

# Testimony :: Hon. Christopher H. Smith

Chairman - Helsinki Commission

Ladies and Gentlemen, I welcome you to this hearing on democratization and human rights in Uzbekistan. With over 25 million people, Uzbekistan is the most populous country in Central Asia. It has significant natural resources and is strategically located. President Islam Karimov has pursued a pro-American foreign policy and cooperates closely with the United States in the fight against international terrorism. Since 2001, the U.S. has significantly stepped up assistance to the Uzbek Government and has a military base in southern Uzbekistan.

President Karimov himself signed the Helsinki Final Act in 1992, voluntarily accepting all OSCE commitments. After September 11, 2001, he signed the March 2002 agreement on strategic partnership with Washington, in which Uzbekistan pledged to establish a multiparty system, hold free and fair elections, and respect media freedom and human rights.

But Uzbekistan remains an authoritarian police state, with little liberalization over the last decade. President Karimov has headed Uzbekistan since 1988 and contrived to remain in power by any means necessary. Print and electronic media remain under government control, despite the formal lifting of censorship. Basic rights – such as the freedom of assembly and association – are routinely violated.

Since 1992, there has been no legal political opposition activity in Uzbekistan. Recently, Uzbekistan's Minister of Justice announced that Erk and Birlik, two opposition movements that have not been able to function legally in over a decade, would not be able to participate in December's scheduled parliamentary election. I might add here that the Helsinki Commission sent President Karimov a letter in March, urging the registration of those parties.

Uzbek and international human rights groups, echoed by the U.S. Government, estimate that there are over 5000 people in prison for their religious or political beliefs – and torture in prison, according to last year's report by the U.N., is "systemic." Uzbekistan in my view is also a candidate for designation under the 1998 International Religious Freedom Act as a Country of Particular Concern for particularly severe violations of religious freedom.

Human trafficking is also a serious concern in Uzbekistan. After receiving a Tier 3 ranking in last year's Trafficking in Persons Report issued by the State Department, Uzbekistan developed several anti-trafficking initiatives such as new legislation, developing a National Action Plan for combating trafficking, and increasing prosecutions of traffickers. These actions netted Uzbekistan a Tier 2 ranking in the 2004 Trafficking Report issued last week. But even so, the Uzbek Government still fails to meet minimum standards to fight trafficking.

Because of these continuing problems, the State Department de-certified Uzbekistan last December for aid under the Cooperative Threat Reduction Program. Now the Department faces

an even more dramatic decision. The Consolidated Appropriations Act for FY 2004 conditions foreign aid to the Uzbek Government on State Department certification that Tashkent is making “substantial and continuing progress” in observing commitments on democratization and human rights. These include establishing a genuine multi-party system, ensuring free and fair elections, freedom of expression, and the independence of the media.

This is a tough choice. If we de-certify Uzbekistan, will we promote or harm prospects for democratization down the road? If we use this weapon now, will we deprive ourselves of its potential effectiveness? In short, do we risk making things worse by deciding to de-certify? Moreover, Uzbekistan has been cooperating closely with the U.S. war on terrorism. If we de-certify, what will happen to our close ties with Tashkent in the security sphere?

But if our laws mandate the certification of human rights progress and we do not de-certify states which make no progress or even regress, do we not seriously damage our own principles? Will we not render meaningless the pledges undertaken by foreign leaders to open up their societies, and do we not risk undermining the concept and practice of good faith agreements among states in general?

These are serious questions and I do not wish to minimize their difficulty. To examine them from different perspectives, we have assembled a group of unusually expert witnesses.