



PRESS RELEASE

OMCT and OMCT-Europe call upon the EU to partially suspend Partnership and Co-operation Agreement with Uzbekistan

Geneva/Brussels – 12 July 2005 – The World Organisation Against Torture (OMCT) and its European Office (OMCT-Europe) wish to express their deepest concerns about the refusal of the Uzbek government to allow for an international investigation into the Andijan events of 13 May 2005. In view of the next EU External Affairs Council to take place on 18-19 July, OMCT and OMCT-Europe call upon the European Union to reconsider the terms of its co-operation with Uzbekistan and in particular to suspend at least partially the Partnership and Co-operation Agreement (PCA) with Uzbekistan.

The organisations note that the **Council of the European Union**, in its Conclusions of 23 May 2005 concerning the situation in eastern Uzbekistan, deeply regret *“the failure so far of the Uzbek authorities to respond adequately to the UN’s call for an independent international inquiry into these events to take place”* and urged the Uzbek authorities to *“reconsider their position”*. It also stated that *“Depending on the response, the Council will **consider further steps**”*. In its Conclusions of 13 June 2005, concerning Uzbekistan, the Council urged *“the Uzbek authorities to reconsider their position **by the end of June 2005**”* and *“keep under review the case for a **partial suspension of co-operation mechanisms between the EU and Uzbekistan**, especially those elements of the EU-Uzbekistan Partnership and Co-operation Agreement that do not have an immediate impact on the Uzbek population”*.

OMCT and OMCT-Europe note furthermore that the **European Parliament** in its resolution on Uzbekistan of 9 May 2005 stressed that *“the Uzbek government, by continuing to refuse an international inquiry, is failing to meet even its most basic obligations under the PCA’s human rights and democracy clause”* and called on the Council and Commission to *“**suspend direct aid to government bodies**, until a genuine international and independent investigation is carried out with full support from the Uzbek authorities and until widespread human rights abuses are stopped”*.

OMCT and OMCT-Europe fear that without proper and immediate international action, the Uzbek government will recklessly continue to violate human rights law and standards in the name of “war on terror”. Since the Andijan events, a number of acts of reprisals (arbitrary arrests, ill-treatment, threats, smear campaigns, obstacles to freedom of movement etc.) have been committed against human rights defenders denouncing and investigating into these events. Human rights defenders are being portrayed as “traitors to the Nation” and “enemies” by the Uzbek government in an attempt to sanction their monitoring activities of human rights abuses. Generally, *systematic torture and/or ill-treatment practices* are



regularly reported¹, in particular against the poor and other vulnerable groups such as women, children and migrants. But in such cases as in most cases of human rights violations, the *lack of independence of the judiciary*, the *denial of access to legal counsel/lawyer* and consequently, the *absence of a fair trial* make it impossible to obtain any redress. Against this background it is to be feared that any refugee extradited to Uzbekistan by the Kyrgyz authorities will be subjected to torture or ill treatments.

Therefore, OMCT and OMCT-Europe call upon the European Union to consider **invoking Article 95 of the PCA**, which states that “*If either Party considers that the other Party has failed to fulfil an obligation under this Agreement, it may take appropriate measures*”. This could entail **suspending the parts of the PCA that are not directly supporting civil society or the population** as such, as a response to the Uzbek government’s refusal to allow for an independent international inquiry into the Andijan events. **Maintaining long term projects in the field of institutional capacity-building should be re-evaluated in light of their real positive impact on human rights, and the non-interference of the Uzbek government in the implementation of projects with civil society actors should be guaranteed.** Such measures would also be an **important political signal of support for human rights defenders** and other activists fighting for democracy in the country.

Indeed, the organisations further call upon the EU to continue to fiercely condemn human rights abuses in Uzbekistan, to implement the relevant EU Guidelines on torture and on human rights defenders, and to provide strong political and financial support to human rights defenders and civil society in the country.

OMCT and OMCT-Europe acknowledge the dedicated attempts of the EU to maintain dialogue with the Uzbek authorities in order to try to improve the human rights situation in the country. Nevertheless, such a dialogue cannot last indefinitely without results. It is time now for the EU to evaluate its efficiency, as there is evident lack of goodwill and co-operation of the other party. It is time now for the EU to draw the bottom line of values and principles that condition its relationships with third countries, and with Uzbekistan in particular. It is a matter of consistency and credibility of the EU: giving the wrong signal to countries systematically violating human rights that the EU commitments and values are just empty words would only undermine the whole strength of the EU human rights policy in the world without bringing any substantial change to the situation in Uzbekistan.

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¹ See OMCT report on *State Violence in Uzbekistan*, January 2005, and OMCT-Europe report, *Denial of Justice in Uzbekistan*, April 2005, as well as the UN Special Rapporteur on Torture report of February 2003 and follow-up press release dated 13/09/04