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The Permanent Mission of the Republic of Uzbekistan to the United Nations Office and other International Organizations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights (OHCHR) and has the honour to convey enclosed herewith Uzbekistan's response to the joint communication by the Special Rapporteur on the independence of judges and lawyers, Working Group on Arbitrary Detention, Special Rapporteur on extrajudicial, summary or arbitrary executions, Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Special Rapporteur on the rights to freedom of peaceful assembly and of association and Special Rapporteur on the situation of human rights defenders. (*Ref. № AL UZB 3/2024 dated 16 August 2024*).

The Permanent Mission of the Republic of Uzbekistan avails itself of this opportunity to renew to the OHCHR the assurances of its highest consideration.



Geneva, 12 November 2024

Enclosure: 1 file.

Attn.: Special Procedures Branch

Office of the United Nations
High Commissioner for Human Rights
GENEVA

Translated from Russian

Reply of Uzbekistan to the joint communication of the Special Rapporteur on the independence of judges and lawyers, the Working Group on Arbitrary Detention, the Special Rapporteur on extrajudicial, summary or arbitrary executions, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, the Special Rapporteur on the rights to freedom of peaceful assembly and of association and the Special Rapporteur on the situation of human rights defenders regarding the mass riots in the Republic of Karakalpakstan

Ref.: AL UZB 3/2024

I. Introduction

1. On 16 August 2024, a joint communication on the mass unrest in the Republic of Karakalpakstan was sent by the Special Rapporteur on the independence of judges and lawyers, Margaret Satterthwaite, the Vice-Chair on communications of the Working Group on Arbitrary Detention, Ganna Yudkivska, the Special Rapporteur on extrajudicial, summary or arbitrary executions, Morris Tidball-Binz, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Irene Khan, the Special Rapporteur on the rights to freedom of peaceful assembly and association, Gina Romero, and the Special Rapporteur on the situation of human rights defenders, Mary Lawlor.

2. Uzbekistan fulfils its international human rights obligations in good faith and is committed to maintaining a constructive dialogue with the United Nations mechanisms, including the special procedures, which are a vital aspect of a strong and effective international human rights protection system.

3. This reply was prepared by the National Centre for Human Rights on the basis of information provided by the Commissioner for Human Rights (Ombudsman) of the Oliy Majlis, the legislature of Uzbekistan, the Supreme Court, the Ministry of Internal Affairs and the Office of the Procurator General.

4. Uzbekistan, acting in a spirit of constructive engagement with the special mandate holders of the Human Rights Council, submits the following information in response to the joint communication.

II. Comments by Uzbekistan

Riots in Karakalpakstan in July 2022

Mass riots

5. On 1 and 2 July, a group of persons in the Republic of Karakalpakstan, owing to a false perception and miscommunication to the public of the proposed amendments to a new draft Constitution, instigated mass riots, in defiance of the legitimate demands of government representatives, and attempted to seize local government buildings by means of populist slogans, psychological manipulation and abuse of the people's trust.

6. Despite the authorities' demands for a cessation of the disturbances to public order, the protesters continued their destructive actions. The rioters caused significant damage to infrastructure, breaking windows and carrying out arson attacks, as they moved through the streets of Nukus. Several groups attempted to storm the buildings of the Main Department of Internal Affairs in Nukus and the National Guard headquarters in order to seize weapons. Taking advantage of their relative numerical superiority, they attacked law enforcement officers and beat them unmercifully, causing serious bodily harm.

7. As a result of the mass riots, participants damaged 150 government and commercial buildings, burned or damaged 100 cars and emergency vehicles, burned tyres at 27 intersections and blocked roads. The building of the Department of Internal Affairs in Nukus and Nukus International Airport were attacked. In total, 3,879 weapons and riot gear (3 pistols) belonging to law enforcement officers were stolen. Damage to public and State property amounted to 6.7 billion sum, and civilians and law enforcement officers were injured.

8. More than 274 people, including 203 law enforcement officers, suffered injuries of varying degrees of severity. Twenty-one people died, including two law enforcement officers.



9. The authorities of Uzbekistan immediately met the protesters and withdrew the proposed amendments to the Constitution related to the sovereignty of Karakalpakstan. This shows a willingness to take public opinion into account if it is expressed in a peaceful and lawful manner.

10. Despite the considerable attention given to the events in Karakalpakstan, the protests did not receive mass support. This shows that the majority of citizens chose to stay out of the conflict and trust the reform process. It should be noted that more than 40 per cent of the population of Karakalpakstan are Uzbeks (with Karakalpaks making up 36 per cent of the region's population), who fully support the Government's reform process.

Holding of protests without obtaining official authorization from the relevant government bodies

11. The protests in Karakalpakstan were organized and directed by agitational forces seeking to use public discontent to foment nationalist and separatist sentiments. Moreover, radical groups incited violence and a coup d'état, which goes against the idea of peaceful protest.

12. Article 33 of the Constitution provides that citizens may engage in public life by holding rallies, meetings and demonstrations in accordance with national laws. The authorities may only suspend or prohibit such activities for justified security reasons.

13. In accordance with Human Rights Committee general comment No. 37 (2020), paragraph 70, notification systems requiring the authorities to be informed of an upcoming assembly may be compatible with article 21 of the International Covenant on Civil and Political Rights if their purpose is to assist the State in facilitating the exercise of the right to peaceful assembly and to take measures to protect public safety or order rather than to interfere with the right itself.

14. However, no written application to hold a rally, which needed to be authorized by the Jokargy Kenes (parliament) of the Republic of Karakalpakstan, was submitted in accordance with the established procedure. These facts are confirmed by the testimonies of witnesses and by video material associated with the criminal case. The court found that these facts justified the prosecution of the persons responsible.

15. Moreover, the protests entailed damage to public and administrative government buildings and attacks on law enforcement officers. The organizers of these events did not apply for a permit, which is a direct violation of the established procedure. Actions involving damage to or destruction of public administrative and law enforcement buildings and attacks on law enforcement officers are violent in nature and go beyond the peaceful expression of opinions and beliefs, posing a threat to public security and public order. In accordance with article 21 of the Covenant, as explained in general comment No. 37 (2020), States have the right and obligation to apply lawful, necessary and proportionate measures to restrict such assemblies in order to protect the public interest and the rights of others.

16. The Human Rights Committee notes in general comment No. 37 (2020), paragraph 17, that an assembly is considered peaceful if its intentions and conduct are non-violent. The use of physical force against other persons or property may place an event outside the scope of a peaceful assembly. In this regard, the claim that the rallies were peaceful is not in line with the provisions of national and international human rights instruments.

Use of riot gear by law enforcement officers

17. To prevent mass casualties among the population, prevent further damage to property and ensure public safety, law enforcement agencies used non-lethal riot gear, including so-called flash-bang and tear gas grenades.

18. The intervention of law enforcement agencies was a necessary measure to prevent mass riots and protect the safety of citizens. The use of force by law enforcement agencies was carried out only when absolutely necessary and for legitimate law enforcement purposes, based on the requirements set out in the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials and national laws and regulations governing the use of riot gear. These measures were necessary to stop unlawful actions posing a direct threat to the life and health of citizens and public safety in general.

19. The use of riot gear by the law enforcement agencies was carried out in strict compliance with the requirements of article 21 of the Internal Affairs Agencies Act¹ and article 28 of the National Guard Act,² taking into account the situation and the nature and degree of danger posed by the actions of the rioters.

20. Under article 30 of the National Guard Act, members of the National Guard are authorized, in the performance of their official duties, to use riot gear in repelling attacks and quelling mass riots and in other cases provided for by law.

21. Members of the National Guard involved in crowd control underwent specialized training and periodic fitness tests in accordance with article 28 of the National Guard Act. Certificates have been issued to military personnel and staff who have undergone specialized training.

22. The National Guard units were guided by the National Guard Act and other laws when dealing with the mass riots that occurred on 1 and 2 July in the Republic of Karakalpakstan, and by the Constitutional State of Emergency Act when enforcing the state of emergency.

Visits by the President of Uzbekistan to the Republic of Karakalpakstan

23. On 2 July, the President of Uzbekistan, Shavkat Mirziyoyev, visited the Republic of Karakalpakstan. During the visit, the President visited Zhakaterek mahalla in Nukus and talked to local residents. The elders deplored the recent events, noting that some youth had been influenced by external subversive forces and had committed unlawful acts in the heat of the moment. During the conversation, it was emphasized that Uzbeks and Karakalpaks are one people speaking two languages, and that unity and peace in the country are the highest values to be cherished.

24. On 3 July, President Mirziyoyev flew to Nukus for the second time in two days. The President met with deputies of the Jokargy Kenes, the leadership of the Council of Ministers and members of the public of the Republic of Karakalpakstan. During the meeting, he reiterated that the draft constitutional act amending the Constitution would be finalized on the basis of citizens' proposals and opinions. In addition, the President said that articles 70, 71, 72, 74 and 75 of the Constitution in its current version should remain unchanged given that the discussion of amendments to the Constitution was still ongoing.

Declaration of a state of emergency in the Republic of Karakalpakstan

25. In order to ensure the safety of citizens, protect their rights and freedoms, and restore law and order, a presidential decree was adopted declaring a state of emergency in the territory of the Republic of Karakalpakstan from 3 July to 2 August 2022.

26. The declaration of a state of emergency in this case was justified not only by international legal instruments, but also by national laws. Under the Constitutional State of Emergency Act, a state of emergency is declared only in exceptional circumstances posing a direct threat to the life, health and safety of citizens that are impossible to overcome without resorting to extraordinary measures. Such circumstances include: a real external threat, attempts to forcibly change the foundations of the constitutional order or undermine the territorial integrity of Uzbekistan, mass riots, terrorist acts, the blockade or seizure of particularly important, protected ("categorized") and other facilities or sites, and the preparation, establishment or participation in the activities of illegal armed groups and inter-ethnic, sectarian and border conflicts involving violent actions that pose a direct threat to the life, health and safety of citizens and daily activities of State bodies and other organizations.

27. In addition, article 12 of the Act also establishes a list of temporary restrictions on the rights and freedoms of citizens that may be applied during a state of emergency. Such measures include the introduction of curfews, which prohibit citizens from staying on the streets and in public places at certain times of the day without special passes and documents.

28. In the given situation, violent protests involving damage to buildings and attacks on law enforcement officers fall under the categories of mass riots and attempts to forcibly

¹ Internal Affairs Agencies Act, No. 407 of 16 September 2016 (lex.uz)

² National Guard Act, No. 647 of 18 November 2020 (lex.uz)

change the foundations of the constitutional order. Such actions pose a direct threat to the life and safety of citizens and to the stability of public administration.

29. From the perspective of international law, the declaration of a state of emergency in such circumstances is consistent with the provisions of the International Covenant on Civil and Political Rights. Article 4 of the Covenant allows States parties to take measures derogating from their obligations under the Covenant in the event of a public emergency that threatens the life of the nation.

30. The declaration of a state of emergency by presidential decree is a measure consistent with both national laws and international legal standards. The principles of necessity and proportionality were observed in the declaration of the state of emergency, ensuring the minimum restriction of the rights and freedoms of citizens necessary to eliminate the threat. Thus, taking into account national and international rules of law, the imposition of a state of emergency in response to violent protests posing a direct threat to national security and public order is legally justified and complies with the requirements of the rule of law and the protection of human rights.

Restrictions on access to and use of the Internet and mobile communications

31. The authorities took proportionate and temporary measures to prevent the escalation of the conflict and the spread of rumours or misinformation that could cause panic or lead to violence and to protect public order. However, such measures were limited in time and entailed further efforts to foster trust and dialogue with the community.

Detention of perpetrators of public order offences and safeguarding of the rights of detained persons

32. As at 4 July 2022, according to information provided at the briefing by the commander of the National Guard of Uzbekistan, 516 people were being held in administrative detention.

33. Allegations of torture and denial of legal counsel or the possibility of communication with family members are untrue. Persons brought in as suspects and accused persons are afforded the right of defence, their close relatives are informed of their place of detention, and they are guaranteed the right to receive visits in accordance with the requirements of national law.

34. Each defendant was given access to legal assistance and the opportunity to defend himself in court. In cases where the accused could not find a lawyer of their choice, the State offered qualified lawyers to represent the defendants and provide them with an adequate defence. Each of the 22 persons facing trial was represented by defence counsel. In particular, 8 defendants were represented by public defenders (lawyers), 12 by counsel of their own choice and at their own expense (lawyers), and 2 by both a public defender (lawyers) and counsel of their own choice and at their own expense (lawyers).

Commission of Inquiry into the situation and events that occurred in the Republic of Karakalpakstan in July 2022

35. By a joint decision of the council (*kengash*) of the Legislative Chamber and council of the Senate of the Oliy Majlis of 15 July 2022, an independent Commission of Inquiry into the situation and events that occurred in the Republic of Karakalpakstan in July 2022 was established under the chairship of the Commissioner for Human Rights of the Oliy Majlis.

36. The Commission was composed of deputies of the Legislative Chamber and members of the Senate of the Oliy Majlis, representatives of international and national human rights organizations, such as

and representatives of the public in the Republic of Karakalpakstan.

37. The Commission carries out its activities independently from State bodies and organizations, while demonstrating openness and transparency. In order to objectively examine the events that took place in July 2022 in Nukus, a call centre with the short number

1374 was launched, which received more than 500 communications, including 291 written and more than 300 verbal communications. These communications were considered in cooperation with the relevant ministries and departments.

38. The Commission's activities were widely publicized on the social networks Telegram, Facebook and Twitter and the website of the Independent Commission, with publications in Uzbek, Karakalpak, Russian and English. In total, more than 600 news stories, news items and short videos were posted. Commission members also gave over 20 interviews, including meetings with international media such as Ozodlik radiosi, *The Economist* and Voice of America, along with representatives of the Office of the United Nations High Commissioner for Human Rights (OHCHR) Regional Office for Central Asia and Human Rights Watch.

39. The Commission held more than 50 meetings in various institutions and organizations, where group and individual meetings were held with directors and staff, persons serving a sentence of administrative detention, human rights defenders and members of the public. According to the information gathered, 413 people were injured during the riots, including 249 who received first aid and 164 who were hospitalized. Sadly, 21 people died despite the medical care they received.

40. The members of the Commission visited the families of the victims and held meetings with the injured.

41. The social conditions of 168 persons detained were examined as part of the criminal investigation into the riots. On the Commission's recommendation, 107 persons, including one woman, who had shown remorse for their actions were released and returned to their families on recognizance of a collective body. The Commission also actively participated in the trials of 61 persons charged with rioting and unlawful acts and helped foreign journalists, [REDACTED], to attend the court hearings as observers.

42. Upon application of the Commission, 30 defendants were given non-custodial sentences. In addition, 39 out of 44 accused persons in custody were allowed to meet with their families and relatives for short visits and to send and receive parcels. In the course of the investigation, three officers of the Ministry of Internal Affairs who had violated the law while putting down the riots were prosecuted and sentenced to terms of imprisonment.

43. The Commission also met with the main participants in the riots while they were in custody, namely D. Tazhimuratov, [REDACTED]. All of them confirmed that they had not been tortured and that they had been provided with a lawyer and had been able to meet with family members. [REDACTED] also noted the high quality of food in the detention centre.

44. In 2024, members of the Commission met with D. Tazhimuratov several times in Penal Colony No. 11, where he did not complain about the conditions of detention. However, in July 2024, after his lawyer published information that he had been tortured, an additional meeting was organized, at which D. Tazhimuratov did not corroborate this information. However, he asked for an increase in the number of long visits and better work opportunities.

45. The findings of the Commission of Inquiry into the events that occurred in Nukus in July 2022 will be submitted to the parliament once the judicial proceedings against the accused have been completed.

Concerning the allegedly high number of victims

46. Information on the progress of the investigation is systematically communicated to the public and presented to the international community. In particular, the Procurator General's Office held two briefings (4 July 2022 and 18 July 2022) and made one official statement (8 July 2022) and one comment (14 October 2022).

47. At the invitation of the Government of Uzbekistan, in 2022 and 2023, the Head of the OHCHR Regional Office for Central Asia, [REDACTED], the United Nations High Commissioner for Human Rights, Volker Türk, and the Director of the Office for Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe (OSCE), [REDACTED], visited the Republic of Karakalpakstan and met in person with the

local authorities and population and had a look at the situation on the ground in the Republic for themselves.

48. Casualty figures can be misinterpreted in foreign media that do not take account of the difference between those who died, those who were injured and those who sought medical attention. The number of victims and casualties was compiled and presented based on official data from medical and law enforcement agencies. This includes documented cases that have been verified, and any reports of other figures may be considered unconfirmed rumours.

49. Reports of the allegedly higher number of casualties come from sources interested in destabilizing the country. Inaccurate information is disseminated in order to undermine citizens' trust in official institutions.

Trials of protesters in Karakalpakstan

50. Following consideration of criminal cases by the courts of various instances, a total of 61 persons were convicted, 31 of whom were sentenced to deprivation of liberty, 30 of whom were given non-custodial sentences (restrictions on liberty and suspended sentences), and 1 person had his case dropped. These court decisions have not been appealed or challenged (except for D. Tazhimuratov's appeal in cassation, which resulted in the verdict being upheld).

Concerning the trial against the members of Group 22

51. Uzbekistan notes that the criminal acts with which the members of Group 22 were charged are not identical. All members of Group 22 have been convicted under various articles of the Criminal Code. However, it should be noted that the actions of all 22 convicted persons constitute a criminal offence under the Criminal Code, article 244 (3) (Organization of mass riots involving violence against a person, pogroms, arson, damage to or destruction of property, resistance to a representative of the authorities with the use or threat of use of weapons or other objects used as weapons and active participation in mass riots).

52. In accordance with criminal procedure requirements, measures were taken to ensure an open trial.

53. Uzbekistan is committed to respect for human rights and is constantly improving the judicial system to ensure transparency and fairness. During the consideration of the case in the court of first instance, arrangements were made at the Bukhara Provincial Court to enable members of the Commission of Inquiry into the facts and events that occurred in the Republic of Karakalpakstan in July 2022, civil society activists and the media to attend the trial.

54. A media centre was set up to enable members of the media, international organizations, human rights defenders, bloggers and all those wishing to attend the court hearing to observe proceedings directly by videoconference. The media centre had all the necessary technological equipment for observers, including computers, printers and a free high-speed Wi-Fi Internet connection.

55. The trial was observed by journalists and bloggers from the television channels Uzbekiston 24, Bukhoro and Zo'r TV, the Information and Mass Communications Agency, the information and communications inspectorate (Uz.com) and representatives of the Internet resources Xabarlar.uz, UZ.A, Tezkor yangiliklar, Bukhara.news and Bukhara.best.

Concerning the receipt of copies of the indictment by members of Group 22

56. The indictment was made available to all 22 accused and their defence counsel in accordance with the established procedure. Under Uzbek law, lawyers had the right to review the case file, including the indictment, in order to ensure a full defence of their clients.

57. The information required for the defence was provided to the lawyers as part of the available procedures. All legal requirements were complied with, ensuring that the interests of the accused could be protected at trial. Pursuant to article 434 of the Code of Criminal Procedure, before the start of the judicial investigation of a criminal case (the preparatory part of the court session), the presiding judge must ask the defendant whether and when he or she has been served with a copy of the bill of indictment and copies of the procedural documents listed in article 388 (2) of the Code (the procurator or deputy procurator must send the defendant and defence counsel certified copies of the bill of indictment and its annexes,

except for the list of persons to be summoned to the court hearing and, if the bill of indictment or its annexes have been amended, a copy of the ruling on their amendment). If copies of these documents are not served on the defendant or if they are served within less than three days before the start of the trial, the trial must be postponed. The above-mentioned provisions of the law constitute procedural guarantees for every accused person to receive a copy of his or her indictment.

58. Thus, the allegation that the accused were deprived of the opportunity to obtain a copy of their indictment and to appeal against the court decisions against them is contradicted by the national criminal procedural law (Code of Criminal Procedure, arts. 388 and 434) and the decisions of the appeal courts (of 5 June 2023 and 12 June 2023) to review the decisions of the first instance courts (of 31 January 2023 and 17 March 2023).

59. At the same time, no complaints were received from the accused, nor were there any appeals from their lawyers concerning possible violations of the right to familiarize themselves with the criminal case file. The absence of such appeals indicates that the participants in the proceedings did not question the observance of their procedural rights, in particular the right of access to the case file. Moreover, neither in the course of the preliminary investigation nor during the trial were there any instances of restriction on the rights of the accused to promptly familiarize themselves with the evidence presented in the case, which indicates that the investigating authorities' actions were fully consistent with the rules of criminal procedural law. Thus, the observance of the principle of equality of the parties in the proceedings and the granting of the right of access to the case file to all participants can be considered to be ensured and in keeping with the existing rules of law.

Concerning the trial against the members of Group 39

60. A total of 39 persons were convicted by a sentence of the Court of the Republic of Karakalpakstan of 17 March 2023; 30 persons were sentenced to deprivation of liberty and 9 to restriction of liberty.

61. By a ruling on appeal of 12 June 2023 of the Criminal Division of the Supreme Court of Uzbekistan, the sentence against 21 persons was amended: the deprivation of liberty penalty imposed on 16 persons was reduced pursuant to article 57 of the Criminal Code, a sentence of restriction of liberty was imposed on 5 persons and they were released from custody in the courtroom.

62. These court decisions have not been appealed to a higher court or challenged.

63. The court sentenced the defendants, taking into account the role, motives, nature and degree of involvement, character and family situation of each defendant.

64. The trials were conducted in strict compliance with national law and the international obligations assumed by Uzbekistan, including ensuring the right to a fair trial as enshrined in article 14 of the International Covenant on Civil and Political Rights. Thus, the allegation that the protesters' rights were violated is not based on objective evidence and contradicts the factual circumstances of the case.

65. The criminal acts with which the 39 convicted persons were charged are not identical; all of them were convicted under different articles of the Criminal Code. However, it should be noted that the actions of all 39 convicted persons constitute a criminal offence under the Criminal Code, article 244 (3) (Organization of mass riots involving violence against a person, pogroms, arson, damage to or destruction of property, resistance to a representative of the authorities with the use or threat of use of weapons or other objects used as weapons and active participation in mass riots).

66. Under the established criminal procedure, accused persons are guaranteed the right to a defence, the right to meet with a defence counsel in private without limitation on the number and duration of meetings, the right to file motions and challenges, to present evidence, the right to use the services of an interpreter, the right to review all case files and to extract the necessary information from them, the right to appeal court decisions rendered against them to higher courts and other rights guaranteed by international and domestic law to a fair trial, including respect for the right to be presumed innocent.

Concerning the trial against D. Tazhimuratov

67. D. Tazhimuratov was also among Group 22, who, by a sentence of the court of the Republic of Karakalpakstan of 31 January 2023, was found guilty of offences under the Criminal Code – articles 159 (4); 167 (3) (a); 243 (3) (a); 244 (3) (a), (b) and (d); and 244-1 (3) (a), (b) and (d) – and was sentenced under article 59 of the Code to 16 years’ deprivation of liberty.

68. In the judgement, D. Tazhimuratov was ordered to compensate the State for material damage in the amount of 228,846,240 sum. He and the other convicted persons were jointly ordered to pay compensation for material damage in the amount of 6,555,887,965 sum.

69. The ruling on appeal by the Criminal Division of the Supreme Court of 5 June 2023 was upheld.

70. The court of first instance and the appeal court made an appropriate legal assessment of D. Tazhimuratov’s actions, which consisted in an attack on the constitutional order of Uzbekistan (Criminal Code, art. 159), misappropriation of property (art. 167), money-laundering (art. 243), sowing civil unrest (art. 244), and the production, storage, distribution and display of materials containing a threat to public security and public order (art. 244-1) and, taking into account his character and the nature and degree of danger to public security posed by his crimes, and all mitigating and aggravating circumstances, the sentence of deprivation of liberty was warranted and within the range of penalties provided for by the articles under which he was found guilty.

71. The court found that D. Tazhimuratov established the newspaper *El khyzmetinde* through the private enterprise El khyzmetinde gazetasi redaktionasi. At the same time, in 2019, he began blogging as a means of influencing some people.

72. To that end, he colluded [REDACTED], with whom he regularly compiled negative reports about the management of enterprises, organizations and institutions in an attempt to discredit them and he posted videos on social networks that damaged their business reputation and reflected fundamentalist and separatist ideas.

73. In particular, he colluded with officials of the Ministry of Education of the Republic of Karakalpakstan and secured the transfer of funds from the education budget to the editorial office of *El khyzmetinde*, i.e. he committed theft by embezzling public funds in the amount of 228,846,240 sum, which he subsequently laundered.

74. Furthermore, D. Tazhimuratov, using his sphere of influence through the publication on the Internet and in the press of materials damaging the reputation of State bodies and civil servants, initiated actions aimed at seizing control of the administration and the government.

75. For D. Tazhimuratov and [REDACTED] the draft constitutional law amending the Constitution of Uzbekistan served as a pretext and an opportunity to seize power and fulfil their goal of succession of the Republic of Karakalpakstan from Uzbekistan.

76. D. Tazhimuratov and [REDACTED] posted false content on social networks, thereby causing the people of Karakalpakstan to feel disaffected and discontented with the reforms being carried out, calling for the overthrow of the government and inciting mass unrest, with the aim of seizing control and then separating the Republic of Karakalpakstan from Uzbekistan.

77. The court sentenced the defendants, taking into account the role, motives, nature and degree of involvement, character and family situation of each defendant.

78. To date, no appeal or protest has been filed against the above-mentioned court decisions.

Concerning the conditions of detention of D. Tazhimuratov and members of Group 22

79. Upon admission to the colony, D. Tazhimuratov underwent an initial medical examination and received medical care upon request on an equal basis with other inmates.

80. At present, the prisoner’s state of health is considered stable, and D. Tazhimuratov has not raised any complaints about his health with the medical staff.

81. Prison conditions are as close as possible to world standards, and compliance with health and hygiene and construction rules and regulations is regularly checked by the relevant

services. The standard of living space per prisoner in prison may be no less than 2.5 m². Inmates are provided with individual beds, bedding and necessary equipment.

82. Prisoners sentenced to deprivation of liberty are provided with three hot meals a day to meet their physiological needs for energy and nutrients, funded from the national budget.

83. Drinking water filters have now been installed in penal institutions.

84. In winter, the air temperature in the living quarters of penal institutions must not be lower than 20°C.

85. The institutions undergo annual maintenance and capital repairs to improve the conditions of detention of inmates.

86. Persons sentenced to deprivation of liberty, with the exception of those serving their sentences in open prisons, are provided with clothing of the prescribed standard, underwear and footwear in accordance with the season, taking into account gender and climatic conditions, funded from the national budget. Inmates may purchase standard-issue clothing at their own expense if the clothes issued to them have fallen into disrepair but have not yet reached the end of their wear period.

87. Medical and preventive care and disease control measures in places of deprivation of liberty are organized and carried out in accordance with the law.

88. All prisons have medical and preventive care units with outpatient and inpatient wards, which make it possible to provide medical care to inmates around the clock.

89. Each department is staffed by a general practitioner, psychiatrist, sexually transmitted disease specialist and dermatologist, dentist, nurses and orderlies.

90. Inmates are sent to a specialized hospital for convicted persons or taken to medical institutions for examination and treatment, as appropriate.

91. Medical care for convicted and remand prisoners is provided by the Ministry of Internal Affairs in conjunction with the Ministry of Health.

92. Medical and health support for convicted persons is funded from the State budget. Inmates have the right to receive additional medicines if prescribed by a doctor.

93. Inmates undergo a preventive medical examination at least once every 6 months.

94. In order to provide inmates with qualified medical care, they are sent to the Specialized Hospital for Convicted Persons or are taken for examination and treatment to medical institutions of the Ministry of Health.

95. Ambulance crews of the regional health authorities are called in to provide emergency medical aid when necessary.

96. The labour relations of inmates are regulated by labour law. As a rule, a six-day working week is established for inmates, in accordance with the maximum working time standards established by the laws or regulations in force.

97. In addition to laundry soap, inmates in jobs where skin exposure to harmful substances is possible are given free rinsing and neutralizing agents according to established standards.

98. Inmates have the right to lodge complaints with the administration of the penal institution or penal enforcement body, other State bodies and voluntary associations.

99. Appeals addressed to the procurator's office are not subject to review and are forwarded to the relevant authorities within 24 hours. In addition, in the event of a threat to the personal safety of an inmate, he or she has the right to address any employee of the institution orally or in writing.

Comments on the findings and concerns of the special procedure mandate holders

Regarding concerns about the relationship between the trials against protesters in Karakalpakstan and their enjoyment of the rights to freedom of expression, peaceful assembly and association.

100. International human rights instruments such as the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights enshrine the right to freedom of expression and right of peaceful assembly (arts. 19 and 21). However, these rights are not absolute. In accordance with article 19 (3), and article 21 of the International Covenant on Civil and Political Rights, States may restrict these rights when it is necessary to ensure public safety, public order, public health or morals, or the protection of the rights and freedoms of others. Thus, if protests pose a threat to public order or public safety, the State has the right to impose restrictive measures.

101. In Uzbekistan, the right to freedom of assembly is regulated by national laws. The protesters in Karakalpakstan violated established legal procedures (in particular, they did not obtain a permit to hold an assembly) and also committed acts that went beyond the scope of a peaceful protest. In particular, the protests in Karakalpakstan involved violence, vandalism or other actions violating public order. In this regard, the Uzbek authorities recognized such actions as illegal under national law and took measures, including prosecution, to ensure compliance with the law and public order. The actions of the law enforcement agencies of Uzbekistan were aimed at protecting the safety and rights of others, which is permitted under international standards.

102. Thus, where there are threats to public order or where protests have not been entirely peaceful, legal proceedings against participants are not contrary to international standards if such measures are necessary and proportionate to the stated aims.

Regarding concerns about the use of so-called mass trials

103. No international legal instrument provides for a restriction on the consideration by a court of a criminal case against a group of persons (accomplices to a crime or members or parties acting on behalf of an organized criminal gang) who have committed crimes under the same circumstances.

104. The criminal laws and law of criminal procedure of Uzbekistan provides for liability for complicity in a crime (Criminal Code, arts. 29 and 30, and as a separate indicium of a crime under the special section of the Code).

105. Consideration by the court of charges in a criminal case against a group of persons, (accomplices to a crime or members or parties acting on behalf of an organized criminal gang) contributes to the establishment of the facts of the case and the truth, and a comprehensive, complete, objective and fair consideration of the merits of the case brought by the preliminary investigation bodies.

106. Mass trials are used only in exceptional cases when justified by the nature of the cases involving organized criminal gangs or actions affecting public safety and the interests of a large number of citizens. Despite the mass nature of individual trials, every defendant is afforded fair trial guarantees, including the right of defence, choice of counsel and access to necessary legal resources.

107. The Uzbek judicial authorities strictly comply with legal standards and international obligations aimed at ensuring equality of arms. Thus, consideration by a court of a criminal case against a group of persons (accomplices to a crime or members or parties acting on behalf of a organized criminal gang) who have committed crimes under the same circumstances cannot be considered a violation of the right of the accused to a fair trial, since, in accordance with articles 8 and 54 of the Criminal Code, the punishment must be fair – imposed in each case individually, corresponding to the nature and degree of public danger of the crime committed, the motives for the offence committed, the nature and extent of the harm caused, the character of the perpetrator, and mitigating and aggravating circumstances . The degree of public danger posed by an offence is determined by the circumstances of the offence (the degree and stages of the criminal intent, the manner in which the offence was committed, the extent of harm or the severity of the consequences, and the role of the defendant in committing the offence as an accomplice) (Criminal Code, arts. 8 and 54, and Decision No. 1 of 3 February 2006 of the Plenum of the Supreme Court, para. 3, on the practice of criminal sentencing by the courts).

108. In addition, in cases of complicity in a crime, the court discusses the question of differentiation of punishment in the light of the specific circumstances of the case,

information on the character and degree of participation of each accomplice in the offence (Supreme Court Plenum Decision No. 1 of 3 February 2006, para. 11, on the practice of criminal sentencing by the courts).

109. In addition, when imposing punishment, according to the law, the court takes into account not only the purposes and motives that guided the persons in committing the offence and the degree and form of guilt, but also the character of the perpetrators, their role among the accomplices of the offence, behaviour during or after the commission of the offence, the reasons for committing the offence and the circumstances that contributed to it (Supreme Court Plenum Decision No. 1 of 3 February 2006, para. 37, on the practice of criminal sentencing by the courts).

110. Despite the fact that the court considers charges against a group of persons (accomplices to a crime or members or parties acting on behalf of an organized criminal gang) in a single criminal case, the rights of each individual defendant in a criminal case, guaranteed by international and national law on the right to a fair trial, are fully ensured.

Regarding concerns about the alleged excessive use of force against protesters

111. Uzbekistan emphasizes that, in every case where force was used against protesters, this was done solely within the bounds of the law and in order to maintain public order and safety. The use of force is always strictly limited and used only when necessary to prevent the escalation of violence and to protect the lives of citizens, including the protesters themselves and law enforcement officers.

112. In addition, thorough and independent investigations have been carried out into all cases involving the use of force, especially those with tragic consequences. The Uzbek authorities are committed to transparency and ensure that each investigation is conducted in full compliance with international standards and that any violations identified are duly investigated.

113. In connection with the deaths of two citizens, a criminal case was initiated against law enforcement officers, following which the perpetrators were prosecuted according to the law.

Regarding concerns that the protesters were allegedly subjected to severe acts of torture while in detention

114. A thorough internal investigation is conducted into every complaint regarding the use of physical force, ill-treatment or the infringement of the rights or legitimate interests of persons held in places of deprivation of liberty and custody, and the information obtained from the internal investigation must be forwarded to the procuratorial authorities.

115. No instances of mental or physical torture took place. During the monitoring visit, members of the above-mentioned Commission of Inquiry affirmed that suspects' rights had not been violated while they were held in the detention centre or in the course of the investigation. No complaints about health or conditions of detention were received from these persons.

116. At meetings with members of the Commission, D. Tazhimuratov and [REDACTED] confirmed that they had not been subjected to torture, pressure or harassment during the investigations or in the detention centre.

117. The Criminal Division of the Supreme Court of 15 May 2023 granted D. Tazhimuratov's petition on appeal for a legal assessment of the actions of law enforcement officers to be conducted with regard to torture and violence or bodily harm inflicted by them during his detention and an internal investigation was ordered.

118. An internal investigation conducted by the Ministry of Internal Affairs of the Republic of Uzbekistan established that officials of the Ministry of Internal Affairs of Uzbekistan and those of the Ministry of Internal Affairs of the Republic of Karakalpakstan had not broken the law during D. Tazhimuratov's detention and custody.

119. Moreover, the findings of the internal investigation conducted by the State Security Service of Uzbekistan established that, on the basis of the ruling of the Ellikqala District Criminal Court of the Republic of Karakalpakstan, D. Tazhimuratov was admitted to the temporary detention facility of the State Security Service of Khorezm Province on 5 July

2022 and was held there until 19 November 2022. Over this period, no traces or signs of torture, violence or physical injury had been found on D. Tazhimuratov's body, nor did the administration of the detention facility receive any complaints about his state of health. No physical or mental pressure was exerted by State security officers.

Regarding concerns about the conditions of detention of the accused and the state of health of D. Tazhimuratov

120. Uzbekistan is committed to respecting human rights and standards of humane treatment of the accused. In recent years, the Government of Uzbekistan has taken measures to improve conditions in places of deprivation of liberty, and reforms have been undertaken in the law enforcement and judicial systems aimed at protecting the rights of accused and convicted persons.

121. D. Tazhimuratov and other persons in custody have the right to receive timely medical care. The competent authorities regularly inspect and monitor the health of the accused and take measures to improve the conditions of detention and provide the necessary medical care.

122. Upon admission to the colony, D. Tazhimuratov underwent an initial medical examination and received medical care upon request on an equal basis with other inmates. At present, the prisoner's state of health is considered stable, and D. Tazhimuratov has not raised any complaints about his health with the medical staff.

III. Replies to questions raised

Further information on the current conditions of detention and situation of the members of Group 22 and Group 39

123. Uzbekistan has ensured openness and transparency in judicial proceedings related to the events in Karakalpakstan. The Government has allowed international observers and human rights organizations to monitor the process to guarantee its fairness.

124. All accused and convicted persons are held in conditions consistent with national and international human rights standards. They are treated humanely and provided with the decent food and access to proper medical care. If violations are found, appropriate measures are taken to remedy them.

125. Uzbekistan is taking measures to ensure adequate medical care for all persons in custody, especially those with health problems. Each of the inmates has access to the necessary medical support, which is included in the mandatory regular health checks.

126. The Government has endeavoured to ensure fair trials, including the provision of legal assistance and support to the families of the accused. Provision is made for appealing against charges and conducting additional investigations if new facts emerge or for the sake of protecting the rights of the accused.

Additional information on measures taken to ensure the right to a fair trial for the members of Group 22

127. Uzbekistan has taken the following measures to ensure the right to a fair trial for the members of the Group 22:

- Ensuring access to legal assistance: Defendants were given the opportunity to fully protect their rights, including the provision of qualified lawyers who could represent each of them. Legal assistance is provided from the moment of detention until the completion of judicial proceedings, which is in line with the obligations of Uzbekistan under international standards, including articles of the International Covenant on Civil and Political Rights.
- Openness and transparency of the judicial process: Court hearings were open, guaranteeing an independent and objective case review process. Access to the process was granted to observers and representatives of human rights organizations. The procedure itself for the examination of cases concerning the events that took place in the Republic of Karakalpakstan in July 2022, in the courts of first and appellate instances in open court sessions, attests to the

fact that all rights guaranteed by international and domestic law were respected.

- Respect for the rights to a defence and the collection of evidence: During the trials, defendants were given the opportunity to present evidence, challenge arguments presented by the prosecution and file motions. Such safeguards ensure the rights of the accused to a defence and comply with the requirements of international law for a fair trial.
- Appeal mechanisms: Group 22 members were given the opportunity to appeal sentences to higher courts. This measure complies with fair trial standards, as it gives defendants the right to have their case reviewed and allows possible errors at earlier stages of the trial to be corrected.

128. These measures underscore the commitment of Uzbekistan to international human rights obligations and the desire to ensure the rights of the accused to a fair trial, guaranteed by instruments such as the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights.

129. The Government of Uzbekistan thanks the special procedure mandate holders for the attention paid to respect for human rights and freedoms and reaffirms its commitment to the rule of law, transparency and compliance with all international human rights obligations.

130. Uzbekistan wishes to give its assurances that the relevant authorities are conducting a thorough review of the communications received. As part of this process, the Government intends to take all necessary measures to prevent similar situations in the future and to hold individuals accountable if they are found guilty during investigations.

131. Uzbekistan also emphasizes its readiness for further cooperation with special procedure mandate holders, its commitment to the principles of openness and objectivity in investigations and its readiness to take additional measures to strengthen the legal protection of citizens.
