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Report on Eurasia Side Event

**Theme:** Prosecution of Human Rights Defenders in Turkmenistan, Uzbekistan and Azerbaijan.

**Participants:**

Azerbaijan- Fuad Hasanov, Managing Board at Democracy Monitor

Turkmenistan- Tadzhigul Begmedova, Turkmenistan Helsinki Foundation for Human Rights


**Summary:** The panel discussed the devastating impact of the criminalisation of the work of human rights defenders in Azerbaijan, Turkmenistan and Uzbekistan. Fuad Hasanov highlighted concerns related to the environment in which civil society organisations and human rights defenders operate in Azerbaijan and the threats they face in the exercise of freedoms of expression, association and assembly. Tadhigul Begmedova spoke about the rights abuses currently experienced by Turkmen civil society and the refusal by Turkmen authorities to hold any kind of dialogue with Turkmen activists including the widespread ‘blacklisting’ of human rights activists and their families. Mutabar Tadijibayeva talked about the situation of journalists, political prisoners and human rights activists in Uzbekistan and her personal experiences as a human rights defender in Uzbekistan. The contributions of the panellists highlighted a disturbing regional trend of the use of legal and pseudo legal measures to restrain the activities of human rights defenders. The event ended with a rousing call for solidarity in the fight against narrowing the space for human rights defenders and civil society organisations.

**The Event:**

**Renate Bloem:** Welcome and thank you for coming. We have heard a lot about human rights defenders in this session. We want to put the spotlight on countries normally not on the radar of the HRC. Today we want to look at the three countries which are rarely mentioned at the HRC and in which way civil society lives and works. What is their role? It is also important to hear what we can do to help and bring visibility to the challenges that they face. It is important to hear their voices. Fuad Hasanov is involved with Democracy Monitor in Azerbaijan. Their work is focused on documentation, reporting, advocacy and peace building. He is also a member of the Azerbaijan committee on integration.

**Fuad Hasanov:** I am very thankful to the organisers for inviting me here. Our voice might be better heard at international level. Civil society organisations are exposed to irrelevant restrictions. New regulations passed by the cabinet are regulating civil society, financial time
lines presented with unreasonable time lines. International civil society organisations have to agree not to contravene local values or participate in political or religious propaganda. Fines for contravening these ill-defined concepts and provisions.

Grant agreements must be publicised. The fines are high enough to seriously stifle civil society activity. NGOs receiving any donations over 200 euros without a grant agreement are subject to penalty which has complicated fund raising.

There are heavy fines for minor faults and even the slightest misdemeanours are prosecuted.

The clamp down intensified during the Eurovision contest.

A human rights activist was arrested under trumped up charges. He was been badly treated because he spoke up on graft. An activist involved in cyber campaigns was arrested on trumped up drug charges. He was held and his family not informed of his arrest for two days. Using drug charges is a favoured tactic of the government. There are a lot of politically motivated prosecutions. A lawyer who challenged the government compensation package for citizens whose houses were destroyed by authorities building a performance hall for Eurovision was arrested on drug charges but eventually released. The disappearance of one of the organisers of a peaceful protest only 3 days ago and a crackdown on conscripted youth by the military. The creator of a Facebook page in mock tribute to the president and his father the former president has been arrested. The environment for civil society is being narrowed down.

There is a ban on protests in Baku city centre.

All this amounts to disproportional limitations on freedom of assembly.

Recommendations:

- Greater involvement of international human rights organizations.
- Azerbaijan is major in oil and gas. It is difficult to make any new recommendations. The European Union involvement will help with greater scrutiny.
- Call on your governments to put special attention and encourage the Azerbaijani government to further promote human rights and space for civil society.
- Human rights advocacy work should be further developed. Think about sanctions to show seriousness to the political elite. We need to keep the government accountable before the international community.

Thank you for your attention.

**Renate Bloem:** We are within the realms of the HRC which is a completely different mechanism. The UPR is coming up and we hope that some of the governments will take up the issues. We hope they will influence international advocacy. Tadzhigul Begmedova runs an NGO to watch the promotion of human rights.

**Tadzighul Begmedova**: I have here a letter written by a wife whose husband was arrested in 2003 in Turkmenistan. Her relatives couldn't leave Turkmenistan last year because they were blacklisted. 37000 people are blacklisted officially but the number is in the hundreds of
thousands. In Turkmenistan every one fighting for rights is labelled a public enemy. To be an activist is to be a public enemy. The government has claimed that they have effective measures to allow NGOs to register freely and act freely. What is the real situation? In December 2011 he was interviewed by the reader freedom who claimed that it was registered illegally. He was arrested and then placed in a public rehabilitation centre. There are severe restrictions on national and international resource mobilisation.

Approval from the Minister of Justice can be extremely protracted. As a result, independent civil society groups are almost non-existent and the number of CSOs has reduced to 99, which mostly constitutes sport and government sponsored NGOs. Complete opposition to human rights monitoring. Our organisation is based in Bulgaria as we cannot operate in Turkmenistan. In 2011 2 singers were arrested and the pretext for their arrest was an interview with a Turkish TV channel. One of the songs was interpreted as a call for resistance. The lesson from this event is that no one is above scrutiny. The international conferences are more frequent but journalists, bloggers and activists are not allowed to participate.

The access to information for the public is also banned. Norway’s recommendation was rejected by Azerbaijan. Thousands of citizens are unclear of why they are blacklisted. Radio Free Citizen personnel were not given any information on why they couldn’t return to Turkmenistan.

I have only mentioned some names but there are plenty, dozens and dozens. Many families are suffering because they think differently. In my family, my parents and my nephews are being refused access to leave the country. My nephew is a student in St Petersburg and has been unable to leave to return to school.

The total lack of civil society, coupled with the limitations on freedom of movement is a completely restrictive environment for the operation of civil society. Why doesn't the government want to start a dialogue? The new regime is approving of the actions by the previous regime.

We know that local administrations are afraid of dealing with main authorities. The only way out is rehabilitation and we noted that the Amnesty international report did not mention this fact (full text available here). We need courses for activists trying to open NGOs in our country. We also see the UPR as an opportunity for international pressure to advocate for space for civil society.

**Renate:** Turkmenistan is absolutely closing. Any independent thinker is subjected to incredible pressure. We hope the UPR is used to ask the difficult questions. We have Mutabar who is a world-known activist from Uzbekistan. She has been through torture and other incredible persecution by the government. She received the Martin Ennals award and has been distinguished by Hilary Clinton. She has stood witnessed against her government many times. Just recently, she wanted to see where the Uzbek ambassador was living. She moves from notoriety to notoriety.

**Mutabar:** Thank you for listening to us. I would like to say a couple of words about the latest incident in Geneva when I tried to approach the former ambassador of Uzbekistan. We tried to reach the villa to see where the money of our people has been invested. When we saw somebody, a security officer, we tried to enter the house and ring the doorbell and they told us there was no one there. The guard took a copy of my passport. The police invited me to an
interview the following Sunday so I left for Paris. Thank you to the Martin Ennals Foundation who helped me to find a lawyer. Yesterday we came to Geneva. The complaint was full of false statements. We did not try to enter the house or cry out loud. In the Uzbek papers this week there are numerous reports of what happened. We all know that this lady is the daughter of the president. She is never in the UN. She has never done anything in her capacity as UN representative. She is claiming that I tried to violate her rights when she has been complicit and benefitted from the systematic violation of the rights of the Uzbek people.

When we talked to the police they said that the video system did not work. There is a propaganda against all human rights defenders and myself.

I am a former political prisoner. The way they are being treated is heinous and the authorities behave in a horrible way. They treat political prisoners in a degrading way.

By threatening the further expulsion of all western organisations the government is able to blackmail the west. Fragile civil society is uprooted and practically destroyed. Only few dare to speak about human rights problems. We were unable to submit a letter to the OSCE setting out our grievances; this is how we are entirely removed from the process.

Meanwhile, in 2011, many people were waiting for the global amnesty to celebrate the anniversary of independence. A wide scale amnesty was announced, however not a single political prisoner has been set free. One of the first democrats was prosecuted for his work during the soviet time and the Uzbek authorities put him in jail twice. On the 16th of February the jail sentence ended.

Many authorities instigated criminal case against an activist and his sentence was extended twice. This article is used against human rights defenders. I had to face charges under article 11. More charges were added during the course of the investigation. His wife wrote a letter saying that her husband was fully eligible for amnesty.

We believe in a free Europe, wise policy makers and human rights defender citizens. We urge that your first step be your signature of this petition.

I needed to be liberated as a political prisoner because I fought for their freedom. Through my networks I am here and I will continue to fight as long as I am alive. Please do not forget about us.

Renate: Your message is very powerful. We need to stand in solidarity. We have found that there are similar stories. When we ask critical questions, immediately there is a clamp down. Your call to be in solidarity with the people of Uzbekistan - and all those who act on behalf of human rights- we have heard this very clearly Mutabar. There are some people from Bahrain who have suffered what you have. Before introducing them we have heard our 3 speakers we also have some additional interventions.
**Former Human rights Watch:** I used to represent HR watch in Tashkent. We are here to hear from local human rights defenders. In the case of Uzbekistan we were the last one to be kicked out. I can only be surprised as to how a small country has been able to trick the United States and European Union. I was constantly under pressure to view it through rosy pictures. As a Russian I was used to cynical politics but I was shocked to see it from western countries. The government arrests a pool of people to release when the west wants program.

**Maryna Gusyakova:** Uzbekistan was first examined in 2008. The situation has not changed. The document highlights the main problems in Uzbekistan such as restrictions on the internet. Uzbekistan is a highly repressive environment for internet users. There is rampant detention and politically motivated charges. Our work is being made impossible by closed door policies and violence by criminals recruited by the government. In June 2011, 29 individuals were forcibly returned to Uzbekistan despite the risk of refoulement.

Recommendations:

- Take adequate measures to give effect to laws for protecting civil society and promoting human rights.
- Open invitation for the special rapporteur and UN mandate holders.
- Ask the Uzbek government to abolish restrictions on internet freedom.
- Respect the opportunities for civil society to function.
- Immediate and unconditional release of human rights defenders.
- Register NGOs in an uncomplicated, transparent and clear process.
- Stop charging believers for their religion.

**Renate:** We are now going to open the floor to questions.

**Aisha Onsando CIVICUS intern:** Given the rights to reply exercised by Uzbekistan, Turkmenistan and Azerbaijan (notes below) what are the chances of productive dialogue?

**Uzbekistan**- accused the statement by the USA of being unsubstantiated. Clearly politically motivated and unsubstantiated. We are committed to upholding freedom of conscience and belief. We meet the requisites for meeting the religious needs of all citizens. The system of religious training is not unfairly exclusionary but caters to the majority needs. We urge a return to the spirit of dialogue within the council.

**Turkmenistan**- our law reflects the best practice in media law. The ownership of media has been diversified. We are hosting a conference on internet freedom. We are laying ground for a truly pluralistic media in Turkmenistan. We are forging a new path forward on freedom of expression that is sensitive to our country situation.

**Azerbaijan**- why does Norway raise these senseless points? International Human Rights House cannot register as it is not impartial at all and we do not take the comments of Norway in this context at all seriously. Nothing raised is relevant. We will work only with NGOs committed to impartiality and who respect the law. Remarks are the product of the sick imaginations of the
permanent mission of Norway. We believe Norway should focus on the problems with indigenous people of their own country.

**Responses by Panelists:**

**Mutabar** - the Uzbek government takes the same approach. They repeat again and again that there is democracy in Uzbekistan. Prior to the latest amnesty, one third of the NGOs prepared petitions for the release of political prisoners. In Uzbekistan there are no entities who are afraid of pressure from international society - reply by Member of Parliament is evidence of that. It shows that the geopolitical interests are primary. I think that the state department knows the situation.

**Tadzhigul** - when a child is not allowed to eat something sweet you can see that he has eaten the jam even when he is lying. Why are independent NGOs not allowed to register themselves? There are no representatives of radio liberty. There are no attempts to engage in dialogue contrary to what the government chooses to portray to the international community.

**Fuad Hasanov** - what is the possibility of dialogue? That is a good question. Very high ranking official made a statement that a dialogue would be held with local civil society organisations. I remember that was in October. A meeting was organised and up to 70 or 80 recommendations were made and 20 days after that the new amendments on peaceful association were approved by parliament and in February very detrimental additions were made to the law. The government understands dialogue very differently than we do. These are just lies told to the international community. Better to confess than to deny. Human Rights House Foundation has been deregistered and has been making a lot of noise hence the noisy response.

**Azerbaijan** - the initial report on the UPR shows that nothing has changed even though the recommendations were all the same. Since 2009 there were 87 attacks on journalists and none of the perpetrators have been punished. UPR follow up is also something we would like to see more of. We would appreciate training on UPR follow-up.

**Renate Bloem**: when governments come together and make joint statements, and when civil society stands in solidarity with each other, regionally and cross regionally, to bring the issues to the foreground at the council, we hope that we will see the beginning of change. Governments are vulnerable, they hate to be finger pointed. That is why we are provided this platform today. Thank you all for attending our side event.