



A NEW CHAPTER FOR HUMAN RIGHTS

A handbook on issues of transition
from the Commission on Human Rights
to the Human Rights Council



Annex 3.1

Independent Expert on the situation of human rights in Uzbekistan

Current mandate holder: Michèle Picard
Mandate started: 2004

Term of mandate holder: 2005-2006
Mandate up for renewal: 2006

Background and areas of focus

- Uzbekistan is being considered under the confidential 1503 procedure of the Commission on Human Rights (the Commission);
- The United Nations (UN) has expressed concern over developments stemming from unrest in May in the eastern Andijan region, which some have described as “mass killings” and has also noted a consistent pattern of human rights violations.

Differing working methods and reporting obligations

- Under the 1503 procedure, individuals or groups, or any other person or group with direct and reliable knowledge of the violations in question can submit a complaint to the Commission regarding situations which appear to reveal a consistent pattern of gross and reliably attested violations of human rights and fundamental freedoms;
- The Commission considers these situations in closed meetings during its annual session and representatives of the Governments concerned are invited to address the Commission and answer questions;
- The Commission may then decide to appoint a country special procedures mandate to monitor the situation and report back to the Commission under the 1503 procedure, as it did in the case of Uzbekistan;
- In view of its confidential nature, no information is available on Government cooperation, planned country visits, pending reports by the Independent Expert or communications sent to the Government by the former.

Key developments

- On 13 May 2005, government forces fired on demonstrators protesting at a public square in Andijan, Uzbekistan. An estimated 176 people and possibly several hundred more men, women and children are believed to have died as a result of this incident;
- The High Commissioner for Human Rights has not excluded the possibility - based on what was described by the eyewitnesses interviewed - that the incidents amounted to a mass killing;
- These events violate national legislation and could amount to massive violations of the *International Covenant on Civil and Political Rights*, and the *Basic Principles on the Use of Force and Firearms by Law Enforcement Officials*;
- The Government of Uzbekistan has not answered two letters from Office of the High Commissioner for Human Rights calling for an independent international investigation.