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Presentation for: "Raiding the Coffers, Violating Rights"

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Mr. Moderator, I'd like to begin by expressing my appreciation to the leadership of The Centre for Civil and Political Rights and Open Society Foundations for organizing this conference.

The topic is not just timely but critical. Corruption is sometimes seen as just one of a litany of problems afflicting the post Soviet states, along with, for example, lack of development, unemployment, political repression, etc. But in fact, there is a causal relationship between corruption and these other phenomena.

During the Soviet era, money was less a perk of power and influence than access to scarce goods or privileges unavailable to the public, such as travel. But when the USSR collapsed, those in power in the emerging states understood quickly that they could become rich beyond their wildest dreams. Their control of the state gave them the ability to control state assets or their sale at wildly profitable margins. In countries with valuable natural resources, especially oil and gas, the connections and ramifications are obvious. But the prevalence of corruption in even resource-poor states, such as Armenia, or Kyrgyzstan, indicates that control of the state allows the enrichment of those in power, even if not at the level of Russia, Kazakhstan or Azerbaijan.

The desire of leaders, their families and political elites to continue controlling these assets and to grow even wealthier has a direct bearing on the prospects for political development. How can you permit free and fair elections, for example, if you are determined not to risk losing the position that enriches you? Hence the generally terrible record in former Soviet states on elections, as recorded in the monitoring missions of the OSCE. True, there are other reasons to prevent a fair contest, such as love of power, or fear of losing more than money, but the corruption motive, I maintain, is critical.

The same applies to other basic human rights, such as political opposition, an independent judiciary or a free press. All these, if allowed, would threaten the hold on power of those determined to remain in power. Consequently, while most post Soviet republics pay lip service to these basic OSCE norms, they strive continuously to block their actual development.

In Uzbekistan, specifically, corruption is fueled, among other things, by:

-- the appetites of high ranking officials, who can exploit the difference between official and unofficial rates of currency exchange, licensed export-import operations, customs clearance, raiding;

-- The greed of the first family, most blatantly expressed in billion-dollar construction projects with the participation of foreign firms, as well as the export of gas, gold, and raiding;

-- The transit of narcotics from Afghanistan

Examples of the effects of this corruption on human rights observance include:

-- Raiding, in which the authorities use "administrative resources" against businessmen and property owners, to seize their assets, while depriving them of life or liberty

-- The government uses corrupt contacts in foreign capitals to block unwanted criticism by foreign authorities

My entry into politics

I have already explained in other fora that the general background of my entry into politics in the early 2000s was the deplorable state in the feudal cotton sector of Uzbekistan. Now, I would like to explain that the last straw that moved me in early 2005 to create the Sunshine Coalition was the blatant corruption in the government of Uzbekistan.

At a certain stage of my business career, I decided to use all my assets in favor of one large, long-term project. As a result of a long search and research, I spotted as a golden opportunity a GTL (Gas-To-Liquid) construction of a large plant for the production of liquid hydrocarbons from natural gas on the basis of modern American technology. Some private North American investors are also interested in the project, even without a government guarantee: The project was 100% foreign direct investment. I expected that given the urgency of the growing scarcity of liquid fuels, an offer of 100% foreign direct investment was sure to get the green light for the rapid implementation of the project.

The problems started when we tried to enter our project in the investment program approved by the President of Uzbekistan. For reference, in Uzbekistan, all investment projects above \$20 million should be approved by the President through an amendment to the Investment Program, and our investment project cost was \$1 billion. But for a project to remain on the final version of the list and reach the President's desk, you must obtain the consent of at least four deputy prime ministers, the Prime Minister, four state advisers. However, all our efforts were unsuccessful and the only option offered to us was to act through the company **Zeromax** -- which, as you know, was controlled by the President's daughter.

You can imagine my situation: hard as it was to persuade North American investors to risk direct investments in Uzbekistan of many hundreds of millions of dollars, I now had to explain to them why investing in Uzbekistan required paying a bribe!

My arrest, conviction and tortures

In September-October 2005 I visited the United States, seeking support for the Sunshine Coalition from Uzbek expatriates and U.S. officials. What followed illustrates graphically what happens to someone who tries to engage in business independently.

A couple of days after returning from to Uzbekistan, I received a phone call from a fellow opposition party member who informed me that authorities were raiding Sunshine Coalition headquarters. I rushed over and when I arrived I heard loud voices inside. But when I banged on the door, no one would come out. I turned to leave and, suddenly, I was grabbed off the street in broad daylight and stuffed into a car.

Next thing I remember was waking up in a cell with blood on my jacket. My mind was fuzzy for days after. They must have drugged me. There I remained for four months before my trial even began, being interrogated continuously, and often beaten on the head. At one point, a car backed up to my cell window and pumped in exhaust. I dropped down on my belly, pressed my mouth against the narrow slit between my cell door and the floor gasping for air, desperately trying to stay alive.

My trial was the next day, January 30, 2006, President Karimov's birthday. I was accused of creating an unsanctioned political organization as well as a litany of other trumped up charges. At that point I still had hope. I was a romantic. But when the judge ignored my lawyer and listened only to the prosecutor, it soon became clear that I wasn't going free. How I was supposed to endure another two, maybe even three years of this treatment? Then they read the sentence: fourteen-and-a-half years! For what?

I was sent to a prison colony, and quickly placed in solitary confinement in a tiny cell with a concrete floor, an open toilet, and no sink. I was kept there first for 17 days, then 15 days. But each time my stay was almost up – and believe me, I counted every single day – officials would extend it for another two or three weeks. This happened over and over, my hopes of returning to the general prison population constantly crushed. This went on for 14 months.

It's very easy to go crazy in solitary. You dwell on things. You feel like you're losing your mind. I was not allowed any contact with my family. I could not even write to them. And any letters they wrote me were torn to pieces right in front of me by the prison guards. It was perhaps the worst torture I endured! During my first year in prison, my son took the train to see me 20 times, and 20 times was turned away.

But my lowest point came in January 2008, when I was thrown in the "monkey cage," that cell that was open to the elements. The first time I was put in there, I nearly froze to

death. This winter was one of the coldest and the temperature was routinely below freezing (may be minus 10 C or more) and all I had were light pants and a shirt. No shoes, no socks, no hat. The second time they threw me in there, because I refused to sign a bogus confession saying that the United States gave me \$20 million to overthrow Uzbekistan's government, my cellmates nearly beat me to death. They were ordered to try and make me sign. They broke my thumb and choked me, permanently damaging my vocal chords. But I refused to sign. They jumped on my shackled ankles, scarring me forever. But I did not sign.

It wasn't until three years into my imprisonment, that I was finally allowed to see my wife and my lawyer. But I barely recognized them. The torture had gotten to me. I had lost all hope that I'd ever get out.

My release

One day while I was in the prison hospital because my health had drastically deteriorated, I was summoned to the administration building. I assumed they were going to lengthen my sentence or deny me amnesty. But when I walked into the room, a man I later learned was a judge called me Sanjar-aka, a term of respect. And within minutes I was freed! Just like that. I could not believe it. Just when all seemed lost, I was free and reunited with my family, who had been debriefed a few days earlier by the US embassy.

How do I understand my arrest, conviction and torture? I refused to pay a bribe to engage in a business project that would have benefited the country and its people. That made me dangerous to the authorities. And because I was also trying to reform politics and broaden political opportunity in a country whose political system refuses to hear of, or even tolerate sincere attempts at reform, I ended up a "prisoner of conscience."

I am not so naïve to think that everything in the country is the result of a direct order by the President. However the system he created allows corrupt figures to abuse their powers in his name.

As for my release, did Uzbekistan's government suddenly see the error of its ways? I wish it were so. No, I was freed because of the perseverance of others. What I didn't know while I was being subjected to the worst kinds of indignities, was that wife and children had worked tirelessly for my release. They reached out to international human rights groups. They raised my case in the US Congress, including at the Helsinki Commission who monitors human rights all across the OSCE space. And they contacted the Organization for Security and Co-operation in Europe and the UN Human Rights Committee, the predecessor to the Human Rights Council. I was freed due to strong international pressure, including a robust public campaign by human rights organizations and the efforts of diplomats.

But I am one of the lucky ones. For the most part, international pressure on Uzbekistan has been sorely lacking. There are thousands of political prisoners in the world and millions of people forced into hard labor. But that can and must change. That's why I

continue pressing for reform in my native land even as I reside in freedom and security with my family near Memphis, Tennessee.

In conclusion, let me again thank you for organizing this conference and inviting me to speak here today. I look forward to answering any questions you might have