
THE DISPUTED LEGALITY OF AN UZBEK UNION OF INDEPENDENT JOURNALISTS

By Iskandar Hamroh, journalist, Uzbekistan

The legality of the Union of Independent Journalists of Uzbekistan's activity remains dubious. It can act without registration, but only at a virtual level.

"Unless we are registered under the Uzbek Republic law" - Ruslan Sharipov, President of the Union of Independent Journalists of Uzbekistan (UIJU) informed, - "we are considered illegal". Moreover, he believed that registration was a mere formality: "We are ready to function even without registration. The Union was created on 15 April 2001, so we consider our activity legal, as Uzbekistan has ratified all appropriate international documents - thus making our activities legal." Ruslan Sharipov's opinion was anonymously confirmed by an UIJU lawyer - an expert in foreign affairs, with reference to provisions of the CSCE Copenhagen Meeting of the Conference on Human Dimension held in June 1990. However, an Internews lawyer in Tashkent, Mr. Karim Bakhriev, believed that in order to consider the Union's activity legal the Union should be officially registered. Otherwise, the status, purposes and goals professed in the association's charter may not be carried out within the framework of the law. The President of UIJU (this is a non-governmental public organisation) advised that registration would provide for dialogue with authorities and governmental structures which is what UIJU aspired to. So, they were seeking for the necessary sum of money to cover the registration expenses. According to him, to pay registration fees (drafting and notarising of documents, manufacturing of seals and stamps, etc.) they needed almost 60 thousand sums (nearly \$70). Mr. Ruslan Sharipov believed: "The legal situation in Uzbekistan allows to have the Union registered." However, he confirmed that in the case of a refusal, the Union's activists would try again and again to have their Union registered without suspending activities.

REALIZATION OF GOALS: NEXT TO IMPOSSIBLE

There is a contradiction: on the one hand, the Union is not yet registered and, on the other hand, its management considers its activity legal. However, with such an approach, the realisation of the purposes and goals fixed in the association's charter seems impossible. So, according to Clause 1.3, the Union's activities are undertaken legally, publicly and "within the framework of the laws and Constitution of the Republic of Uzbekistan"; in addition, Clause 6.1 reads that UIJU and its regional branches have a legal entity status. Acquisition of this status is possible only in the case of registration. Thus, in the absence of registration, any possibility of accomplishment of UIJU's declared purposes and goals, such as consolidation of independent journalists of Uzbekistan into a strong union, organisation of trainings with foreign journalists' participation, or publication of newspapers, magazines, brochures, books, etc. (Clause 2.1 of the Charter), may be contested. However, there is the other side of the coin. A journalist from the Internews Tashkent office, Mrs. Tatiana Yakovleva, said: "Establishment of a strong association requires no registration. It is possible to also issue newspapers and magazines, but only in virtual space. However, if the Union wishes to distribute its printed matter within the Republic, it won't do it without registration."

Meanwhile, considering its activity legal, UIJU has opened branches in the Namangan, Dzhizak and Kashkadaria oblasts of Uzbekistan. According to the leader of this Union, it has already united more than 20 pressmen, both professionals and beginners.

VIRTUAL REALITY

According to pressmen with whom I managed to talk, and who wished their names not to be disclosed, they did not understand how an officially non-registered organisation could help them in solving their problems. "I am rather confused by the fact that Ruslan Sharipov is, at the same time Chairman of the Uzbekistan Human Rights press-centre and President of the human rights youth movement (both not registered, as well)" - mentioned one of the pressmen. In reply, Ruslan Sharipov declared that he could separate these three activities by not mixing them. Furthermore, his actions looked like a presidency game: in the journalists union's Charter its leader is called the President, and his deputy - Vice-President; in addition there are two Presidential Advisers – one on foreign and the other on home affairs. As a result, a yarn was put on the Internet stating that Ruslan Sharipov had designed a shadow Cabinet. As for Ruslan Sharipov, he is sure it is Mikhail Ardzinov, one of Uzbekistan's human rights fighters, who span the yarn. Now people know about the new Union mainly due to materials appearing on the Internet. It turns out that the association exists only in virtual space. So, in the beginning of May, on the www.ferghana.ru site, two articles of the Tashkent journalist, Yuri Chernogaev, were published, in which he expressed his disagreement with his absorption into Ruslan Sharipov's new association list without notifying him about the fact. Subsequently, the Union of Independent Journalists of Uzbekistan, in its statement of 8 May 2001, made reference to an attestor (not mentioning his name), who could confirm the opposite (Refer to: The Extreme Journalism mailbox, www.cjes.ru). So, there is no possibility to clear up the matter: each party persists obstinately, and there is no attestor present.