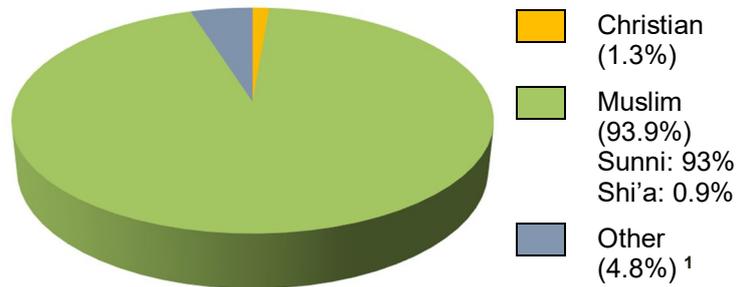


# UZBEKISTAN



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<b>Area:</b> 447,400 km <sup>2</sup>	<b>Population:</b> 28.1 million	<b>Political system:</b> Democracy	<b>Major Language(s):</b> Uzbek, Russian, Tajik
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## Legal framework on freedom of religion and actual application

Uzbekistan is the most populous nation of Central Asia, and, to this day, it is one of the most “repressive”<sup>2</sup> dictatorships in the world. Since 1990, after the country became independent from the Soviet Union, Uzbekistan has been led by President Islam Karimov, who leading Western media describe as “presiding over a regime with one of the worst human rights records in the world.”<sup>3</sup> The BBC states that Mr Karimov “takes a ruthlessly authoritarian approach to all forms of opposition using the danger of Islamic militancy to justify the absence of civil rights.”<sup>4</sup>

Although the constitution prohibits the President of the Republic from standing for more than two terms, Karimov, aged 78, was re-elected in March 2015 for the fourth time, with over 90 percent of the vote.<sup>5</sup> In December 2014, the President declared that he was working “on the establishment of a democratic and independent state ... and on the creation of a civil society that gives priority to human interests, rights, freedoms, and a state of law”.<sup>6</sup>

Since 2006, Uzbekistan has been included on the list of “Countries of Particular Concern” published by the U.S. State Department, in its report on religious freedom in the world. A report by the U.S.-based Freedom House ranked Uzbekistan, along with 10 other countries, as “the worst of the worst” with regard to political rights and civil liberties.<sup>7</sup>

In Uzbekistan, dissent is crushed with careful precision, and as a result, thousands of people,<sup>8</sup> including journalists, human rights activists and religious believers, are in prison, where the use of torture is very frequent.<sup>9</sup> An independent free press is non-existent, and the government systematically controls and blocks every form of media content critical of the regime. It is impossible to access external international sources such as Radio Free Europe/Radio Liberty, the Uzbek service of the BBC and the Voice of America, or indeed the websites of human rights groups abroad or opposition organisations in exile. In December 2014, the website UzNews.net, a major source of independent information, shut down its activities after 10 years. This step was taken after the mailbox of the Germany-based editor-in-chief of UzNews.net was the victim of a hacking attack. Confidential information was disclosed, putting at risk the Uzbek journalists

collaborating with the website.<sup>10</sup> In September 2014, certain amendments were added to the law on information, which placed further restrictions on bloggers, making them legally responsible, and obliging them to report only information that has been duly verified.<sup>11</sup> These new amendments ban the publication of content that might be perceived either as “defamatory of the honour and dignity” of individual citizens, or which advocates the overthrow of the state order, or which disseminates religious extremism.

On 31<sup>st</sup> May 2015, Uzbekistan human rights activist Elena Urlaeva was conducting an investigation into the exploitation of labourers in cotton fields when she was arrested and imprisoned in the town of Chinaz. There, security forces reportedly carried out a physical and sexual attack.<sup>12</sup>

The law on religion, which came into force in 1998, limits the rights of religious organisations. Unregistered religious activity is banned. The requirements for registration are not straight-forward, and there are strict government censorship regulations relating to religious publications.

On 15<sup>th</sup> August 2014, a new law came into force establishing a Preventative Register.<sup>13</sup> Inclusion of an individual on this register subjects the person concerned to “preventative measures”, which can include job loss. Names can be added to this register by a wide range of state organisations, from healthcare agencies through to environmental protection departments. The law grants the local governing committee, (the Mahalla), broad powers, including, under article 21, the possibility of collaborating with police and security forces, to adopt measures “to prevent the activity of nonregistered religious organisations”, and reporting any potential violations of the law on religion.

In August 2015, amendments to the law on citizenship were also approved, under which Uzbek citizens can lose their citizenship if judged guilty of mercenary activities, terrorism, incitement to racial, ethnic or interreligious hatred, and various other crimes “against peace and security”.<sup>14</sup>

## **Incidents**

The Catholic Church comprises around 3,000 Catholic faithful and is divided into five parishes, located in the major cities.<sup>15</sup> The Church faces no particular obstacles in its day-to-day activities but clearly there can be no question of free practice of religion. Catholic charity Caritas, however, has encountered difficulties in its daily operations and, despite a number of attempts, has not been given official state registration.<sup>16</sup>

The Protestant denominations are regarded with suspicion, however, and are seen as an alien and destabilising factor in society.<sup>17</sup> Over the past year, the police and other security forces have carried out numerous raids on these Church communities. Each of these raids has resulted in the confiscation of electronic devices such as computers, phones, iPads, which are usually not returned. There are many fines that also result from these raids, often for sums of more than 50 times the minimum monthly salary (MMS).<sup>18</sup>

In July 2015 the UN Human Rights Commission expressed concerns at the large number of “illegal arrests, detentions, tortures and mistreatment ... of those practising their faith outside the registered structures”, and called on Uzbekistan to take steps to “guarantee a genuine liberty of religion and belief”.<sup>19</sup>

In many cases, religious groups have been targeted for possession of Christian texts in their homes. Rustam Yegamberdiyev, the chief of police in the town of Fergana, explained that

believers “can keep the Bible in their homes, but if they have more than one, this means they intend to meet together illegally to pray.”<sup>20</sup> Raisa Kuznetsova and her son were fined a sum equivalent to five months MMS in December 2015 for possession of religious texts in their home.<sup>21</sup> For the same reason, four members of a non-registered Protestant church in the region of Samarkand were fined the equivalent of up to 60 times the MMS.<sup>22</sup> Between February and March 2015, another nine Protestants belonging to three families from Tashkent and Navoi were fined sums of up to 10 times the MMS for possession of religious texts in their homes.<sup>23</sup> On 5<sup>th</sup> September 2014, Artur Alpayev, a Protestant from Navoi, was forced to pay 50 times the MMS on the same charge. The same day, his wife Irina was fined 40 times the MMS for not having registered with the authorities foreign guests who were lodging with her – her mother-in-law and a Russian married couple who were friends. All three visitors were immediately expelled from the country.<sup>24</sup> Earlier, on 26<sup>th</sup> August of the same year, the very judge who sentenced Mr and Mrs Alpayev, wrote an article in the Uzbek newspaper Znamya Druzhby, describing Baptists as a “destructive sect”. The judge gave the names and addresses of the Baptists in question,<sup>25</sup> writing: “Remember that frequently the activity of the non-traditional religions is destructive. Do not fall under the influence of these religious movements. Protect the immature minds of your children from their influence.”

Apart from the possession of religious texts in people’s homes, other frequent causes of penalties for Christians included the “unauthorised teaching of religion”, and the violation of the laws regarding religious meetings. In November 2015, security forces used violence as they interrogated 12 Protestants in Tashkent. They were then forced to pay fines of up to 100 times the MMS. It followed a police raid during one of their prayer meetings at which they were accused of violating the law on religion. That September, another 10 members of a Baptist church in Karshi were fined sums of up to 50 times the MMS for having carried out religious worship without state permission.<sup>26</sup> In November 2014, following a raid on an illegal meeting, 18 members of the Full Gospel Church in Tashkent were fined sums of up to 80 times the MMS.<sup>27</sup> In addition, a court in Tashkent fined nine Jehovah’s Witnesses up to 30 times the MMS for having organised illegal religious meetings.<sup>28</sup>

Sometimes even simple social gatherings have been interpreted by the police and the judiciary as illegal religious meetings. Nine Baptists in the region of Syrdarya were fined sums of up to 50 times the MMS on a charge of illegally teaching religion. This took place when one of the Baptists invited the others round to share a meal on Palm Sunday.<sup>29</sup> In the same region, four Christians were fined sums of between 10 and 50 times the MMS for holding an “illegal” religious meeting. The fine came after the police raided the house of Denis Absattarov on 5<sup>th</sup> September 2014, when they were having tea.<sup>30</sup> On 5<sup>th</sup> June Zokir Rajabov, a Protestant living in the region of Khorezm, was fined the equivalent of five times the MMS for illegal teaching of religion, after it was alleged that he had shared his religious beliefs with two relatives, while the three were chatting together in a private home.<sup>31</sup>

In some cases, the fines are imposed without those concerned being told about the hearing. As such, they were unable to defend themselves. Such was the case with Sergei Rychagov, the pastor of the Presbyterian Church of Grace, who was sentenced to pay a fine equivalent to 80 times the MMS for unauthorised religious activities, proselytism, and illegal teaching of religion,<sup>32</sup> and likewise with the Baptist, Nikolai Serin, in the Navoi region, who was sentenced to a fine of 50 times the MMS for violating the law on religion.<sup>33</sup>

The victims have often complained of violent police behaviour during interrogations. For example, Murot Turdiyev, a Protestant known to the local police for his religious activities, was locked up in a police station, interrogated and beaten to the point of losing consciousness.<sup>34</sup>

A Protestant friend of Turdiyev, Latipzhon Mamazhano, who lived in the region of Fergana, was tortured during a 15-day spell in custody, which followed a police raid on his home.<sup>35</sup> Other Protestants were also sentenced to short prison terms, with three such cases between March and April 2015 alone. Doniyor Akhmedo, a Baptist, was sentenced to 15 days imprisonment and fined the equivalent of more than three years of the minimum monthly salary (MMS) for having offered a religious pamphlet to a passer-by.<sup>36</sup> Igor Kulyada, a Baptist from Tashkent, was detained in custody for three days in July 2014, for having left flyers in a public place with short Bible verses on them.<sup>37</sup>

Use of the press to discredit members of minority religious groups is a frequent practice. On 30<sup>th</sup> November 2014, the state-owned newspaper called 12news published four separate articles attacking Protestants and Jehovah's Witnesses for exercising their freedom of religious belief, accusing some members – often identified by their name, surname and address – of “turning children into zombies, improperly associating with young girls and drug dealing”. One article stated that “a sudden death awaits every member of the religious community who owns any kind of property and lives alone.” It alleged that the religious group's care of individuals was motivated by the “mercenary interests of the organisation”.<sup>38</sup> Earlier, on 18<sup>th</sup> October, the daily newspaper, Oltin Vodiy, attacked Protestants in the region of Navoi, one of whom was dismissed from his job as a result of the article.<sup>39</sup>

Non-Muslims, mostly from the Uzbek ethnic group, continue to have problems burying their loved ones in cemeteries. This is because of opposition from the police and local imams. In July 2015, for example, a family of Jehovah's Witnesses from Karakalpakstan were forced to bury their relative in a cemetery over 12 miles away. The cemetery had been chosen by police officers. The police forbade friends and relatives to visit the family to offer condolences, posting police and the local imam outside the house and later installing a surveillance camera. They were told that anyone seen entering the house would face a fine equivalent to 8 times the MMS.<sup>40</sup>

The government has used the struggle against Islamic extremism to justify increased restrictions on religious activities and repression of political opposition. Many Muslims have been imprisoned on charges of “extremism” for religious worship not in compliance with state regulations.

Between the end of October and the beginning of November 2015, more than 200 alleged sympathisers of ISIS (Daesh), most of them migrant workers returning from Russia, were arrested in Tashkent and environs.<sup>41</sup> In September 2015, a regional court in Khorezm sentenced a group of young Muslims, accused of recruiting for Daesh, to prison terms ranging from three to 18 years.<sup>42</sup> Another six people were sentenced by the regional court in Qashqadaryo, to terms ranging from nine to 15 years. They had been charged with being members of the Islamic Movement of Uzbekistan (IMU).<sup>43</sup> A court in the eastern region of Jizzax also sentenced five men to prison terms ranging from five to 12 years, on charges of religious extremism, separatism and sabotage. Among the accused was a 33-year-old Armenian citizen, Aramais Avakian, a Christian, accused by the authorities of sympathising with Daesh. His family said they suspected the arrest was prompted by the authorities' wish to seize his flourishing fisheries business.<sup>44</sup>

For women too, there have been a number of arrests. Two Uzbek women were sentenced in the region of Tashkent on the charge of having disseminated the ideas of the extremist Hizb ut-Tahrir movement.<sup>45</sup> A few months earlier, eight women in the same region were jailed on an identical charge.<sup>46</sup> In some cases, the long prison sentences have been extended at the last moment, shortly before the date of their release, for alleged violation of prison rules. This is what happened to two Muslim prisoners of conscience, Kamol Odilov, and Botir Tukhtamurodov, who, after having almost completed serving their six-year prison sentences, were then forced to stay in jail.<sup>47</sup>

Nilufar Rahimjonova, sentenced to 10 years' imprisonment on alleged terrorism charges, died in prison in mysterious circumstances. The Muslim woman's husband and her father, Islamic scholar Domullo Istaravshani, had both sought refuge in Iran after criticising the government.<sup>48</sup>

The security forces have closely monitored devout Muslims whom they suspect of involvement with extremists. In particular, in 2015 there was a campaign of secularisation, leading to security services ordering women in a number of Uzbek cities to remove their hijabs. The men were told that wearing the "doppi", the traditional black skullcap, would incur a fine.<sup>49</sup> In some mosques in the Fergana region, signs were removed containing verses from the *Qur'an*, as were the electronic calendars giving the daily hours of prayer.<sup>50</sup>

An edict issued by the Education Ministry bans young people of 18 and under from taking part in Friday prayers and from other celebrations of Islamic feasts. Parents of children found inside a mosque on such occasions were told to face fines equivalent to 15 times the MMS.<sup>51</sup> In August 2014, the Tashkent authorities called on doctors and teachers to collaborate with the police, by informing on boys known to have taken part in prayers in the mosques.<sup>52</sup>

The authorities also impose strict controls on religious material entering the country, including anything contained on electronic devices such as computers, telephones and iPads. Two Russian Muslim lorry drivers, Magomedsayid Khasayev and his nephew Alisultan Abakarov, were detained in Uzbekistan for more than two months after entering the country and being found in possession of Islamic texts and recordings on their mobile phones. The judge fined them the equivalent of 50 times the minimum monthly salary.<sup>53</sup> In December 2015, six Muslim men were fined for possession of religious material on their mobile phones.<sup>54</sup> On 9<sup>th</sup> January 2015, the police arrested a Russian citizen, Bakhtiyor Khudaiberdiyev, at Tashkent airport, holding him in prison for more than three months. Religious material had been found on his mobile phone.<sup>55</sup>

## **Prospects for freedom of religion**

The religious freedom outlook in Uzbekistan does not give cause for hope, not least as it is unlikely that President Karimov's successor would take a different approach to questions of civil liberty. At the time of writing, there is no political alternative that exists in the country, and there is no sign of the emergence of a model of government that is more respectful of civil and human rights, be it that of the individual or of society as a whole. All in all, the situation has remained unchanged.

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<sup>1</sup> ARDA

<sup>2</sup> CNS News, 'In Repressive Uzbekistan, Kerry Talks About 'Human Dimension' Instead of 'Human Rights', 4<sup>th</sup> November 2015 <http://www.cnsnews.com/news/article/patrick-goodenough/repressive-uzbekistan-kerry-talks-about-human-dimension-instead>

<sup>3</sup> The Independent, <http://www.independent.co.uk/news/world/asia/islam-karimov-the-uzbek-dictator-who-has-locked-up-his-pop-diva-daughter-9863425.html>

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- <sup>4</sup> BBC 'Uzbekistan country profile' <http://www.bbc.co.uk/news/world-asia-16218112>
- <sup>5</sup> Radio Free Europe/Radio Liberty, 10 April 2015
- <sup>6</sup> Radio Free Europe/Radio Liberty, 17 December 2014
- <sup>7</sup> Radio Free Europe/Radio Liberty, 26 January 2016
- <sup>8</sup> Radio Free Europe/Radio Liberty, 13 May 2015
- <sup>9</sup> 12,000, according to estimates by Amnesty International. See also: Radio Free Europe/Radio Liberty, 13 May 2014 and 16 June 2015
- <sup>10</sup> Radio Free Europe/Radio Liberty, 20 December 2014
- <sup>11</sup> Human Rights Watch, 27 August 2015
- <sup>12</sup> The Moscow Times, 3 June 2015
- <sup>13</sup> Forum 18 News Service, 4 July 2014
- <sup>14</sup> Radio Free Europe/Radio Liberty, 11 August 2015
- <sup>15</sup> Asia News, 30 March 2016
- <sup>16</sup> Asia News, 14 May 2015
- <sup>17</sup> Report 2015, Open Doors
- <sup>18</sup> in 2014 the minimum monthly salary (MMS ) was equivalent to 107,635 Soms; in 2015 it was adjusted to 130,240 Soms.
- FONTI: Forum 18 News Service, 18 September 2014 and 18 September 2015
- <sup>19</sup> Forum 18 News Service, 18 November 2015
- <sup>20</sup> Forum 18 News Service, 13 April 2016
- <sup>21</sup> Forum 18 News Service, 18 March 2016
- <sup>22</sup> Forum 18 News Service, 13 April 2016
- <sup>23</sup> Forum 18 News Service, 4 June 2015
- <sup>24</sup> Forum 18 News Service, 18 September 2014
- <sup>25</sup> Forum 18 News Service, 8 December 2014
- <sup>26</sup> Forum 18 News Service, 26 November 2015
- <sup>27</sup> Forum 18 News Service, 26 November 2014
- <sup>28</sup> Forum 18 News Service, 11 February 2015
- <sup>29</sup> Forum 18 News Service, 24 July 2014
- <sup>30</sup> Asia News, 1 December 2014
- <sup>31</sup> Forum 18 News Service, 1 September 2014
- <sup>32</sup> Forum 18 News Service, 6 August 2015
- <sup>33</sup> Forum 18 News Service, 18 November 2015
- <sup>34</sup> Forum 18 News Service, 4 June 2015
- <sup>35</sup> Forum 18 News Service, 13 April 2016
- <sup>36</sup> Forum 18 News Service, 4 June 2015
- <sup>37</sup> Forum 18 News Service, 24 July 2014
- <sup>38</sup> Forum 18 News Service, 8 December 2014
- <sup>39</sup> Asia News, 13 December 2014
- <sup>40</sup> Forum 18 News Service, 7 December 2015
- <sup>41</sup> Report 2015, Freedom House
- <sup>42</sup> Interfax Religion, 17 September 2015
- <sup>43</sup> Radio Free Europe/Radio Liberty and Interfax Religion, 23 July 2014
- <sup>44</sup> Radio Free Europe/Radio Liberty, 19 February 2016
- <sup>45</sup> Interfax Religion, 2 March 2015
- <sup>46</sup> Interfax Religion, 3 July 2014
- <sup>47</sup> Forum 18 News Service, 16 February 2016
- <sup>48</sup> Human Rights Watch, World Report 2015
- <sup>49</sup> Radio Free Europe/Radio Liberty, 28 April 2015 and 14 June 2015
- <sup>50</sup> Radio Free Europe/Radio Liberty, 26 May 2015
- <sup>51</sup> Radio Free Europe/Radio Liberty, 24 September 2015
- <sup>52</sup> Forum 18 News Service, 5 September 2014
- <sup>53</sup> Forum 18 News Service, 11 February 2015
- <sup>54</sup> Forum 18 News Service, 21 March 2016
- <sup>55</sup> Forum 18 News Service, 7 April 2016