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MOTION FOR A RESOLUTION

with request for inclusion in the agenda for the debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 115 of the Rules of Procedure

by H el ene Flautre, Cem  zdemir, Satu Hassi, Bart Staes,

on behalf of the Verts/ALE Group

on Uzbekistan

European Parliament resolution on Uzbekistan

The European Parliament,

- having regard to previous resolutions on the Central Asia Republics and Uzbekistan with regard, in particular, to its resolutions of 9 June 2005 and 26 October 2005,
 - having regard to the Commission's Central Asia Strategy Paper 2002-2006,
 - having regard to the Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and the Republic of Uzbekistan, of the other part, which entered into force on 1 July 1999,
 - having regard to the conclusions of the Council of General Affairs and External Relations of 18 July and 3 October 2005,
 - having regard to the EU Presidency statements on the human rights situation in Uzbekistan in 2005 and 2006,
 - having regard to the report of the UN Working Group on Enforced or Involuntary Disappearances of 27 December 2005,
 - having regard to the trial monitoring report from the OSCE/ODIHR of 3 March 2006,
 - having regard to the UN Special Rapporteur Manfred Nowak report on civil and political rights, including the question of torture and detention of 21 March 2006,
 - having regard to the letter on the situation of human rights in Uzbekistan of 26 June 2006 from the Permanent Representative of Uzbekistan to the UN addressed to the UN Secretary-General,
 - having regard to Rule 115 of its Rules of Procedure,
- A. whereas in the light of events in Andijan and the refusal of the Uzbek government to allow an independent inquiry into what happened, the EU announced in October 2005 a partial suspension of the Partnership and Cooperation Agreement (PCA) with Uzbekistan and whereas the review of these sanctions is expected in November 2006;
- B. whereas the Council pledged to keep the restrictive measures under review by considering any significant changes to the current situation with regard to the four areas identified by the EU, including the conduct and outcome of the Andijan-related trials, detention and harassment of those who have questioned the Uzbek authorities' version of the Andijan events, the government's cooperation with and the outcome of an independent international investigation, and any step forward that demonstrates the government's willingness to adhere to principles of respect for human rights, rule of law and fundamental freedoms;

- C. whereas the Uzbek government have demonstrated their complete lack of commitment to holding accountable the government forces that killed hundreds of people during the Andijan events; whereas, in this respect, the comprehensive trial monitoring report issued by the OSCE/ODIHR has clearly highlighted numerous fair trial rights violations since the beginning of this judicial process;
- D. whereas the Uzbek authorities have rejected the numerous and repeated calls for an independent international inquiry into the Andijan events and have persisted in their refusal to cooperate with the international community in establishing such a mechanism;
- E. whereas, since May 2005, Uzbek authorities have cracked down heavily on civil society and especially on those who seek to speak out about the Andijan events and highlight the lack of accountability for the crimes committed;
- F. whereas, this year, at least 12 human rights defenders have been convicted and imprisoned on politically motivated charges and, simultaneously, independent journalists as well as international media are the targets of particularly harsh harassment and censorship; whereas, in this respect, Uzbek authorities adopted a new law in February 2006 condemning systematically international media expressing criticism on Uzbek policy;
- G. whereas, at the same time, the Uzbek government has stepped up its campaign to halt political dissent by arresting opposition leaders such as Sanjar Umarov, Chairman of the Sunshine Coalition, who was sentenced on 6 March 2006 to a 10-year prison term; whereas his family and his lawyer have been consistently denied access to him which is a violation of both Uzbek and international human rights law;
- H. whereas international human rights organisations have denounced the arrest of thousands of people in order to cover up the truth, whereas people in detention are at serious risk of being subjected to torture and other ill-treatment and whereas many have been charged with capital offences and risk being sentenced to death following an unfair trial,
- I. whereas, according to the March 2006 report of the UN Special Rapporteur on Torture, there has been no fundamental change in the widespread use of torture or in policies and practices that could effectively combat it and no meaningful steps have been taken by the Uzbek government to declare an end to the culture of impunity;
- J. whereas, after the Andijan events, hundreds of Uzbek citizens were obliged to flee to the Kyrgyz Republic and to other neighbouring countries and whereas Uzbek refugees have been extradited to Uzbekistan in full violation of the 1951 Refugee Convention;
- K. whereas the Uzbek President, Mr Karimov, has been the leader of the country since its independence in 1989 and has prevented any real democratic development;
- L. whereas the development of civil society is a basic step towards providing the country with a functioning democracy, stability and social cohesion which are essential to fighting effectively against any risk of religious extremism;

M. whereas Uzbek society is largely secular and the limited religious extremism is essentially fuelled by social injustice; stressing that the fight against religious extremism can only be conducted through legal means and not through oppression;

N. whereas civil society in Uzbekistan, as well as in neighbouring countries, demands a more open society, where individual freedoms and human rights are fully respected and there is real progress towards democracy;

1. Condemns the Uzbekistan authorities' refusal to allow an independent inquiry into the events in Andijan of May 2005, this being an essential step towards restoring Uzbekistan's international credibility as far as its compliance with international standards of respect for the rule of law and human rights is concerned;

2. Reiterates the importance of EU-Uzbekistan relations and recognizes the crucial role of Uzbekistan in the Central Asia region but stresses that those relations must be based on mutual respect for the principles of democracy, rule of law and human rights as clearly laid down in the EU/Uzbekistan Partnership and Cooperation Agreement;

3. Calls on the Council to extend for a further twelve months its existing sanctions policy which consists of introducing an embargo on the export of arms and military equipment and other equipment that might be used for internal repression to Uzbekistan, implementing restrictions on admission to the EU of Uzbek officials and individuals directly responsible for the Andijan events and suspending *sine die* all scheduled technical meetings under the PCA and reducing its TACIS programme in order to support increased focus on the needs of the population, democracy, human rights as well as to foster links with Uzbek civil society;

4. Urges the Uzbek President, Mr Karimov, to change radically his authoritarian policy and to engage in democratic reforms, including the promotion of human rights, free elections, accountability and transparency;

5. Urges the Government of Uzbekistan to release all human rights defenders, journalists and political opposition members who are still in detention and allow them to work freely and without fear of persecution and to put an end to the harassment of NGOs;

6. Urges that the trial of the individuals accused of plotting to overthrow the Uzbek government fully comply with international law and be open to any of the UN special procedures who have requested invitations as well as OSCE monitors and independent observers, these being allowed complete access to the proceedings;

7. Calls on the Kyrgyz Republic and the other neighbouring countries to fully respect the 1951 Refugee Convention under which no refugees should be forcibly returned to their country of origin and thus not to extradite Uzbek refugees to Uzbekistan; urges, in this regard, the Council and the Commission to closely follow the situation of all Uzbek refugees who were already extradited to Uzbekistan;

8. Calls on the Council to take all necessary measures within the UN Human rights Council in order that Uzbekistan no longer be dealt with under a confidential procedure known as 1503 and

be subjected instead to a public scrutiny mechanism as recommended by Louise Arbour, the UN High Commissioner for Human Rights, in her July 2005 report on the Andijan massacre;

9. Instructs its President to forward this resolution to the Council and the Commission, the President, the Government and the Parliament of Uzbekistan, the OSCE and the Secretary General of the United Nations.