

Submission on “Corruption and Human Rights in Uzbekistan” for the 30<sup>th</sup> session  
of the UPR Working Group

# UZBEKISTAN

**Universal Periodic Review – Third cycle**  
**30<sup>th</sup> session of the UPR Working Group (April-May 2018)**

## **Submission on “Corruption and Human Rights in Uzbekistan”**

**Presented by:**

- **Uzbek-German Forum for Human Rights (UGF)**
- **State Crime Initiative (SCI)**
- **Centre for Civil and Political Rights (CCPR-Centre)**

October 2017

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## Submitting Organizations

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### 1. Uzbek-German Forum for Human Rights (UGF)

The Uzbek–German Forum for Human Rights (UGF) is a Germany-based NGO dedicated to improving the human rights situation in Uzbekistan and strengthening and promoting civil society. UGF was established and registered in Berlin in July 2009 as a joint venture between Uzbeks and Germans with the purpose of strengthening human rights advocacy through engagement with European and international institutions. The goal of the organization is to end to human rights abuses in Uzbekistan by building the capacity of local human rights groups, conducting advocacy with the EU and international institutions and by mobilizing public opinion in Europe. Advocacy efforts are particularly focused on Germany because of its strong ties with Uzbekistan and throughout the region and because of its influential role in EU foreign policy. UGF also partners with other human rights organizations to address key issues such as forced and child labor in the country’s cotton sector; strengthen the rule of law and establish an independent legal system; promote the establishment of more human rights organizations and to stand up for the freedoms of expression, association, and peaceful assembly.

**Website:** <http://uzbekgermanforum.org>

### 2. State Crime Initiative (SCI)

The most serious crimes in the modern world, on any reasonable definition, are acts that are largely committed, instigated or condoned by governments and their officials: for example, genocide, war crimes, torture and corruption. However, state crime is under-acknowledged by popular and academic authors. Calling these activities ‘crimes’ should be uncontroversial as they violate international and/or national criminal law. SCI takes the term crime to include all violations of human rights that are deviant in the sense that they infringe some socially recognized norm. We take states to include all bodies that seek to achieve a monopoly of the legitimate use of force in some substantial territory, whether or not they are internationally recognized as states. State crimes are crimes committed or condoned by the personnel of such organizations in pursuit of organizational goals. For example, if a single police officer force takes a bribe, that is not necessarily a state crime. But if the government turns a blind eye to bribery because it is the only way the police can achieve a reasonable income, or if bribery is part of an informal strategy for controlling the local drugs trade, then it is a state crime.

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**website:** <http://statecrime.org> ; **email :** [f.kanji@qmul.ac.uk](mailto:f.kanji@qmul.ac.uk) ; **telephone :** +44 207 882 6414

### 3. Centre for Civil and Political Rights (CCPR-Centre)

The Centre for Civil and Political Rights (CCPR-Centre) works to promote the participation of NGOs in the work of the Human Rights Committee. By raising awareness, strengthening the capacity of the NGOs and providing technical and legal support at all stages of the reporting process and the individual complaint procedure. One of the CCPR-Centre's priorities is promoting the use of the Human Rights Committee's follow-up procedure. The CCPR-Centre also aims at ensuring that the work of the Human Rights Committee is fully taken into account in the framework of the Universal Periodic Review (UPR) established by the Human Rights Council. The CCPR-Centre targets national and regional NGOs, as well as thematic NGOs whose mandates relate to the ICCPR.

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## **Grand Corruption and Human Rights Violations in Uzbekistan**

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1. Uzbekistan’s authoritarian government systematically violates a wide spectrum of human rights and is also among the most corrupt in the world.<sup>i</sup> Poor enforcement of human rights norms allows corruption to go unchecked, and corruption drives some human rights violations, making them more intractable and impeding redress. Where a human rights violation leads to the personal enrichment of the perpetrator, there is a powerful obstacle to reform and accountability; impunity is the norm. Those who seek to expose corruption or refuse to participate in it often face serious repercussions.
2. The State Crime Initiative conducted a major study of grand corruption and human rights abuses in Uzbekistan, drawing on 14 detailed case studies.<sup>ii</sup> It found that the government uses the administrative and legal systems to extract payments, administer rackets such as solicitation of bribes and extortion of payments from citizens and businesses, and misappropriation of assets, and control the economy for the enrichment of government officials. Uzbek business owners and foreign investors have provided consistent, credible accounts of how the National Security Service (SNB) orchestrates these schemes with the involvement of numerous government agencies, including the tax authorities, fire inspection and regulatory agencies, police, prosecutors, and courts.<sup>iii</sup> These agencies have also committed serious human rights violations, including arbitrary detention and torture, to extract payments and misappropriate businesses.<sup>iv</sup> The dominance of the executive branch and security forces has eviscerated checks and balances and undermined the rule of law.<sup>v</sup> The maintenance of a surveillance state, administered by the SNB, that denies political dissent, while also retaining the power to arbitrarily arrest and prosecute citizens, enables senior state officials to retain seats in government without a popular mandate, which can then be employed to engineer rackets.

### **Gulnara Karimova case**

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3. Gulnara Karimova, daughter of former president Islam Karimov, headed a powerful organized crime syndicate embedded within the state (see annex 1). This network featured fixers, managers, envoys and proxies, who were intimately involved in the group’s business affairs. In addition, the syndicate enjoyed ties to high profile fixers and envoys, who prosecuted the group’s affairs as needed. Syndicate activities were conducted with the assistance and complicity of senior state officials, and enacted through a diverse range of state organs. These organs include cabinet, government committees, ministries, the courts, sector regulators, and the security services. These different state levers enabled the syndicate to expropriate businesses, monopolize markets, solicit bribes, and administer extortion

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rackets. Such practices were often overt. Key state officials implicated in syndicate activities continue to enjoy high profile positions within the Uzbek government (see annex 2).

4. Syndicate activities were predicated on the systematic persecution of particular civilian populations (see annex 3). For instance, successful businesses and executives, with their relatives and employees, were targets of violent extortion rackets. More generally, Uzbek citizens are persecuted through a climate of fear, essential to the illicit tactics used by the syndicate, and the illegitimate economies to which this power is instrumental. Given that grand corruption is enacted through the persecution of particular groups and the population as a whole, employing a range of inhuman tactics, these acts constitute serious human rights violations. The activities used by the state in the Karimova case are not anomalous but are systemic in character, and essential to the accumulation of wealth and power in Uzbekistan (see annex 4).
5. The arrest of Karimova and her accomplices was led by SNB officials and appears to have been politically motivated. The SNB systematically uses torture and other coercive tactics to secure convictions, with a complicit judiciary. Given the documented state of the criminal justice system in Uzbekistan, neither Karimova nor her accomplices could have been afforded a fair or transparent trial, on which a secure conviction could be made. The break-up of the syndicate and its asset-base, is more accurately described as an attack by rival power-factions, using the levers of criminal justice to disguise the political nature of these maneuvers.

### **Administration of justice**

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6. Lack of transparency of the judicial system contributes to influence of corruption and political manipulation on the administration of justice. There is no publicly accessible database of court verdicts and other documents, and these documents are not available to the public, limiting access to information about the justice system and the ability of journalists and monitors to report on the courts. Courts will only issue copies of verdicts to the lawyer of record and not to relatives or others. Nor will they provide other documents, including indictments or motions, to the public.
7. The absence of court transcripts also contributes to the lack of transparency of the judicial system. Courts do not use stenographers or other means to record proceedings. A court clerk is supposed to take notes on proceedings to form a trial protocol that is then signed by the parties, but this is subject to manipulation and influence. Clerks often do not take notes at all. There is a widespread perception among the population that courts are not independent and

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that many cases are decided by “telephone justice.” Judges receive instruction by the prosecutor or SNB on the outcome of cases for reasons related both to repression and to corruption. This perception is borne out by observation in many cases where an entire trial is conducted in just a few hours, as in the case of human rights defender Uktam Pardaev, and judges return lengthy, typed verdicts after a short period of deliberation.<sup>vi</sup> In many cases the verdicts are taken nearly verbatim from the indictments.

### Torture

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8. Vahit Güneş, a successful Turkish businessman who ran a chain of department stores in Uzbekistan until he was arrested and tortured in 2011, described corruption in Uzbekistan as a “cancer that had spread everywhere,” affecting every part of life.<sup>vii</sup> In March 2011 the SNB conducted a raid on Güneş’s department store, illegally confiscating and looting his inventory, and arresting him and four Turkish colleagues. The SNB held Güneş for several days in his office and then transferred him to an SNB detention facility.<sup>viii</sup> Over the next 10 months he and his colleagues suffered severe torture and cruel and degrading treatment, including prolonged beatings, stress positions, sexual humiliation. The SNB denied him access to a lawyer, translator, and diplomatic visits.<sup>ix</sup> When he asked for access to his lawyer the prosecutor told him “I am the prosecutor. I am the lawyer. I am the judge.”<sup>x</sup> He said that the SNB used the raid and his torture to misappropriate his business and assets, worth tens of millions of dollars.<sup>xi</sup> He has filed legal action against Uzbekistan to attempt to recover some of his losses.<sup>xii</sup> The SNB tortured Güneş until he agreed to pay a ransom for his release. After Güneş’s relatives wired several million dollars to the SNB, he and his colleagues were brought to court, convicted in a sham trial, amnestied, and deported.
9. The case of the brothers Ilhom and Rahim Ibodov illustrates many of the issues described above. The Ibodovs, entrepreneurs in Bukhara who refused to comply with extortion demands by the SNB and threatened to expose alleged SNB corruption, were arrested on trumped up charges and tortured in SNB pre-trial custody. Ilhom Ibodov died in SNB detention in September 2015. An independent forensics expert who examined photographs of his body said that the injuries were consistent with allegations of torture. The government did not launch an independent investigation into the circumstances of his death, as required by international standards. Rahim Ibodov alleged at trial that he and his brother were tortured in custody and that their confession was extracted under torture but the judges ignored the allegations and sentenced him to eight years in prison in February 2016.<sup>xiii</sup>

## Corruption, Extortion and Forced Labour in the Cotton Sector

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10. Uzbekistan, the fifth largest producer of cotton in the world, relies on a system of forced labor to produce and harvest cotton. Cotton is considered a strategic crop and the highest levels of government control its production. Cotton is produced at enormous cost to the population in the form of forced labor, extortion, lost productivity, reduced services, and penalties including fines, threats, and loss of employment or social assistance.<sup>xiv</sup> Farmers forced to grow cotton often operate at a loss. Revenues generated from cotton, estimated at more than \$1 billion annually, are funneled into the *Selkhozfond*, a non-transparent, extra-budgetary fund controlled by a small circle of government elites.<sup>xv</sup> Individuals, businesses, and public agencies such as schools, hospitals, and local administration departments, unofficially and directly subsidize cotton production by providing forced labor or mandatory financial “contributions” to the harvest.
11. The Uzbek government exerts direct control over the cotton sector from the top down, with officials at every level involved in implementing the forced labor system.<sup>xvi</sup> Annually the government forces citizens to weed fields and pick cotton, and farmers to deliver quotas, all under threat of penalty. Key central officials and regional and district governors have direct responsibility for fulfilling production quotas, under the supervision of the minister of agriculture.<sup>1xvii</sup> Top officials set the national cotton production target each year.<sup>xviii</sup> The minister of agriculture issues quotas to regional governors, who, with the state-controlled cotton association, responsible for cotton procurement and ginning, impose quotas on farmers through their land lease agreements and procurement contracts.<sup>xix</sup> Farmers, who lease their land from the government, must sell cotton to one of the state-controlled gins at the state price.<sup>xx</sup> The Ministry of Finance sets the price paid to farmers below the government’s own estimate of production costs.<sup>xxi</sup> The government sets the rates paid to pickers at lower than market wages, allowing the government to reduce its production costs and increase profits.<sup>xxii</sup>
12. The government controls the inputs for cotton production through joint-stock companies, co-owned by the government and individuals.<sup>xxiii</sup> These companies have a monopoly over each input or service needed for cotton production. The Ministry of Finance controls the flow of expenditures and income for cotton and cotton seed production through a cashless system of credit managed by the agricultural fund, called the *Selkhozfond*. According to a credible study of the financial flows of the cotton industry, the *Selkhozfond*, housed in the Ministry of Finance and controlled by high-level officials, does not publicly report income or

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<sup>1</sup> As of 2017 responsibility for the agricultural sector was transferred from the prime minister (now-president Shavkat Mirziyoev held the post of prime minister from 2003-2016) to the minister of agriculture and water resources.

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expenditures.<sup>xxiv</sup> Cotton revenues, estimated at US \$1 billion per year, go into this off budget account that is controlled by high-level officials for their personal use.

13. Under the authority of the central government and with the support of the commercial banks, officials enforce production quotas assigned to farmers and debts owed by farmers to the government via the banks by confiscating farmers’ land and other property, bringing criminal charges, and using physical and verbal abuse against farmers.<sup>xxv</sup> Officials at every level risk losing their jobs if they fail to deliver their quotas for labor and cotton, and, in turn, threaten their employees with loss of jobs and other penalties if they refuse to work on the cotton fields.<sup>xxvi</sup> Through this chain of command, the government has forced students, in some cases children, teachers, doctors, nurses, people receiving social welfare, and employees of government agencies and private businesses to the cotton fields, involuntarily and under threat of penalty. Penalties for refusal to work include dismissal from employment, loss of salary, expulsion from university, loss of benefits, public humiliation, and even violence.<sup>xxvii</sup>
14. Cotton factories that purchase and process raw cotton widely use parallel accounting. For example, if a farmer cannot meet his production quota, he buys the missing cotton from the gin or he pays a bribe so that the missing kilos are credited to him.
15. Extortion is a key component of the forced labor system. The government uses threats and administrative pressure to force people to make payments to support cotton production (see annex 5). The Uzbek system of cotton production is permeated with various corruption schemes, the purpose of which is the personal enrichment of state officials who control the cotton industry. In addition to the lack of transparency surrounding proceeds from the direct sale of cotton, there exists a system of corrupt illegal relations between local authorities and farmers, between farmers and government agencies controlling them, and between farmers and providers of services and resources. This also applies to relations between enterprise managers and employees who pay bribes to avoid being forced to pick cotton.
16. The system of forced labor benefits both high-ranking officials and middle-level officials. The system provides an opportunity for the open extortion of ordinary public sector workers and entrepreneurs who are forced to pay money, ostensibly for the harvest, although there is no transparent, identified fund for this purpose. Instead, the money is simply given to the tax inspector or the director of the public organization. There is no monitoring or accounting mechanism to ensure the money is used appropriately. People who cannot or do not want to work in the cotton fields must pay for a replacement worker to pick cotton or weed the fields in their name or make bribe payments directly to their supervisor or local official. The scale of bribes and various unrecorded payments is enormous. According to UGF’s estimates, about 1 million people are forced to pick cotton annually. Government officials also impose daily picking quotas on workers and deduct the cost of food from their payments. Pickers

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who cannot meet their quotas must pay for the missing kilos and can go into debt to cover their food costs. Pickers bear other out of pocket costs, including for supplemental food, transportation, laundry and bathing, gloves and other protective clothing. These payments amount to a massive unregulated subsidy of the cotton production system by Uzbek citizens, including public sector workers, who are among the lowest paid in the country, and people living in poverty who rely on social benefits. Given the ample opportunity for officials to benefit, they are keen to keep people in the fields for as long as possible. For example, in 2016 the harvest lasted into mid-November even though there was almost no cotton left to pick. UGF documented cases where teachers, doctors, and other public sector workers had to buy cotton or make daily payments to meet impossible quotas. Over the last ten years, UGF has interviewed many owners and employees of small and medium-sized companies. Tax inspectors extort money from these businesses for the cotton harvest under threat of burdensome inspections and other administrative pressure. Payments range from a few dollars a day for small merchants to up to \$50,000 for large businesses. In 2017, UGF documented numerous cases of tax inspectors visiting merchants daily to collect “cotton money.”

17. Uzbekistan was reviewed by the Human Rights Committee in 2015<sup>2</sup>. The Committee made several recommendations regarding forced labour: to enforce the legal framework prohibiting child and forced labour, to prosecute perpetrators and to improve working and living conditions. The state should ensure financial transparency and address corruption in the cotton industry. The Committee chose this as a priority recommendation, requiring the state to update on its implementation within one year. Uzbekistan’s 2016 follow-up report (CCPR/C/UZB/CO/4/Add.2) primarily focused on the elimination of child labour and did not address mentioned financial transparency or corruption in the cotton industry. This practice continues up until today and these recommendations should be reiterated during the UPR process.

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<sup>2</sup> UN Human Rights Committee, *Concluding Observations Uzbekistan*, UN Doc. CCPR/C/UZB/CO/4, June 2015, §19 : “While acknowledging the measures taken by the State party to reduce forced labour involving children under the age of 16 years in the cotton sector, the Committee is concerned about consistent reports indicating an increase in the use of individuals above the age of 16 years and adults to carry out forced labour in the cotton and silk sectors. It is also concerned about allegations of widespread corruption and extortion and hazardous working conditions in the cotton sector and poor living conditions during the harvest, which have even resulted in deaths (arts. 6, 8 and 24). The State party should put an end to forced labour in the cotton and silk sectors, inter alia, by enforcing effectively the legal framework prohibiting child and forced labour, including by rigorously prosecuting those responsible for violations and by improving the working and living conditions in those sectors. The State party should also review its laws and practices to ensure financial transparency and address corruption in the cotton industry and take all measures necessary to prevent deaths in connection with cotton harvesting, investigate thoroughly such cases when they occur and provide effective remedies, including adequate compensation, to victims’ families.”

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18. Although the government has taken some steps to address abuses, it continued to order people to work through the 2017 spring fieldwork season and autumn harvest involuntarily and under the threat of penalty.<sup>xxviii</sup> Those doing spring fieldwork received no pay. Cotton pickers received a nominal amount per kilo picked, although some could not pick enough to cover their costs and went into debt. Although the government recalled university students and some teachers and medical workers from the fields midway through the 2017 harvest, it has not ended the systematic use of forced labor or addressed the root causes of forced labor, including corruption rife in the system.<sup>xxix</sup> A key impediment to the deep reforms needed to end the use of forced labor is the plethora of opportunities that officials at every level, starting at the top, have for personal profit in the current system. The command economy in Uzbekistan’s cotton sector is at the root of both forced labor and corruption. Reform of the sector will require steps to make the financing of cotton production and distribution of resources transparent and accountable; eliminate the incentives and opportunities for corruption at every level; and ensure accountability for rights violations and corrupt practices.

### Violations of the Freedom of Movement

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19. Uzbekistan systematically violates the right to freedom of movement through its Soviet-era *propiska* system by which citizens, residents, and visitors must register their permanent or temporary residence, and the requirement for citizens to obtain an exit visa to travel abroad. In practice, in addition to being used as instruments of control, both the *propiska* and exit visa regimes operate to provide for the personal enrichment of the officials who implement them.
20. Law enforcement agencies harass and question people who return from abroad, and interrogate the relatives of people who are out of the country, officially justifying these actions as “preventative law enforcement measures.” Sources in the Ministry of the Interior told UGF that such “preventative interviews” are mandatory. Law enforcement and *mahalla* (neighborhood) council officials conduct interviews and report to the SNB. Police require returning travelers, especially women, to undergo interviews at the police station, explain where they traveled and justify the purpose of the trip. The Uzbek-German Forum has interviewed numerous returning travelers who were subjected to such interviews as well as extensive inspections in airports during which officials interrogate them about their religious practice and whether they had contact with members of banned religious groups, and inspect their telephones, tablets, computers, and flash drives for extremist or anti-government materials.

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**Propiska (Residence Registration) System**

21. All residents of Uzbekistan must have a *propiska*—an official registration of their permanent place of residence with the Interior Ministry’s Office of Visas and Registration (OVIR). All residents and visitors must receive a temporary *propiska* for a stay of longer than three days in any location. People lacking a valid residency registration cannot work or study in the region and must leave within seven days or may be forcibly removed. Despite the government’s assertions that the *propiska* system is simply one of registration (informing the authorities), the Uzbek-German Forum’s research indicates that it in fact operates as a permit system in which the state exerts control over people’s place of residence and imposes significant burdens on attempts to change residence. It also facilitates a bribery scheme because many individuals must pay bribes to officials at the Interior Ministry to receive proper registration. It is especially difficult to obtain valid residency permits in Tashkent and the Tashkent region as well as several other major cities, restricting people’s ability to find employment since most jobs are concentrated in urban areas.
  
22. The tight regulations and exercise of control over residency has also created a system wherein many people must live and work without registration, leaving them vulnerable to extortion, exploitation, and legal repercussions and also depriving the state of taxes and payments. It has made bribery of police and other officials an inexorable part of the system and of daily life for people. Many employers and local police gain from the vulnerability of unregistered internal economic migrants, offering low salaries and poor working conditions and extracting bribes. For example, an unregistered café worker in Tashkent told the Uzbek-German Forum that his director spends more on him making payments to police than on his salary. Almost all violators of the *propiska* regime” pay the inspectors and live under their ‘protection.’”
  
23. Such cases lead to artificially deflated costs for labor and poor working conditions for employees. Money that could be paid to the government in taxes and payments to the pension fund instead goes into the private pockets of police officers, who accept bribes, and their superiors, who receive a share. Everyone interviewed by the Uzbek-German Forum said that local police, who exert daily control over the *propiska* system by inspecting people’s passports for registrations on the street, at their homes, and at businesses, earn off the system rather than enforce it, by demanding bribes. A lawyer from Samarkand living in Tashkent without registration, told the Uzbek-German Forum that the police officer for his district visits him on an appointed day each month to demand a payment for each family member. In Tashkent alone there are hundreds of thousands of internal economic migrants living without registration, many of whom are exploited by local police, who extract regular bribes.

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### Exit Visas

24. Uzbekistan is one of the few countries in the world to require its citizens to obtain an exit visa to travel abroad, a clear violation of the right to freedom of movement. Troublingly, in its last review, Uzbekistan rejected a recommendation (R. 136.53) to eliminate the exit visa system as not part of its internationally recognized human rights obligations.
25. On July 11, 2017, President Mirziyoev signed a decree to introduce new international passports to replace the exit visa regime. However, the current system will remain intact until 2019, when the government will begin to issue the new international passports. In addition, the government will still be able to use the proposed international passport system to restrict improperly the freedom of movement of citizens for political reasons and to extract bribe payments, as it does the exit visa system.
26. Uzbekistan introduced new, fully biometric passports in 2011 that conform to international standards for identity documents and should be sufficient for international travel. The government has failed to make clear why citizens should be required to obtain a second passport for foreign travel or how the documents will differ. Further, it has yet to detail the how long these passports will be valid, the procedures for obtaining them, and on what basis citizens may be denied a passport.
27. Currently, all Uzbekistan passport holders who wish to leave the country must first submit their passports to receive an exit visa from OVIR. Such exit permits are not required to visit other CIS countries but, because of an internal CIS agreement, an Uzbek citizen in another CIS country without an exit visa is prohibited from traveling on to other countries. Uzbeks who travel outside the CIS without exit visas may be criminally prosecuted for illegal border crossing and violations of the passport regime, crimes punishable by significant fines and prison time. Officially, exit visas cost approximately US \$25, are valid for two years, and should be granted within two weeks of application. In practice wait times are often significantly longer, from 20-30 days, and officials can deny or delay granting a visa arbitrarily and without explanation.
28. As with the *propiska* system, the government uses exit visas as a means for corrupt officials up the chain to extract bribes. From time to time the authorities announce a shortage of exit visa stickers and a temporary moratorium on issuing visas, possibly, in part, to drive up bribe amounts. Additionally, the Uzbek-German Forum found that girls and women under age 35 attempting to receive exit visas are required to undergo an interview and receive “permission” from their parents or, if they are married, from their husbands or parents-in-law before receiving an exit visa. Parents, husbands, or in-laws must guarantee that their daughter

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or wife will not enter into prostitution. The Uzbek-German Forum interviewed several women who had undergone such interviews in police stations. This practice is not only humiliating, it also violates the principles of equality and nondiscrimination and the right to privacy.

29. The Uzbek-German Forum also found that officials delay or deny granting exit visas to on politically motivated grounds, such as to prevent people from leaving the country to seek asylum or to prevent human rights defenders, independent journalists, members of the political opposition, or civic activists from traveling abroad to work or attend conferences or meetings. Some activists claim that authorities use the exit visa regime as a means of control and to isolate them from networks and support abroad. The government has also denied exit visas to relatives of Uzbek journalists, human rights defenders, or dissidents living abroad, denying them the ability to receive family visits as means of retaliation. In early 2015 for example, authorities denied an exit visa to human rights activist Elena Urlaeva, head of the Human Rights Alliance of Uzbekistan, so that she could travel to Seoul, South Korea, to receive a prize awarded to her organization. Since then, in response to complaint about the delay in granting her a visa, Urlaeva received a letter that she was not eligible for an exit visa because of the court decision finding her mentally incompetent. In just a few other examples from recent years, the government has refused exit permits to activists Diloram Iskhakova, Nodira Khidoyatova, and Dmitri Tikhonov (who has since sought asylum), sociologist Bakhodir Musaev, poet Halima Rustamova, and artist Vyacheslav Akhunov. The government has also denied a visa to relatives of journalist Shahida Tuleganova. The government does not justify denial or delay other than notification that the applicant’s travel abroad is “not advisable.” For example, Akhunov, unable to receive an exit visa for five years, received an official denial from the Ministry of Internal Affairs stating that his travel abroad is “not advisable.” In 2014 he sued the Ministry but the court upheld the denial as lawful.<sup>xxx</sup> Lawyer Polina Braunberg, known for fearless representation of clients in politically sensitive cases, for years sought an exit visa to travel abroad for medical treatment. Braunberg, who suffered from serious health problems, was repeatedly denied an exit visa and in July 2016 reported that authorities threatened her with arrest unless she withdrew her application. She applied again in February 2017 but did not receive a response. She died May 19, 2017. Writer Mamedali Mahmudov, released in 2013 after 17 years in prison, has been unable to obtain an exit visa to go abroad for treatment of a serious heart condition.

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<sup>i</sup> Amnesty International, 'Secrets and Lies: Forced Confessions Under Torture in Uzbekistan', 2015, available online: [www.amnesty.ca/sites/amnesty/files/uzbekistan\\_torture\\_report\\_2015.pdf](http://www.amnesty.ca/sites/amnesty/files/uzbekistan_torture_report_2015.pdf) (accessed 17 July 2017); Human Rights Watch “‘No One Left to Witness’ Torture, the Failure of Habeas Corpus, and the Silencing of Lawyers in Uzbekistan,” 2011, <https://www.hrw.org/report/2011/12/13/no-one-left-witness/torture-failure-habeas-corpus-and-silencing-lawyers-uzbekistan> (accessed 17 July 2017); Human Rights Watch “‘Until the Very End’: Politically Motivated Imprisonment in Uzbekistan’, 2015, available online: <https://www.hrw.org/report/2014/09/25/until-very-end/politically-motivated-imprisonment-uzbekistan> (accessed 17 July 2017); A. Ilkhamov, ‘, interest groups and patronage networks: the impasses of the governance system in Uzbekistan’, *Central Asia Survey*, vol. 26, No. 1,

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2007, pp.65-84; D. G. Lewis, ‘Tackling Corruption in Uzbekistan: A White Paper’, *Open Society Foundation*, 2016, [https://www.opensocietyfoundations.org/sites/default/files/tackling-corruption-Neopatrimonialism\\_uzbekistan-20160524.pdf](https://www.opensocietyfoundations.org/sites/default/files/tackling-corruption-Neopatrimonialism_uzbekistan-20160524.pdf), (accessed 12 February 2017).

<sup>ii</sup> The case studies are: Roz Trading Limited, Interspan Distribution Corporation, Vimpelcom, MobileTelesystems, TeliaSonera, Metaltech Limited, Oxus Gold, Tenaris, British American Tobacco, Turkuaz Group of Companies, Hisar Tekstil, Demir, Ekol Building and Construction, and BF Tekstil.

<sup>iii</sup> “A Dance with the Cobra: Confronting Grand Corruption in Uzbekistan,” Kristian Lasslett, Fatima Kanji, Daire McGill, State Crime Initiative, June 2017, <http://statecrime.org/data/2017/08/Full-Report-with-Executive-Summary.pdf> (accessed September 29, 2017).

<sup>iv</sup> Ibid.

<sup>v</sup> A. Ilkhamov, ‘Neopatrimonialism, interest groups and patronage networks: the impasses of the governance system in Uzbekistan’, *Central Asia Survey*, vol. 26, No. 1, 2007, pp.65-84; D. G. Lewis, ‘Tackling Corruption in Uzbekistan: A White Paper’, *Open Society Foundation*, 2016, <https://www.opensocietyfoundations.org/sites/default/files/tackling-corruption-uzbekistan-20160524.pdf>, (accessed 12 February 2017)

<sup>vi</sup> See “Uzbekistan: Rights Defender’s Work Impeded,” February 9, 2016, Human Rights Watch, available at: <https://www.hrw.org/news/2016/02/09/uzbekistan-rights-defenders-work-impeded> (accessed July 7, 2017).

<sup>vii</sup> Amnesty International, Uzbekistan: Secrets and Lies: Forced confessions under torture in Uzbekistan, 15 April 2015, EUR 62/1086/2015, available at: <http://www.refworld.org/docid/5530c08a33b.html> (accessed October 5 2017).

<sup>viii</sup> SCI/UGF interview with Vahit Güneş, Istanbul, Turkey, May 2015.

<sup>ix</sup> Ibid.

<sup>x</sup> Amnesty International, “Secrets and Lies.”

<sup>xi</sup> SCI/UGF interview with Vahit Güneş, Istanbul, Turkey, May 2015.

<sup>xii</sup> Güneş Tekstil Konfeksiyon Sanayi ve Ticaret Limited Şirketi and others v. Republic of Uzbekistan (ICSID Case No. ARB/13/19).

<sup>xiii</sup> See “Uzbekistan: Investigate Death in Custody, Torture,” Human Rights Watch, November 28, 2016, available at: <https://www.hrw.org/news/2016/11/28/uzbekistan-investigate-death-custody-torture> (accessed August 23, 2017).

<sup>xiv</sup> See Uzbek-German Forum and Human Rights Watch, “We Can’t Refuse to Pick Cotton” - Forced and Child Labor Linked to World Bank Group Investments in Uzbekistan, 27 June 2017, [http://uzbekgermanforum.org/wp-content/uploads/2017/06/REPORT\\_Uzbekistan\\_2017-27-06.pdf](http://uzbekgermanforum.org/wp-content/uploads/2017/06/REPORT_Uzbekistan_2017-27-06.pdf) (accessed September 29, 2017).

<sup>xv</sup> See Bakhodiy Muradov and Alisher Ilkhamov, “Uzbekistan’s Cotton Sector: Financial Flows and Distribution of Resources,” *Open Society Eurasia Program*, October 2014, <https://www.opensocietyfoundations.org/sites/default/files/uzbekistans-cotton-sector-20141021.pdf> (accessed September 29, 2017).

<sup>xvi</sup> See: Muradov and Ilkhamov, “Uzbekistan’s Cotton Sector,” p. 13; Anastasiya Shtaltovna and Anna-Katharina Hornidge, “A Comparative Study of Cotton Production in Kazakhstan and Uzbekistan,” *Center for Development Research (ZEF), University of Bonn, Germany*, 2014, p. 14. [http://www.cottoncampaign.org/uploads/3/9/4/7/39474145/shtaltovnahornidge\\_kaz-uzb\\_farmers\\_study\\_2014.pdf](http://www.cottoncampaign.org/uploads/3/9/4/7/39474145/shtaltovnahornidge_kaz-uzb_farmers_study_2014.pdf) (accessed May 24, 2017). These two sources, in addition to a World Bank study by Rob Swinkels, Ekaterina Romanova, and Evgeny Kochkin, “Assessing the Social Impact of Cotton Harvest Mechanization in Uzbekistan,” *World Bank Group*, May 2016, ps. 11 and 28, <http://documents.worldbank.org/curated/en/753131468301564481/pdf/105190-REPLACEMENT-WP-P151288-PUBLIC.pdf> (accessed May 24, 2017), corroborate the Uzbek-German Forum’s findings about the structure and operation of the cotton system, based on research conducted since 2009, including dozens of interviews with farmers and local officials, leaked official documents, and harvest monitoring. See, for example, “Cotton: It’s Not a Plant, It’s Politics— The System of Forced Labor in Uzbekistan’s Cotton Sector,” *Uzbek-German Forum*, Berlin, 2012, <http://uzbekgermanforum.org/wp-content/uploads/2012/12/cotton-its-not-a-plant-its-politics-online.pdf> (accessed May 24, 2017); and “A Systemic Problem: State-Sponsored Forced Labor in Uzbekistan’s Cotton Sector Continues in 2012,” *Uzbek-German Forum and the Cotton Campaign*, Berlin, 2013, [http://uzbekgermanforum.org/wp-content/uploads/2013/07/SystemicProblem-ForcedLabour\\_Uzbekistan\\_Cotton\\_Continues.pdf](http://uzbekgermanforum.org/wp-content/uploads/2013/07/SystemicProblem-ForcedLabour_Uzbekistan_Cotton_Continues.pdf) (accessed May 24, 2017).

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<sup>xvii</sup> Decree of the President of the Republic of Uzbekistan, “On organizational measures to ensure the timely and quality harvesting of raw cotton in 2014,” No. PP2380, September 4, 2014, [http://harvestreport2015.uzbekgermanforum.org/pdf/President/2014.09.04\\_Resolution-of-the-President.pdf](http://harvestreport2015.uzbekgermanforum.org/pdf/President/2014.09.04_Resolution-of-the-President.pdf) (original and English translation, accessed May 24, 2017).

<sup>xviii</sup> Muradov and Ilkhamov, “Uzbekistan’s Cotton Sector,” p. 15; Decree of the President of the Republic of Uzbekistan, “On the formation of the holding company ‘Uzpakhtsanoateksport,’” Tashkent, Uzbekistan, October 27, 2015, [http://www.norma.uz/raznoe/ukaz\\_prezidenta\\_respubliki\\_uzbekistan7](http://www.norma.uz/raznoe/ukaz_prezidenta_respubliki_uzbekistan7) (accessed May 24, 2017).

<sup>xix</sup> Muradov and Ilkhamov, “Uzbekistan’s Cotton Sector,” p. 17. Swinkels, Romanova, and Kochkin, “Assessing the Social Impact of Cotton Harvest Mechanization in Uzbekistan,” ps. 11 and 28, <http://documents.worldbank.org/curated/en/753131468301564481/pdf/105190-REPLACEMENT-WP-P151288-PUBLIC.pdf> (accessed May 24, 2017).

<sup>xx</sup> Swinkels, Romanova, and Kochkin, p. 28. The Uzbek-German Forum reviewed land lease and procurement contracts of two farmers. Copies of these contracts are on file with the Uzbek-German Forum.

<sup>xxi</sup> Ibid.

<sup>xxii</sup> Swinkels, Romanova, and Kochkin, p. 20.

<sup>xxiii</sup> Cotton Campaign interview with farmer, name and place withheld, September 26, 2012. Muradov and Ilkhamov, “Uzbekistan’s Cotton Sector,” p. 13, Shtaltovna and Hornidge, “A Comparative Study of Cotton Production in Kazakhstan and Uzbekistan,” p. 8.

<sup>xxiv</sup> Muradov and Ilkhamov, p. 18. The Selkhozfond was established by presidential decree, Decree of the President of the Republic of Uzbekistan, “On the establishment of a fund for the accounting for agricultural products procured for state needs,” No. UP-2165, December 31, 1998, and subsequent amendments, [http://www.lex.uz/pages/getpage.aspx?lact\\_id=354560](http://www.lex.uz/pages/getpage.aspx?lact_id=354560) (accessed May 24, 2017).

<sup>xxv</sup> “Comments Concerning the Ranking of Uzbekistan by the United States Department of State in the 2016 Trafficking in Persons Report, submitted by the Cotton Campaign,” Cotton Campaign, January 30, 2016, p. 2, [http://www.cottoncampaign.org/uploads/3/9/4/7/39474145/cc\\_comments\\_jtip\\_uzbekistan\\_30january2016\\_with\\_endorsements.pdf](http://www.cottoncampaign.org/uploads/3/9/4/7/39474145/cc_comments_jtip_uzbekistan_30january2016_with_endorsements.pdf) (accessed May 24, 2017).

<sup>xxvi</sup> See “We Can’t Refuse to Pick Cotton.”

<sup>xxvii</sup> Ibid.

<sup>xxviii</sup> See Cotton Campaign submission; “Fieldwork Never Ends for Us: Forced Labor in Spring Cotton Fieldwork in Uzbekistan in 2017,” the Uzbek-German Forum, forthcoming October 9, 2017, [uzbekgermanforum.org](http://uzbekgermanforum.org).

<sup>xxix</sup> “Uzbekistan: Some Workers Excused from the Fields,” Cotton Campaign press release, October 5, 2017, <http://www.cottoncampaign.org/uzbekistan-judge-progress-vs-reality.html> (access October 5, 2017).

<sup>xxx</sup> “Вячеслав Ахунов: «Скажите мне, в чем я провинился?» [Vyacheslav Akhunov: Tell Me What I am Guilty of?],” Fergana News, March 5, 2014, <http://www.fergananews.com/articles/8075> (accessed October 2, 2017)