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GOVERNMENT-OPPOSITION RELATIONS IN UZBEKISTAN



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EXECUTIVE SUMMARY

- On January 3, 1997, Uzbekistan's Ministry of Justice turned down an application for registration by the Human Rights Society of Uzbekistan, ending a more optimistic phase in the troubled history of government-opposition relations in Central Asia's most populous country. Along with other disturbing recent developments, especially the harassment of former Vice President and current opposition leader Shukrullo Mirsaidov, the Ministry's rejection signaled the regime's decision to maintain repressive policies, while publicizing the rhetoric of human rights. The refusal to register an independent human rights monitoring organization, led by well known, moderate dissidents committed to a dialogue with the government of President Islam Karimov, seriously dims prospects in the foreseeable future for liberalization and for the improvement of Uzbekistan's image in the international community.
- Until citizens can enjoy the most basic freedoms in Uzbekistan, it will be impossible to take seriously Karimov's claims to support democratization. Experience indicates that Tashkent is susceptible to pressure from Western governments, and perhaps NGOs. Without Western prodding, the prospects for genuine political reform are slim. If, on the other hand, Western capitals continue to press, linking improved relations and strategic ties to step-by-step democratization, President Karimov may grudgingly put into practice what he says about human rights.

BACKGROUND

Since 1992, Uzbekistan has been one of the most repressive former Soviet republics. The U.S. State Department's annual human rights reports have chronicled the government's continuing violations of OSCE commitments, such as the jailing of political activists, tight censorship, the ongoing crackdown on dissident activity, the absence of genuine political pluralism, and the disappearances of independent Islamic leaders. Reports by non-governmental groups, especially Human Rights Watch/Helsinki, have also documented the poor human rights situation in Uzbekistan.¹

The level of repression has been particularly striking considering that Uzbekistan was far more liberal as a Soviet republic in the late 1980s than it is today. In response to Mikhail Gorbachev's glasnost and perestroika, a nationalist-democratic opposition arose. The most prominent groups were Birlik, led by Abdurahim Polatov, and its offshoot, Erk, chaired by the poet Mohammad Solih. As in other Soviet republics at the time, various planks of the Uzbek opposition's program, such as the demand for sovereignty and respect for the national language, proved handy for local officials eager to carve themselves some leeway from Moscow, while building nationalist credentials and appealing to popular domestic sentiment. Taking a lead from Communist Party leader Islam Karimov, who conferred with opposition spokesmen, the state-run mass media openly discussed sensitive topics, including Uzbekistan's relations with Russia, Uzbekistan's pre-Bolshevik history, and the country's ecological problems. The authorities registered Erk as a political party and Birlik as a social movement, permitting them to function, occasionally to issue publications, to hold meetings and to recruit supporters. Of course, both organizations, like other informal groups, were always under government pressure and their activity was restricted, but by the end of 1991, this relative liberalism had reached surprising levels. In Uzbekistan's December 1991 presidential election, Mohammad Solih ran against Islam Karimov. The authorities employed various stratagems to keep Birlik's Polatov out of the race, but Solih, according to official figures, won 12 percent of the vote.²

This "honeymoon" period did not last long beyond Uzbekistan's December 1991 referendum on independence.³ Student demonstrations in Tashkent in January 1992 alarmed the regime, which called out troops and police, killing at least two persons and injuring others. But the fear of emulating neighboring Tajikistan, where regional disputes and the communist government's confrontation with secular and Islamic opposition groups had erupted into chaos and civil war,

¹See also Commission on Security and Cooperation in Europe, Human Rights and Democratization in the Newly Independent States, Washington, D.C., January 1993.

²See Commission on Security and Cooperation in Europe, The Referendum on Independence and Presidential Election in Uzbekistan, Washington, D.C., January 1992. Tajikistan—where a strong opposition compelled the communist regime to form a coalition government before a full-scale civil war broke out in 1992—was the only other Central Asian country to hold a multi-candidate presidential election, in November 1991.

³ Uzbekistan had already declared independence in August 1991.

apparently was instrumental in Karimov's policy shift. Uzbekistan joined the CSCE⁴ in February 1992 and pledged adherence to its human rights commitments. A few months later, however, accusing the opposition of trying to destabilize the country, stirring up inter-ethnic tension and propagating Islamic fundamentalist views, authorities began a wide-ranging campaign to uproot any manifestation of political dissent.

In June, unidentified individuals wielding iron rods attacked Abdurahim Polatov outside a Procurator's office. Fortunate to survive severe head wounds, Polatov left Uzbekistan in December 1992 and now lives in Turkey. In December 1992, Uzbek security agents abducted Polatov's brother Abdumannob, a leader of Birlik and Chairman of the Human Rights Society of Uzbekistan, from a human rights conference in neighboring Kyrgyzstan. They forcibly returned him to Tashkent, where the authorities charged him with "insulting the dignity and honor of the president." The court sentenced him to three years in a corrective labor colony, but after protests by Western governments and human rights groups, Polatov was released under an amnesty. He left Uzbekistan in February 1993, arriving soon afterwards in the United States. The repression intensified, however, with political activists suffering imprisonment, detention, beatings, harassment, dismissals, and in some cases, disappearing altogether. Mohammad Solih fled the country in April 1993. One month earlier, the government had ordered all public associations to undergo re-registration. In September 1993, Birlik submitted the relevant documents, which the Ministry of Justice claimed never to have received; Erk did not bother reapplying. In general, opposition political parties were forced underground, abroad or into inactivity. Those opposition activists not too fearful to continue engaging in politics were prevented from meeting visiting Western dignitaries. The authorities tightened controls on the media, which had enjoyed a brief period of relative openness, but now returned to serving traditional communist-era functions.

Meanwhile, President Karimov was busily consolidating his hold on power. In December 1994, parliamentary elections took place, which were nominally multi-party and multi-candidate, but in fact, all the participants were pro-government and government-approved. Uzbekistan held a referendum on March 26, 1995, which canceled the presidential elections scheduled for 1997 and extended until the year 2000 Karimov's mandate.⁵ Although the December 1992 constitution enshrines separation of powers and independence of the judiciary, all courts remained under tight government control. The result of this "state-building" in Uzbekistan was a severely authoritarian system, with a veneer of political pluralism and a mantra of stability and gradual reformism-corresponding to proclaimed Uzbek national traditions-as the government's primary goals and raison d'etre. In most respects, communist era controls were firmly back in place, and Uzbekistan ranked near the bottom of the list of reforming new independent states.⁶

⁴The CSCE (Conference on Security and Cooperation in Europe) was renamed the OSCE (Organization for Security and Cooperation in Europe) as of January 1, 1995.

⁵According to official figures, 99.6 percent of the electorate turned out and 99.4 percent voted affirmatively.

⁶Only war-torn Tajikistan and Turkmenistan under President Saparmurat Niyazov-who never allowed any opposition to develop and who pioneered the practice of holding referendums to extend presidential tenure-ranked lower than Uzbekistan.

Nevertheless, in September 1996, the OSCE's Warsaw-based Office of Democratic Institutions and Human Rights (ODIHR) organized a conference on National Human Rights Institutions in Tashkent. Some Western and Uzbek human rights organizations questioned the appropriateness of holding a human rights event in Tashkent, given the country's record, but there were reasons to hope the conference would promote genuine improvements already underway. In 1995 and 1996, Uzbek officials had begun making a concerted effort to burnish their country's abysmal image. Karimov has said publicly that political reforms were lagging behind economic changes, and the gap was damaging Uzbekistan's overall development prospects. But the shift may have been more closely linked to the leadership's apparent strategic decision to build a good working relationship with the United States. Under Karimov, Uzbekistan has participated in economic cooperation initiatives with Russia, but has resisted pressure from Moscow for greater political-military integration within the CIS, and better ties with the United States would help Tashkent counter Russia's neo-imperial designs.⁷ Moreover, improved relations with the United States could help bolster Uzbekistan's economy and attract sorely needed investment. Blocking an improvement in relations, however, and spoiling the atmospherics of bilateral ties was Uzbekistan's reputation for repression. For example, Karimov had never had a meeting with an American president, reportedly because of Washington's displeasure over Uzbekistan's human rights record.

Accordingly, the regime took some steps to recognize the existence of an opposition, after releasing five political prisoners in November 1994. In January 1995, Uzbekistan's Minister of Justice visited Washington, and took part in a meeting with the opposition organized by the National Democratic Institute for International Affairs. Abdurahim Polatov and Mohammad Solih, as well as Abdumannob Polatov and Uzbekistan's first Ambassador to the United States, Muhammed-Babur Malikov, participated.⁸ Although Abdurahim Polatov and Mohammad Solih engaged in their customary squabbling, the encounter was noteworthy for the willingness of Uzbekistan's government representatives to discuss the regime's vision of democratization and human rights concerns with individuals officially accused of serious criminal and anti-state activities.⁹

Government-opposition relations improved little in the ensuing months, but Uzbekistan's government did create a human rights office in the parliament in February 1995, and a commission on constitutional and civil rights in May. Uzbekistan also signed a series of international human rights conventions, including the International Covenant on Civil and Political Rights. In July 1995, the OSCE opened an office in Tashkent to monitor human rights in Uzbekistan and in other Central Asian countries. Representatives of New York-based Human Rights Watch/Helsinki-which had been

⁷Tashkent has opposed the emergence of any supra-state institutions within the CIS, has been the most avid Central Asian participant in the U.S. Partnership for Peace program, and has studiously voted with the United States in the United Nations.

⁸Claiming he would be persecuted for his democratic views, Malikov-who had returned to Tashkent, having been given another official appointment-made his way back to the United States, where he has remained.

⁹According to Uzbek officials, Solih organized the terrorist training of young Uzbeks studying in Turkey on exchange programs, with the intention of using them to overthrow Uzbekistan's government. Solih has denied the charges.

denied visas for two and a half years-traveled to Uzbekistan twice in 1995 for meetings with authorities to discuss avenues of cooperation. These initiatives accelerated in 1996, when Tashkent evidently decided to reach out more intensively to foreign and international organizations. In March, the BBC gained permission to broadcast in Uzbek on medium wave in Uzbekistan. One month later, Radio Free Europe/Radio Liberty opened an office in Tashkent, as did the Soros Foundation's Open Society Institute in June, followed in July by Human Rights Watch/Helsinki. The same month, the parliamentary commission on human rights issued a report that criticized government agencies, citing the growing number of complaints from the public as proof that "people have received bureaucratic, callous, indifferent treatment."¹⁰

The Ministry of Justice also registered a local human rights NGO in June 1996, the Committee for the Protection of Rights of the Individual, chaired by Marat Zahidov. The Committee enjoys clear government solicitude, as it won registration without fulfilling all the legal requirements, whereas Uzbek officialdom routinely rejects applications for registration from less favored groups on real or contrived technical grounds. Moreover, Zahidov has been very supportive of President Karimov. Still, the Committee has ties to some opposition figures as well, and reportedly has had difficulty publishing some critical assessments of the human rights situation.

All these image-polishing efforts bore fruit, when a Human Rights Watch/Helsinki report on Uzbekistan (May 1996) stated that "well-publicized arrests, detentions, and beatings of political dissidents" had "decreased markedly," even though basic civil liberties "remain suspended." Far more important for President Karimov, he got his long-desired meeting with an American President while visiting the United States in June 1996. One week earlier, the Uzbek government had released 80 prisoners, including members of Erk, who had been found guilty of anti-government activities. For its part, the opposition, which had united in an umbrella organization, the Coordinating Council of the Activity of Uzbekistan's Democratic Movements, explicitly stated its readiness "under the new conditions," for "establishing a dialogue with the government."¹¹

Throughout this period, President Karimov intensified his rhetorical campaign for democratization. In July, he said that active opposition parties, a Western-style press, and the safeguarding of citizens' rights are essential to Uzbekistan's development. In an August 1996 address to the parliament, he elaborated that "we mean constructive opposition capable of advancing society along the road of progress and renovation." Unfortunately, he continued, Uzbekistan had experienced those who "pretended to be an opposition" and "chose the way of pseudo-democratic .extremist slogans and actions." Nevertheless, Karimov asserted that "strong mass public counterbalances" in society were essential to forestall official arbitrariness. He called on the media to become a "champion of democratization," and urged the opposition to develop a clear program and win over the people, "especially in the course of a pre-election campaign." The implication seemed to be that if opposition groups wanted to be "constructive," as he defined it, they might be allowed to participate in the political process.

¹⁰ Foreign Broadcast Information Service (FBIS-SOV), Daily Report, July 18, 1996, pp. 56-57.

¹¹The Council sent a letter to President Clinton on June 10, 1996, in which its leadership made this point explicitly.

In August, Karimov decreed another amnesty and reduced jail terms for some prisoners. But perhaps the most noteworthy outreach gesture in this campaign was the granting of safe passage to Uzbekistan for Abdumannob Polatov. In the United States, he had devoted himself since 1993 to publicizing human rights violations in Uzbekistan and other Central Asian countries,¹² while maintaining an occasional, cautious dialogue with Uzbek officials since 1995. At Karimov's June 1996 press conference in Washington, Polatov specifically asked whether he could return to his homeland and continue his human rights activity. Karimov said he could return, and Polatov decided to take the risk. Apart from being a leader of Birlik, he is chairman of the Human Rights Society of Uzbekistan (HRSU), an opposition-linked group formed in February 1992. Uzbek authorities denied the HRSU's application for registration in 1992, and Polatov's primary purpose in returning was to oversee a new attempt to win the Society's registration in the new, apparently more welcoming environment.

All these steps by the regime combined to create the impression that Tashkent had rethought, at least to some degree, its position on human rights and political pluralism. True, there had been no progress on censorship or the registration of truly independent NGOs, and all four registered political parties in Uzbekistan fully support the government. Nevertheless, considering the change in rhetoric and the undeniable advances in foreign monitoring of the human rights situation, the U.S. Government decided to send to the Tashkent ODIHR conference a delegation, headed by Stephen Coffey, Principal Deputy Assistant Secretary of State for Democracy, Labor and Human Rights. A representative of the Helsinki Commission also attended, as part of the U.S. delegation.

Western governments, pointing to these more liberal policies, assumed that Tashkent would want to get a good grade for conducting the ODIHR conference. Furthermore, it was thought that Karimov's invitation to Polatov to return signaled a decision to register the HRSU, led by a credible but moderate opposition leader, as a means of launching a serious, ongoing dialogue with the opposition. The more optimistic Western observers imagined that an institutionalized government-opposition dialogue would lead to greater freedom of speech, an accelerated program of democratization, and even the registration of opposition political parties in time to contest the scheduled 1999 parliamentary elections.¹³

Though all the signs seemed favorable, a strange and unpleasant incident marred the pre-conference atmosphere. John MacLeod, a British citizen and the director of the recently opened Human Rights Watch/Helsinki office in Tashkent, was detained on the street on August 30 by a plainclothes policeman who took him to a police station, where he had to remain all night long. Officers forced MacLeod to strip down to his underwear, relinquish his personal property, and do sit-ups, while verbally abusing him. They alternately accused him of drunkenness, possession of weapons, and possession of narcotics. MacLeod was released the next morning, without any charges

¹²Throughout this period, Polatov has been associated with the Washington-based Union of Councils, heading its Central Asian Human Rights Information and Monitoring network.

¹³ More cynical analysts figured that Karimov was counting on the various human rights groups-pro-government and independent-to devour each other in typical internecine struggles, leaving them too weak or busy to criticize the government, which could nonetheless claim credit for permitting them to function while pointing out their ineffectiveness and immaturity to Western critics of the regime.

having been filed. As a condition for his release, he had to sign a statement that he had “drunk beer” prior to his arrest. The police never let MacLeod contact the British Embassy, in violation of U.K.-Uzbekistan bilateral agreements, or call an attorney.

Considering President Karimov's efforts to demonstrate his dedication to democratization and improve Uzbekistan's image, the arrest of a British citizen representing a Western human rights organization on the eve of an important human rights conference was mystifying. Western embassies protested his scandalous treatment to Uzbek officials, who at first defended the actions of the police and accused MacLeod of public drunkenness. As Western pressure mounted, especially from the U.S. and British embassies, however, they pledged to look into the matter again and discipline police officers found to have abused their authority.¹⁴

Nor was MacLeod's misadventure the only troubling development in the run up to the conference. Though Abdumannob Polatov had arrived in Uzbekistan in August to prepare for the conference and to resubmit registration documents for the Uzbek Human Rights Society, officials found various technical pretexts to impede his efforts. True to form, not until the last moment, urged on by foreign embassies, did they grant permission for the HRSU to hold a founding congress, or “kurultay.”

The congress eventually took place on September 7, marking the first time in years that dissidents had managed to hold a legally sanctioned meeting. After discussions among participants about the Society's future course, Polatov retained his chairmanship, outpolling deputy chairman Mikhail Ardzinov, who had run the HRSU during Polatov's three-year absence.

With the kurultay having taken place, and Uzbek officials promising to investigate police abuse of MacLeod, the ODIHR conference, in which all sides had invested high hopes, seemed to be on track. Nevertheless, it was not clear whether there would be restrictions on the right to participate and speak, and Uzbek and Western participants were prepared for unpleasant surprises.

September 1996 OSCE-ODIHR Conference: The ostensible purpose of the conference was to exchange information about human rights institutions in various countries. A special focus of attention was the experience of ombudsman offices in Central and Eastern Europe. Representatives from OSCE countries with some form of human rights ombudsman explained the purpose, structure,

¹⁴Uzbekistan's Minister of Foreign Affairs Kamilov wrote to Human Rights Watch/Helsinki on September 10, explaining that the police had found an individual-MacLeod-on the street in the evening in “a state of intoxication” and had therefore brought him to a detoxification facility. Kamilov denied MacLeod had in any way been abused, and asserted that his treatment was in accord with Uzbek law. This explanation infuriated MacLeod, who threatened to leave Uzbekistan unless the authorities took his complaint seriously, and the U.S. and U.K. embassies backed him. The departure of Human Rights Watch/Helsinki's representative would have been extremely embarrassing for President Karimov. On September 11, Minister Kamilov wrote to Human Rights Watch/Helsinki that an investigation of the incident was underway. On September 30, Uzbekistan's Foreign Ministry conveyed to Human Rights Watch/Helsinki its regrets about the MacLeod incident, explaining that the officers should have brought MacLeod to his hotel room, instead of a police precinct, and claiming that the guilty parties among the police had been called to “disciplinary accountability.” Nevertheless, the letter did not specifically withdraw any implications that MacLeod might have been doing something that warranted police attention.

functioning and limitations of the institution in their respective countries, and the chairwoman of Uzbekistan's Parliamentary Human Rights Commission informed participants about its achievements. Other sessions spotlighted the role of the mass media in the cause of democratization and protection of human rights.

A much more important indicator for assessing the seriousness of official Uzbek professions of dedication to human rights principles, however, was the level of freedom of speech at the conference. In this respect, the Uzbeks' conduct of the proceedings undoubtedly marked a major step forward, in relation to Uzbekistan's general record on openness and human rights and to the last major CSCE/OSCE conference in Uzbekistan. At the September 1994 ODIHR Seminar on General CSCE Issues in Tashkent, only through the personal intervention of ODIHR Director Audrey Glover and other foreign invitees did any representatives of the opposition manage to address the attendees. Vassiliya Inoyatova, one of the few members of Birlik not imprisoned or intimidated into silence, twice made interventions about the state of human rights in Uzbekistan. The only other opposition representative was a member of Samarkand, a Tajik organization based in that city, who spoke about discrimination against Tajiks.

In September 1996, by contrast, Uzbek authorities created a much more open environment. NGOs had every opportunity to speak. Among those who did—apart from Western organizations like the Union of Councils and Amnesty International—were Abdumannob Polatov, chairman of the Human Rights Society of Uzbekistan; Shukrullo Mirsaidov, the leader of the opposition's Coordinating Center; and representatives of the independent Islamic community.¹⁵

Polatov's interventions were strongly critical of Uzbekistan's human rights policies, and he warned that without real liberalization, the country was headed for disaster. He called for the registration of the Human Rights Society and other independent NGOs. Obliquely referring to President Karimov's resolve to remain in power, Polatov also noted that Mikhail Gorbachev, who had launched democratization in the USSR, was still involved in politics, proving that in the post-Soviet era, politicians' lives can continue after presidential terms end. Nevertheless, Polatov was careful to acknowledge the progress made and to state explicitly his desire for a continuing dialogue with the regime.

Mirsaidov, Uzbekistan's former Vice President and Prime Minister, fell out with President Karimov in late 1991. In August 1993, the authorities accused him of embezzling over \$5 million dollars in 1990-1991 cotton selling machinations, and sentenced him to three years in prison. Mirsaidov, who received an amnesty for his jail sentence, maintains the conviction was politically motivated.¹⁶ At the September 1996 conference, in his first public statement in years, Mirsaidov

¹⁵Several independent Islamic clerics have disappeared since 1992. The three best known are Abdulla Utaev, Abduvali Qoi Mirzo and Ramazanbek Matkarimov.

¹⁶The clash between these two former allies and friends came into the open in September 1991, when Mirsaidov, then vice president, signed a letter, along with 200 deputies of the Supreme Soviet (legislature) protesting Karimov's increasingly authoritarian policies. By early 1992, Karimov had eliminated the post of vice president. In July 1992, Mirsaidov resigned his seat in parliament. Mirsaidov today claims the judgement against him of over \$5 million is way out of line, and that a Moscow arbitration court had set the amount at about \$130,000.

denounced all notions of double standards, arguing that human rights in Uzbekistan should be no different from human rights in the West. He rejected the idea, defended by some government spokesmen, that Uzbek journalists were unprepared for full freedom of the press. Mirsaidov urged accelerated human rights reforms, with the help of independent NGOs to work out the program.

The independent Islamic clerics were the most categorical in their criticism of Uzbekistan's human rights practices. One voiced the hope that "weapons and drugs would not be found in our homes tomorrow, as often happens to independent religious leaders in Uzbekistan." He noted that "average people have no rights at all" in Uzbekistan, that anyone can be arrested without due cause or kidnaped by the police. In response, government spokesmen and pro-regime clerics claimed that Uzbekistan permits full freedom of religion, and warned that radical religious ideas were spreading in Uzbekistan that did not correspond to local customs.

The chairman of the Committee for the Defense of the Rights of the Individual, Marat Zahidov, also made frequent interventions. Most often, he attacked independent opposition leaders, especially Abdumannob Polatov, while lauding President Karimov's contributions to human rights and stability. Zahidov's exchanges with Polatov bolstered the suspicion that his Committee had been registered quickly as evidence of pluralism in Uzbekistan, and that his task was to besmirch more independent human rights NGOs.

All the participants stressed the usefulness of the forum's bringing together a large group of experts and ombudsmen to share information. Nevertheless, NGOs, both Uzbek and Western, strongly argued that national human rights institutions, such as parliamentary commissions and ombudsman offices, could not supplant independent NGOs or reliable legal structures in Uzbekistan.

From the perspective of Western embassies and Uzbek opposition groups, the conference went better than anticipated. Genuinely independent NGOs, critical of the government, had the freedom to make whatever points they wanted publicly, for the first time in years. Government spokesmen defended their position, rebutting opposition arguments and statements, but generally did so without rancor, condescension or insults, and always stressed their commitment to continued democratization. Remarkably, Uzbek state radio interviewed Polatov during the conference, and then broadcast the interview without censoring any of his remarks. All in all, the hopeful prognoses before the conference seemed to have materialized and the groundwork seemed to have been laid for further progress.

Post-Conference Developments: Unfortunately, September 11-13, 1996, has turned out to be the high point of optimistic assessments and projections about Uzbekistan's democratization. Since the conference, Uzbekistan's authorities have reverted to form, cracking down on the opposition, and signalling their apparent intention not to register any genuinely independent human rights monitoring organization in the foreseeable future.

Signs of the turnaround were obvious soon after the conference ended. A scathing article in Pravda Vostoka (September 19, 1996) attacked "those who in the early 1990's on the wave of restructuring and false democracy almost plunged our country into the depth of chaos and civil confrontation with their appeals fomenting rally-type passions. Alas, compatriots arriving from

abroad, who spoke at the seminar, obviously did not [understand] the role and place of [a constructive] political opposition in society. Undoubtedly, everyone has the right to say what he likes and to seek what he likes, but not in politics." [sic] Having excoriated Polatov, without naming him, the commentator then gave Mirsaidov the same treatment: "Other types of 'has beens' also appear on public rostrums today, who have disappeared from the political arena owing to crimes. [They] have now changed their methods of work very rapidly and have become even more fervent advocates of democracy and of the protection of human rights and freedoms."

More ominous was a similar article in *Narodnoe Slovo* (September 25, 1996), because its author was none other than Abdulaziz Kamilov, Uzbekistan's Minister of Foreign Affairs. His rhetoric had hitherto been cautiously supportive of a government-opposition dialogue. But in the wake of the surprisingly open conference, Kamilov attacked the opposition in Soviet-style language.

Kamilov wrote "We have come to understand that a constructive opposition is an indispensable element of any civilized state." But referring to the just completed ODIHR Conference—which, he said, demonstrated Uzbekistan's commitment to continuing democratic reforms—he lashed out at dissidents, whom he called "people with excessive, uncalled for ambitions, [who] lived well under the Soviet regime and who managed to line their pockets at the beginning of the nineties when our independent state was only just standing on its own feet. Today they cannot come to terms with what they lost, and that [the] time when they could profit from the chaos is gone forever." Kamilov expressed pity "for these people whose best days are in the past, who have wilfully opted for staying in the past. These people did not want to help their homeland through hard times and did not want to share with their own people the difficulties which have arisen along the path towards democracy and a worthy life." He concluded "A new generation which has not discredited itself through double dealing, demagoguery, political and economic intrigue, is now entering into social and political life. It is they who can become the fulcrum of society as a whole along the difficult path towards democratic renewal."

Kamilov's caustic references to the opposition unmistakably targeted Abdumannob Polatov, who was still in the country gathering the necessary documents for the Human Rights Society's registration application to the Ministry of Justice. Despite these ominous signs of a changing atmosphere, he submitted the registration petition on October 3. The Ministry of Justice had a maximum of three months to consider and reply to the application.

ODIHR Roundtable on Media Issues in the Transition to Democracy: On October 5-6, 1996, ODIHR organized another meeting in Tashkent, a Roundtable on Media Issues in the Transition to Democracy. Among the topics were: state policy and the mass media; the law on mass media in Uzbekistan; mass media and public opinion; and the responsibilities and ethics of journalism. The participants included representatives of various OSCE states, as well as the host country.

After the free exchange of views at the September forum, and the radio broadcast of an interview with Abdumannob Polatov, observers had expectantly looked for further evidence at the October Roundtable of liberalized media control in Uzbekistan. One of the possible steps discussed with Uzbek officials in September, for instance, involved an announcement at the Roundtable that opposition perspectives would appear in the state-run media. Other possibilities included easing

pressure on the distribution in Uzbekistan of opposition publications produced in Moscow or elsewhere.

No such initiatives were announced or took place. In fact, the Uzbek organizers invited no representatives of media that were not wholly government-controlled and subject to rigorous censorship.¹⁷ Nor were there any independent advocates of media freedom or any opposition figures in attendance, except for Marat Zahidov, Chairman of the Committee for the Protection of the Individual. According to participants, he did speak about censorship, but also used his interventions to blast Western attendees who criticized the absence of independent media representatives. The absence of any independent opposition representatives and the telling failure to invite Abdumannob Polatov, who was still in the country, pointed to the government's unwillingness to go beyond what had been achieved in September.

Shukrullo Mirsaidov: Far more troubling developments soon followed, as they indicated that the Karimov regime has not given up methods associated with the most repressive era of independent Uzbekistan. Since 1993, Shukrullo Mirsaidov and his family have endured harassment, including beatings, kidnappings, car bombings, dismissals from work and constant surveillance. His critical remarks at the September conference about the human rights situation in Uzbekistan must have infuriated the authorities. On November 9, three armed assailants kidnaped Mirsaidov's 28-year-old son, Hasan. They beat him, and kept him blindfolded and handcuffed before releasing him twelve hours later-after threatening to kill him. Uzbek officials subsequently denied any involvement, telling American diplomats that Shukrullo Mirsaidov himself-to whom the same thing had happened in 1995-had organized his son's abduction and beating.

Soon afterwards, the government moved against Mirsaidov in the courts. Authorities reopened a confiscation order stemming from his 1993 conviction on embezzlement charges, renewing efforts to confiscate the three homes in which Mirsaidov and his extended family live and evict them. Mirsaidov lost a court appeal on November 22, and received court orders warning that he and his family would be forcibly removed if they did not vacate their three homes by November 28. On that day, the authorities evicted the family from their apartments in Tashkent, moving them to an apartment on the outskirts of Tashkent, without a telephone.

Following so soon after the brutal attempt to intimidate the family by kidnaping his son, the government's action against Mirsaidov-who has been on a government blacklist since 1993 and unable to earn a steady income-apparently aimed to undercut his ability to function as an opposition activist and isolate him from political allies. According to the State Department's Country Reports on Human Rights Practices for 1996, during the trial, the district representative withdrew the action

¹⁷In a letter on October 3, 1996, Human Rights Watch/Helsinki criticized ODIHR's sponsorship of a Roundtable "to which only Uzbek government officials are invited to speak and for failing to put the crucial issue of overt state censorship in the agenda" [which gives] "tacit approval to strict government control of the media." ODIHR Director Audrey Glover responded on October 16, explaining that while ODIHR and Human Rights Watch/Helsinki "are both working for the same ends," their approaches may at times be different, and the "ODIHR is never accusational or confrontational in its approach to work." Furthermore, "participation in ODIHR seminars is not a political statement, but an occasion for sharing expertise and information from which participants can and should benefit."

on grounds of insufficient evidence, but the prosecutor and judge refused to halt the trial. The court's conduct of the case demonstrates how independent the judicial system actually is in Uzbekistan, and gives the lie to President Karimov's claims to support separation of powers.¹⁸

Law on Political Parties: In December 1996, Uzbekistan's parliament passed a new law on political parties, which President Karimov signed on January 7, 1997. A draft law had been published in September for public discussion. As had previous legislation, the draft prohibited parties based on ethnic or religious lines, and those advocating war or the subversion of the constitutional order. Most striking, however, the proposed legislation in September maintained existing requirements, stipulating that prospective parties needed 3,000 members. By January, after a period of clear government retrenchment, the law's final version had specified a minimum of 5,000 members distributed over at least eight of the country's regions. Moreover, would-be organizers of political parties must collect 5,000 signatures within one month after the party's constituent conference.

The increase from 3,000 to 5,000 as the minimum number of members for any political party indicates the regime's determination to retain tight control of the political process and to prevent the inclusion of new actors. In the repressive atmosphere of Uzbekistan, it would have been hard enough to find 3,000 people not too afraid to consider joining a party not wholly controlled by the government. Now, the likelihood that Birluk and Erk may be registered in time for the scheduled 1999 parliamentary elections has dimmed considerably.

The Human Rights Society of Uzbekistan: As if the overall direction of government policy were not already sufficiently clear, on January 3, the Ministry of Justice officially rejected the Society's application for registration. The written explanation for the rejection noted technical problems and irregularities in the application, such as: the inclusion of information about the Society's founding conference in 1992; the submission of excerpts from the September 1996 founding conference, as opposed to a more detailed original text; inaccurate information about three alleged attendees at meetings of local branches of the Society; and, a member of a local branch of the Society is already a member of a local branch of the Committee to Protect the Rights of the Individual, and Uzbek law forbids membership in "the leading national bodies" of more than one public association. The Ministry also objected to the point in the Society's charter which proclaimed the Society's desire to prepare draft laws, and to comment on or criticize draft legislation, which, in the view of the Ministry, is presumably the exclusive prerogative of the parliament.

Claiming that all the supplied information was as accurate as possible, Abdumannob Polatov has rejected these points, and criticized the Ministry's resort to technical issues as grounds for turning down the Society's application. Nevertheless, he has offered to satisfy the Ministry's concerns. In a public statement (February 4, 1997), he wrote that "the Human Rights Society of Uzbekistan is ready

¹⁸Mirsaidov was only the best known participant in the September ODIHR conference to encounter trouble with the police. Another attendee, from Namangan, told Western reporters that the tax authorities had subsequently closed his store. Peter Ford, "Critics in a Central Asian State Ask for Reality Check on Rights," *Christian Science Monitor*, January 15, 1997. Nor has Mirsaidov been the only victim of threatened or actual eviction: police have often tried to intimidate relatives of dissidents by warning that they would be removed from their apartments, or making good on the threat, even when their residence permits were in order.

for the next compromise.to keep open doors for a dialogue with the authorities of Uzbekistan and step by step liberalization of the country.”

CONCLUSION

In March 1996, ODIHR Director Audrey Glover raised with President Karimov the registration of the Human Rights Society of Uzbekistan. At that time, Karimov promised the Society would be registered, and the Uzbeks' handling of the September ODIHR conference provided grounds to believe him. It appears, however, that Karimov and his advisors found the open criticism of the government by opposition representatives in September too worrisome or offensive to move ahead towards democratization, at least at this time. Indeed, judging by the post-conference developments, it seems that the conference convinced Karimov to launch a new round of repression, in which independent opposition leaders are discredited in the media and hounded, despite their willingness to maintain a dialogue with the government.

Perhaps Karimov expected that Polatov and Mirsaidov would be so grateful for a public forum and an opportunity to return to politics-and in Polatov's case, to his homeland-that they would temper their criticism to acceptable levels. The frequent mentions in Karimov's speeches and in the media of “constructive” opposition indicates a specific concept of permissible activity, although defining the bounds of the permissible remains an exclusively government prerogative. In any case, as Mirsaidov has said, “Karimov thinks in terms of 'constructive opposition.' But I think in terms of 'constitutional opposition.'”

Considering how quickly the Ministry of Justice registers public associations when it wants to, irrespective of technical problems, the rejection of the Society's application signals that the regime of Islam Karimov is not prepared to countenance independent human rights organizations. The rhetoric and practice of Karimov's democratization have embraced foreign organizations and government-controlled Uzbek associations, stopping short of those which are willing to criticize Karimov himself and his policies, not just their inadequate implementation by lower level officials.

Unless Karimov rethinks this approach, the HRSU will not soon be registered. Nevertheless, the regime will undoubtedly continue to offer Tashkent as a venue for international human rights conferences. As Karimov said, in a December 28 address to the nation, “The organization of public seminars with the participation of authoritative international organizations and experts has convincingly refuted all the inventions and labels that have been ascribed to us.”¹⁹

Tactics aside, democratization in Uzbekistan has reached a turning point. President Karimov's exhortations to the media to be more imaginative and critical will produce nothing until he allows genuinely independent organizations to function and criticize his government, and permits independent media to do the same. Uzbekistan still has political prisoners, and police in August claimed to have “uncovered” marijuana and pistol cartridges in the home of a member of Birlík-an old technique used by Uzbek security services. The dissemination of opposition publications, such as Erk and Mustaqil Haftalik, remains proscribed, and individuals found reading them are subject

¹⁹ FBIS-SOV, Daily Report, December 28, 1996.

to arrest. Until citizens can enjoy the most basic freedoms in Uzbekistan, it will be impossible to take seriously Karimov's claims to support democratization, no matter how many human rights institutions he creates.²⁰

Some Western analysts, as well as Uzbek officials, justify arrested democratization in Uzbekistan in terms of "Uzbek traditions," which apparently include "Islamic heritage," strong rulers and societal submission to authority. Others, preeminent among them Islam Karimov, emphasize the overriding priority of stability in a troubled region, which is beset by powerful, intrusive neighbors, populated by peoples still emerging from decades, if not centuries, of despotism and poverty, and threatened by chaos and/or Islamic fundamentalism. Western-style democratization, in this view, is either unsuited to Uzbekistan, or at best, is still far off in the future.

These arguments ignore the varying degrees of democratization already achieved in the Islamic former Soviet republics. A case in point is Azerbaijan. Ruled today by President Heydar Aliiev, a former KGB Major General and one of the highest ranking Communist Party leaders during the Soviet era, Azerbaijan, inter alia, has political prisoners, press censorship, very tight control of the electronic media, restrictions on the right of assembly, and officials have refused to register an independent human rights monitoring group. Nevertheless, there is far more political freedom in Azerbaijan, most of whose population is (nominally) Shiite Muslim, than in Uzbekistan. Azerbaijan has registered opposition parties, which have their own headquarters,²¹ publish newspapers and are represented in parliament, however marginally. True, opposition parties are always under severe pressure in Azerbaijan, where ministers-including the Minister of Justice-occasionally call for their banning altogether. Still, opposition activity continues, even though the two most oppositionist parties, the Popular Front and Musavat, refuse to recognize Heydar Aliiev as president. The Uzbek opposition, by contrast, freely acknowledges the legitimacy of Islam Karimov. Moreover, although Uzbek officials point to the chaos in Tajikistan-a neighboring country-as a reason for not allowing more pluralism, Azerbaijan's government tolerates an opposition even though the country itself has been involved in a war over Nagorno-Karabakh since 1988. Some 20 percent of Azerbaijan is occupied by foreign troops, and hundreds of thousands of refugees have lost their homes and belongings. In addition, there have been several coup attempts and new ones are announced with depressing regularity. By comparison, Uzbekistan has been a haven of stability.

Kyrgyzstan and Kazakstan are another case in point. Kazakstan, with only about 40 percent of the population composed of Kazaks, and Slavic groups in the north that openly want the territory to join Russia, has its own problems with stability, not to mention pressure from Moscow. Kyrgyzstan, for its part, must contend with chronic divisions between northern and southern regions, and disaffection among the Russian and "Russian-speaking population." Both countries are wracked by crime and corruption. Yet Presidents Askar Akaev and Nursultan Nazarbaev tolerate opposition

²⁰In October 1996, Karimov ordered the establishment of a National Human Rights Center, which will be the executive branch's counterpart to the parliamentary Commission on Human Rights.

²¹The Popular Front actually does not have a headquarters, which was locked after the June 1993 events that brought down the Popular Front government. Popular Front leaders often meet guests in facilities provided by the Women's Committee.

movements, which have representatives in the parliaments of both countries, and in the media. Granted, the ability of these movements actually to influence policy is virtually nil, but at least they function and can propagate their views. Moreover, independent human rights monitoring groups operate in both countries.

These other former Soviet republics, which share with Uzbekistan an "Islamic heritage" and the legacy of communism, undermine the argument that levels of democratization in the post-Soviet era are either culturally or historically determined. Rather, powerful rulers make decisions about how much democracy they are willing to permit, and how much they would find threatening to their continued rule. Under Islam Karimov, Uzbekistan has been "stable" since 1992, with no tolerated opposition activity whatsoever. It is unclear how much longer the country will have to be "stable" before the regime decides it is safe enough to permit some of the phenomena associated with the "instability" of the late 1980s and early 1990s: greater freedom of the press, freedom of association, freedom of assembly and truly independent human rights monitoring groups.

External factors, especially the civil war and chaos in Tajikistan, have influenced decisions made in Tashkent about the "safe" parameters of democratization. Unfortunately, the advance of the radical Islamic Taliban in neighboring Afghanistan is likely to strengthen the conviction of Uzbekistan's leadership that liberalization is too dangerous to permit. Should the Taliban succeed in taking northern Afghanistan, defeating Tashkent-backed General Dostum, Karimov would feel even more threatened, and already bleak prospects for political reform in Uzbekistan in the foreseeable future would be severely set back even further.

Nevertheless, another key factor in this calculation is Western influence and expectations. Experience indicates that Tashkent is susceptible to pressure from Western governments, and perhaps NGOs. In the broader perspective, President Karimov's drive for better relations with the United States has unquestionably influenced his domestic policies. More specifically, at various times, intervention by Western capitals has led to the release of arrested or detained political activists, such as the former member of the Human Rights Society of Uzbekistan, Paulina Braunerg. After Western intercession, authorities released three scholars at Samarkand State University arrested in February for possession of Erk's publication.

Such pressure has its limitations: Uzbek authorities did not waver in their determination to evict Shukrullo Mirsaidov last November, despite calls by Western organizations to desist, and the widespread view that his eviction was politically motivated. The lesson to be drawn is that without Western prodding, the likelihood of genuine liberalization is slim. If, on the other hand, Western capitals continue to press, linking improved relations and strategic ties to step-by-step democratization, Karimov may grudgingly put into practice what he says about human rights.