

L'OBSERVATOIRE

pour la Protection des Défenseurs des Droits de l'Homme

THE OBSERVATORY

for the Protection
of Human Rights Defenders

EL OBSERVATORIO

para la Protección
de los Defensores de Derechos Humanos

OPEN LETTER

To Islam Karimov, President of the Republic of Uzbekistan

and

**Inamova Svetlana Tursunhodjaevna, Deputy Prime Minister of the Republic
of Uzbekistan**

Re: *Threat to Freedom of Association and Expression*

Paris-Geneva, August 13, 2004

Dear Sirs,

The Observatory, a joint program of the International Federation for Human Rights (FIDH) and the World Organisation Against Torture (OMCT) has been informed by a reliable source of roundabout, yet increasingly pointed, measures introduced recently by the government of Uzbekistan that threaten the existence of the country's independent non-governmental organizations (NGOs).

In February 2004, President Karimov signed Cabinet of Ministers Decree No. 56, which orders the transfer of all NGO funds received from international donors to the Uzbekistan National Bank or Asaka Bank in order to ostensibly prevent and crack down on money laundering. In effect, this decree translates into the freezing of NGO funds, as NGOs now have to obtain permission from government committees in order to access their funds. These committees, composed of persons from government bodies and the justice system, evaluate whether or not NGO project activities would be useful to Uzbekistan or would duplicate the efforts of government owned bodies. According to reports, some organizations have already lost access to their funds.

On March 1, 2004, a Decree was published requiring the licensing of educational programs, including NGOs, and another Decree, effective since May 27, 2004, expands the influence of the governmental Women's Committee of the Republic of Uzbekistan, which is supervised by the Deputy Prime Minister of the Republic of Uzbekistan. The May 27 decree requires women's NGOs to apply for re-registration by November 1, 2004, with the Women's Committee. Additionally the May 27 decree makes re-registration contingent on recommendations from the Women's Committee, although it does not stipulate the criteria determining what is or is not a women's NGO

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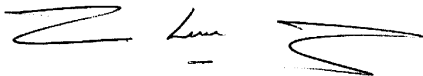
and thus subject to re-registration. The Observatory is concerned that this legal ambiguity could be used to regulate the activities of NGOs that openly criticize the government, whether women's NGOs or not. In the wake of these decrees, independent women's groups fear that they will simply not be re-registered. Additionally, previously productive avenues for women's NGO interaction with the government, specifically the Forum of Women's NGOs, have been closed, as the Ministry of Justice has not given permission for Forum meetings.

The Observatory is deeply concerned about the negative implications of these recent decrees on the existence of NGOs working for women's equality and empowerment, as well as on the development of Uzbekistan society in general. According to the information received, human rights organizations in Uzbekistan are being threatened largely because of their continued criticism of the government, which using the excuse of the "global war on terror," has sought to increase controls on progressive elements of civil society, including the independent women's movement.

The Observatory urges the Uzbekistan government to withdraw the Cabinet of Ministers Decree No. 56 regulating NGO funds, as well as to withdraw the May 27, 2004 Decree on the re-registration of women's NGOs with the Women's Committee and the decree of March 1, 2004. The Observatory also urges the reinstatement of the Forum of Women's NGOs. Moreover, the Observatory urges the Uzbek government to allow and foster the existence and effective operation of civil society groups, specifically groups working for women's rights that have courageously highlighted problems facing Uzbek society.

More generally, the Observatory urges Uzbekistan to take these steps to conform with the provisions of the 1998 United Nations Declaration on Human Rights Defenders and to meet its commitments under the 1979 Convention on the Elimination of all Forms of Discrimination against Women (CEDAW). Specifically the Observatory urges Uzbekistan to respect Article 5(b) of the Declaration, which provides that "everyone has the right [...] to form, join, and participate in non-governmental organizations, associations or groups;" Article 13, which provides for the right "to solicit, receive and utilize resources for the express purpose of promoting and protecting human rights and fundamental freedoms;" and Article 7(c) of CEDAW, which requires state parties to ensure that women have the right to participate in non-governmental organizations and associations.

In hope you will take these considerations and requests into account, we remain,



Sidiki KABA
Président de la FIDH



Eric SOTTAS
Directeur de l'OMCT

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