



**PRELIMINARY FINDINGS ON THE
EVENTS IN ANDIJAN, UZBEKISTAN,
13 MAY 2005**

Warsaw, 13 June 2005

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Abbreviations and technical terms used in the report

BTR	Eight-wheel armoured personnel carrier used by the security forces
Damas	Uzbek-produced Daewoo minibus
Hokimiyat	Regional administration
Kamaz	Truck
Mahalla	Neighbourhood, quarter
SNB	National Security Service
UAZ	Military jeep
ZIL	Military truck

Andijan on 13 May 2005

Approximate time of sunrise: 0500

Approximate time of sunset: 1930

Introduction

In the immediate aftermath of the violent events in Andijan on 13 May 2005, the OSCE/ODIHR sent a letter to the OSCE Chairman-in-Office expressing concern over reports of gross violations of human rights, including allegations of indiscriminate killings of civilians.¹ As reporting of the events in Andijan was sporadic and in some instances contradictory, the ODIHR decided, in consultation with the Chairman-in-Office, to send a team of human rights experts to Kyrgyzstan with the purpose of interviewing refugees from Andijan who had crossed the border into Kyrgyzstan after the events.²

This report is based on 44 in-depth interviews by the ODIHR team with refugees in the Suzak Camp, near the Uzbek-Kyrgyz border, between 26 May and 2 June 2005. The vast majority of the camp population had arrived together in one group that had left Andijan on the evening of 13 May.³

The ODIHR team used standardized interview forms, with full confidentiality of the identity of the interviewees. The interview forms were numbered and are footnoted when referred to in this report. The persons interviewed were chosen at random, although the ODIHR team made a conscious effort to find as representative a sample population as possible. The ODIHR team spoke to a variety of persons with different experiences of and involvement in the events of 13 May. The team spent much time at the beginning of most interviews to gain the confidence of the interviewees: many of the persons whom the ODIHR team interviewed were still very traumatized by the events in Andijan, and were afraid of possible reprisals by the authorities in Uzbekistan. In particular, those who had left their families behind were fearful for the safety of their families.

The first-hand accounts given by the refugees to the ODIHR team during the interviews were cross-checked with information from other refugees and, where possible, also with reporting from other sources.

This report does not in any way aspire to give a full account of the violent events on 13 May in Andijan. Rather, on a preliminary basis it establishes facts as refugees reported them to the ODIHR team. It may serve as a basis for urging the Government of Uzbekistan to co-operate with an international investigation team that could corroborate or correct the information as presented in this report through an independent and impartial investigation. The report cannot reflect positions taken by the Uzbek authorities, as the ODIHR has so far been unsuccessful in establishing contact with them concerning the events in Andijan.

Any numbers and times given should be seen as estimates resulting from comparing the information given by refugees. The information received from the refugees is presented

¹ Letter sent from Ambassador Christian Strohal, Director of the ODIHR, to Ambassador Boris Frlec, Head of OSCE Task Force, Ministry of Foreign Affairs, Republic of Slovenia on 18 May 2005.

² The term "refugee" is used to describe the persons who fled Uzbekistan following the 13 May events and is not limited to those who in legal terms are considered refugees by the Government of Kyrgyzstan.

³ Some had arrived on the following day, 14 May.

in the report generally according to the chronological sequence in which the events appear to have unfolded.

Overview⁴

The violent events on 13 May 2005 in the Uzbek city of Andijan⁵ were closely linked to a trial of 23 popular local businessmen.⁶ These 23 businessmen had been arrested during the summer of 2004 and charged with “extremism, fundamentalism and separatism”. The trial had started on 10 February 2005 in Andijan and lasted for three months (five days a week). At each court session relatives, employees and friends of the defendants gathered outside the court building. The verdict was to be announced on 11 May; however the large crowd that had gathered outside the court on that day learnt that the announcement of the verdict would be postponed to an unknown date. On 11-12 May a number of male relatives of the defendants were detained and questioned by the National Security Service (SNB). Another group of 13 Andijan businessmen had been arrested on similar charges in the beginning of 2005, but their trial had not yet started.

In the early hours of 13 May, unidentified persons stormed Andijan Prison⁷ and freed the detainees, including the businessmen on trial, from their cells. The attackers informed the detainees that a meeting was being organized on Babur Square. Many freed detainees proceeded to the square. In the morning of 13 May the Hokimiyat (Regional Administration) building on one side of the square was seized by armed civilians, who were also seen at the square throughout the day. In the course of the day, members of the crowd took a number of hostages (at least 20) and held them inside the Hokimiyat building until the crowd left the square in the evening, taking some hostages with them. The hostages included the Head of the Prosecutors Office and the Chief of the Tax Inspection Authority.

In the morning the whole city quickly learnt about the meeting at Babur Square by word of mouth. During the day more and more people joined the meeting, and by the afternoon there was a large crowd at Babur Square and in the surrounding streets. Microphones were installed in the middle of the square at the podium of the Babur monument. People who addressed the crowd spoke about their problems of unemployment, poverty, corruption of local authorities, and injustice linked to the recent arrests and trials.

Government security forces blocked the roads to the square early in the morning, but they let people through on foot. The first incident of security forces firing into the crowd gathered at the square appears to have taken place very early in the course of events, at around 0600 hrs. Subsequently, the security forces reportedly opened fire against unarmed civilians on a number of other occasions, resulting in many wounded and killed in the course of the day. Security forces fired their weapons from several vehicles of different types—Military Jeeps (UAZ-type), Armoured Personnel Carriers (BTR-type), or Military Trucks (ZIL-type)—which approached the square at various times from different directions. It is difficult to make even a rough estimation of the number of

⁴ The summary of the events on 13-14 May was prepared based solely on the testimonies of witnesses interviewed in the Suzak refugee camp, near Jalal-Abad in Kyrgyzstan.

⁵ The English version of the name of the city also appears in the forms of Andijon or Andizhan.

⁶ A more appropriate description is probably “entrepreneurs”; however, as the most common denomination of the international reporting calls them “businessmen”, the term “businessmen” will be used in this report.

⁷ Andijan Prison is a detention facility for convicted prisoners as well as pre-trial detainees.

causalities arising from this, but reportedly at least 100 people were shot (dead or wounded) at the square. There was at least one episode of the armed civilians occupying the Hokimiyat and security forces exchanging gunfire.

It appears that a major reason that kept people on the square despite being repeatedly fired at by Uzbek security forces was that they were waiting for President Islam Karimov to “come, listen to [them] and solve [their] problems.” Other reasons included fear of being shot on the way home, solidarity, and belief that the security forces would not shoot if people remained together. There were also appeals from the meeting organizers not to leave. The growing crowd thus stayed on the square during the whole day.

At around 1700-1800 hrs there were an estimated 10,000-15,000 protesters on the square. At this point security forces launched a major offensive on the square, attacking simultaneously from different sides. Panic mounted in the crowd: people thought they would be shot, and they gave up hope of President Karimov’s appearing in person. The crowd started fleeing from the square down Cholpon Prospect, the only road out of the square from which there was no shooting at that moment. The crowd moved in two groups. There was an advance smaller group of mostly men, but also some women and children (approximately 300-400 people). Hostages were put in the front row. The second group was bigger and included men, women and children. Women and children were placed in the middle of the crowd. Hostages were put in front of that group as well.

About 500 metres along Cholpon Prospect the first group reached a barrier made up of buses positioned to block the road. Security forces were shooting from behind the buses, wounding and killing many, including the hostages, but at some point the shooting stopped. The crowd cleared a way through the barrier and continued walking.

As the crowd approached the junction of Cholpon Prospect and Baynal Minal Street, gunfire came from different sides. It came from another barrier installed on Cholpon Prospect across from School 15 that included one or two BTRs and security forces with automatic weapons behind sandbags. There was also sniper fire from the roofs of buildings along Cholpon Prospect. When the shooting started, people would lie on the ground. When shooting stopped, people would stand up and walk further. This sequence repeated itself at least four times. Reportedly, some people waved white cloths or pieces of clothing and begged not to be shot. It was at this point in the day that most casualties occurred.

The crowd turned into Baynal Minal Street. There may have been about 1,000 to 1,500 people in the crowd at that point. They continued moving along side streets. Some people left and went in different directions. The remaining crowd started walking towards the border with Kyrgyzstan.

The march continued for 10 hours, without other incidents reported, until the crowd reached the village of Teshik-Tash, some 30 kilometres from Andijan, between 0300 and 0400 hrs on 14 May. Reportedly, a man approached them in Teshik-Tash and offered to show a safe border crossing point. In one of the village streets the crowd was shot at by a

group of 10-15 members of the security forces accompanied by a BTR. Allegedly 10-15 people were killed or wounded. People retreated and gathered in another street in Teshik-Tash. It was then decided to try to cross the bridge across the Karadarya river. The crowd moved across the bridge waving white cloths. The people were met by Kyrgyz border guards, who searched them for weapons, and let them through. Around 500 people thus entered Kyrgyzstan.

Based on testimonies from refugees, the ODIHR considers as realistic estimates that a total of 300-500 people were killed on 13-14 May in Andijan or en route from Andijan at Teshik-Tash.

Background and Context

The events in Andijan on 13 May 2005 are linked to the trial of a group of 23 businessmen, arrested in June and July 2004 and accused of having connections with a group called *Akramiya* allegedly founded by Akram Yuldoshev.⁸ Yuldoshev has published a 12-page booklet entitled “The Path to Faith”, which reportedly defines what steps one should take to lead life as a pure Muslim. He also wrote about running businesses, setting up community centres as well as humanitarian and social projects that would benefit the whole community. It was seen as a model for a new generation of entrepreneurs in Andijan, and many young educated men were opening their own businesses and becoming quite successful on the basis of his writings. This earned them the praise of President Karimov, who called them the sons/stars/pride of Uzbekistan and rewarded them in different ways.⁹

The 23 businessmen were also very popular amongst the local community. They are said to have created many jobs in the community and to have treated their employees well. One of these businessmen described to the ODIHR team how he provided his workers with uniforms, shoes and meals free of charge.¹⁰ Many were also engaged in social activities and charities, donating money to schools, orphanages and the poor in their communities.¹¹

On different dates in June and July 2004, the 23 business leaders were arrested, charged with offences under Article 159 (attacks against the constitutional order), Article 242/1 (organization of a criminal conspiracy) and Article 244/1.a.b and Article 244/2 (being funded by foreign criminal groups and organizing criminal groups) of the Criminal Code of Uzbekistan.¹² They were kept for seven or eight months in detention before their trial started on 10 February 2005.

There were several irregularities reported in the pre-trial and trial proceedings.¹³ Two interviewed businessmen reported to the ODIHR Team that they were threatened, ill-treated and/or tortured during interrogations while in pre-trial detention.¹⁴ Meanwhile every aspect of their businesses was investigated by the Tax Inspection Authority. A large number of their employees, relatives and friends were also called in for questioning and reportedly were forced to sign statements incriminating the 23 men.¹⁵ More than 100 witnesses were called at the trial and many of them stated to the court that they had made statements incriminating the men under duress.¹⁶ The trial lasted for three months and

⁸ Yuldoshev was briefly arrested in the mid-1990s, then re-arrested in the crackdown on religious activists that followed the February 1999 car bombings in Tashkent. He is still in prison on a weapons charge that his supporters insist is trumped-up, and his tract has been branded extremist by the State Committee for Religious Affairs. Source International Crisis Group (ICG) Update Briefing, Asia Briefing N°38, Bishkek/Brussels, 25 May 2005.

⁹ KYR/JAL/35.

¹⁰ KYR/JAL/35.

¹¹ International Crisis Group (ICG) Update Briefing, Asia Briefing N°38, Bishkek/Brussels, 25 May 2005.

¹² KYR/JAL/10, KYR/JAL/33; for the full text of the articles see Annex 3.

¹³ KYR/JAL/10, KYR/JAL/14, KYR/JAL/15, KYR/JAL/15, KYR/JAL/17, KYR/JAL/18, KYR/JAL/19, KYR/JAL/20, KYR/JAL/23, KYR/JAL/25, KYR/JAL/30, KYR/JAL/33, KYR/JAL/36, KYR/JAL/38, KYR/JAL/42.

¹⁴ KYR/JAL/10, KYR/JAL/33.

¹⁵ KYR/JAL/36, KYR/JAL/30, KYR/JAL/19, KYR/JAL/20.

¹⁶ KYR/JAL/02, KYR/JAL/16, KYR/JAL/17, KYR/JAL/19, KYR/JAL/32, KYR/JAL/23.

during each court session many relatives, employees and friends of the 23 would gather outside the court building and closely follow the proceedings.¹⁷ The apparent violations of fair trial standards in the proceedings angered and frustrated the crowd. One refugee described how from following the trial he had come to the conclusion that the Uzbek Government did not care and would not solve any problems of the people.¹⁸

The last trial session of the group of 23 businessmen took place on Wednesday, 11 May. Around 2,000-4,000 people gathered outside the court building on that day.¹⁹ They were told that many of the charges against the defendants had been dropped and that the 23 businessmen were going to be released. However, in the afternoon they heard that the verdict would be pronounced on the following day, Thursday. This delay seems to have created frustration and anger among the people outside the court. On Thursday 12 May the announcement of the verdict was postponed indefinitely.²⁰ Some supporters wrote a letter to President Karimov and 24 human rights nongovernmental organizations warning that if the defendants were not released, a protest meeting would be organized.²¹

It appears that tension had been mounting in Andijan throughout the spring of 2005. Another group of 13 businessmen had been arrested on 24 January. They were also accused of being linked to *Akramiya* and were charged with the same offences as the group of 23 businessmen. On 12 May there were reportedly new arrests, this time mainly targeting male relatives of the original 23 businessmen. It is unclear on what grounds they were arrested.²²

The Events of 13 May 2005 in Andijan

Storming of Andijan Prison

According to a number of different sources, it appears that during the night of 12-13 May, an unidentified armed group attacked a military unit based in the city of Andijan and seized a number of Kalashnikov automatic rifles.²³

Later that same night an unidentified armed group stormed Andijan Prison.²⁴ It is unknown who attacked the prison; however, it may be presumed it was the same group who attacked and seized weapons at the military unit earlier that night. Former detainees described to the ODIHR Team how they were woken up by noises outside their cells some time after midnight on 13 May, and some reported hearing gunshots and people in the corridors shouting “freedom”.²⁵ People who were living nearby were also woken by

¹⁷ Also reported at <http://news.bbc.co.uk/>, “How the Andijan killings unfolded”, last updated: Tuesday, 17 May, 2005, 11:40 GMT 12:40 UK.

¹⁸ KYR/JAL/42.

¹⁹ KYR/JAL/02, KYR/JAL/23, KYR/JAL/14.

²⁰ KYR/JAL/38, KYR/JAL/39, KYR/JAL/36.

²¹ KYG/JAL/13, KYR/JAL/37, KYR/JAL/14.

²² KYR/JAL/02, KYR/JAL/14. Also reported in IWPR, “Controversial Trial Triggered Uzbek Violence”, by Matluba Azamatova (RCA No. 376, 13-May-05).

²³ IWPR, “Controversial Trial Triggered Uzbek Violence”, by Matluba Azamatova for IWPR in Andijan (RCA No. 376, 13-May-05); ICG Update Briefing, Asia Briefing N°38, Bishkek/Brussels, 25 May 2005; OSCE Centre in Tashkent, Spot Report, 13 May 2005.

²⁴ “How the Andijan killings unfolded”, <http://news.bbc.co.uk/>, last updated: Tuesday, 17 May, 2005, 11:40 GMT 12:40 UK; ICG Update Briefing, Asia Briefing N°38, Bishkek/Brussels, 25 May 2005; OSCE Centre in Tashkent, Spot Report, 13 May 2005.

²⁵ KYR/JAL/13, KYR/JAL/10, KYR/JAL/34, KYR/JAL/33, KYR/JAL/35.

the sound of gunfire.²⁶ The detainees' cells were opened, sometimes by unidentified persons and sometimes by other detainees.²⁷ The former detainees with whom the ODIHR team spoke reported seeing two prison guards lying wounded or dead between the two entrance gates to the prison.²⁸

When the former detainees came out of the prison building they gathered in the prison yard, where they were informed by unidentified persons that a meeting was organized in Babur Square. The same people also urged the detainees to join this meeting.²⁹ The freed detainees walked to the square in groups of around twenty.³⁰ On the way to the square, when passing the SNB building, people reported being shot at from the SNB building.³¹ People who were living nearby also reported having heard shooting at this time.³²

Walking towards the square, the former detainees noticed that a lot of people were out on the streets and that some people had already gathered on the square.³³ They waited for sunrise and were informed by the organizers³⁴ that the purpose of the meeting was to protest against the Government,³⁵ the unfair trial process,³⁶ and in particular about the fact that there had not yet been a verdict in the trial against the 23 businessmen.³⁷ At 0600 hrs it appears that there were 100-200 people at the square.³⁸

Meeting at the Square

On the morning of 13 May, the people of Andijan learned about the meeting in different ways. Some reported hearing about it through friends and neighbours,³⁹ others from taxi drivers.⁴⁰ Some of the relatives of the former detainees came to the square because they heard that the prison had been stormed.⁴¹ Others seem to have noticed that something was happening while they were on their way to work and then decided to join the crowd at the square rather than continuing to their work places.⁴² Many described that people were “sharing opinions” and discussing their problems, and this attracted more people to the square. They found it compelling that others had the same problems as them.⁴³

Interviewees reported to the ODIHR team that at first people on the square were discussing their problems among themselves, but at some point, still early in the morning, a microphone was installed on the podium of the Babur monument. Anybody could get

²⁶ KYG/JAL/13, KYL/JAL/23, KYR/JAL/14, KYR/JAL/34, KYR/JAL/41.

²⁷ KYR/JAL/35, KYR/JAL/25, KYR/JAL/33.

²⁸ KYR/JAL/35, KYR/JAL/25, KYR/JAL/10, KYR/JAL/33, KYR/JAL/34.

²⁹ KYR/JAL/10, KYR/JAL/34, KYR/JAL/35, KYR/JAL/13, KYR/JAL/33.

³⁰ KYR/JAL/10.

³¹ KYR/JAL/25.

³² KYR/JAL/01, KYR/JAL/27, KYR/JAL/30, KYR/JAL/13.

³³ KYG/JAL/13, KYR/JAL/35, KYR/JAL/25, KYR/JAL/33, KYR/JAL/34.

³⁴ The identity of the organizers of the meeting at Babur Square is not known. However, while interviewing the refugees it was the strong impression of the ODIHR team that these persons were well known in the community, and there were no reports of an external presence.

³⁵ KYR/JAL/10, KYR/JAL/33.

³⁶ KYR/JAL/27, KYR/JAL/13.

³⁷ KYR/JAL/37.

³⁸ KYR/JAL/14, KYR/JAL/33.

³⁹ KYR/JAL/23, KYR/JAL/28, KYR/JAL/30, KYR/JAL/14, KYR/JAL/32, KYR/JAL/44.

⁴⁰ KYR/JAL/15, KYR/JAL/37.

⁴¹ KYR/JAL/13.

⁴² KYR/JAL/03, KYR/JAL/11, KYR/JAL/19, KYR/JAL/21, KYR/JAL/26, KYR/JAL/29, KYR/JAL/32, KYR/JAL/40, KYR/JAL/12, KYR/JAL/22, KYR/JAL/24, KYR/JAL/09.

⁴³ KYR/JAL/21, KYR/JAL/43, KYR/JAL/30, KYR/JAL/17, KYR/JAL/44, KYR/JAL/24.

up on the podium and speak. People spoke about social and economic problems (lack of transparency, corruption in the government, unfair trials, abuse by police, unemployment, taxation, etc).⁴⁴ This also attracted others to the square.

It appears that many people knew already in the early morning that this would not be an ordinary day. One interviewee reported that “old people” in the morning warned against sending children to school that day.⁴⁵ Another described that children who went to school were sent back home.⁴⁶ A third interviewee reported that when she arrived at the market in the morning at around 0630 hrs, the market was closed and she was informed that she should go to the square for a meeting.⁴⁷

Many interviewees described seeing roadblocks set up by government forces on the streets leading to the square already early in the morning.⁴⁸ In front of the SNB building the road was blocked by two or three BTRs. On Navoi Prospect armed security forces did not allow people to pass.⁴⁹ The roads to the square were blocked at Chorquzar Street by two buses.⁵⁰ It was not possible to pass by car, but people were allowed to pass on foot. The junction of Kamil Yashin Street and Babur Shah (formerly Idanov) Street was blocked with buses, and the security forces were directing people away from there.⁵¹ A fire truck and a Damas blocked the way at Buvassadin Street.⁵²

The first shooting on the square appears to have taken place at around 0600 hrs. Witnesses described seeing a UAZ military vehicle arriving at the square from the direction of Navoi Prospect. Without firing warning shots or stopping, the security forces in the vehicle, who were dressed in camouflage uniforms,⁵³ started firing with automatic weapons directly into the crowd.⁵⁴ The vehicle returned to the square again within a few minutes and the security forces on board again opened fire into the crowd while the vehicle continued back to Navoi Prospect.

Throughout the rest of the day, it seems that the military and police returned periodically, shooting from different locations.⁵⁵ It is therefore very difficult to get an exact picture of when shootings took place and who was shooting at any given time. A chronological overview of the incidents reported is as follows:

- Around 0700 hrs an armoured personnel vehicle, BTR, came from Cholpon Street/Navoi Prospect.⁵⁶ It did not stop and security forces started shooting with automatic guns directly into the crowd.⁵⁷ Then it drove away. The crowd

⁴⁴ KYR/JAL/09, KYR/JAL/23, KYR/JAL/27, KYR/JAL/28, KYR/JAL/32, KYR/JAL/33, KYR/JAL/34, KYR/JAL/44, KYR/JAL/24.

⁴⁵ KYR/JAL/07.

⁴⁶ KYR/JAL/36.

⁴⁷ KYR/JAL/22.

⁴⁸ KYR/JAL/37, KYR/JAL/12, KYR/JAL/40.

⁴⁹ KYR/JAL/37.

⁵⁰ KYR/JAL/29.

⁵¹ KYR/JAL/38, KYR/JAL/37.

⁵² KYR/JAL/31.

⁵³ KYR/JAL/09.

⁵⁴ KYG/JAL/13, KYR/JAL/25, KYR/JAL/10, KYR/JAL/34, KYR/JAL/09.

⁵⁵ KYR/JAL/43, KYR/JAL/41, KYR/JAL/40, KYR/JAL/17, KYR/JAL/14, KYR/JAL/44, KYR/JAL/10.

⁵⁶ KYR/JAL/35, KYR/JAL/23, KYR/JAL/10.

⁵⁷ KYR/JAL/39.

kneeled/crouched to avoid the gunfire. Some were reportedly killed and wounded at this time.⁵⁸

- At about 0800 hrs two Zil military trucks and an armoured vehicle arrived at the square from the direction of Navoi Prospect shooting towards people while driving through the square.⁵⁹ Reportedly, no warning shots were fired. Security forces shot heavily with machine guns from the vehicle. Many people were reportedly hit by gunfire (approximately 30, according to one witness). The vehicles returned shortly afterwards and shot into the crowd, then continued back to Navoi Prospect.⁶⁰
- An UAZ came down Chorquzar Street and the security forces in it started shooting at the crowd.⁶¹ People ran towards the vehicle and seized the weapons from the security forces.⁶² The crowd seized two soldiers and took them away to the Hokimiyat.⁶³
- An UAZ arrived and the reportedly six camouflage-uniformed Special Forces personnel on board started shooting at the crowd with automatic weapons. People who were wounded at this time were brought to the Hokimiyat.⁶⁴
- At about 1000 hrs a military jeep followed by a truck came towards the square from behind the Ahunbabaev Theatre. A group of about 20 soldiers in the truck started firing randomly at people on the sidewalks, and 30 meters from the crowd on the square they started shooting at the people gathered there. About 50 people were killed and 30 injured, according to one witness.⁶⁵
- Also around 1000 hrs there was gunfire from a BTR near the SNB building. The shooting came from along Navoi Prospect in the direction of the square.⁶⁶
- Between 0930 and 1100 hrs a young boy aged between 6 and 10 was reportedly shot dead⁶⁷ by security forces randomly firing from an UAZ vehicle and a ZIL truck⁶⁸ as they passed by. Witnesses saw a militia man dressed in a shirt on top of a uniform inside the UAZ. According to some witnesses, the boy's mother ran after the boy and was also shot and killed.⁶⁹ The vehicles allegedly continued through the square while shooting at the crowd, wounding and killing many people.⁷⁰ The UAZ had to stop because the road was blocked by the crowd, angered by the shooting of the boy. People started throwing stones and a member

⁵⁸ KYR/JAL/39, KYR/JAL/10, KYR/JAL/32, KYR/JAL/44.

⁵⁹ KYR/JAL/19, KYR/JAL/35, KYR/JAL/25.

⁶⁰ KYR/JAL/35, KYR/JAL/25, KYG/JAL/43.

⁶¹ KYR/JAL/35, KYR/JAL/40.

⁶² KYR/JAL/34, KYR/JAL/35.

⁶³ KYR/JAL/35.

⁶⁴ KYR/JAL/09.

⁶⁵ KYR/JAL/11, KYR/JAL/16, KYR/JAL/12, KYR/JAL/35, KYR/JAL/33

⁶⁶ KYR/JAL/23, KYL/JAL/32, KYR/JAL/40, KYR/JAL/42.

⁶⁷ KYR/JAL/15, KYR/JAL/18, KYR/JAL/25.

⁶⁸ KYR/JAL/17.

⁶⁹ KYR/JAL/20.

⁷⁰ KYR/JAL/35.

of the security forces was seized by armed civilians. He was wounded and taken to the Hokimiyat. Allegedly this man was later released to go to hospital.⁷¹

- At around midday there was shooting from the direction of the Ahunbabaev Theatre.⁷² Security forces in an UAZ shot at a 10-year-old boy who was standing behind the Hokimiyat gate.⁷³ Angry members of the crowd accompanied by armed civilians stopped the vehicle and seized two or three police officers.⁷⁴ They were taken to the Hokimiyat building.⁷⁵
- Sometime in the afternoon a BTR came from the direction of the theatre, shooting with automatic gunfire.⁷⁶
- At some point between 1300 and 1400 hrs police fired from a vehicle coming down Kamil Yashin Street.⁷⁷ When it reached the roundabout, the crowd stopped it. A group of 5-6 men from the crowd pulled one policeman out of the vehicle and took him to the Hokimiyat building. The three other police officers escaped, although their weapons were seized by the crowd.⁷⁸
- At around 1400-1500 hrs a BTR came down Navoi Prospect and drove down Cholpon Prospect and back while shooting into the crowd.⁷⁹
- Sniper fire was reported from School number 30⁸⁰ and apartment buildings along Navoi Prospect.⁸¹ One witness reported two people shot by snipers from the roofs of nearby buildings. Some people thought that shooting was coming from a helicopter.⁸² One witness reported seeing snipers on the roofs of nearby buildings targeting the speakers at the square.⁸³

An exchange of gunfire was also reported to have taken place some time before midday, with armed civilians shooting from inside the Hokimiyat building. One witness observed that those civilians who had taken the weapons from the SNB Officers were engaged in a gunfight with security forces shooting from behind a BTR. This is the only incident where it was reported that soldiers appeared to have made conscious effort to target only the armed members of the crowd.⁸⁴

Despite the violence and shooting at the square, more and more people joined the crowd during the day, including after the end of prayer in the nearby mosque.⁸⁵ The square

⁷¹ KYR/JAL/23.

⁷² KYR/JAL/13, KYR/JAL/41.

⁷³ KYR/JAL/23 KYR/JAL/43.

⁷⁴ KYR/JAL/08, KYR/JAL/39.

⁷⁵ KYR/JAL/31, KYR/JAL/08, KYR/JAL/30, KYR/JAL/37, KYR/JAL/25.

⁷⁶ KYR/JAL/40.

⁷⁷ KYR/JAL/21, KYR/JAL/30.

⁷⁸ KYR/JAL/30, KYR/JAL/39.

⁷⁹ KYR/JAL/35, KYR/JAL/38, KYR/JAL/43, KYR/JAL/09.

⁸⁰ KYR/JAL/35.

⁸¹ KYR/JAL/13.

⁸² KYR/JAL/44.

⁸³ KYR/JAL/10.

⁸⁴ KYR/JAL/09.

⁸⁵ KYR/JAL/03, KYR/JAL/19, KYR/JAL/30.

became overcrowded, with an estimated 10,000-15,000 people including men, women and children. There seem to be several reasons why people continued to join the crowd at the square, and why people remained there despite the repeated shootings. The reason most often cited by the interviewed refugees seems to have been a conviction that President Karimov was coming to listen to the crowd's concerns.⁸⁶ Rumours about his arrival had been flourishing throughout the day. At some point in the middle of the day a helicopter appeared in the sky,⁸⁷ circling twice above the crowd, and the rumour spread that it was President Karimov coming to speak to the people.⁸⁸ On the first floor of the Hokimiyat there was a TV where people allegedly saw on the news that the President would be coming to Andijan,⁸⁹ and someone also announced this from the podium. With news that finally their President would be coming to listen to their concerns, many described that a sense of optimism spread through the crowd. They were hoping that the President would solve many of their problems, as they believed that these problems were created by local officials.⁹⁰ When at the end of the day it became clear that President Karimov was not coming, the crowd decided to stay on the square in an attempt to force him to come and listen to them.⁹¹

Some interviewees stated that at that time they were afraid to go home for fear of getting arrested there.⁹² There were rumours that the square was surrounded by military and that they would shoot anybody trying to leave it.⁹³ Some people thought that if there were many people on the square they would not be shot, so they stayed in solidarity.⁹⁴ There was also an appeal through loudspeakers for people to stay calm and that they would get through this together.⁹⁵

Reportedly there were no officials in the Hokimiyat building in the early morning. Apparently, the organizers of the meeting and some of the freed detainees occupied the building. Reports indicate that these people called the local government officials to ask them to come to the building.⁹⁶

In the course of the day a number of hostages were taken by the crowd and brought to the Hokimiyat building. Several such incidents were reported by witnesses to the ODIHR team (the capture of some members of the security forces has already been noted in the context of episodes of shooting at the crowd, listed above). At around 0800 hrs two local government officials were reportedly taken hostage and brought to the Hokimiyat building.⁹⁷ Another witness heard shots and saw security forces tied up and brought by the crowd to the Hokimiyat building. One witness reported seeing three policemen and three SNB officers captured by the crowd and taken to the Hokimiyat building. Their

⁸⁶ KYR/JAL/04, KYR/JAL/06, KYR/JAL/07, KYR/JAL/08, KYR/JAL/11, KYR/JAL/12, KYR/JAL/14, KYR/JAL/15, KYR/JAL/17.

⁸⁷ KYR/JAL/07, KYR/JAL/08, KYR/JAL/15, KYR/JAL/17, KYR/JAL/20, KYR/JAL/22, KYR/JAL/29, KYR/JAL/32, KYR/JAL/38, KYR/JAL/23, KYR/JAL/14, KYR/JAL/44.

⁸⁸ KYR/JAL/07, KYR/JAL/21, KYR/JAL/22, KYR/JAL/38, KYR/JAL/35.

⁸⁹ KYR/JAL/14, KYR/JAL/11.

⁹⁰ KYR/JAL/31, KYR/JAL/20, KYR/JAL/24.

⁹¹ KYR/JAL/01, KYR/JAL/08.

⁹² KYR/JAL/14, KYR/JAL/21.

⁹³ KYR/JAL/12, KYR/JAL/17, KYR/JAL/32.

⁹⁴ KYR/JAL/26.

⁹⁵ KYR/JAL/23, KYR/JAL/26.

⁹⁶ KYR/JAL/37.

⁹⁷ KYR/JAL/37.

weapons were confiscated by the crowd.⁹⁸ The crowd also seized a local government official who had set fire to some vehicles and took him to the Hokimiyat building.⁹⁹ Another witness reported that amongst the crowd there were 30-40 SNB Officers in civilian clothes. The crowd recognized them, seized their weapons, and took them to the Hokimiyat building.¹⁰⁰ One witness was inside on the first floor of the Hokimiyat building and reported 20-30 SNB Officers who had been captured by the crowd. Hostages were kept on the second floor. He heard them screaming as they were being taken there, begging not to be hurt.¹⁰¹

One of the hostage-takers reported that they did not have any plans of what to do with the hostages in the beginning, but they were hoping that the hostages would tell the President themselves that the people had problems.¹⁰² At 1100-1200 hrs there were allegedly 20-30 hostages in the Hokimiyat building, including the Chief Judge, the Chief of the Tax Inspection Authority, the Head of the Prosecutors Office, policemen and SNB Officers.¹⁰³ Armed civilians with machine guns and pistols were seen guarding the Hokimiyat building.¹⁰⁴

The wounded and dead were also taken to the Hokimiyat building.¹⁰⁵ In the beginning of the day the wounded were transferred to the regional hospital (Kasalhona Oblast)¹⁰⁶ or to the Khosarak Clinic.¹⁰⁷ One witness also reported seeing many wounded people at the hospital already in the morning.¹⁰⁸ However, during the day rumours developed that the wounded at the hospital were being summarily executed by security forces, and consequently people stopped sending wounded persons to the hospital but kept them inside the Hokimiyat building instead.¹⁰⁹

At around 1300 hrs there was reportedly a telephone conversation between one of the organizers of the meeting and the Minister of Interior, Zakir Almatov. The organizers demanded freedom for the people, democracy and the release of political prisoners including Akram Yuldoshev. The Minister of Interior allegedly responded that he would consider their demands and call back. The crowd was informed about it and cheered.¹¹⁰ An hour later, during another telephone conversation between the two, Almatov was reported to have said that the meeting should stop and if not the security forces would shoot. He allegedly offered a corridor to Kyrgyzstan and ordered the protesters to leave Uzbekistan. He called them “terrorists” and said that they did not need terrorists on Uzbek soil.¹¹¹

⁹⁸ KYR/JAL/14.

⁹⁹ KYR/JAL/21.

¹⁰⁰ KYR/JAL/31.

¹⁰¹ KYR/JAL/09.

¹⁰² KYR/JAL/37.

¹⁰³ KYR/JAL/37, KYR/JAL/44, KYR/JAL/24.

¹⁰⁴ KYR/JAL/14, KYR/JAL/09, KYR/JAL/23.

¹⁰⁵ KYR/JAL/09, KYR/JAL/44.

¹⁰⁶ KYR/JAL/09.

¹⁰⁷ KYR/JAL/20.

¹⁰⁸ KYR/JAL/20.

¹⁰⁹ KYR/JAL/21, KYR/JAL/27, KYR/JAL/36, KYR/JAL/14, KYR/JAL/11.

¹¹⁰ KYR/JAL/37, KYR/JAL/14.

¹¹¹ KYR/JAL/37, KYR/JAL/14.

Some time during the afternoon the Head of the Prosecutors Office and the Chief of the Tax Inspection Authority were brought from the Hokimiyat building to the podium in the square.¹¹² They were forced to answer questions from the crowd. The Prosecutor told the crowd about the injustices in the court, that he promised justice, that the 23 businessmen were innocent and that they (the Prosecutor and Chief of Tax Inspection) were “puppets of the regime”.¹¹³ The Chief of the Tax Inspection Authority acknowledged that it was difficult for businesses because the tax rates were very high and he hoped for a reduction of the tax rate. The crowd got very upset and threw stones at them and reportedly wanted to beat them.¹¹⁴

In the afternoon the Ahunbabaev Theatre and the Bakirov Cinema, both in the immediate vicinity of the square, were set on fire by unidentified persons.¹¹⁵

In the afternoon people started pushing cars to barricade the four roads leading to the square.¹¹⁶ Five cars were set on fire.¹¹⁷ A barricade on Navoi Prospect was made by a concrete block, two Damas vehicles and one jeep.

Leaving the Square

There appears to have been a big offensive towards the square at around 1700-1730 hrs. Security forces in military uniforms reportedly approached the square shooting from Navoi Prospect and Kamil Yashin Street.¹¹⁸ The fire truck that was standing at Kamil Yashin Street, close to the theatre, was driven to Navoi Prospect and was used to block the road there.¹¹⁹ From Navoi Park there was shooting from a BTR and a truck.¹²⁰ Gunfire was also reported to have come from the roof of the Hokimiyat building¹²¹ and from a BTR in the direction of the TsUM Shopping Centre.¹²² From Buvassadin Street gunfire came from security forces behind parked cars. There were many wounded, who were taken to the sides of the streets.¹²³ There are no indications that the security forces made any effort to avoid shooting unarmed civilians in this attack; rather it appears that the attacks were conducted in an indiscriminate manner. Some people tried to run away into the nearby Navoi Park, but were confronted by more security forces shooting at them.¹²⁴ One witness also stated that he had wanted to leave the meeting at around 1700 hrs (just before this offensive started) to go home along Chorquzar Street, but he saw people running away saying that there was an ambush on that street.¹²⁵

One group from the crowd pushed a UAZ vehicle as a barricade across Navoi Prospect, when they saw a military truck full of security forces coming towards them. The forces

¹¹² KYR/JAL/25.

¹¹³ KYR/JAL/01, KYR/JAL/05, KYR/JAL/21, KYR/JAL/22, KYR/JAL/26, KYR/JAL/34, KYR/JAL/14, KYR/JAL/12.

¹¹⁴ KYR/JAL/01, KYR/JAL/34, KYR/JAL/12, KYR/JAL/21.

¹¹⁵ KYR/JAL/23, KYR/JAL/33, KYR/JAL/24.

¹¹⁶ KYR/JAL/10, KYR/JAL/26, KYR/JAL/23.

¹¹⁷ KYR/JAL/23.

¹¹⁸ KYR/JAL/38, KYR/JAL/10, KYR/JAL/31, KYR/JAL/43.

¹¹⁹ KYR/JAL/31.

¹²⁰ KYR/JAL/31, KYR/JAL/38, KYR/JAL/23.

¹²¹ It is unclear whether this came from the security forces or from the armed civilians who had seized the building.

¹²² KYR/JAL/22.

¹²³ KYR/JAL/44.

¹²⁴ KYR/JAL/01.

¹²⁵ KYR/JAL/32.

started shooting when their vehicle approached the barricade, continued shooting going through the barricade and as it was driving through the crowd.¹²⁶ The truck turned into a street next to Navoi Prospect and after 5-10 minutes it returned and again started shooting at the crowd.¹²⁷ The crowd threw stones at the truck.¹²⁸ The truck returned twice more, repeating the same scenario.¹²⁹

The crowd understood that they were not able to defend themselves. It was impossible to stay in the square and they had to leave.¹³⁰ Leaving the square they heard gunfire from automatic weapons behind the Hokimiyat. People were panicking.¹³¹ The crowd started moving down Cholpon Prospect. There was a first group of 300-400 people, mostly men, but also a few women and children.¹³² They had about 10-13 hostages in front of them.¹³³ Some 200 meters behind was a larger group, which included many women and children. This group had three or four hostages in front. The women and children were in the middle of the group surrounded by the men.¹³⁴ The group was shouting “freedom”.¹³⁵ The hostages were put in front of both groups in the hope that the security forces would not shoot at “their own people”.¹³⁶

At the junction by the Telecom office there was a barrier made up of two or three buses.¹³⁷ Security forces fired at a group of unarmed civilians from behind the buses.¹³⁸ The civilians threw themselves on the ground to evade the bullets, but many were wounded. When the shooting stopped and the security forces appeared to have left, they moved on. When they reached the buses, the crowd moved one of them aside and continued moving forward.¹³⁹

Shortly after they had passed the buses, the shooting started again.¹⁴⁰ It appears that at this stage the group was fired on from at least three different directions.¹⁴¹ There was sniper fire from both sides of the street.¹⁴² In front there were security forces behind a roadblock of sandbags and one or several BTRs.¹⁴³ Security forces were also shooting from the roof of the Cholpon Cinema and the roofs of nearby apartment buildings.¹⁴⁴ There are also reports that the group was shot at from the direction of Navoi Street.¹⁴⁵

¹²⁶ KYR/JAL/21, KYR/JAL/24, KYR/JAL/35, KYR/JAL/33, KYR/JAL/32.

¹²⁷ KYR/JAL/24.

¹²⁸ KYR/JAL/21.

¹²⁹ KYR/JAL/31, KYR/JAL/12.

¹³⁰ KYR/JAL/24, KYR/JAL/30.

¹³¹ KYR/JAL/37.

¹³² KYR/JAL/24, KYR/JAL/32.

¹³³ KYR/JAL/38, KYR/JAL/37, KYR/JAL/14.

¹³⁴ KYR/JAL/31, KYR/JAL/18, KYR/JAL/28, KYR/JAL/29, KYR/JAL/31, KYR/JAL/40, KYR/JAL/23, KYR/JAL/11, KYR/JAL/22, KYR/JAL/33.

¹³⁵ KYR/JAL/37, KYR/JAL/39, KYR/JAL/21, KYR/JAL/36, KYR/JAL/14.

¹³⁶ KYR/JAL/37, KYR/JAL/3, KYR/JAL/25, KYR/JAL/14, KYR/JAL/38, KYR/JAL/25.

¹³⁷ KYR/JAL/13, KYR/JAL/25, KYR/JAL/27, KYR/JAL/28, KYR/JAL/31, KYR/JAL/33, KYR/JAL/34, KYR/JAL/32, KYR/JAL/33.

¹³⁸ KYR/JAL/10, KYR/JAL/32, KYR/JAL/33, KYR/JAL/34.

¹³⁹ KYR/JAL/37, KYR/JAL/10, KYR/JAL/14, KYR/JAL/13, KYR/JAL/32, KYR/JAL/33.

¹⁴⁰ KYR/JAL/31.

¹⁴¹ KYR/JAL/31, KYR/JAL/31, KYR/JAL/25, KYR/JAL/04, KYR/JAL/10, KYR/JAL/11, KYR/JAL/14, KYR/JAL/16, KYR/JAL/18, KYR/JAL/20, KYR/JAL/21, KYR/JAL/22, KYR/JAL/27, KYR/JAL/28, KYR/JAL/30, KYR/JAL/33, KYR/JAL/34, KYR/JAL/43, KYR/JAL/41, KYR/JAL/24.

¹⁴² KYR/JAL/31, KYR/JAL/27, KYR/JAL/40, KYR/JAL/12, KYR/JAL/33, KYR/JAL/11.

¹⁴³ KYR/JAL/10, KYR/JAL/31, KYR/JAL/21, KYR/JAL/22, KYR/JAL/23, KYR/JAL/26, KYR/JAL/27, KYR/JAL/38, KYR/JAL/33, KYR/JAL/13, KYR/JAL/12, KYR/JAL/14, KYR/JAL/11, KYR/JAL/44.

¹⁴⁴ KYR/JAL/31, KYR/JAL/37, KYR/JAL/13, KYR/JAL/32, KYR/JAL/33.

¹⁴⁵ KYR/JAL/22.

One person who was in the back of the crowd claims that they were pursued along Cholpon Prospect by 30 members of the security forces with machine guns.¹⁴⁶

At this time it started to rain heavily, and some witnesses also describe the shooting as a rain of bullets.¹⁴⁷ Another witness described that there was blood everywhere, “it was raining and the blood was running down the street”.¹⁴⁸ When the security forces would shoot, people would lie down trying to protect themselves. The shooting would begin again when people stood up.¹⁴⁹ This sequence was repeated several times.¹⁵⁰ There were intervals of 10-15 minutes between the shootings, and this went on for one to one-and-a-half hours.¹⁵¹ Many people were shot in the head and the chest by sniper fire. One witness described how he saw the killing of a young man, around 18 years old, who was sitting half a meter in front of the witness when a bullet hit him in the back of the head.¹⁵² The crowd begged the security forces not to shoot.¹⁵³ Women who waved white cloths to show that they were not armed were shot.¹⁵⁴ There are also several accounts describing how people were being shot at even though they were lying down.¹⁵⁵

The crowd took the wounded to the pavement.¹⁵⁶ They banged on doors, but the residents of buildings along the street did not want to open their doors.¹⁵⁷ The local residents warned them that snipers had entered the buildings and were on the roofs.¹⁵⁸ Many of the wounded were taken to the faculty close to School 15.¹⁵⁹ Allegedly a group of people who tried to cross the street were all shot.¹⁶⁰ One witness described it as “if you decided to run away, you were dead for sure”.¹⁶¹

When the first group reached the Cholpon Cinema, close to School 15, the shooting reportedly started again.¹⁶² This time it was automatic fire and it came from the front of the crowd, where security forces behind a roadblock with sandbags were shooting at them.¹⁶³ The shooting continued for a long time without a break; reportedly the soldiers only stopped to reload their weapons.¹⁶⁴ The first group was shot down and almost all of them were killed.¹⁶⁵ One witness, a survivor from the first group, described how at a certain point someone asked “is there anyone alive here? Come to the side”. Only two or three people stood up and five-six said that they were wounded. The others remained

¹⁴⁶ KYR/JAL/32.

¹⁴⁷ KYR/JAL/26, KYR/JAL/14, KYR/JAL/23, KYR/JAL/44.

¹⁴⁸ KYR/JAL/10.

¹⁴⁹ KYR/JAL/31, KYR/JAL/08, KYR/JAL/29, KYR/JAL/43, KYR/JAL/14, , KYR/JAL/33, KYR/JAL/44.

¹⁵⁰ KYR/JAL/31.

¹⁵¹ KYR/JAL/17.

¹⁵² KYR/JAL/31.

¹⁵³ KYR/JAL/10.

¹⁵⁴ KYR/JAL/04, KYR/JAL/10, KYR/JAL/14, KYR/JAL/20, KYR/JAL/21, KYR/JAL/37.

¹⁵⁵ KYR/JAL/31, KYR/JAL/01, KYR/JAL/21, KYR/JAL/33, KYR/JAL/13, KYR/JAL/14, KYR/JAL/24.

¹⁵⁶ KYR/JAL/31, KYR/JAL/44, KYR/JAL/24.

¹⁵⁷ KYR/JAL/27, KYR/JAL/44.

¹⁵⁸ KYR/JAL/39.

¹⁵⁹ KYR/JAL/30.

¹⁶⁰ KYR/JAL/27.

¹⁶¹ KYR/JAL/30.

¹⁶² KYR/JAL/31, KYR/JAL/44, KYR/JAL/24.

¹⁶³ KYR/JAL/10, KYR/JAL/31, KYR/JAL/21, KYR/JAL/22, KYR/JAL/23, KYR/JAL/26, KYR/JAL/27, KYR/JAL/38, KYR/JAL/33, KYR/JAL/13, KYR/JAL/12, KYR/JAL/14, KYR/JAL/11, KYR/JAL/44, KYR/JAL/18, KYR/JAL/32.

¹⁶⁴ KYR/JAL/10.

¹⁶⁵ KYR/JAL/37, KYR/JAL/14, KYR/JAL/16, KYR/JAL/31, KYR/JAL/38, KYR/JAL/32.

silent, as they were dead.¹⁶⁶ Several witnesses say that this was the heaviest shooting of the day.¹⁶⁷ One witness stated that many unarmed civilians and hostages were killed in this incident.¹⁶⁸

Several witnesses described how they saw BTRs driving over the dead and the wounded people on the street.¹⁶⁹ One of them claims that he managed to roll under the gate to the Technical College, together with five others. When he looked through a hole in the gate, he could see two BTRs driving over the dead bodies while shooting. Security forces on foot were executing wounded people as they followed the BTRs.¹⁷⁰

People in the crowd fled towards Baynal Minal Street.¹⁷¹ At this stage there were about 1,000-1,500 people left in the crowd.¹⁷² On Baynal Minal Street they saw some local residents and asked if they could leave some women and children who could not walk any longer. Some agreed to help.¹⁷³

After having turned into Baynal Minal Street, a large group of people continued moving through small streets out of Andijan.¹⁷⁴ Some people left and went in different directions, some wounded were brought to the houses on the way, and the remaining group started walking towards the border with Kyrgyzstan.¹⁷⁵ It is difficult to conclude how this decision was taken and by whom, but witnesses mentioned such reasons as fear for their lives and fear of being shot,¹⁷⁶ proximity of the border,¹⁷⁷ the presence of relatives in Kyrgyzstan who could shelter them,¹⁷⁸ and a hope that Kyrgyzstan would grant them asylum.¹⁷⁹ Some said that they just followed the group.¹⁸⁰ Again, some wounded, sick and old people were left on the way with local residents.¹⁸¹ A pregnant woman reportedly gave birth and was left in one of the houses.¹⁸² Wounded people, old women and those

¹⁶⁶ KYR/JAL/38.

¹⁶⁷ KYR/JAL/16, KYR/JAL/30, KYR/JAL/26, KYR/JAL/24.

¹⁶⁸ KYR/JAL/31.

¹⁶⁹ KYR/JAL/27, KYR/JAL/30, KYR/JAL/38.

¹⁷⁰ KYR/JAL/38.

¹⁷¹ KYR/JAL/31, KYR/JAL/18, KYR/JAL/13, KYR/JAL/14, KYR/JAL/32, KYR/JAL/33, KYR/JAL/11, KYR/JAL/23, KYR/JAL/22, KYR/JAL/44, KYR/JAL/24, KYR/JAL/25.

¹⁷² KYR/JAL/24.

¹⁷³ KYR/JAL/21, KYR/JAL/24.

¹⁷⁴ KYR/JAL/31, KYR/JAL/09, KYR/JAL/24, KYR/JAL/13, KYR/JAL/14.

¹⁷⁵ KYR/JAL/24, KYR/JAL/12, KYR/JAL/14, KYR/JAL/15, KYR/JAL/16, KYR/JAL/18, KYR/JAL/21, KYR/JAL/26, KYR/JAL/15, KYR/JAL/33, KYR/JAL/14, KYR/JAL/30, KYR/JAL/01, KYR/JAL/07, KYR/JAL/20, KYR/JAL/29, KYR/JAL/40, KYR/JAL/43.

¹⁷⁶ KYR/JAL/24, KYR/JAL/12, KYR/JAL/14, KYR/JAL/15, KYR/JAL/16, KYR/JAL/18, KYR/JAL/21, KYR/JAL/26.

¹⁷⁷ KYR/JAL/15, KYR/JAL/33.

¹⁷⁸ KYR/JAL/14.

¹⁷⁹ KYR/JAL/30.

¹⁸⁰ KYR/JAL/01, KYR/JAL/07, KYR/JAL/20, KYR/JAL/29, KYR/JAL/40, KYR/JAL/43.

¹⁸¹ KYR/JAL/14, KYR/JAL/36, KYR/JAL/13, KYR/JAL/11, KYR/JAL/40.

¹⁸² KYR/JAL/27.

who could not walk were carried by others.¹⁸³ The march as far as the border village of Teshik-Tash lasted 10 hours.¹⁸⁴

At the Border with Kyrgyzstan

Witnesses report that when they reached the village of Teshik-Tash, some 30 kilometres from Andijan, they stopped in one of the neighbourhoods and a local man approached them and said that he knew the way across the border. They followed him and turned into one of the side streets. There was a BTR and 10-15 soldiers there, who started to shoot at them,¹⁸⁵ the shooting lasted only a few minutes.¹⁸⁶ The crowd apparently shouted that they did not have any weapons¹⁸⁷ and held up headscarves and white pieces of clothing.¹⁸⁸ The local man was killed together with 8-12 persons from the crowd.¹⁸⁹ When the shooting stopped the crowd retreated.

There was panic among the people, who gathered in another street in Teshik-Tash and prayed.¹⁹⁰ Some wounded people were taken care of in one of the houses.¹⁹¹ An ambulance arrived that took other wounded people to the local hospital.¹⁹²

Finally, a delegation of two elders and one woman walked up to the Uzbek border guards to try to persuade them to let the people cross the border bridge over the Karadarya River.¹⁹³ After some negotiations the crowd was allowed over to the other side. Witnesses describe that they crossed the bridge while holding white pieces of clothing and scarves in their hands.¹⁹⁴ The Kyrgyz border guards let them enter in groups of five, after having searched them for weapons.¹⁹⁵

Around 500 people crossed the bridge.¹⁹⁶ Wounded people were separated from the group and taken to the hospital.¹⁹⁷ Representatives of the Kyrgyz authorities arrived shortly after.¹⁹⁸ Some witnesses reported that Kyrgyz authorities tried to convince the refugees to turn back, however the refugees refused and they were installed in Suzak Camp.¹⁹⁹

¹⁸³ KYR/JAL/04, KYR/JAL/23, KYR/JAL/32.

¹⁸⁴ KYR/JAL/25, KYR/JAL/09, KYR/JAL/24, KYR/JAL/04, KYR/JAL/13, KYR/JAL/17.

¹⁸⁵ KYR/JAL/09, KYR/JAL/10, KYR/JAL/21, KYR/JAL/23, KYR/JAL/22, KYR/JAL/11, KYR/JAL/32, KYR/JAL/13, KYR/JAL/12, KYR/JAL/14.

¹⁸⁶ KYR/JAL/04, KYR/JAL/09, KYR/JAL/13, KYR/JAL/24.

¹⁸⁷ KYR/JAL/09.

¹⁸⁸ KYR/JAL/10, KYR/JAL/23, KYR/JAL/32.

¹⁸⁹ KYR/JAL/20, KYR/JAL/17, KYR/JAL/18, KYR/JAL/19, KYR/JAL/23, KYR/JAL/24, KYR/JAL/09, KYR/JAL/44.

¹⁹⁰ KYR/JAL/03, KYR/JAL/17.

¹⁹¹ KYR/JAL/01, KYR/JAL/08, KYR/JAL/12.

¹⁹² KYR/JAL/03, KYR/JAL/08, KYR/JAL/21, KYR/JAL/23, KYR/JAL/24.

¹⁹³ KYR/JAL/44.

¹⁹⁴ KYR/JAL/12.

¹⁹⁵ KYR/JAL/04, KYR/JAL/07, KYR/JAL/33, KYR/JAL/32, KYR/JAL/13, KYR/JAL/12, KYR/JAL/09.

¹⁹⁶ KYR/JAL/13.

¹⁹⁷ KYR/JAL/12.

¹⁹⁸ KYR/JAL/13.

¹⁹⁹ KYR/JAL/14, KYR/JAL/32.

Conclusions

The ODIHR has not been able to visit Andijan after 13 May, and was therefore not able to collect further first-hand information about the events. These conclusions are therefore limited to an analysis of the information received from refugees in Kyrgyzstan. It should be underlined that under no circumstances should this report or these conclusions be construed or represented as final, and/or substituting in any way for the independent international investigation for which the international community has called.

The ODIHR offers the following first conclusions from analysing the information it has received. These conclusions are followed by recommendations to the OSCE Chairman-in-Office, as well as to other OSCE bodies and institutions.

1. Protests over the trial of the 23 businessmen were expected and had been announced. The storming of the prison added to the dynamics of the situation in the early hours of 13 May. Soon, the protesters were **joined by many who had not been involved in the trials or in the violence during the night**. The gathering on Babur Square quickly developed into a manifestation of long-standing public frustration and discontent with economic policies, poverty and perceived injustice, and it soon developed its own momentum.
2. The trials of the business leaders that preceded and triggered the 13 May events were not independently and systematically monitored. However, from the information available it can be assessed that the trial against the 23 businessmen **violated several fair trial standards**. The trial also caused upheaval in the community of Andijan, as many depend for their livelihoods on the still weak but emerging private sector.
3. The armed attacks on the military garrison, as well as the armed storming of the prison, are incidents about which the ODIHR has not received much reliable information. However, these acts would constitute **criminal offences** and would call for decisive and immediate action by law enforcement agencies in any jurisdiction. Notwithstanding the conduct of the offenders, the response by the security forces should be commensurate and the use of force should remain exceptional and not go beyond that which is reasonably necessary. However, it appears that in the Andijan events the use of force was **indiscriminate and disproportionate** to the necessities with regard to maintaining public order. It appears that security forces appeared and left the square at certain intervals, **firing indiscriminately** at protesters, wounding and killing many unarmed civilians.
4. There are grounds to conclude that the excessive use of force by security forces resulted in gross human rights violations, including violations of the right to life and the right to personal security. Reports indicate that **extrajudicial killings** of unarmed civilians, including summary executions, may have occurred during and in the wake of the protests at the square. Under

international law exceptional circumstances, including internal political instability or any other public emergency, may not be invoked as a justification of such executions. This prohibition would prevail over decrees issued by government authorities.

5. Security forces seem to have attacked the protesters as well as the armed group in the Hokimiyat building several times during the day. There are **no indications** that at any point during the entire day was there any kind of **warning**, either oral or by warning shots, given before the Uzbek security forces fired into the crowd on Babur Square or in the surrounding streets.
6. The taking of hostages by protesters, and **the use of hostages as human shields** as the crowd left Babur Square in two groups, **cannot be condoned**. However, **actions of the security forces** towards the protesters, particularly the immediate and repeated resort to violence without prior warnings to disperse, **escalated the situation** to the extent that the protesters appear to have had few options in seeking to protect themselves, since reportedly attempts **to leave the scene were blocked and attempts to surrender were ignored**.
7. The protests on the square received particular impetus by the announcement of the imminent arrival of President Karimov in Andijan. **President Karimov's role** during the events remains **unclear**, as he made no public appearance until the following day in Tashkent.
8. It is impossible to determine any precise figures of casualties from the information gathered by the ODIHR. It appears however that the figures given by the Government (even after several revisions) are seriously understating the actual figure. An estimate based on the information given by the refugees would indicate that **300-500** people may have been **killed** on 13 May.
9. The **refugees** in Suzak Camp in Kyrgyzstan are still traumatized, and many are **fearful** for their relatives and friends, many of whom are reported to be pressurized by the security forces to convince the refugees to return. Personal security and integrity of the returnees will have to be guaranteed before any decision about their re-entry into Uzbekistan is made. It appears to be a problematic issue, since many of the refugees have already been branded as terrorists by the Government of Uzbekistan.
10. The people in the refugee camp are a mixed group. They are representative of the mixed nature of the people present on the square on 13 May. An issue of speculation has been the religious affiliation of both the organizers and the participants of the events in Andijan on 13 May. From the information received by the ODIHR, there is **no indication** that the refugees include people who could be described as **religious fanatics or extremists**. Some could be seen as challenging the Government. The refugees were very much

aware of their labelling as terrorists and “extremists”. These were terms that seem to have been often used without any apparent link to specific criminal activity in relation to the arrests of the businessmen and questioning by the SNB of their relatives, employees or friends.

11. Many of the participants at the square claim to have been victims of unfair trials, unemployment and excessive bureaucracy negatively affecting private enterprise, and as such they represent the general feeling of disenfranchisement and marginalization of the population of the Ferghana Valley. The meeting on Babur Square can be seen as an outlet where people voiced their opinions in this regard.

Recommendations

The ODIHR acknowledges the Uzbek Government's investigation of the 13 May 2005 events in Andijan. However, the ODIHR is concerned that this investigation does not extend to the alleged use of indiscriminate and disproportionate force by the Uzbek security forces,²⁰⁰ as reflected in practically all the information collected by the ODIHR and other international actors. Moreover, the events of 13 May are to be seen in the context of the role of the authorities in maintaining public order. While states have legitimate security concerns in the current fight against terrorism, caution must be applied to avoid excessively broad and indiscriminate use of the terms terrorism and "extremism". Otherwise this would present negative consequences for legitimate political opposition, ethnic and religious minorities, and the effective enjoyment of human rights such as freedom of expression and association. Therefore, the OSCE should give urgent attention to the following recommendations:

- Continue to call for and work towards the **establishment of an independent, credible, international investigation** into the events of 13 May in Andijan, and in particular, into the killings. The investigation should have all necessary competent expertise, in particular in forensics, ballistics, and crime scene investigation. Its mandate should include making a determination as to whether, and which, Uzbek troops used excessive force against unarmed protesters. The Uzbek government should cooperate with and support such an independent, credible, international investigation and should hold accountable, in a manner consistent with international human rights law, those responsible for using excessive force against unarmed protesters. Overall, such an investigation could be put into the broader context of addressing the relevant security concerns.
- Strengthen the **capacity of field missions** in Central Asia generally and Uzbekistan in particular to conduct human rights monitoring, including monitoring of the return of refugees, the situation of human rights defenders, and monitoring compliance with international fair trial standards.
- Establish a **significant presence in the Ferghana Valley** in Uzbekistan through Field Offices.
- Develop, in co-operation with relevant international agencies, a **mechanism to monitor the voluntary return** of refugees from Kyrgyzstan. This should not only include an escort back to Andijan, but also the setting up of an office inside the town with the specific task to monitor the well-being of the refugees. In case a

²⁰⁰ "The Formation of an Independent Commission to Investigate the Events in Andijan," Resolution of the Legislative Chamber of the Oili Majlis [parliament] of Uzbekistan, May 23, 2005. <http://www.gov.uz/ru/content.scm?contentId=12831> [accessed 2 June 2005]: "The commission has been entrusted to conduct careful investigation of all circumstances of Andijan events, deep and all-round analysis of their development, revealing the reasons and conditions that led to tragic events on 13 May of this year, revealing basic relationships of causes and effects of these events, and also those forces which are behind these criminal acts those led to human casualties. The deputies have charged the commission to carry out the all-round analysis of actions of the government and the law enforcement agencies, to give them legal assessment, and also regularly inform the parliament and the public on the course of investigation, including through mass media."

safe return is not possible for the refugees, a safe third country should be identified and the necessary steps taken for the families of the refugees to be able to join them.

- **The OSCE, through the Informal Group of Friends of the Chair on Combating Terrorism**, should address the problematic way in which the fight against **terrorism and “extremism”** is being used in a number of OSCE participating States to restrict activities of civil society in violation of their international commitments and thereby limiting the effective enjoyment of human rights.

The ODIHR stands ready to assist the Chairman-in-Office and all other OSCE partners in following up on these recommendations.

Annex 1: Map of Andijan City Centre

Andijan events locations index

Name of street	Map index
Babur Shah Street (fmr. Idanov Street)	5A
Babur Square	4B
Baynal Minal Street	2B
Buvassadin Street (fmr. Kalinin Street)	4B-C
Cholpon Prospect (fmr. Svoboda—“Freedom”—Prospect.)	2-3B
Chorquzar Street (fmr. Oktyabrskaya Street)	4-5B
Kamil Yashin Street (fmr. Pobeda—“victory” —Street)	4A
Navoi Prospect	4-5B, 5-6C

Name	Location, index
Ahunbabaev Theatre	On the corner of Kamil Yashin and Chorquzar streets (at Babur Square), 4B
Babur Monument	On Babur Square, 4B
Bakirov Cinema	On Babur Square, on the corner of Kamil Yashin Street and Cholpon Prospect, 3-4B
Cholpon Cinema	On Cholpon prospect, corner with Baynal Minal Street, approx. 1000m from Babur Square, 2B
Hokimiyat	Behind Babur monument on Babur Square, 4B
Kasalhona Oblast regional Hospital	At the end of Chorquzar Street, 6C
Mosque/old market	Off Chorquzar Street, approx. 500m from Babur Square, 3A
Navoi Park	Between Cholpon Prospect and Chorquzar Street, opposite Babur Square
Post Office	On Cholpon prospect, approx. 1000m from Babur Square, 3B
Prison	At the end of 50 Years of Uzbekistan Street (continuation of Navoi), approx 4000m from Babur Square, 6E
School No.15	On the corner of Navoi Prospect and Buvassadin Street (at Babur Square), 2B
School No.30	On Cholpon Prospect, approx. 1200m from Babur Square, 4B
SNB Building	On Navoi Prospect, approx. 1000m from Babur Square, 5B
Technical College	On Cholpon Prospect, near the corner with Baynal Minal Street, 2B
Telecoms Office	On Cholpon Prospect, approx. 500m from Babur Square, 3B

Locations outside Andijan town	
Pahtabad	30 km east of Andijan near the Kyrgyz border, belonging to Andijan Hokimiyat
Teshik-Tash	30 km east of Andijan near the Kyrgyz border, belonging to Pahtabad district

Annex 2: Criminal Code of the Republic of Uzbekistan (extracts)²⁰¹

- **Article 159. Attempts to Change Constitutional Order of Republic of Uzbekistan**

Public statements to unconstitutional change of the existing state order, assumption of power, or removal of legally elected or appointed authorities from power, or to unconstitutional impairment of integrity of the territory of the Republic of Uzbekistan, as well as dissemination of materials containing such statements –

shall be punished with fine up to two hundred minimum monthly wages, or imprisonment up to five years.

(As amended by Law of 29.08.2001)

Violent acts aimed at impediment to legal activity of constitutional bodies or replacement thereof with parallel authorities, not envisaged by the Constitution, as well as failure to execute the decisions to dismiss the authorities established in non-compliance with the procedures envisaged by the Constitution of the Republic of Uzbekistan, taken by the duly authorized state bodies –

shall be punished with fine from fifty to one hundred minimum monthly wages, or imprisonment from three to five years.

The acts punishable under Paragraphs 1 or 2 of this Article committed:

- a) repeatedly or by a dangerous recidivist;
- b) by an organized group or in its interests –

shall be punished with imprisonment from five to ten years.

A conspiracy with the purpose of assumption of power or overthrowing of the constitutional order of the Republic of Uzbekistan –

shall be punished with imprisonment from ten to twenty years.

(As amended by Law of 29.08.2001)

A person who informed voluntarily the national authorities about a conspiracy, resulted in the prevention of the conspiracy through respective measures, shall be released from penalty.

- **Article 242. Organization of Criminal Community**

Organization of a criminal community, that is establishment or direction of a criminal community or divisions thereof, as well as activities aimed at ensuring their existence and operation –

shall be punished with imprisonment from fifteen to twenty years.

Establishment of an armed organized group, as well as direction thereof or participation therein –

²⁰¹ Source: www.legislationline.org (unofficial translation)

shall be punished with imprisonment from ten to fifteen years.

(As amended by the Law of 29.08.2001)

- **Article 244. Riots**

Organization of riots accompanied with personal violence, pogroms, arsons, damage and destruction of property, resistance to a representative of authority with use of or threat to use arms or other objects as arms, as well as active participation in riots –

shall be punished with imprisonment from ten to fifteen years.

(As amended by the Law of 29.08.2001)

- **Article 244/1. Production and Dissemination of Materials Containing Threat to Public Security and Public Order**

Production or keeping with the purpose to dissemination of materials that contain ideas of religious extremism, separatism, and fundamentalism, calls for pogroms or violent eviction, or aimed at creating a panic among the population, which have been committed after imposition of an administrative penalty for the same acts –

shall be punished with a fine from fifty to one hundred minimum monthly wages, or correctional labor up to three years, or arrest up to six months, or imprisonment up to three years.

Any form of dissemination of information and materials containing ideas of religious extremism, separatism, and fundamentalism, calls for pogroms or violent eviction of individuals, or aimed at creating a panic among the population, as well as the use of religion in purposes of breach of civil concord, dissemination of calumnious and destabilizing fabrications, and committing other acts aimed against the established rules of conduct in society and of public security –

shall be punished with a fine from seventy-five to one hundred minimum monthly wages, or arrest up to six months, or imprisonment from three to five years.

The actions foreseen in Paragraph 1 or 2 of this Article, committed:

- a. by previous concert or by a group of individuals;
- b. with use of official capacity;
- c. with use of financial or other material aid received from religious organizations, as well as from foreign States, organizations, and nationals –

shall be punished with imprisonment from five to eight years.

(Introduced by the Law of 1.05.1998, amended by the Law of 29.08.2001)

- **Article 244/2. Establishment, Direction of or Participation in Religious Extremist, Separatist, Fundamentalist or Other Banned Organizations**

Establishment, direction of or participation in religious extremist, separatist, fundamentalist or other banned organizations –

shall be punished with imprisonment from five to fifteen years.

The same actions that have resulted in grave consequences –

shall be punished with imprisonment from fifteen to twenty years.

A person shall be discharged from liability for the offense punishable under Paragraph 1 of this Article, if he voluntarily communicated about the existence of banned organizations and assisted to detection of the offense.

(Introduced by the Law of 1.05.1998, amended by the Law of 29.08.2001)