For example judges are nominated by the President for the five years term, without any guarantees of preserving their places for the subsequent term. By the end of their five years term, a judge is supposed to pass through the special qualification exam. For sure such dependency in the term of office, and opinion of the Ministry of justice or apparatus of the president makes them very vulnerable to the opinions and policy conducted by people outside of court room.

In addition to the domesticated judiciary we have got quasi human rights defender center called National Human Rights Committee under the president of Uzbekistan, having governmental functions to defend citizens from the same government. This institution is more active with defending the

government actions and abuses before international institutions rather representing and defending human rights. In order to illustrate center's political assignment, we would like to illustrate one example happened at the beginning of committee's activity. So, on the question of foreign reporter: "Is there any human rights violations in Uzbekistan", the Chairman of the committee replied: "There is no human rights violations in Uzbekistan. The conclusion was very simple, why do you need National Human Rights Committee is there is no human rights violations?"

With time goes by, and more political and international experience, the committee does not make such terrible mistakes, but hiding the government's actions behind war on terror or young democracy growing problems.

Moreover, with years passing by, we may observe more and more evidences to the policy proclaimed by the President Islam Karimov, who said that: "there is a state which is the main initiator of reforms in the society". Indeed, for the many years of independence, we may observe absolute lack of transparency in any new initiatives coming from the top and absolute disregard or better to say fear to accept and understand other ideas advocated by the third parties and NGO's. Indeed, the political process in Uzbekistan does not correspond to any horizontal links but only vertical and coming or approving from the top.

Civil Society and Human Rights

The first and the only secular opposition to the government and Mr. Islam Karimov (the president of Uzbekistan) were voiced with two political parties officially registered in 1989-1991 years. This was possible under the slogans of the President of USSR Mr. Gorbachew, permitting some political liberalization after disastrous for the Soviet Union events in Baltic States and Caucuses. The first such party called Birlik ("Unity") was proclaiming renaissance of Uzbek culture, multiparty system and greater independence from Moscow. The main requirements were expressed in demand for liberal reforms and respect for personal freedoms. The other party was established on the basis of Birlik, and was called Erk.

However under the some pressure put on the leaders and ordinary members of those parties many

were forced to leave the country and seek for political asylum. As ICG report states: “At present the secular opposition in Uzbekistan appears to have been successfully suppressed and divided and not to represent a serious threat to the government. Now functioning in exile, the secular democratic opposition has largely lost its connection with the public”. And indeed, very few informed people in Uzbekistan now are aware of the political and economical program as opposite to the governmental one, and therefore even in case of their official registration and their return back to the country, there are very few chances to return their reputation and fame used to be at the beginning of 90ties.

The situation with local NGO's is very dangerous and from time to time subject to repressions from the state agencies. For example the most recent example happened with the members under the leadership of Tolib Yukub. His organization was not registered and moreover six of his followers were arrested for the period from May to September 2002.

Without bias, the opposition lost its chance at the beginning of 1990, today the major part of population is not in the same euphoria of the first days of independence. Today, millions are busy with winning bread and survive, rather than opposite to policy of the state and thus jeopardize its positioning and well being for family members.

Justifying the complex geo-political situation and the threat of terrorism activity from neighboring Afghanistan and Tajikistan, the government places the security at the top of the agenda. In consequence, inspired with the primary goal of security, the law enforcement is free to suppress any opposition within the country.

In our opinion the present Uzbek society is very much different from those in other parts of the world and therefore requires different and more fragile attitude of anyone who wants to be respected and supported by people. Should we look deeper to the history of Uzbekistan, the people living here were predominantly collective farmers living in the close neighborhoods and having no other work than to survive. According to some thinkers: farmer's psychology and mentality means to be passively separated and ignoring the state, always opposing themselves to authorities, since for the whole

history of Central Asia and Uzbekistan (as a major and most populated part of it), the state was only collecting and levying with taxes, without a minor intention to give in exchange. The history and ordinary practice of farming in this part of the world means to give, with the slightest hope for return. Therefore we believe that nowadays passive and isolationist behavior of people in Uzbekistan does not unique or out of the blue. It was this way for hundreds and hundreds years.

We believe that, lack in exchange of opinions; pluralism and open discussion of the political, social and economic issues together with current level of social distrust would possibly bring us to the state of chaos, and absence of any kind of civil society. Whereas the new culture of separatism from everyone around, and at the same time of the state to the problems of the whole nation would associate our future with the closed, uneducated, poor and threatened society. Secrecy, confidentiality and falsehood are getting our daily reality causing and harming the whole society and its future particularly.

Household Security and economic opportunities

This section beginning the analysis of government measures towards elimination of poverty, or better to say analyzing the impact of an experiment carried by the government on people's household security and economic opportunities (if any?)

In fact, the government just managed to establish the special preferential climate to its own subordinated and controlled business. The reining economy continues to be closed, limited in freedoms, and raped with law enforcements. Nevertheless, Uzbekistan has substantial natural resources, including gas, oil, gold and silver, which helps to survive and enrich governing elite of society. Agriculture is also important: Uzbekistan is the world's 3rd largest exporter of cotton, however yearly records in harvesting do not anyhow affect farmers or collecting farmers. The government agencies have monopoly to trade cotton on international markets, and share with farmers working on the fields with few pennies, to let them to survive. President Karimov has opted for a cautious, gradualist approach to economic reform. The IMF originally provided support but this was suspended in December 1995 when the Uzbek government decided to follow an import substitution

strategy in response to a rising trade deficit, fixing an artificially strong exchange rate and introducing strict currency conversion controls. The authorities grant licences for access to hard currency allowing favored companies to obtain dollars at a preferential rate. Until restrictions on currency convertibility are removed and there is more clarity on legal issues and efficiency in the banking sector, foreign investors will face a difficult environment in Uzbekistan. But some major investments have been made, including a Korean car plant at Andizhan in the Ferghana valley. The last year the government finally adopted the new hard currency regulations with more freedom and access to hard currency. However according to ICG statements, the access remains closed for many ordinary businessmen.

In the document called “Common Country Assessment” issues by the UN as of 22 September 2003 says about catastrophic condition of the major part of population. The assessment determines the level of poverty equals at the 1,5 minimum wage or 8 US Dollars, however the assessment fails to explain how to survive for 8 US Dollars a month. Nevertheless even in accordance with this document 14 percent of population or about 3,5 million people could be recognized as poor and 27,5 percent of people or 7 million people, below the lever of poverty.

To follow the same logic, we have calculated that 10,5 million people or 42 percent of the whole population are live in hardship and poverty. Should we apply UN findings to the people live in rural areas, so it is getting obvious that 35 percent (5,6 million people) are predisposed to the poverty and 58 percent (9,3 million) people to severe poverty.

According to UN country assessment there are 22,4 percent of neediness people and 37,4 percent of severely poor people, simply said 59,6 percent of the whole population are needy or even worse. Example is that 15 million of people in Uzbekistan are able to buy 1.3 liters a day, and nothing more.

Much more horrible situation exists in rural area whereas more then 60 percent of population is supposed to live. All numbers on poverty illustrated in the present report does not correspond to the reality and standards of live existing. Foe example while interviewing Hasan, we found out that his father living in Nukus town, walking 8 kilometer distance just to reach the place he works. Sometimes when he does not have what to take to the working place from home for the lunch, he is coming back

just to have a lunch, and then coming back to work again by foot. His father is about 60 years old, and he is not really happy to walk such distances every day. The reason is trivial for modern Uzbekistan; he is unable to pay for transportation, since his monthly salary is about 3-5 (three-five) US dollars. Regrettably this story is far the only, but may be recorded on every and each corner where people live. Subsequently the rural economy consisting of cotton harvesting, which is almost does not paid by the state, but I would prefer the word confiscated makes all of peasants as hostages to the policy of government's prosperity using slave labor of people working for the welfare of small group of privileged ex-communistic bosses.

The most recent information on poverty in Uzbekistan we have received from the International Crises Group Media Release where said that: Uzbekistan's economic decline also continues, driven by bad policies overseen by an elite uninterested in change. Despite government reform rhetoric, the economy is feudal, corrupt, non-transparent and controlled by a small minority, with 80 percent of the population living in poverty". Moreover in accordance with the ICG research: "Average state salaries are between 20,000 and 30,000 soms (U.S. 20-30) a month in Tashkent, and even less in rural areas. For the minority who has jobs in the private sector, wages are higher, but employment is hard to find".

Below we have highlighted the main characteristics of poverty.

Further decrease in incomes of poor and other people and lack of any mechanism to prevent further catastrophe for millions, plus the atmosphere close to collapse of any former values and traditions.

Out of question that the government disregarding problems of poor and needy people, without being able to present more or less detailed and known policy for poverty elimination and further development. The main quality of the present government is fighting within its small borders for power between small privileged groups or clans.

Poverty first of all caused intellectual elite of the society such as teachers, doctors, engineers and etc. Recent interviews reveal that today the socio-economic strata includes some new categories of the

“very rich” and the “destitute” and that the former middle class, including doctors, teachers, scientists and employees of enterprises are thrown into poverty. This fact has transformed the beliefs and values for progress and education. Terrible breakthrough is inflation of education, knowledge, expertise. Normally people lost confidence in progress through normal paths of development. To reward the effort of higher academic achievements gives people increase in the state funded enterprises or academic institutions for 1,5 dollars a month. While interviewing unnamed top specialist from the Infection Diseases Center under the Academy of Science used to have high prestige and firm social package during the soviet era, today any achievements and new discoveries are topical just for the purpose of finding better place in foreign Research Centers and Universities. The same person is complaining that knowing this problem of total apathy and indifference of scientific circles the state almost stopped funding scientific researches. She added that some of her colleagues prefer to keep their ideas and know-how for the better times in foreign institutions. This is not the only example of state of public opinion in nowadays Uzbekistan. Those who were educated are seeking for the better place abroad, and those who are low qualified are leaving for the place with some possibility for remuneration.

Poverty not of some families, but the whole enterprises, entire industries and the whole regions and cities, in conjunction with the immigration of the most qualified part of the society, points up progressive poverty of the whole state for many, many years if not forever.

In this situation many who are not able to find proper job, are happy to work in any site and to perform any kind of work. Most qualified are not able to find proper implementation to their skills and very often surplus the army of unqualified and uneducated people. It is not surprising anymore that PHD and MA diplomas are selling the staff on the markets.

All said above give birth to too many problems associated with the poverty, whereas some are getting extremely rich, and others are getting more and poorer. In this situation the society is divided into two camps whereas poor hate the rich people, and the rich people in response do not pay to them any attention or just disgusting them.

There is no middle class, there is no visible intention of the state to eliminate poverty, but what we see is progressive passiveness and total disregards to the needs of millions of people suppressed by enormous police, security forces and army.

Everything said above, does not really ameliorate the household security or drive economic opportunities.

Education

This chapter is devoted to falling prestige and quality of education as such, and the factors standing behind this tendency. Obviously the teachers getting less than 20-30 US Dollars a month is a great problem for the society, however we observe even more severe causes to the falling prestige and necessity to education. So factors are diverse and come into contact with both supply and demand for education. On demand side, falling incomes, lower perceived benefits and higher costs associated with sending children to school are having place, on the other side, under funding, poor premises, absence of text books (few books for the whole class of pupils) could be an important reasons for not attendance. In addition to the burden of direct and indirect cost, poor households often faces significant opportunity costs associated with sending their children to school because children in poorer households are more likely to contribute to household income or housework and childcare.

While interviewing and research we found out that there are huge problem with text books used to be supplied by the state during the soviet era. Today the parents have to buy books for the children, but having no money to do that independently or for all classes taught in the school, upon agreement with other parents they buy only certain books, and then share with pupils giving to their children other book. A teacher from Kashkadariya region confessed that she had never expected such a situation. She says that she as a teacher is not able to request, knowing that pupils having the most necessary things or sharing the books during the class or at home.

Sure the government still may be proud of some figures, however those are the Soviet heritage, whereas universal access to education was not only guaranteed but implemented as well. However

today, despite miserable costs associated with the education (because of the lowest salaries) high level of education system is falling at all levels. Gender disparities at higher levels of education are still significant a factor which could impact negatively on reductions in birth rate, child mortality and expansion in education for the next generation, with probable consequences for future economic growth.

Indeed, inadequate funding of education and insufficient capacities of educational workers has contributed to the decline in quality of education provided.

Another matter of concern is the access to pre-school education. Due to the increase of the pre-school fees, this now makes up 50 percent of the minimum salary, along with the overall decline in family income, the number of children attending pre-school education dropped from 30 percent in 1992 to 16 percent in 1998.

However in addition to the economical problems, schools and Universities remain the places of social clashes. For example the most recent and timely issue is young people's religious clothes. Despite the constitutional guarantee on non-discrimination, discrimination against religious Muslims are more and more frequent in Uzbek schools. Not only schoolgirls have been expelled from educational institutions because they were wearing head scarves, but also teachers have been victims of threats of losing their job because of the observance of that custom. In this regard, the UN Special Rapporteur on the Right to Education, on June 14th 2000, addressed a letter to the Government of Uzbekistan concerning alleged expulsions of schoolgirls owing to their wearing of headscarves. Following the Government's silence, the letter was re-sent on November 20th 2000.

Health

While collecting data on health care, we were faced with no information at all, or with analysis of health care in Uzbekistan in accordance with the state provided figures and information. In order to give colorful illustration to propaganda machinery working in Uzbekistan, please be informed that under some articles released recently, Uzbekistani health care sector is one of the best in CIS countries

and often better than many European countries. Whatever the governmental sources declare and report it is impossible even to imagine that people with one of the lowest income per capita in the world may afford expensive, imported medicines, without any visible support of the state. According to the first World Bank report on Uzbekistan, health care sector enjoys only 2,6 percent of GDP, in comparison with 6 percent of GDP allocated while the soviet union times.

The problem of funding surpluses with unwise expenses and professionally low management in the government. There is much has to be said about expensive and inapplicable equipment imported from abroad and installed in village hospitals.

So, while the interview with the unnamed top official of the Ministry of Justice, he said, that under the slogan of better health care for villagers, the Ministry of Health has imported huge number of medical equipment and has installed to the different hospitals throughout the Republic, but without the single person who could be able to work on that equipment. He said, everybody is busy with money transferring (and having good commissions while tendering etc.) and none is thinking what benefit it may have to nation. Thus, sometimes, on the paper it seems that Uzbekistan is progressing in technical supplies for the hospitals throughout the republic, but surely that numbers are not giving the real picture with poorly funded industry which has not even slightly improved since the Soviet times.

Child mortality still is the problem. According to the report issued by UNICEF mission, Uzbek medical institutions are under funded. The same report is saying about fabrication of numbers and statistics in order to glorify the picture of Uzbek medicine. The situation is really complicated and according to some experts have very much common to catastrophe.

Chapter two: Transition: Impact on Human Security and Effect of the experiment carried by the government

Torture and inhuman other cruel, inhuman or degrading treatment or punishment

Torture and ill treatment remains the most problematic area of nowadays Uzbekistan. Police and

security forces brutality is a routine part of investigation. People living in Uzbekistan have very good knowledge of the situation in police departments and jails. Torture by law enforcement agencies made and in prisons continues to be systematic, arrests and harassment against journalist, human rights activists and opposition figures as strong as ever; the situation has worsened since late 2003, when Georgia's revolution rattled the leadership.

The best demonstration to the present chapter may be the horrific case of two deaths in the Jaslyk prison camp. Two religious prisoners Muzaffar Avazov and Khuzniddin Alimov, were apparently killed on 8 of August 2002 by being submerged in boiling water. The explanation was given by the security officials were very simple: "Unfortunate accident with a kettle".

We were about to name this chapter as kettle accident, but then decided not to stress your attention to this particular situation, since there are hundreds of alike situations known until now, and probably thousands unreported throughout the short but very illustrative history of independent Uzbekistan.

We have identified few the most frequent forms of torture in Uzbekistan detainee centers. These are beatings, suffocations, electroshock, rape and other forms of sexual humiliation, deprivation to sleeping, food and water, threats to relatives and close family members, other.

Usually, the police and security service torturing people at the stage of pre investigation. At this stage, investigators expect to get confession without bringing a charge against an individual. Under the law, attorneys are allowed to present from the moment of arrest, however on practice investigators doing their best in order to prevent attorney's participation. Or even if an attorney is allowed to participate or see a person under the investigation, there is not a chance to call for independent medical expertise of tortured person, since under the Uzbek Code of Conduct any such requests of attorney is subject to prosecutor's permission and authorization. Obviously, there is not a possibility, that any prosecutor would allow to collect evidences against ITSELF.

The most frequent form of torture is beatings. Beatings may start even before the person brought to police department. As one human rights activist reported, he was walking on the street, when four

policemen (one in uniform) came across. They break his hands, and put in police car. After the one who was sitting on the front seat, has grabbed his hair and started beatings. The two on each side has started also, and were beating him on way to police department.

Sometimes policemen use special techniques, which does not make black and blue spots on the body. For example plastic bottles filled with the sand are the favorite tool for beatings, or wet towels, which are also, does not make black and blue spots on the body.

Often policemen do not beat on arms and face, in order to prevent obvious black and blues. Their favorite places on the body are waist and kidneys. Obviously those beatings are shaped into chronic ailments.

Moreover, we have plenty of victims and a witness telling the story that police putting handcuffs, and throw under the ceiling with face up. Usually this form of torture repeating few times. Victims having severe pain and often break their thoracic bones. They say that pain they feel can not be compared with anything they have ever felt before. For example Mrs. Svetlana Avakyan telling the story happened in the main police department of Tashkent city, when she saw how police officers regardless her presence were throwing under the ceiling her son.

The other form of torture is suffocation. Police likes to put gas mask and close fresh air hose breathing apparatus. After some time, a person becomes unconscious, and then the story repeating again. Mrs. Zinaida Orlova, is telling the story that she was arrested on suspicion to murder, after some unsuccessful interrogations, police started put plastic bag. When she was becoming unconscious, they were dousing with cold water and repeating interrogations and putting plastic bags on her head.

Besides, we have information on electroshock used while interrogations. People have passed through these horrific tortures, saying that police use the special police electro devices, in order to threat and cause physical pain. One man says that while interrogation, police officer has told him to confess, otherwise he will be forced to use electroshock on his hands and other parts of victim's body. The

man has replied that he does not know anything about the robbery, and therefore can not help him. Then police officer took electroshock and applied to his legs. After that he repeated this torture many times. The victim says, about severe pain afterwards, and for the long time could not properly walk, but was shacking and falling all the time.

Rapes and sexual humiliations are also widespread form of torturing and do not apply to women only. Although women and men do not like to tell the story of sexual humiliations, however there are examples when people in the court were publicly testifying that police officers have raped them. For example Mr. Bahodir Musaev, has told in the court that investigator and other police officers have raped him. Others are telling the stories when in the main building of the Ministry of Internal Affairs; they were raped, and then burned open places on the body with matches. Often police threatening victims to photo, and send the photo to the jail camp, in order to instigate people sitting there to further sexual humiliations. Others are telling the stories that police officers are putting the bottle to the different intimate places, and thus torturing both man and women. Mr. Dilshod Sadykov has testified that after he refused to sign confession on religious extremism, police officers put the basket on his head and five times has raped him. This was happening in the main building of the Ministry of Internal Affairs.

Deprivation to food, sleeping and water also widespread and is having it deep roots in the practice of police investigation. Usually, detainees are limited to food, water and sleeping before they agree to sign any testimony or confession. Mr. Ilkhom Zainubudtivov, says that he was not given water for two days, in the jail of Andizhan town. At that time the outside temperature was about 40 degrees. Mr. Ruslam Mamin, says that he was not given food for six days. He says that his mother was passing some food to the detainee center under the Tashkent city regional police department; however police officers were not giving food to him, and were waiting for confession and “cooperation” with investigation.

The other man suspected in participation in one of the religious groups did not sleep for ten days. He says that the whole day I was questioned by the police officer and at nights two or three other police employees were not giving me to have a rest. He says he would not wish the same to anyone in the

world.

There are many other cases of violence. The Human Rights Watch report on torture in Uzbekistan says about the forced abortion executed to the niece of the political asylum seeker and ex-Ambassador of Uzbekistan in the United States. She was arrested under the odd accusations, and was forced to execute abortion being on the fourth month of pregnancy. Her attorney believes that this was made due to prohibition in Uzbek criminal legislation of holding in custody pregnant woman.

There are very many other forms of torture exists and many more victims injured or died, and all that facts became real with deliberate inaction of the government, having the only aim to threat people and train to scare. It is really very hard to any psychologically normal individual to understand what the reasoning behind such brutality and ruthlessness is. Absolute inaction regarding the situation in the police departments, jail camps and what is the most surprising in the main building of the Ministry of Internal Affairs of the capital, makes resolution of this problem not something routine and of the lower level but with approaching and criticizing the political authority of the state.

Summing up all said and done, please note that most of the cases of torture happening in the police custody or at the custody of security service. About ninety percent of all information, reports and testimonies were received from the victims were tortured by police.

In fact, such methods of investigation are applicable to poor and very poor people, who are not able to bribe the officer in uniform. It's very widespread understanding that there is no need to hire an expensive lawyer, but better to keep money for the investigator, otherwise no lawyer no one would help while people in custody being tortured.

The final finding we were researching and proving by looking after the testimonies of victims, is that very few of them can be attached even to the middle class. Most of them have very low income (regardless of education) obviously were not able to hire good lawyer or bribe the investigator. As we know from our own experience, the investigators do not like to undertake investigations with very poor people, and no remuneration available, therefore their plan is to complete investigation as soon as possible, by whatever remedies and tool he/she has in their arsenal. Simply said torture as well as any

other problems of nowadays Uzbekistan is most of all or only applies to poor people, without the chance immigrate or bribe for risk less existence.

Independent Muslims

Uzbekistan's Muslim population has a secular and moderate tradition - but growing poverty, unemployment, disaffection with the government and the general repression which the government has initiated in response to the IMU are creating a fertile ground for recruits, particularly in the densely populated Ferghana Valley.

Traditionally 90 percent of Uzbekistan's inhabitants are Sunni Muslims. Since the first years of independence people of Uzbekistan were associating their future with closer and better access to religious values and practicing Islam. Old soviet propaganda and ideology has yield to the new times of changes and national ideology of statehood and independence. Thus, people of Uzbekistan have got some liberty to see their personal believes and consciousness apart from the state pressure and dictate. They thought the freedom from communistic ideas or Russian participation in decision-making would give them more space for self-righting and democracy.

Indeed, the first years of independence has marked total and uncontrolled interest to Islam, in coupe with the mass foreign aid engaging new followers to the different views and studies within Islam. As a result some people remained secular treating Islam as a cultural element of social life and those were a majority, and those having radical approach with ideas of Islamic state with strict rules and norms of life traditional for this part of the world a century ago.

At the same time the events in the neighboring Tajikistan and Afghanistan, were applied to justification of Uzbek policies in respect to religious opposition. The government is trying to cut of any links of Muslim activists inside of country with outside forces. In this situation not only radicals both also those who were members of peaceful organizations within Islam feel themselves under siege.

Thus, with time goes by and the state failure to perform responsible socio-economic policy,

guaranteeing sustainable development and preventing shrinking of the economy, it appeared to be sufficient impulse to many poor and disillusioned people to join and support the views of radical studies within Islam guaranteeing social equality, justice and panacea from all sicknesses nowadays Uzbekistan is down with. The European Bank for Reconstruction and Development argued in its transition report 2000 that improving living conditions in rural areas through fundamental agricultural reforms will be the key to undercutting the appeal of Islamic groups and maintaining political stability. Few such reforms were initiated up today. Radical Islamists continue finding the followers and understanding especially among the poor from the regions with deteriorating economy such as Ferghana Valley or Karakalpakstan. Therefore, unfulfilled expectations of many poor and often uneducated people have nowadays-special impact on national security issues, including popularization of movements within radical Islam, having target to establishing Islamic state in Uzbekistan and the whole Central Asia.

In the situation where the secular opposition leaders were cracked down, jailed or seeking an asylum in abroad, there was the only ideology left within the country which is Islam. Unsurprisingly, the place of crushed secular opposition, emerged the “new” power mesmerisms the masses with absolute values and believes, trust and faith.

Afterwards, the bombings in the center of the capital of Uzbekistan in the February of the year 1999 has marked the broader campaign against the Muslims of the radical movements having ideas of Shariah state and at the same time with those having peaceful views but aside of the state sponsored and controlled mosques. In the row with the activists of the radical movement, the state has initiated prosecution of others practicing peaceful forms of Islam or existing groups of people in opposition to the regime. British analyst Nick Koen in his Article called “Uzbek dictatorship under the protection of American Empire determines: “That the campaign against the terror in Uzbekistan as fighting against democracy”.

The state machinery blindly has started secularization of Uzbekistan by distributing it anger and hate on thousands and thousands people throughout Uzbekistan. According to the data provided by the national NGOs (that do not monitor every trial) there were about 1,500 political arrests in the every

seven-month period in 1999-2001. Then, in the years 2002, 2003 there were slight fall down in the number of arrests, but as many believe just because of declining number of people having even a slightest link to serious Islam. However may also be the part of the danger coming from friends and relatives of those jailed, sincerely believing in innocence of their sons and fathers before being prosecuted.

According to the reports issued by the US State Department, International Crises Group and Human Rights Watch and many other international and national organizations (Human Rights Organization of Uzbekistan), there were over 6,400 political prisoners in Uzbek jails. Among them 1200-1700 believed to be wahabbists, 4200-4300 members of Hizb ut Tahrir and about 700 independent muslims do no belonging to any organizations. Currently, we have received the information from the Human Rights Watch mission in Uzbekistan that there are over 1200 criminal cases with obvious violations of criminal code of conduct while investigation and hearing cases in the court. The same source says that all of that cases were collected passively, and only those who knows about their activity were submitting the materials for HRW consideration. On this grounds the HRW believes that the number of prisoners on religious grounds maybe even more then 6,400 estimated by an independent researchers.

In the row with the prosecution of Muslims the state has balancing with other religions such as Jehovah's Witnesses. In November 2002, Jehovah's Witnesses were sentenced to jail for distributing literature not sanctioned by the state.

Those examples has emerged more tensions in society and lead to even more aggressive interest to the studies calling for establishment of the Islamic state and overwhelming the secular government. Even despite obvious mistakes made by the state and shortages of the present policy towards faith and freedom of conscios, educated and secular part of the society does not share the views of Islamic activists and more or less justifying or accepting the state steps. These proving the problem or better to say break in society dividing the whole nation into two camps, whereas one is suffering from harassment and prosecution, and others observe that with connivance but without optimism or surety that this control and prosecution may give any positive solutions for the future other then even more

aggressive confrontation and violence.

For example the protocol of interrogation of Mrs. Fatima Mukadirova the mother of one victim of torture, who was killed by submerging in the boiled water, we observe her explanation to her and her son membership in radical Islamic movement as a response to low social guarantees, wages and pensions. In accordance with the protocol of the interrogations of the investigation, she explicitly says that economic opportunities is so miserable for the most population of the republic without seemingly better chances in the near future, that some financial assistance and small but still money for active participation in illegal religious groups remains very attractive activity, especially having in mind solid social and economic grounds behind the slogans for better life and social inequality.

Indeed, according to researchers and experts, Uzbek people are very much secular and do not want the return to theological ideologies, but sometimes cannot help before the chance to earn some more money.

In addition, the same hypothesis of the membership in radical Islamic movements in response to low social guarantees was proved in the words of unnamed father of two members of Hizb-ut-Tahrir organization. He said, that money received for being members and some financial assistance of provided, was the main factor for their active participation. However the father said that there his son's were not involved in any kind of military operations or preparations, but discussed Islamic studies and taking part in political and religious debates.

Especially concerns raised about reports that devout Muslim prisoners, who are singled for particularly cruel, inhuman and degrading treatment in places of detention, particularly in strict regime prison camps. According to relatives of prisoners, people who were incriminated with religious extremism are separated with other prisoners and often have to run between two lines of guards beating them with truncheons as they pass, as well as beatings, humiliation, forced labour and rape by other prisoners with complicity of prison authorities. For example they are forced to sing the national anthem and are severely beaten if they refuse to do so.

Examples of brutality and arbitrariness to the state campaign of secularization are endless and reflected in the reports, appeals and Internet statements issued by relatives, observers, HR activists and witnesses. For example, attendance of the ordinary Islamic studies groups but outside of officially registered mosques usually interpreted by the law enforcement agencies as religious extremism. Authorities arbitrary and without making much distinction between actual threat and simple participation to the Koran studies arresting and keeping people in custody for the term till two years. Arbitrariness to the state action applies to the immediate and extended family members, like in the case of Rahima Akhmadaliev, the wife of independent Imam Ruhiddin Fahriddinov, remained at prison without credible evidences of her participation to Imam's activities, moreover her daughter was also allegedly mistreated.

The other and the most common accusation is a membership in banned religious group Hizb-ut-Tahrir. There is no common understanding of Hizb-ut-Tahrir role in terror activities. Many experts affirming that this organization has very little with the terror ideas and overwhelming the constitutional order in Uzbekistan, but having not more then discussion on current state of affairs in the country. Nevertheless anyone having in any scenes contact with Hizb-ut-Tahrir circles were arrested and accused with terror activities. Thus membership in this organization has highlighted arrests and security services activity for the last few years.

The International Crises Group research on this issue states that even high rank officials in the police department of Andijan region confessed his powerless to stop the movement from attracting growing numbers of new joiners. The police officer said that: "the Government's official ideology, called "Ideology of National Independence", and current internal policies are predominantly nationalistic and anti-Islamic, and that proclaimed ideology antagonizes non-Uzbek and practicing Muslims, while failing to unite people of different ethnic groups and political orientations".

As ICG report characterize state campaign as a: "Factor to neutralize those who may not overtly support extremism but are either passively sympathetic to its aims or so hostile to the police and government that they will not cooperate in reporting possible terrorists activities". Normally this would not lead to more security and cooperation in the country, but in part creating the preconditions

for emergence of the Islamic fundamentalism phenomena.

Again, peaceful people living in Uzbekistan has very little predisposition to armed resolution of conflicts with authority and never in the history revolted of hunger and pain. However it never has been so unjust to prosecute for believes in the way it is in today's Uzbekistan. Finally we would like to add that Islamic activity is not the best solution or solution in any way to the problems of secular society, but in order to do not make religious believes scapegoats to all problems we have to find the solution from today's economical and political problems, otherwise the prosecution in respond to the threat to national security never will be out of the vicious circle of violence.

Analyzing the roots of extremism or the mass interests to radical studies we would like to mention the general poverty and misunderstanding of the reforms and ideas conducted. According to the statement of the mother (unnamed) of two jailed for radical views, before joining the radical groups her children forgot what meat was. Visibly the mother of two jailed young man, seeing very right linkage between her son's views and their economic opportunities and well fare, so important for many of us. Even according to the official position the terror in Uzbekistan is not our national but imported with foreign missionaries and agents of radical Islamic groups. Official programs and statements full of references to illegal funding and black market money sponsoring the existence of radical groups. Indeed this must be a true, but nobody analysis why the people of that groups would be ready to risks for their lives earn extra few dollars? Isn't it the best answer for the situation in the country?

Very many residents of Tashkent are aware the fact that old part of the city, which is not prestigious and knowingly the place of cheap real estate and for people with lower incomes. That part of Tashkent is big enough, and does not have enough cultural or sport centers, as well as people ready to pay for that. Complexity of life and hardships in day to day life, with little believe into the future surely ensure nowadays and tomorrow supply with young people joining those illegal and sometimes very aggressive groups.

According to unnamed officer of an interior ministry, we are not able to control every particular young man and know what is in his mind. But we have to know what the general environment around

him/her is. However, today state does not have any state program, reform or policy in this respect, but insisting and expecting from the police to manage the general situation in the society from the criminal law point of view. He added that very many people in police trust in god and deeply concerned with the policy provided by the state, he said that even police officers understand that the government chooses the wrong way in dealing with the own population. He says that it seems like the government and the rich people completely forgot about people needs, and hidings under the people's slogans continue to spread in bloody ideology.

Surely this is not the only such illustrative opinion, and as you can see all of them right insightful and what is threatening are very aggressive.

Forced Resettlement

This chapter pertains to the problem of forced resettlement once upon the time practiced by Uzbek authorities. Despite very few information available and very little witnesses wiling to speak about this problem we have tried to accumulate as much as possible information and data for the purpose of the present research.

We have to admit that national mass media under heavy state censorship was not covering this incidents as well as many other similar situations whereas state actions raises questions on legitimacy of it actions. Thus the citizens having no information or contact with foreign sources of information are not aware of forced resettlement occurred on the Uzbek-Tadjik border.

So, on August 2000, Islamic Movement of Uzbekistan (IMU) militants launched the armed incursions into the mountainous regions of Uzbekistan's southern Surkhandariya regions, with aim to oust the Karimov government and establish the Islamic rule in Uzbekistan.

Faced with the threat of civilian's support or sympathy in respect to militants, the army has forced conducted the operation on evacuation of villagers about 4,000 villagers. According to officially released information there were 1,333 people resettled. However, International Helsinki Committee

and Human Rights Watch estimated about 4,000 villagers being forcibly resettled.

So, the operation was conducted early morning of August 5 2000. The army and police upon very short notice have ordered to everyone inhabited those villagers to collect their valuables and leave for the special camp poorly equipped for normal life. Those who voiced opposition were beaten, and soldiers were firing into the air. Those who were witnessing the campaign were saying that police and army soldiers were not respecting anyone, women or old people, or children unwilling to leave their places. The villagers were told that, action was temporary and that they would have a chance to come back in the few weeks or so. Nevertheless as soon as villagers have left their places the army soldiers have destroyed all houses.

Villagers were removed to the barren steppe regions of Surkhandaria. There are no words to describe hardships and shortages the villagers have suffered from living in the primitive conditions. Since people's live standards were not worrying to much, people left away of the main centers without proper housing and chance to work were surviving till the end of November.

An independent journalist of the "Radio Liberty" who was visiting those camps says that picture was shocking with poverty and starvation. He says that people reduced to beggary, left and completely forgotten were begging for any food or money to survive. Those who are younger would be happy to work, but again the nearest towns in 20 kilometers away with infrequent transport could not offer much but something to cover the transport costs.

We have to compliment the whole picture of the forced resettlement with the research carried out by Human Rights mission in Uzbekistan, which has interviewed some people, and found out that seventy three villagers were accused of aiding or abetting the Islamic Movement of Uzbekistan. According to International Helsinki Committee's recommendations prepared for OSCE meeting of People Dimension in 2003, forced resettlement was very much look like collective punishment of villagers having sympathy to terrorists. The same report stating about the same 73 criminal cases heard in the criminal courts of Tashkent with severe violations of procedural norms and guarantees for proper representation in the court. All 73 individuals were sentenced to lengthy terms of

imprisonment; vary from 3 to 18 years in jails. The same opinion was described in the report submitted by the Human Rights Watch mission in Uzbekistan. It says that army, police and the representatives of mahalla (self governed bodies actively supporting the government and empowered with extensive administrative powers) were unreasonably rude and very much demonstrated their willingness to punish rather than evacuate villagers.

Summing up all facts and issues, some people may argue that even the International Covenant of Civil and Political Rights to which Uzbekistan is a party, includes a reservation on the armed conflicts, and permits the state to derogation to rights of movement during the times of public emergency or armed conflict. However, those limits must be only those strictly required by the situation at hand and under no circumstances may the limits on a discriminatory basis. The Guiding Principles on International Displacement adopted in September 1998 by the United Nations General Assembly, reflect and precisely words international humanitarian and human rights law and provide a consolidated set of international standards governing the treatment of the internally displaced. The same document reflecting best efforts from authorities to seek for consent and agreement from the people being internally displaced. The same document strictly prohibits pillage of the property of displaced individual, and obliges the state to protect the property left by internally displaced people. The same document obliges for conditions and provision of the means for internally displaced.

Despite the fact that this was the only case of forced resettlement violating the generally accepted principles of international law, we can not avoid mentioning, given that the government was conducting operation with obvious intention to punish rather than evacuate it citizens. Subsequent criminal persecution of some of the villagers lived on that territories illustrate the real reasoning behind the operation and collective responsibility of all villagers. In our opinion this was possible only in respect to poor, uneducated and residents of remote regions, away from the main population and attention of foreign missionaries. No need to say that the same approach would be possible in the areas with massive people residency.

Internal Labor migrants and the notion of *Propiska* (registration on certain area and property)

The progressively increasing level of urbanization in Uzbekistan over the last decade supported by the same poverty and lack of work place in rural area lead to natural migrant flows to big cities and to the capital especially. Internal migration helps people to find some job or at least to survive. Due to the high level of unemployment throughout the country, the number of workers engaged in the informal sector represents a significant share of the population, risen from 21.9 % in 1994 to 38.1 % in 1999.

According to the independent observers figures obtained, it is about 500, 000 illegally working people came to the capital of Uzbekistan for the last few years, and now working in different industries, but predominantly with lowest salaries and worse work conditions. The same observers are saying that due to artificial difficulties and well known policy of not registering people coming to the big cities, plus huge bribe (amounting to 2000 USD) to be paid, there are about 2000 people succeeded officially be registered with local authorities in the capital.

Despite the freedom of movement announced in the Constitution de facto people are banned to move within the borders of their own state. Thus, people are subject to special permit issued by authorities in order to resettle in a new place. Indeed in accordance with the Instruction issued by Tashkent city interior monitoring passport regime and residency issues in the capital, people without the permanent Tashkent city propiska are not allowed to purchase the real estate property in the capital. The same propiska issue applies to be employed in the capital, and again people having no propiska in the capital are not allowed to work on the territory of the capital. Without this permit, which can be either temporary or permanent, a person is barred from housing or employment and is also subjected to punishment turned over into imprisonment for violation of the passport regime. As we said above, for millions of people to change the place of living is the only option to survive and find more or less paid occupation. Surely this notion violates the constitutional right of freedom of movement.

As we were informally informed by the employee working under the committee issuing such permissions, there is an oral order not to register people in Tashkent city, but under the special circumstances. Such circumstance is tariff paid to key individuals in state body responsible in the amount of 2000 USD per propiska. Having in mind that major part of people are coming to earn not

more than 20-25 dollars a month, it is getting easy to imagine how expensive a bribe to people came for the salary or income of 20-25 dollars a month.

The history of propiska notion goes to Soviet times, when by means of propiska authorities were trying to keep people in rural areas and prevent from moving to cities. The idea was avoiding extra work force supply to places deemed to be windows of developed socialism, and effecting employment situation in the big cities. Moreover, social welfare and infrastructure in big cities was much more developed and simply attracted youth (whose place was determined to be in rural area).

One of interviewed persons on the traditional farmer's market in the capital whose name is Anwar, has informed us that it sixth year of his life in the capital without special papers. He says that in order to survive and continue to work in the capital as a loader on the market he regularly (once a month or once in a couple of weeks) paying some money to the police department responsible for law and order on the market. He says that despite the fact that he knows every policeman on the market, they never give up to remind him about the money to be paid. He said that in addition to the money paid o the market he has to keep pleasing the sheriff controlling the area of his residence. He says that there is a flat where he and seven of his friends are living and that in order to be able to live without the problems they (each of them) have to be able to pay some money.

He added that the fact of being without the official papers means to be deprived of vital and free medical services. Indeed medical services are provided in the territorial hospitals of the place of your residence. Many interviewed people expressing dissatisfaction and anger to the fact that authorities are treating them as enemies to the state and law and order. They say that from childhood they got used to work and they don't bring any criminality or anything else undesirable, but hardly work and ask for the minimum, just to be recognized.

Mardikor D. reports that with another mardikor they were hired by a man in order to repair an iron gate, located in the Tashkent's suburbs. It was agreed that they will receive 7000 soums (approximately 10 US dollars) but no written contract had been signed. At the end of the work, they only received 1200 soums (approximately 1.7 US dollars) and were expelled for the house of their

employer.

The other interviewed person called Kahramon has told us that it is quite normal for the police officers of his place of residence and work to arrest people and forcedly send to social works or on the building houses of their big police officers. He is saying the stories of his participation in social works to clean streets of the city or working other sites requiring to be prepared to the national holidays. He says that municipal authorities very often with the assistance of police is gathering the army of unregistered people working in the capital and using their constant guilt and silence using them without any money. Then he added that after being forcedly called for any sort of “public” works on the streets or the sites of police officers, then for the period of national holidays and high security alerts they requested by the same corrupted officers to go home or seat at their places without walking on the streets and jeopardize the quality of his (corrupted) officer services. Kahramon is saying that being in the city means always somehow to pay, and having no rights at all. He says that his permanent and illegal employment does not guarantee him any security insurance or pension in the future. He is not able to pay pension fund contributions even though he does not seem to be interested in a couple of dollars pension yet.

Moreover we were told that there are hundreds of cases when big police officers while building their houses or rural area houses giving the order to the lower officers to collect some people for unskilled works. People say that in this case the police bus is coming to the places of our usual employment nearby markets or streets where we usually gather to meet other possible employers and under the ground of passport control or something arrest us for the week or so and instead of sending to the police department drop us off on their construction sites. Those young people who were in those situations are saying that they were not paid but supplied with some food. The problem of that people that they really deem themselves as semi-criminals and do not have much understanding that the law on Propiska and registration on certain area is unconstitutional and immoral. The problem of many of them that for the long years of soviet and now Uzbek policy towards them they got used to be chained with some property or better to say rural area, since property on the new place not always is a solution.

Definitely the live without working papers is terrible especially in the case if the police and authorities are treating them like criminals. According to our studies most of the people coming to the capital are from the Ferghana Valley where the live is economically miserable and salaries often does not cover the minimum standards. According to the information obtained even those low incomes available in the cities often means a lot to the families in the rural areas of those illegally employed people. The family members, mothers, wives and children heavily depend on incomes received by their breadwinners in the cities.

Having said that, and in accordance with the results of our interviews we may conclude that propiska notion and police attitude toward people targeting ordinary people with no money to live for. Since those rich or middle class people who moved to the cities have absolutely other rights and normally treated with respect. Illegal and at the same time application of double standards in respect to the people by some property or wealth qualifications makes others believe that in this state even such immoral laws are disregarded in respect to one category and absolutely firm to others. Apparently those double standards applicable to people with higher fortunes makes those young and predominantly assiduous people perverted with life visions adopted in our state.

Out of question that Propiska notion adds to the social neurosis and misunderstanding. Violence in respect to young generation came just to earn rather than kill or thief makes police incursions must have some commensurable response to their illegal status within the borders of own state. Having not said and compared this situation to the norms of international law, we would like to conclude that policies of urban planning or protecting the labor market of “native” population should has nothing to do with violence and arbitrariness of police.

Summing up all said and done, we believe that the sate has imposed the ideology of double standards whereas residents of the capital enjoy better conditions and welfare, and thus constitute so called the window of Uzbekistan, so notable to foreigners and tourists. However those having less incomes and coming to upset the balance of life in the capital are very undesirable, does not matter who are they, refugees or Uzbek citizens. Indisputably that resolution of propiska problem by means of bribing or political support for removing to the capital is so called property qualification for residency in the best

place in the country.

Unfortunately there are no chances to win or question the police clearances in Uzbek courts. Since unconstitutional bylaws on propiska have to be scrutinized by the constitutional court of Uzbekistan, with explicit reply how to deal with issues of propiska in the national legislation. However despite attempts to change the situation, there is obvious veto to discuss this issue, bordering with understandings of the national security (justified with terror activities and composition of terror groups have strong links with rural and areas other than Tashkent city). Unfortunately this tradition having very deep history in the soviet era, and therefore people got used to this notion, and few understand the real consequences for themselves and accept as given.

House demolitions

The Uzbek Constitution does not explicitly recognize the right to adequate housing. Article 36 of the Constitution guarantees the right to property and article 53 adds that “ private property [...] shall be inviolable and protected by the state. An owner may be deprived of his/her property solely in the cases and in accordance with the procedure prescribed by law.” Under the land legislation, there is no private property on land in no case, and once your property exists on the land plot, the state always have a right to withdraw the right of use and just to eviction. Usually these campaigns held under the slogans of city renewal, development or beatification programs. It would not be so big problem, should the state act morally and under the moral laws prescribing proper reimbursement for evicted houses.

However, practice shows that both of the remedies stipulated under the law a) cash payment or b) providing the other adequate housing does not correspond with damage caused. Thus, usually does not matter how big and how good is the house, the so called adequate housing looks like the modest apartment on periphery, in the big panel block of flats, which is in no case can be compared with the housing destroyed.

In case, the owners are not happy with the decision of authorities, there is a big risk to do not get

anything, and stay homeless or without any compensation at all. Indeed, despite numerous clashes with the people whose houses were destroyed authorities were not so kind to introduce any likeness of constitutional laws or regulations settling house demolitions by the state. The problem is deteriorated with lack of transparency in human rights to adequate compensation. Often even lawyers are getting confused with situation of total arbitrariness of local authorities. Regrettably it is widely accepted perception that it is better not to complain at all, otherwise it would be double harder to get anything, even the small apartment in even the new but imperfect block of flats in farer part of the city. Below is the most developed and typical cases with the housing.

- Spouses B. came to the Legal Aid Society explaining that the Hokimiyat decided to demolish their house located in the Pushkin street (centre of Tashkent) to construct a highway. In exchange of the demolished house, the spouses received a flat in Sergeli (a suburb of the city), while the financial compensation they could have receive was not covering the value of the house and the money that they spent to build it. Due to the psychological pressure the husband became ill and had an heart attack.
- A woman came to the Legal Aid Society explaining that the house she had in the Hamza district of Tashkent had to be demolished. The authorities proposed her an apartment in the Sergeli district (a suburb of the city). Given that the value of this apartment did not correspond to the one of her house and that she did not wanted to change the neighbourhood where she was living (she was born in the Hazma district) she refused the proposed flat. She also refused the financial compensation that was not equivalent to the house's value. As a result, the Hokimiyat appealed to the Court for forced removal.

Again, while collecting information for this topic any of out written requests or oral questionnaires requests where responded. Having absolutely no reliable or true information we were questioning victims of house demolished among our friends and relatives. They says that spontaneous plans of municipalities to reconstruction and building the new areas have no reasonable explanation. For example one areas are under the warning for demolition since the year 1960, and until now have not been demolished, although people are frustrated to build new and expensive houses in that part of the city.

Access to justice

The right of an individual to defense against corrupted and ill treating justice machinery seems to be essential or vital for everyone living in this part of the world. Indeed, merciless and corrupted system of law enforcement and judiciary, expecting money from anyone in the sphere of their attention, makes poor and indigent people especially vulnerable before the face of Uzbek reality. Thus, in this situation of total disregard to the law and humanity, those people suffering under the present economic situation are in double danger without a possibility to hire professional lawyer able to protect or to do his/her best to ease the pressure of law enforcement which is torturing, killing or jailing thousands of innocent people.

Understanding of this problem and importance of this issue raised in the number of conferences and seminars organized in Uzbekistan. Despite the fact that is just declarative measures nevertheless there are some cases of public discussions on this topic. So, in the conference organized by Konrad Adenauer Foundation in Tashkent on 30 May 2003, publicly in the presence of officials and students of law schools of Tashkent city was made the statement that: "Constitutionally guaranteed rights -- such as court proceedings conducted in or translated into a language comprehensible to all participants in a case, presumption of innocence, transparency of court proceedings, and independence of the judiciary - are not being practiced in Uzbekistan". Even though this are and very seldom and rare steps toward publicity and democratic discussions, it have some very important impact on nowadays Uzbek society and hope for the better.

Nevertheless the opinion presented in the present chapter is not so optimistic, since based not on the declarative measures but in the reality existing today.

Having in mind UN observations of two thirds poor or people below the level of poverty, it is easy to come up with a scale of violence and mass of victims to be limited or restricted to the access to justice. In the situation of endless supremacy of police officer and prosecutor, judge and officer of security services, corrupted and reckless to law or norms of morality, people usually stay unprotected face to face with ugly machine of justice.

In accordance with the Article 116 of the Constitution "Any defendant shall have the right to defense.

The right to legal assistance shall be guaranteed at any stage of the investigation and judicial proceedings. Legal assistance to citizens [...] shall be given by the Collegiums of Attorneys”. The Uzbek criminal legislation also provides that people who cannot afford to pay legal fees are entitled to receive free legal assistance through lawyers assigned by the State.

Unfortunately, state guarantees for professional defender free of any costs and reflected in concrete laws and bylaws, in fact are not effectual and does not have as its object to defend and provide access to justice for victims of cruel state machinery. For example: the gross remuneration for lawyer rendering legal services to poor for the governmental expense is 2 dollars and 71 cent per day. Please note throughout the year 2003, total amount of personal income taxes and mandatory social contributions to be paid was vary around 70-72 percents. Obviously, after all taxes and mandatory membership fees paid on the account of Attorneys Collegiums, there is just 0,4 cents of net remuneration for the whole working day dealing with the such sort of cases. There is no need to explain that this money would not cover even public transportation costs or meal necessary.

Moreover, the above sums of miserable honorariums are subject to the long and routine bureaucratic procedures. Some attorneys do really render honest and complete legal services, however without even hoping for on time and easy compensation.

These factors generally make legal assistance to indigent defendants both professionally and financially unattractive to lawyers. As a result, lawyers assigned to indigent defendants are usually young lawyers who have just graduated from law school or low qualified lawyers having no professional success in carrier. In fact, these people accept to undertake the defense just to gain professional experience or take part formal defending, but the quality of the services provided is, in terms of skills and motivation, very poor. In many cases indigent people were left without legal assistance at all and thus were targeted in the most evident violation of their right to a legal defense. Consequently, attorneys participating in such circumstances treat their clients unduly and often disregard to cruel violations of their clients rights.

Another problem, is that under the Criminal Code of Conduct it is investigator’s obligation to provide professional representation of an individual under the custody. Naturally, no investigator wishes to

see the real professional representing the suspect. Normally, for such kind of cases investigators have their closely linked attorneys who are ready just for the purpose of formal compliance to be there and guarantee representation without the will to do the real job. Indeed, in the situation of total arbitrariness and ambiguity of law enforcement, where none has the right to supervise investigators course of investigation, it is very weird to talk about justice or equality between attorney and investigator.

It is unneeded to say that while interviewing our colleagues we have acknowledged depressing statistics shows that nearly 100 percent of all questioned colleagues are not interested at all to represent the client under the state honorariums. They were honest to say that in the current economical situation, when even lawyers can hardly guarantee proper income there is very few arguments to work for few cents a day. They say that they would be happy to help others, but there is much have to be done by the state itself, or at least to exempt lawyers from the extremely high taxation.

One unnamed attorney has told us, that his practice completely depends on the remuneration to be shared with investigator and prosecutor. He says that there is no justice in this country, and that according to his opinion the question of state honorarium is not always the case. He believes that this is the system which must to be changed. As for the state sponsored attorney's honorariums, so this is not the primary issue, but secondary and after we shall succeed to cut some of the police authorities and practices.

Regrettably such position is not unique for the modern Uzbek society and lawyers in particular. Police and prosecutors believe to be the richest and the most influential people. To believe that state honorariums are the only problem does not right. In order to change the situation with justice machinery and proper protection we have to look deeper at state policies and human rights guaranteed in legislation.

Nowadays, the State does not consider the development of an efficient and well-functioning legal system in which free legal assistance is provided to indigent people as a priority in its agenda;

therefore poverty currently represents a direct barrier to justice for the poorer sectors of the population.

For example we have numerous examples when due to improper representation suspects were sentenced to lengthy terms of imprisonment or even to the capital punishments. So, according to the TV reportage distributed by CNN, some unknown attorney was calling the court to punish her client to the most severe punishment stipulated for this sort of crimes. In this case an attorney was representing the case of religious extremist suspected in fundamentalism. Moreover, attorney's negligence was strengthening with her state appointment to that case, with very low honorarium paid by the state. Surely, this is not the reason to ask for severance in respect to her/his client, but nevertheless the commitment is usually is miserable.

Below are the few interviews undertaken by LAS researchers earlier, for the research on CAT.

- The accused Z. had been provided free legal assistance by the State. However, Z. saw his lawyer only at the end of the preliminary investigation. Indeed, at this moment, the assigned lawyer signed the protocols for carrying out the investigation on the case of Z., while this should have been done two weeks before. The investigation was therefore conducted without objectivity and without respecting the protocols, leaving Z. without protection.
- Defendant S. had his assigned lawyer signing the investigation document without consulting or meeting with S. Another lawyer tried to provide S. with normal services in order to defend him, but the law enforcement officials did not permit him to do so. In the court proceedings, the fact that the assigned lawyer signed the investigation documents without meeting with the defendant and was hidden and this signature was used as the evidence to find S. guilty.
- The Legal Aid Society took up the case of M. as his assigned lawyer and the investigators falsified the investigation documents and signed them without even seeing M.

According to the information distributed by the World Bank, in many countries, poor people's access to justice and courts is a distant dream because of lack of information, distance from the courts, and a strong belief (based on experience) that only money buys justice. The World Bank article refers to an interview made with the man who said that, "you have to pay the lawyer, the judge and the prosecutor. I have gone through it myself." Since the poor lack money and too often are dependent on

those who violate their rights, they cannot "afford justice."

There are a lot to say about the situation of constant violence and negligence under human and external factors whereas hostages are people poverty and defenseless before the cruelty of the state. In order to understand the situation verily, we have to note that even participation of skillful attorney does not guarantee against despotism of authorities. Regrettably the resolution of this problem only is not sufficient to stop the practices deeply rooted in our life.

The given problem is worsening with the problem of immediate access to lawyer from the moment of arrest. Even though the Constitution guarantees the right to immediate participation of the lawyer, however on the contrary the Criminal Code of Conduct does not guarantee and regulate this issue, and on this grounds the police and prosecutor office prefer to deny with the possibility to participate. Indeed the Criminal Code must be brought into compliance with the Constitution and explicitly provide with the possibility to participate at the early stages of investigation including the participation during witness interrogations.

Unfortunately our research was conducted in the normal for Uzbekistan atmosphere of total secrecy and absence of the official data for analysis. Any information was available is the result of our own rough estimations or cases we were dealing with. Finally we are not able to say something about percentage of people, who get legal aid, but according to our own statistics, and on the example of own practice in the district collegiums of attorneys, legal aid cases constitute about 15-20 percent of all cases. Please note that this is information for Tashkent city with comparatively high level of incomes, but lawyers from rural areas are saying about total poverty, and natural exchange for the their services. For example our Djizak colleague was saying that for the very long time, he have not seen cash money for his job, but was enjoying ships, horses or other naturals for working on criminal cases. People are exhausted with poverty.

Street Children

The economy collapse and deterioration of family unit, first of all has impacted children and their well being in the current socio-economic situation. This factors lead to increasing number of children in Tashkent and other Uzbek cities. According to the figures mentioned in the official mass media today there are about 2000 (two thousand) children on the streets of the country. However in accordance with some alternative estimation the number is much higher and progressively increases. For example UNICEF report on street children indicates 34,562 children living on the streets.

While collecting data for the research we have interviewed about sixty children living and working on the streets, and in every children story indicated the following quite obvious issues;

- Almost all of them are from trouble families with low income, with alive parents;
- Some of them are the refugees from neighboring Tajikistan;
- Attended elementary schools for some time and have elementary knowledge and some literacy;
- Have often violent contacts with police, especially after some crime happened on the territory they live or work;
- Small crimes and begging are their additional source of income, in addition to windfall receipts on the markets or providing various services to some neighborhood of their residents;
- Often have no ideas for the future or dreams to change their lives;
- Usually have adult friends (questionable persons) who may take care of them.

These are the main patterns we have highlighted during the general evaluation to this problem and while interviewing streets children for juvenile justice project carried out by our organization. Thus, being in this problem for some years we had a chance to monitor changes happening to the children on the streets of Tashkent. Regrettably, there is not much progress especially in the attitude of police dealing with them like with adult criminals without understanding to their horrifying young lives. For example: Andrey, who is 12 years old boy, is telling the story of beatings in the district police department for being street children and supposedly being informed about any robbery or likewise in that district.

Another story was told by Andrey's friend, Karim who is drugging, and working on the car wash. He says that his parents were very poor and never were living in peace. He grew up in the atmosphere of constant fight and was never willing to stay for long. Most of the time he was spending being on the streets, whereas boys and girls from the normal families were ignoring him. Finally Karim has

met Andrey and new friends living on the streets whose lives were much more independent and less violent. He liked to be with his new friends, whereas his parents seemed to be happy with his friendship and independent income.

Another example was illustrated by Human Rights mission and citing the story of young individual grew up on the streets. Actually this is the normal story almost for every child living on the streets. Here is the full story to the boy turned out to be on the streets at the age of five.

- I have been living in street since the age of 5. I went to school for three years. I left home, because my parents are alcoholics, my brother is also an alcoholic and he always beats me. Now my parents are sick and do not work. I am used to my life, cannot stay at home with my family.

We live as a group in Maxim Gorky street. The inhabitants of nearby apartment houses treat us normally, all are aware of us. When we help them, they give us clothes or money. We wash ourselves and our things in aunt Irina's place. Sometimes she drags us out of militia, takes us to hospital, and makes injections. She works in Red Cross. We sometimes beg, sometimes work, and sometimes steal. We collect non-ferrous metal and deliver it for money. We sleep in the street, in basements, upper floors of apartment houses or garrets. We put our money together and jointly spend it on food and clothes. From time to time a militia bus comes to Maxim Gorkiy and we are all caught and taken to militia office. This usually happens after some theft, because they want to know if we had been involved in it. In militia they beat us, so that there are no bruises left.

In the summer for three months I worked in two places: in a cafe and bakery, but in both places I have not been given my wage. There is no hope I can get that money. That is why I have to beg.

The above illustrates the usual picture with the street children and problems they have in day to day survival.

The role of the state in regulation of street childhood remains as in the former Soviet Union, but with much less financing and supply. The problem of trouble street children remains under jurisdiction of the Ministry of Interior having no visible intention to preserve childhood but to detain to the state run institutions with low quality of life and firm internal regulations. For example there are two

specialized and separate centers for girls and boys, which are dealing with trouble children. However our work with those centers demonstrates their low qualifications. Children growing up in those centers have very little attention which is in no way may compensate parents attention. There are numerous cases of violence from institutional instructors. While implementing the project on juvenile justice in collaboration with UNICEF, Save the Children and other local NGO's we have prepared the list of recommendations and submitted monitoring report on their activity, regrettably very little changes occurred or do not occurred at all.

For example the number of street children begging on the streets of the cities have obvious tendency for increasing. Despite police clearances, having the aim to get rid of the problem from the streets of the cities, the socio economic factors of deteriorating society supplying with more youngsters who prefers to live on the streets. Indeed many families due to hard economic situation divorcing and refuses seeing no a possibility to maintain normal social life. For example from the interview with unnamed police officer, too many people lost their jobs and are not able to give minimum living conditions for their children. He added that often the police faces with alcoholic and drug dependent families, where miserable child support allocated by the government spends for alcohol. He added that the society is weak and wounded with too many problems which cannot avoid the childhood.

In fact, the state negligence maybe exemplified with under funding every social program used to be much better during the soviet era. For example every parent and expert we were contacting and discussing the problems of childhood, noticed that we have lost very many good things used be guaranteed at the past. For example summer camps, or sport and cultural clubs which were provided by the state free of charge or next nothing, or various activities being funded by the state within preliminary schools. Comparative analyses demonstrates that centrally planned system substituted with half capitalism and half corrupted economy with minimum chances for normal people, left the whole society face to face with too many issues demanding for urgent resolution and maximum attention of the state.

Regrettably while preparation of this work we have faced with usual problem of unclose information or simply disregarding attitude. If truth to be told, we are not aware of any plans or even simple

discussions on this issue. The state does not plan to return on the arena of child protection and care for their future. Obviously, those kinder gardens used to be so popular and funded by the state in the soviet times, now were declared for privatization. Instead of the public kinder gardens, some children may attend private places sometimes costs few times more than the salary of a teacher or doctor.

Analysis of incidents of violence by non-state actors and state inaction

Child Labor

Among broad spectrum of problems and violence caused by the state and non-state actors, those are most in danger that surround children and childhood. As we know now, the society affected by many problems and particularly with extreme poverty, is not able to preserve happy childhood, or prevent diseases accompanying poverty and society dropping off.

So, since the soviet times, when cotton independence demanded massive participation of the whole republic in harvesting, every year during the cotton harvest children are employed as cotton pickers without having the possibility of attending school at the same time. Despite mechanization of the cotton industry, the practice of child labor at no cost in the cotton fields continues to go on. Withdrawing children from attending the school, lead to shortages in education and dropping off. Chronically, schooling and development in rural areas is as low as necessary to keep people harvesting the cotton by hand, and do not expect or will to change the situation to the better. In addition to cotton harvesting, child participation in agro industry means working on rice, silk and tobacco fields.

It must be noted that Uzbekistan heavily depends on cotton export and therefore this part of the economy means vital for our state. In this situation, every region is obliged to surrender cotton on the price and quantity ordered by the state. The price is miserable, however administrative and other tools oblige farmers and people in collective farms to work hard in order to satisfy governmental needs in cheap cotton for export. Surely, the state order for cotton, and low prices does not mean or give a chance for contemporary technologies or broad mechanization of labor. The only option left for many

authorities in rural areas is force harvesting with pupils from the schools, especially in the situations when bad climate conditions (snow, rain) jeopardizes garner of the all cotton on the fields.

The representative of the NGO working in Ferghana valley said that pupils of rural areas are attending the schools for 3-4 months, the rest of the time they are working on the cotton fields picking up the cotton for the state or working on the farm fields of their parents and relatives.

However the situation is not the same in all regions, in some places the situation is better and pupils are spending less time or not working at all. So, according to state data, there are about 2 million pupils at the age of 14-17 years old living in rural area. Having in mind that about 50 percent of them are not working on the fields due to different reasons such as medical prohibition or usually young age for pupils attending 1-5 classes), we have about a million of easily composed army of cotton pickers.

One girl from Dzhizak regions said, that her class was working on the cotton field from 7 till 12 o'clock. After they had a lunch till 16 o'clock and then again harvesting till 19 o'clock. We have the same stories from all around the country, and it's not surprising for us, since we were also called for cotton harvesting, since in the soviet periods not only the pupils of rural areas, but also the students from cities were collected for such works. The whole picture must be added with anti sanitary and extremely poor condition for living. Usually pupils are living in small barracks without electricity or elementary conveniences. Meal provided is also the cheapest and obviously sufficient just for the purpose of being full with some stuff, without proper access to meat or vegetables.

It is obvious that such campaigns organized by the local authorities for work in private, collective or state owned farms are possible only with state approval interested in cotton quantities. Therefore whatever organization is engaging pupils to field works; there is only one party sanctioning that is the state. People from the rural areas believe that, the only problem of this situation is low buying prices for the cotton, which does not allow bringing the new technologies, flora medicines or mechanization.

For many people in rural areas, to send their children to harvesting is an additional income for their

families. As we were told by the teacher from Namanghan region, there is no much requirements for children to be supplied with books and stationeries at the beginning of the academic year, but to buy everything necessary after the usual autumn harvesting. That means that most of their incomes from harvesting people are spending to their children education and clothing. However there is an example in the report submitted by the local NGO which says about the boy, who spent two and half months on the fields, and at the end of cotton campaign gained only a dollar, after the administration of the school has withheld some money to school repairing, “mandatory” subscription to press media, and meals provided during his working period.

There must be a separate chapter on the effect of these long campaigns on human development and education. Practically everybody recognizes that poor economic situation, long working hours on the fields throughout the year or leaving children for the cities in order to win some bread are deteriorate the whole generation of people, or at least those who have unfortunately born in rural areas of Uzbekistan. Comparing the people from different regions of Uzbekistan, the one can easily determine those who have been brought up in the atmosphere of constant labor on the fields without having a chance to self-development and education.

Unfortunately, the long history of child labor in the fields is very usual for the people living in Uzbekistan. They have no idea of living without autumn harvesting, sending their children to hard manual works. Many believe in their contribution to the welfare of the state by surrender the happiness, education, and health of their own children. Often you can see in rural area mass media articles on decision taken by the rural area self governed body, which made a decision to send their children to pick up the cotton. Such decisions are actively supported by the state, and glorified in the mass media. Those who have opposite view are not allowed to present their view.

Regrettably, child labor in agro industry is not the only example. Our study of this problem and the reports of other NGO’s shows that poor economic situation make necessary children participation in household security of the family as an active bread winners contributing quite a significant share of income. Even though there is obvious deficiency in official statistics, there are customary examples in day-to-day life of child labor including almost any industry of economy.

In the cities, children are actively involving to the spheres of service and retails trade. Usually those children are not attending the school, and spending the whole day on the work places. Often boys of 13-20 years old edge are coming to the cities to work as a weighting force despite obvious medical restrictions. Especially the number of working children grew up for the last six - seven years. Total unemployment in towns and rural areas, force too many people to move to the cities and looking for some job. The supply for the low qualified work is massive, and children who are not demanding at all, or are not expected to find bread for the whole family, usually are happy to find the job for any amount and contribute at least a penny to the household security of their families. Again their work and services are subject to other forms of violence and negligence from authorities or third persons.

Having interviewed dozens of young workers on illegal city labor markets we found out, that almost all of them enjoy the place on the illegal labor exchange by paying regular fee to the local sheriff. Normally young people were unwilling to tell the stories about how much and to whom they are paying for being able to have a place on the exchange. All of them are very suspicious to various kind of questions and despite their young age seem to threatened with imaginable consequences it may have to their future employment. Surely bribing the police is not so risk less for people with no legal protection before the law. They prefer to remain status quo without experiencing danger of contact with police.

From the interview with Alexei (15 years old boy) working in the center of Tashkent city by watching after the shop during the night time, we found out that twice he had a contact with local department of police, which was beating him, as soon as some crime was registered on neighborhood. He says every time the police does not know what to do, or just to do something they prefer to beat me, having in plans to know what I know or what I think about the crime. Even though I had no contact with victims of a crime or did not contact with obvious criminals living there, still they were sure that I might have some information.

Having scrutinized the stories of young people on the streets we have mentioned two main problems they face with on the daily basis, such as threat to be underpaid or unpaid at all, and at the same time

severe and unjustified attitude of police officers.

For example the notion of obligatory “Propiska” on some property give the person the right to work in that particular place or region, otherwise individuals’ activity shall be deemed as illegal and subject to fines and punishments. There is no need to explain that those who came from the different places to big cities, having no documents eligible to work in the cities or are not able to give huge bribe (about 2000 USD) in order to pass through all formalities, and therefore becoming easy target for local police officers bribing them for the every day spent in the city or given territory. Legally, the state has implemented every possibility in order to keep people on the places they were born, and thus somehow resolve the situation with visible poverty in regions. Nevertheless social tensions and especially in rural areas whereas chances to find proper job and income per capita is much smaller, making the whole situation in the country dangerous and vulnerable to any unfriendly influences such as extremism and radical movements in Islam.

There are plenty of other issues surrounding this problem, and we believe those are not unique for Uzbek society, including prostitution or any other criminal involvement of young people without the chance for proper living or diseases (HIV infected) etc. We believe there is no remedy from such diseases before the state starts radical and effective economic and political reforms in the society. Poverty and low prices for cotton, makes the problem of children labor unbearable and at the same time with no answer whatsoever.

Having reviewed the history and facts to the given issues, we are still guessing what is the party responsible for the violence occurring against children whether it’s a state or farmers and collective farmers. Thus, despite the fact that farmers or collective farms that pay children for work provided or legally hiring and sharing the profits with children on their own behalf and in their own favor, there is obvious state policy providing release from school education or supporting campaigns in the local mass media. Therefore in our opinion the soviet legacy of child labor on the fields was substituted with the surrogate of the state and private or collective farmers’ interests in the new quasi market economy.

Summing up all said and done, we believe that nowadays poverty existing in Uzbekistan does not able to recover from child labor and its consequences in mal development and lagging in education. Poor social economic situation in the 80 percent families compel too many boys and girls to look for some help to their parents. Surely, the police work remains to be repressive and the Interior agency does not able to resolve the situation, with keeping people under the arrest or sending them home, to parents who are not mind to send their children to work. We believe that there is obvious need for the state program supporting families and their children, and revival of institutions used to be so important and useful during the soviet era. The state refusing to discuss, help, and interfere the problem of childhood does not have the future. Unfortunately uneducated and intimidated youth of Uzbekistan will not able to contribute to whatever economic progress planning in the government.

Another policy solution for the state is assistance to national NGO working on these problems, and instead of close monitoring on their activity and contacts, or reports they submit to help them. For example to ease the tax burden on them, or apply some tax deduction to sponsors of the programs in childhood, the same as its applies to the sponsorship and charity to golf, boxing or football.

Violence against women, violence in Family

As we know the problem of violence against women has been acknowledged in the number of international human rights conventions, declarations and statements. In many instances modern society has determined the problem, and both legally and practically applied the principles of equal treatment and equal opportunities for men and women. Likewise modern family is not more the place of state inaction, whereas quasi traditions and quasi or sick believes having priority over the law equally protecting and guaranteeing both spouses.

In our day, violence against women is something we all got used to. Regrettably, our economic problems shadowed the problem of women in family and violence herewith. Despite declarations adapted to the legislation that treating men and women equally, there is not any practical steps to action to eliminate the dependency of women before man. In order to instigate women's role in society and protect women against violence in family there is only declarative statements and meetings aimed rather to show off than help. Recently we have got an Action Plan proposed by the government

on this issue. The Plan contains the discussion of the situation with women and so called concrete steps to be taken in order to improve the situation. However, it's our view that the Plan has no concrete steps but put emphases on seminars and conferences and ensure not more then the presence of political will to act, but never to conduct responsible state policy on this respect.

In spite of the huge problem inherited by archaic society and abusive norms in religion and lack of social cultural and ethnic grounds for understanding and respecting women in family, the state rigidly observe the way hundreds of women committing suicide, or passively protest against their positioning. Moreover, for the sake of policy preserving family units neither police nor courts are willing to help and save the women against domestic violence. Unwillingness of the state to protect the right of an individual rather then care about statistics proving the firm family units makes thousands of women hostages to state policy preserving and keeping them in family and violent treatment of husbands.

For example the practice of law enforcement does not foresee initiation of criminal prosecution against husband raped his wife. Even though neither the theory of criminal law nor the Criminal Code makes any reservation exempting husband from criminal liability, but there is firm opinion among police officers that husband is not someone who is raping but having absolute rights for his wife. Besides, the society often is not ready to discuss, understand or give proper evaluation to women's actions against their husbands permitting themselves sexual humiliations. Again, in the situation whereas woman is under the heavy pressure of rural community there is very little chance to expect that she maybe be so brave in order to rise against community opinion and sick stereotypes. Not the same situation in cities, even though the police may very lazily respond to husband's humiliation, there is always much possibility to independent person to decide how to find the way out and start her own independent life.

The following interview we have got from the report issued by the Human Rights Watch Mission in Uzbekistan and illustrating the same situations as in the above said examples.

Interview with Mukhabat, a mother of three, who fled to her parents' home

I have a bad memory because my...husband beat me on the head. I have no memory anymore. He gave me head trauma.

My husband beat me very much. It began after the baby. Before that I did the housework. But after the baby was born, I had to take care of the baby, and I didn't finish the housework. I was busy with the baby. I heard from his brother that my husband complained that his mother had to do all the housework while I did nothing at all. The little brother also complained about me.

One day the baby was in the [traditional cradle], and my mother-in-law said that I could not even do that right. I asked her to show me how to do it. She began to scream at me, saying that I was ordering her to do something. She yelled at me so that the entire courtyard [the center of the multi-family household] heard her. She screamed, "You make me work!" At that moment my husband came home. He did not even give me time to explain. He hit me, and I hit the wall and hit my head. That was the first time.

I did not tell anyone that he beat me. I did not go to the mahalla committee. I told my parents, and they went to him and said that he should stop. They asked him to stop. They decided that we should live separately without my mother-in-law. My parents suggested that we get a new house.

For a year we were happy...then he began to beat me again.

He started to beat me on the head, and I grabbed his hands and tried to stop him. I begged him not to beat me-and not to beat me on the head. He beat me on my head even more with his fists. He beat the left side of my head especially.

I did not know what to do. I grabbed my baby and ran to the street. I had the children with me. I tried to run away, and he broke the mirror and all the dishes. I saw his sister on the street, and I ran up to her with the children. I ran, and he followed me and yelled at me saying I should never come back. His sister looked away and ignored me.

For three hours I sat on the street. It was very cold. It was December. I was wearing only a light dress, and the children were very lightly dressed. The neighbors saw us on the street and invited us in, but I was afraid that he would make a scandal with the neighbors if we went into their courtyard. The neighbors brought us warm clothes for the children...I went home and he was not there.

[He returned] He screamed, "You came back again?!" He picked one of the little children's toilets and threw everything that was in it onto me. Then he picked up the teapot full of hot boiling water and

threw it on me too as I was cleaning. He did this from behind. I did not hear him come back in the house. The neighbors heard this and came over to stop him. Two men came into the courtyard but I said that I would not leave. I cannot go back to my parents again with three children.

At that time, my head was spinning, and I saw spots before me. I lost consciousness, and I cannot remember what happened to me. My brother's wife made food and tea, but I could not eat anything. My brother took me to the doctor. My parents did not know, and we did not tell them. They gave me three shots, and then I felt a little better. But I got worse again, and they took me back to the hospital. I told them that my husband beat me. They said that they would call the police. The policeman did not come to the hospital even though the doctor told them what had happened. I think that my husband went to the precinct police station and agreed to something with them. I was in the hospital for seven days.

Finally, a guy came... and said that someone from the precinct would come and take a longer statement from me. But no one ever came. No one asked me anything.

Absolutely the same scenario we have been facing with few years ago, when Nadira Karimova came to the office of the Legal Aid Society to ask for the legal aid. She told the story that her husband was often beating her and that her life in the family got look like permanent violence. The last day, when her husband came home and raped her, she called police but unfortunately the police officers instead of protection and initiation of criminal case tried to pass incident over in silence. In the situation when police is negligently indifferent to women rights there was the only option is to file for divorce even though the fact of sexual humiliations was not proved. However this is not always the case in rural areas when women are frustrated to start the new independent life within the same community of people often blaming the victim for being to critical and incomprehensive to her husband.

Moreover, we have information from the lawyers of Karakalpakstan region on the story of Kamila Sharipova, where in respond to husband's violence and sexual humiliations, she was seeking help from the police department of her region. However the police disregarded her requests and several times was refusing initiation of criminal prosecution. Despite the fact that de jure, their disregard to her requests is illegal, nevertheless this is the usual case for Uzbek police having great confidence that family issues are very much the own problem of spouses and/or husband having all rights to his wife.

Obviously, her requests were not traceless for her husband and more violence could be foreseen for Kamila and for her intention to seek for justice and self respect. There is very many unknown in this story, however at the end of the story Kamila committed suicide, or that was just a murder?

Here is another story of the victim, with the usual illustrations to domestic violence with typical police, family and local authority's attitude. The victims name is Sharofat, and she is living in the rural area.

She says: I have tuberculosis. In 1983 I got married.... I had a boyfriend whom I loved, but my mom gave me [in an arranged marriage] against my will. I could not go against my mother-I could not go against her will. I had four miscarriages because he beat me. I had only three children. Now I have only two children because one died when it was only one and a half years old.

After I left the hospital I did not want to go back to my husband, but my father told me not to make my children orphans [render them fatherless; see below] and told me to go back to him. I went to him, and I had the third child who died.

The beating happened in front of the children. My oldest son told my husband to stop. He said, "Our mom is sick and we need her still."...

He beat me so hard that I lost my teeth. The beatings happened at least one time each month. He used his fists to beat me. He beat me most severely when I was pregnant.... The first time he beat me, and I lost the baby. I was in the hospital. The second time was only a few days before a baby was born, and my face was covered with bruises. He beat me and I went to my parents. My father refused to take me to a doctor. He said, "What will I say, `her husband beats her?'" Three days later I gave birth to the child....

I went to the mahalla committee and asked them to send my husband home to his family. He went home to his parents and then he came back to us again. The mahalla committee did not help me at all. After that I went to the village council [selsovet, the next administrative rung after the mahalla in some rural areas], and they made him go to work. He worked ten days but he did not bring even a kopek home. The family did not see any of that money at all.

My husband has married again, and he lives with his new family and his new wife. I live in our

house. My husband married a very rich woman.

I don't have an official divorce, but he remarried anyway and no one asked me for my agreement that he take another wife. The mahalla committee tricked my brother. My brother signed that he agreed to the [second] marriage. They promised that I would get alimony and a charitable benefit payment.

The one thing that I want is alimony. Fine, let him live with the new wife, but I must take care of the children.

Very often occurrences of violence happen when woman lives in the common residency with parents of husband. We have enormous number of cases when a young women came to the new family is becoming the house keeper with permanent obligation to clean, wash and cook. Usually such families are big, and a new joiner like young bride believes to be not just an assistant to the house keeping but the only one responsible. Even though many of them accept that like granting, like something their mothers and grandmothers were doing as well. However this could be not the only problem, for example we had a case of woman from Karakalpakstan region of Uzbekistan, when both father in law and the husband were sexually humiliating on the women, and the husband with some sick respect to his father was not complaining against this course of affairs or protect her from his own father. And again, even though she turned out to be brave to disclose her family in this, the police did not pay any attention but tried to mitigate parties. Surely, it is unacceptable course of action with no excuse to police officers disregarding human lives for the sake of their own believes and laziness or “minor” accidents damaging their statistics of crime rate.

Other cases of violence are quite similar and contain the strong influence of economical problems and unemployment for all family members. For example many women are saying that with worsening economical situation and lowering incomes and husband's infrequent salaries or incomes the relationships in family really suffers.

Other observation we have mentioned is the low level of education so usual for the families with low incomes. Unfortunately there are very few possibilities for poor people to get good and prestigious educations and thus find demanded and good paid jobs. In fact, very many trouble families we have identified during our research or throughout practicing the law were predominantly with very low

income, bad working conditions, and unemployed or with low level of education. Simply said, despite of the few reservations from this rule, we may conclude that socially this problem have very much common with the general level of education, welfare and life standard prevailing in Uzbekistan.

In addition we would like to pay more attention to the traditions of archaic society which predominantly prevails in rural area, due to the reasons of poverty and dependence of people on each other. So, traditionally Uzbek family was based on separation of responsibilities, whereas the woman is looking after the house and children with a lot of common with general servant responsibilities, and the man was a bread finder having more respect since the welfare of the family was fully depend on man's decision and performance. However, the situation quickly changes since the family reaches self efficiency and does not need any assistance or financial aid from parents or society side. Simply said, only common economical interests make community so independent on each other, what is absolutely unnecessary in the modern world or in society capable to provide with sufficient income and social security.

Surely, Uzbekistan as predominantly agricultural country with 60 percent of rural population remains very vulnerable to traditions of the past, when all people of the whole community were supposed to work together on the fields and together burrow irrigation channels, so important in this part of the world.

While researching this problem together with the researchers of our partner NGO's on gender issues, we have come to the conclusion that violence in the family is a result of low income and low opportunities for education and better life. Our partners have mentioned that a woman in rural area is completely different type of women then those living in the cities with no opportunities to self-actualization and opportunities for education and more or less interesting social life. Our research has demonstrated that in ninety percent of cases of registered violence women were unemployed or with very low incomes for both spouses. In our view there is clear cut correlation between social positioning of women to the relationships in the family and her self respect.

For example our partners have provided with the great bulk of material and interviews carried out during their work throughout the country. In every such case women were complaining on the

difficult economical situation for her and for her husband. Usually, those women have little hope to change the life to the better, or to start the new life independently from her husband. There is firm believe in the society that divorced women (in rural area) has no chances to marry again and thus in most of the times to give good education or grow up her children. In our opinion, dependence of women in economical point of view, where the state is inacted and does not guaranteeing any support, makes most of them hostages to their husbands and families.

For example we have a story told us by Nargiza - a young women of 22 years old, who was married after her second date with the prospect. Even though her marriage does seem to be bad, and she lives the normal life, nevertheless she says that there are very few chances to have interesting life or to live with beloved person, since her

Surely this situation applies predominantly to rural area and to families with very traditional style of life, with implicit subordination to rules and traditions of the past. Again, the community (having very firm positions) in rural area makes listen to the opinion of majority and obey to the foolish traditions. Indeed, the society where everybody contributes to the welfare of everybody, and where is no division inside of the society to rich and poor and people depends on the contribution of the neighbor to his/her personal welfare, makes everybody dependent on the neighbor and his/her opinion. In our opinion, before the new market relationship comes to Uzbek villages, and people will start to earn sufficient money to live for, and first of all being independent from the assistance and participation of others, public opinion and close subordination to the majority is inevitable. Indeed, today people living in rural area very often just survive for being close to each other and in difficult live situations helping each other. Moreover, labor force is so dependent on communal works for irrigation or cotton harvesting without the mechanization makes them again dependent on each other with consequences of close links including common discussions on every life situations.

Having said that we would like to conclude that living in archaic societies where everybody is in too close dependency from each other and where is neither economical nor personal independence having it place it is very difficult to speak about self-determining behavior of women. According to the studies conducted the only possibility to emancipate women in Uzbekistan is to give better economical

solutions or opportunities for better education or at least equal treatment.

Just for comparative analysis Uzbek women live in cities with much more opportunities to education and proper and independence income having completely different and more respected positioning in the family. Isn't it the best demonstration of influence and importance of socio-economic context for an individual living in comparatively the same environment but with different possibilities to self-actualization?

While employment remains crucial for women's economic status, employers generally give preference to male workers who are considered as being more mobile and available than women. Moreover, the current labor legislation that grants benefits to women has perverted effect of preventing employers to hire women workers. Thus, in our opinion benefits for women stipulated in the Labor Code, do not really helps women, but makes employer unenthusiastic to hire female employees.

Consequently, while women make up more than half of the population, unemployment of women is at least one and a half time that of men.

By reason of lack of training as wells as to de facto discrimination in the formal sector, many women are ending up working in the informal sector in small retail trade, rendering services such as cleaning, washing, baking, etc. Lack of social protection and social benefits, precariousness of working conditions, low salaries and vulnerability to abuses of all sorts characterize daily life of women working in this sector.

Mahalla (self governed body of close neighborhood)

The term mahalla translates from Uzbek as "local community". The tradition of mahalla can be traced deep in the centuries, as self-governed body of the close neighborhood, organized around social events and Islamic rituals. Managed by elders, mahalla meetings were providing with advices, resolution of problems among neighbors and any other important issues of community life.

Since the independence, the government starts rebuilding mahalla institution that was significantly damaged by the Soviet system of administration. Efforts were move toward to enhance the power and jurisdiction of mahalla, and close cooperation with the government including law enforcement agencies.

There are now approximately 12,000 mahallas in Uzbekistan, each containing between 150 and 1,500 households. Authority granted was as much as necessary to make everybody living in the neighborhood dependent upon mahalla, and situates quasi-democratic institution on every particular everyone. Since the independence, and especially since the year 1999, when five bombs were exploded in the center of the capital (this event begun a wave of arrest among Muslim activists) we may observe integration of mahalla with authoritarian government, crashing opposition, censoring mass media and assisting in day-today participation in violation of human rights.

For example, mahalla has the most active role in implementation of the campaign against Muslims. In practice, mahalla is carrying out surveillance function upon neighbors living in the neighborhood. Moreover mahalla cooperation with law enforcement and particularly with police makes them essential participants of law enforcement machinery requiring their witnessing and testifying against anyone under investigation. There are increasing number of cases and different examples where mahalla committee members are playing indispensable role in violence occurred or prosecution of targeting individual. Thus, it is hard to overestimate the role of mahalla in political prosecution, and as a tool of propaganda and thereat.

We have many examples of mahalla cooperation and particularly extrajudicial punishment. For example public denunciation against Omina Muidinova, her three sons, and other male relatives provided a live warning of the dangers of following religious trends not sanctioned by the state. On April 5, 2000, a group of public officials and representatives from Namangan city mahalla committee convened a public meeting to denounce Islamic beliefs and activities deemed threatening to the constitutional system of Uzbekistan. Numerous residents were called to attend the public meeting. Then, the officials brought Omina Muidinov, a forty seven year old mother of six, to the hall in handcuffs along with her three sons, brother, and son in law. The family was forced to stand before the crowd, surrounded by guards, to hear official's accusations against them. The presiding officials

charged that Muidinova had conspired, “under the mask of Islam” with ferocious religious extremists” to establish Islamic state in Uzbekistan. The meeting leaders then called citizens to give their opinion of Muidinova and her family. Several stood up to condemn Muidinova and called for punishment of her parents. People shouted out, demanding that the family be executed.

There are numerous examples of such hate rallies with active participation of mahalla.

Surely, mahalla institutions are very strong in rural areas, rather than in cities. However existing throughout the territory of Uzbekistan, since formation of this institution was dictated by the government and very much sponsored by the same government. The role and the power in rural areas of Uzbekistan can be justified by the archaic societies existing in rural and often very poor areas. Particularly, their archaic societies whereas everybody contributes to the welfare of everybody, for the purpose of simple survival makes them very dependent and vulnerable to majority or orders decisions. Otherwise there are really low chances to live independently and be responsible for obligations before the community and the state, especially when the same community organ's are empowered with administrative and bureaucratic jurisdictions. At the same time, the cities and big towns, have higher incomes and more numerous. Economic independence and ability to live independently makes neighbors living in the cities independent without the need to contribute to no one's welfare. Therefore having mahalla throughout the country, does not mean the same role of mahalla in lives of all citizens.

The other sphere of mahalla interference is active participation in fulfilling government policy relating to the family, even when policies fail to protect victims of domestic violence. If truth to be told, the government policy is to preserve the unity of the family often goes contrary to the interests of victims of domestic violence. In practice, authorities very much rely on mediation and peaceful dispute resolution within mahalla. So, domestic violence may last for months or years before mahalla committee will refer the case to the police or allow the victim to divorce. There is no legal requirements that the mahalla committee become involved before the police are contacted, however people living in rural areas or poor people without being able to hire a lawyer are often getting hostages of this situation without a chance to ignore mahalla attitude and inaction. For examples the

year 1998 was declared as “Year of the Family”. In order to glorify picture of Uzbek families, the governmental agencies were trying to lessen divorce rate in Uzbekistan and usually refused to accept applications for divorce because it was the Year of the Family. Although the year of the family has passed, the policy is not. Mahalla representatives actively discourage and prevent women from seeking for relief and application either to police or the courts. Immoral policy of remaining women in abusive families, with no respect to themselves and total subordination of human’s well being to the state policy and agenda on statistical preservation of the family does not really evidencing on mahalla good will and care. Therefore, blocking women from access to justice especially or predominantly those who lives in rural areas and are not able to act in their own interests without subordination to archaic society makes the situation worse and troublesome.

The last example of mahalla and law enforcement agencies close cooperation maybe observed in forced resettlement campaign, carried out in the year 2000 through 2001. Those days militants belonging to the Islamic Movement of Uzbekistan were trying to cross the border with Uzbekistan from the neighboring Kyrgyzstan. The situation on the border was very dangerous and for many people threatening, since in the minds of many Uzbeks the Islamic Movement of Uzbekistan is very much associated with talibs from Afghanistan. Surely, in the view of these facts we are not going to discuss the issue how was necessary forced resettlement of people from the bordering villages, however we would like to pay your attention to methods of such campaign and role of mahalla in all this story.

So, having examined Human Rights Watch report on mahalla and interviewing a journalist working for international radio station broadcasting for Uzbekistan, we found out that about 4,000 people of Surkhandariya province, were forcedly resettled to the deserted areas about 250 kilometers away. This campaign was carried out very quickly without giving a chance to collect possessions necessary for life in the new areas. Authorities and mahalla leaders first of all were actively agitating people to do not protest or resist to the resettlement since shortly after the military campaign people would be back to their homes. However the army has destroyed all houses and villagers, and surely resettled people were left on the new territories without proper housing and job to survive. The journalist of the radio station has told us, that resettled people were not able to find more or less proper food, and in fact

were left without any guarantee for compensation. Starvation and sickness were severe in that new places and people were begging for any money for food.

Regrettably, all said above became real with mahalla active participation. Victims of forced resettlement remembering mahalla participation as doing mahalla's best to meet authority's expectations of themselves being very rude and uncompromising. Surely, after resettled people were released on the new territories non of mahalla promises were kept or provided.

Thus, providing the above said examples and scrutinized other cases within our organization we have come to the conclusion that mahalla institution has collapsed under the government's idea to involve people's self governance.