

Austrian Presidency of the Council of the European Union

Permanent Council No. 610

18 May 2006

EU Statement on Uzbekistan

1. The European Union would like to draw the attention of participating States to the following Conclusions regarding Uzbekistan adopted by the Council of the European Union for General Affairs and External Relations on 15 May 2006:

„The Council remains profoundly concerned about the situation in Uzbekistan. It regrets that since its previous conclusions, on 3 October 2005, there have been worrying developments in the field of Human Rights in general and in particular in the follow-up of the events in Andijan in May 2005.

The Council shares the conclusions of the OSCE / ODIHR on the events in Andijan and their follow-up. In this context, the Council notes the 'Report from the OSCE / ODIHR Trial Monitoring in Uzbekistan', issued on 21 April 2006 and the response by the Uzbek authorities. The Council calls on Uzbekistan to co-operate fully with the OSCE and with the UN, especially regarding the call for a credible and transparent international enquiry, so as to abide by its engagements in these organisations.

The Council continues to follow the general situation in Uzbekistan closely and deplores the increasingly serious harassment of human rights defenders; the persecution, prosecution and detention of leading opposition figures and the expulsion of UNHCR in April 2006, as well as of numerous NGOs.

The Council, under these circumstances, underlines that all the measures agreed by the European Union on 3 October 2005 remain in place. The Council will review these measures by October 2006, taking into account the evolution of events.

The Council recalls that the European Union is available for a serious dialogue on all these issues, as well as other relevant issues concerning the stability of the region.

The Council tasks the EU Special Representative for Central Asia, Mr Ján Kubiš, to continue to engage the Uzbek authorities. The Council hopes that the Uzbek authorities will see the value in positive engagement and demonstrate a willingness to adhere to the principles of respect for Human Rights, rule of law and fundamental freedoms. In this context the prolongation of the OSCE mandate would be seen as a positive step towards a constructive dialogue. The European Union wishes to continue its engagement with the people of Uzbekistan, primarily on poverty reduction and the development of civil society.“

2. Furthermore, the European Union would like to refer to the statement of the Presidency of the European Union made on 13 May on the occasion of the first anniversary of the events in Andijan in 2005, as well as to the statement of the High Representative of the Council of the European Union for the Common Foreign and Security Policy of 12 May on the same subject.
3. Following its statement of 27 April on the occasion of the issuing of the „Report from the OSCE / ODIHR Trial Monitoring in Uzbekistan“ on the first trial against the so-called „main suspects“ of Andijan, the European Union would like to make the following remarks, in addition to the references to this report contained in the Council Conclusions quoted before:
4. The European Union deplores the fact that the Uzbek authorities have put obstacles in the way of the ODIHR trial monitors by providing insufficient access to defendants, lawyers, and documentation before and during the trial. We call on the Uzbek side to invite ODIHR to further investigate issues identified in the report as requiring clarification owing to these circumstances. While we take note of the detailed Uzbek comments on the findings of the

report, we regret the dismissive attitude towards ODIHR work in this context.

5. In particular, we deplore the fact that the defendants were not given the opportunity to choose their lawyers before and during the trial, which is inconsistent with relevant OSCE commitments and fails to meet international standards regarding due legal process. Furthermore, we urge the Uzbek side to provide full access to all persons convicted for crimes related to the Andijan events in order to verify the validity of their confessions and assess the conditions of their detention. In this context, the continued safety and well-being of the witness Mahbuba Zokirova will be followed closely by the European Union.
6. For the reasons already mentioned, the European Union supports the ODIHR recommendation of a re-trial of the defendants in this case. The EU urges the government of Uzbekistan to allow an impartial investigation into the legal follow up to the Andijan events in the context of a transparent international enquiry. We also urge Uzbekistan to publish the results of its own investigation of the Andijan events, as initiated by the Uzbek Parliament last year.
7. With regard to the refugees who left Uzbekistan following the events in Andijan, we call upon all countries concerned, to comply with all relevant international norms concerning the treatment of these individuals, including the principle of non-refoulement. In this context, the EU urges Uzbekistan to provide information on the fate of the 11 Uzbek nationals, who were expelled from Ukraine on 14 February 2006.
8. Finally, the European Union urges the Uzbek side to agree to an extension of the existing mandate of the OSCE Centre in Tashkent. The European Union continues to be available for a serious dialogue on this issue, as well as other relevant issues, and we

hope that the Uzbek authorities will see the value in positive engagement with the international community.

The Acceding Countries Bulgaria and Romania, the Candidate Countries Turkey, Croatia* and the former Yugoslav Republic of Macedonia*, the Countries of the Stabilisation and Association Process and potential candidates Albania, Bosnia and Herzegovina, Serbia and Montenegro, as well as Ukraine and the Republic of Moldova align themselves with this declaration.

*Croatia and the former Yugoslav Republic of Macedonia continue to be part of the Stabilisation and Association Process