

Testimony :: Dr. Abdurahim Polat

Chairman - Birlik Party

Mister chairman, distinguished members of the Commission,

I am grateful for this given opportunity to make this speech here at the US Congress and participate in discussion of issues on democracy and human rights in Uzbekistan. No doubt these issues have a vital significance for our country.

I would like to particularly emphasize there is legal foundation for the United States and other members of OSCE to participate in the process of building democracy and civil society in Uzbekistan. Firstly, Uzbekistan, just as the United States, is a member of the OSCE, and adherence to democracy and human rights principles is a must. Secondly, Uzbekistan has signed the Declaration on Strategic Partnership and Cooperation with the United States, under which our country's authorities have taken commitment to develop democratic society in Uzbekistan.

I am putting this hearing into this context and again let me thank you for your efforts in assisting Uzbekistan to foster democratic reforms.

If we want correctly to evaluate what is going on in Uzbekistan, we have to separate the events before 9/11 and after. Let's look at some facts. I was here in similar hearing five years ago and said Uzbek Official Security Services are severe and often killing not only so-called "Islamic extremists" but also representatives of democratic opposition. During 1999 they killed Chairman of Birlik's Namangan City branch Ahmadkhon Turakhonov and activist Birlik's Andijan region organization Zhurahon Azimov.

What happened after that Hearing of this Commission in 1999? Did Uzbek regime become somewhat softer towards democratic opposition in Uzbekistan? No. The same trend continued with heavy-handed approach against independent Muslims, opposition and human rights activists.

As result, Shohrukh Rozimuradov, Chairman of Birlik's Kashkadarya Region organization and former Deputy of the Uzbek Parliament was killed at the Tashkent Police department's jail in July 7, 2001. Simply, Uzbek Authorities were continuing heavy-handed physical abuse towards democratic opposition members as well.

About the same time, Birlik made an attempt to increase its activities. At the time, Birlik decided to hold a conference of the regional organisation in Ferghana, at which point the local head of Birlik was invited to the prosecutor's office and was warned about not conducting such event and that it would be unlawful event if it went ahead. Simply, the ordinary conference was predetermined and branded by the authorities as an unlawful event.

After the tragic events of 9/11, when Uzbekistan has become a partner of the United States on war against terrorism, the situation has started improving in the country. Local authorities became somewhat tolerant towards the democratic opposition and human rights activists. Pressure to Muslim community was also slightly less than usual. To put it briefly, changes in the serious direction have started to occur because of the presence of the United States in the region.

Steps of Uzbek authorities at the time seemed logical. After the collapse of the Taliban regime Uzbek government has ran out of excuses in favour of their heavy-handed approach. Up until that point, President Islam Karimov attempted to demonstrate himself as a “guarantor” of stability in the region against so called danger of Islamic extremists, in particular, Islamic Movement of Uzbekistan, which was closely linked to Taliban. Since this danger has disappeared, it was about time to start democratic reforms.

However, Uzbek democrats were well aware of the fact that danger of extremism was always a main excuse to do away with democratic opposition forces in the country. The main goal of Karimov’s regime is not to let the opposition to play a part in the society, which may result a democratic change of the government. It has to be said that any softening of heavy-handedness of the government towards opposition has always been a result of the political pressure of the United States, which requires political reforms in the country.

So, year 2002 was indeed a year of Renaissance for democratic opposition movements in Uzbekistan, namely Birlik party. During the year, Birlik’s regional conferences were conducted throughout the country and in 2003, for the first time over the past 11 years, Congress of Birlik took place.

We cannot say that it all happened smoothly during the above-mentioned period. Although there were no reported deaths and mass arrests as in repressive previous years, authorities made every effort not to let the mass renaissance of Birlik to take place. Special Security Forces representatives (ex KGB), Police and local authorities kept threatening our activists and members across the country, including their families. Usual threats included job dismissals and arrests. But our activists were brave enough to carry on towards set goals and objectives.

The United States has given immeasurable moral support to Uzbek democrats and human rights activists. Members of many official delegations, including members of the Congress and representatives of the State Department have met with them in Tashkent. We are extremely grateful to Mr. Craner for his efforts to strengthen democratic reforms in our country. He consistently held meeting with local democrats in Uzbekistan during all of his visits. Starting at the end of 2002, several NGOs, namely Freedomhouse, IRI, NDI started operating in the country. Their support to Uzbek democrats is also invaluable.

I said that Uzbek authorities had to reduce the abuse and heavy-handedness toward Uzbek democrats because of the pressure by the United States. Of course, it all had to come at a price, for such steps authorities received significant aid from the United States. But now we are seeing they are not going to let any further development of democratic reforms in the country.

This has become obvious again during the registration process of the opposition parties. It has to

be said that official registration of the parties will allow such groups formally to participate in the political process, mainly, in upcoming parliamentary elections in December 2004.

Ministry of Justice is responsible for registering political parties in Uzbekistan. Birlik Party has filed its registration documents with the Ministry in October 2003. Ministry has already refused registration of the party in three different occasions giving different groundless reasons. I don't think one needs to prove that preparation of documentation for the political party registration is not a rocket science. Birlik Party's documents are fully in compliance with existing legislation. Unfortunately, Ministry of Justice, instead of following the laws of the country, is strictly following orders of President Karimov not to register truly opposition party. We have appealed to the Supreme Court of Uzbekistan against the ruling, which is currently considering our complaint against the Ministry of Justice. Obviously, in any normal democratic society, we would have won this case. But in Uzbekistan, it is well known that Courts also follow strict orders of President Karimov's regime. Regardless of this, we are continuing our efforts.

We clearly need an assistance of the United States and OSCE in this respect. Uzbekistan has taken several obligations in accordance with above-mentioned treaties with OSCE and the United States, which clearly state that authorities have to allow the activities of democratic opposition. USA and OSCE could be more demanding in this matter.

Yes, asking to be demanding is somewhat broad in definition, so, let me state what exact assistance we need at this point.

In order to make my point clear, let me tell you short anecdote. Man was almost drowning in the river, and many people started running across the bank to save him, and they all shouted "give me your hand, give me your hand." The man would not simply give his hand, full stop. All of a sudden, one person in the crowd recognised the drowning person and says: "Look, I know this man, he never gives away anything to anyone, including his hand, so tell him TAKE MY HAND, and he will do it. That's what people did, and saved his life.

Philosophical meaning of this joke is that the help is only effective when we understand the nature of the one whom we trying to help. In the case of Uzbekistan it is necessary to understand that Uzbek government is not willing to conduct democratic reforms and stop to use violence against local democrats. There are a lot of evidences, but to follow are just a few of them:

- The authorities have been rejecting to register most of truly independent NGOs, Human Rights groups, and most importantly, all democratic political parties. The arguments of authorities, including President and the Ministry of Justice are so ridiculous that they really undermine the prestige of such a significant country like Uzbekistan.

- At the beginning of this year, Chairman of Birlik's Djizzakh region organisation Mukhiddin Kurbanov was arrested after the local police has found 19th century hunting gun at the unlocked garage of his apartment house. Only thanks to the pressure of International Organisations and personally by the Ambassador of Great Britain Mr. Craig Murrey and the US Embassy, abuse against this democrat was stopped. He was released but fined for a hefty sum by Uzbek leaving standards.

- At the beginning of May 2004, Chairman of Birlik's Namangan region organisation Makhamadali Karabaev was arrested by the local police. Mr. Karabaev was organising a membership campaign for the party, where he was beaten by so called "volunteers of order" of local authorities in the community. Actually, these are local agents of National Security forces. Appeal by Mr. Karabaev to the police regarding this incident caught no attention, but he was arrested subsequent to the statement of those who beaten him up.

- Polat Ohunov, one of the Leaders of the Birlik Party and Former MP of the USSR during the Gorbachev era, and the only Uzbek member of the famous Eltsin-Sakharov group, has at that time blamed President Karimov in supporting August Coup (1991). After Uzbekistan became independent in 1992, Polat Ohunov was jailed. After the involvement of Mr. Eltsin personally, he was then released in 1994 and he had to leave the country as a political refugee to Sweden. He recently returned to Uzbekistan to continue political carrier. But the government has immediately seized his passport and exploring the ways of opening a criminal case against him because he left the country unlawfully at the time.

These examples are clear evidence that the authorities are not willing to change, and will not acknowledge the opposition nor will they cooperate with them.

At the same time, as I understand, at least by the statements of high-ranking staff at the State Department that the United States is of an opinion that the government of Uzbekistan is showing signs of sincere willingness to reforms. Especially amusing to see some warm wards given to the address of the Ministry of Interior Affairs (Police), which, in due course, alongside with the National Security Service does carry out all abuses and rape orders given by Karimov's regime.

There is a reason for emphasizing this issue. It is obvious that Uzbek authorities clearly understand the role of the United States in today's world as a superpower. And they need its economic aid and hence they surely care about what the United States thinks of them. There is no doubt in my mind that authorities read the statements coming from the State Department as a following signal: "OK, carry on doing cosmetic improvements of your backyard, and we will criticise you a little, but at the same time we will consider your steps as a sign of sincere political will to make fundamental reforms and we will continue to support you."

It seems to me that the United State should be more forthcoming in requiring from the Government of Uzbekistan to honour its obligations in accordance with the treaties of OSCE and strategic cooperation pact with the United States. By issuing similar type of statements, it should not give Karimov's regime false signals of approving his policies.

This is a very important issue and therefore I agreed to come here today to make this point bluntly clear.

Another issue that I wanted to touch is the following.

There is no doubt today that furthering development of democratic process in Uzbekistan is possible only after registering democratic opposition parties and letting them function officially

in the country. But one has to see the facts and it is obvious that authorities will not want to make significant changes in this area. Therefore, only step-by-step changes can be made currently, and even small improvements at a time should be encouraged. Therefore, precedence in this area is important by a mean of requiring the government to register at least one of the political parties.

According to the reports of the State Department, it is obvious that Uzbek authorities consistently denying registration of four political parties. These are: Party of Agrarians and Entrepreneurs, Party of Free Farmers, Erk Party and Birlik Party.

It has to be said that first two parties has only been found recently, and they are not really tried and tested in action. These parties, except some small number of individuals, have no known individuals/figures as their leaders. Both of these parties have also passed their registration documents, but after the refusal by the Ministry they have given up the fight already.

Erk Party was created in 1990, and at the beginning the party leadership favoured pro-Karimov policies. It shifted its policies drastically later on and even attempted to set up military group against the government. Over the past decade, there has been a number rumours about linking leadership of the party to the religious extremist groups, and even with Taliban. In 2003, first attempt to conduct the Party congress resulted in split of the party. Old leadership was subsequently replaced because of the above-mentioned doubts and new leadership is making efforts to get its act together. Therefore, it has not even lodged registration documents with the authorities at this point. Having said that, it is not clear as to why Erk party is always mentioned in the list of parties that the government is refusing registration.

This issue is actually very important and serving for the benefit of authorities. For example, during the Ministry of Justice briefing on May 21, 2004, Minister Polvonzoda said with gentle hinting about State Department that many statements on rejecting of registration above mentioned parties are false as Erk Party has not even filed registration documents and other two parties did not correct exposed by Ministry of Justice shortcomings in lodged documents.

Birlik is the oldest opposition democratic organisation in Uzbekistan. For the part 15 years, Birlik went through a lot of developments. Party has started the fight for country's independence at the beginning. It is worthwhile to state the fact that first program of the party has clearly stated our core belief – "To independence through democracy." Birlik has never moved from its democratic core values, and always remained the same even during the years of repression, when Uzbek authorities took a course of physical rape and abuse of our members.

Birlik party still remains as a leading opposition party. It has seen a massive renaissance under new conditions, it created extensive regional network across the country, and currently making preparations to participate in the upcoming December parliamentary elections. During the past year, Birlik is fighting to obtain official registration. After Ministry of Justice's latest refusal, it took the case to the Supreme Court of Uzbekistan. In current conditions in Uzbekistan, this is a huge achievement. Court has consistently refused to consider our appeals against the Ministry of Justice in the past. At last, court process has started on June 14th. However, it had to announce a break until June 24th because of the request of the Ministry of Justice. We would like to hope that Supreme Court would favour Birlik and force the Ministry to register the party. This would

have been a real progress that deserves high attention. If this is the case, then it could be said that the authorities of Uzbekistan have a sincere political will to conduct democratic reforms.

I would like to point out another area of activity of Birlik. Everyone understands that without an independent media from the government it is impossible to talk about democracy. Birlik is not waiting for the formal approval of the authorities to register independent media. Group of pro-democratic activists, majority of whom members of Birlik Party have been publishing economic/political/human rights bi-monthly periodical journal "Harakat." There have already published 47th issue recently. To name the few, only this periodical published materials of the UN's Committee on Torture about Uzbekistan and the full text of the Declaration on Strategic Partnership and Cooperation between Uzbekistan and USA. I am very pleased to announce that American organisation National Endowment for Democracy has become the sponsor of the periodical in recent years.

Birlik Party is well prepared by all parameters for receiving official registration. Therefore, for all who want to create precedence in registration truly political party in Uzbekistan, in my opinion, they need persuasively request the government to register Birlik Party. If such demands for the registration of Birlik party were combined by requests of registering other parties, which have even not filed documents for registration and some have given up the fight, it would undermine the seriousness of the demanding parties.

Let me put my thoughts in a different form. If someone will put a pressure to authorities to registered several parties in one go, most of which are not even ready at this stage, this will be taken by the government of Uzbekistan as a sign that the demanding party has a little knowledge of the current political situation in the country, and authorities will not honor such demands.

At the same time, it should not be considered that Birlik wants to monopolise opposition field in the political stage. We understand perfectly that government will start registering other parties fearing the consolidation of democratic forces around one registered opposition party. They would want to create a similar situation like in Azerbaijan and distribute the power across many parties.

Let me emphasize the following in conclusion:

I also fully recognise the fact that integration of Uzbekistan into the Shanghai Cooperation Organisation, where top member-countries do not adhere democratic principles at all, and the recent Russian-Uzbekistan strategic cooperation agreement puts democratic reforms and efforts of the United States to help create stabile states in the Central Asian Countries in a serious danger.

Birlik Party has given repeated backing to the foreign policy of the Karimov's government oriented to be close to USA and West. However we are closely following developments in Shanghai Organisation and Russian-Uzbek relations. Yes, at this stage, there are more discussions there than real action here. But, if serious steps will be taken in these areas, which will undermine pro-western policies, we will be strongly speaking against it.

Finally, I am not aware that how much this hearing will affect to the approval of the next tranche of US's financial aid to Uzbekistan. In any event, I wanted to make the following statement in this regard:

Birlik has never appealed for international isolation of Uzbekistan because of dictatorial/totalitarian policies of Karimov's regime, and has never asked foreign countries to stop releasing financial aid to the country. On the contrary, we always called for integration of Uzbekistan into international institutions, assuming that this would foster democratic society in a longer term. But simultaneously, put a requirement to the government of Uzbekistan to conduct democratic reforms seriously in exchange of financial support or any other forms of aid.

Proceeding from this core principle, I think that now State Department should certify Uzbekistan for broader assistance programs, but at the same time, US government should require democratic reforms in exchange, in particular, registration of Birlik Party and substantially extend to help to truly independent NGOs and pro-democratic forces in Uzbekistan.

Thank you for your attention.