

UZBEKISTAN

CAT Article 20 Examinations Re: Systematic Torture

CAT, CAT/C/37/2 (2006)

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment of Punishment

1. At the 36th in May 2006 the Committee against Torture requested that the Secretariat provide it with a note on the experience to date of article 20 inquires as well as elements for possible inquiry in several countries: Colombia, Guatemala, Nepal, Togo and Uzbekistan. The present conference room paper seeks to respond to that request.

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36. Below is information which recapitulates references to torture as a common or systematic practice in Uzbekistan in documents which the Committee against torture examined at its 28th session (29 April-17 May 2002), during the consideration of the second periodic report of Uzbekistan, under Article 19 of the Convention, as well as in subsequent documents.

37. Concluding Observations of the Committee against Torture: ¹¹ The Committee expressed concern about " the particularly numerous, ongoing and consistent allegations of particularly brutal acts of torture and other cruel, inhuman or degrading treatment or punishment committed by law enforcement personnel;"

38. DOCUMENTS EXAMINED DURING THE 28TH SESSION:

A. TREATY BODIES/CHARTER BODIES:

(i) Concluding Observations of the Human Rights Committee: ¹² "Taking into account article 7 of the Covenant, the Committee is gravely concerned about consistent allegations of widespread torture, inhuman treatment and abuse of power by law enforcement officials. The Committee is also concerned about the limited number of investigations into allegations of torture."

(ii) Report of the Special Rapporteur on Torture, Sir Nigel Rodley ¹³, Pages 346-350. (Also contains a summary of individual cases and urgent appeals)

B. OFFICIAL SUBMISSIONS BY NON-GOVERNMENTAL ORGANIZATIONS WHERE REFERENCES ARE MADE TO THE WIDESPREAD PRACTICE OF TORTURE IN UZBEKISTAN:

- (i) Amnesty International. Central Asia. No excuse for Escalating Human Rights Violations, October 2002, pag. 1-2
- (ii) Amnesty International. Uzbekistan. The Rhetoric of Human Rights Protection: briefing for the United Nations Human Rights Committee, June 2002: pages 7-11.
- (iii) World Organization against Torture (OMCT). Uzbekistan: Violence, Repression and Denial of Economic, Social, and Cultural Rights, May 2002. concluding observations, pages 30-33

39. DOCUMENTS CONTAINING REFERENCES TO THE WIDESPREAD PRACTICE OF TORTURE IN UZBEKISTAN, SUBSEQUENT TO THE 28TH SESSION:

A. TREATY BODIES/CHARTER BODIES:

- (i) Concluding Observations of the Human Rights Committee: "the Committee expresses concern about allegations relating to widespread use of torture and ill-treatment of detainees and the low number of officials who have been charged, prosecuted and convicted for such acts (Covenant, arts. 7 and 10).¹⁴
- (ii) Concluding Observations of the Committee on the Rights of the Child: The Committee is "deeply concerned at the numerous reports of torture and ill-treatment of persons under the age of 18 years, and the reportedly insufficient efforts by the State party to investigate allegations of torture and prosecute the alleged perpetrators." (CRC/C/UZB/CO/2, 2 June 2006)
- (iii) Uzbekistan is currently being considered under the confidential 1503 complaints procedure.
- (iv) Report of the Special Rapporteur on Torture, Theo Van Boven, Mission to Uzbekistan¹⁵: "The Special Rapporteur believes, on the basis of the numerous testimonies he received during the mission, that torture or similar ill-treatment is systematic".
- (v) ICCPR, violations of article 7 in three individual cases:
 - 1. Siragev v. Uzbekistan, 907/2000, 01 November 2005
 - 2. Sultanova et al. v. Uzbekistan, 915/2000, 30 March 2006
 - 3. Bazarov v. Uzbekistan, 959/2000, 14 July 2006

B. NON-GOVERNMENTAL REPORTS WHERE REFERENCES ARE MADE TO THE WIDESPREAD PRACTICE OF TORTURE IN UZBEKISTAN:

- (i) Amnesty International 2006 report, December 2005, pages 276-279.
- (ii) Amnesty International. Summary of Concerns in the Region, January-June 2005, pages 86-95.

(iii) Human Rights Watch, report 2006 on Uzbekistan: "The government has made no visible progress on ending the use of torture in practice, and only minimal progress on implementing the recommendations made by the U.N. Special Rapporteur on Torture after his visit to Uzbekistan in 2002."

(iv) Human Rights Watch: Burying the Truth. Uzbekistan Rewrites the Story of the Andijan Massacre", chapter "Coercive Pressure for Testimony", pages 14-34.

40. The Secretariat has compiled two sets of files of all the above mentioned documentation, in order to allow Committee members to assess whether or not there is enough information for the Cat to initiate an inquiry procedure rule 75 of the Rules of Procedure.

11/ CAT/C/TGO/CO/1, para.12, 18 May 2006

12/ CCPR/CO/71/UZB, 26 April 2001

13/ E/CN.4/2002/76/Add.1, 14 March 2002

14/ CCPR/CO/83/UZB, 26 April 2005

15/ E/CN.4/2003/68/Add.2, 3 February 2003