

UZBEKISTAN

TIER 1 | USCIRF-RECOMMENDED COUNTRIES OF PARTICULAR CONCERN (CPC)

KEY FINDINGS

In 2017, hope was widespread in Uzbekistan that the stated reformist course of newly elected President Shavkat Mirziyoyev would lead to a relaxation in the repression of religious freedom. A USCIRF delegation that visited the country in 2017 was encouraged by changes in religious policies that would have been unthinkable under the previous administration, including prisoner releases and the easing of some of the restrictions on the practice of Islam. However, the Uzbek government has not yet embarked on a major deviation from its overall policy of severe restriction of religious freedom, premised on the threat posed by Islamic extremism. In addition, an unknown number of Muslim religious prisoners—often estimated at over 10,000—continue to serve lengthy sentences in harsh conditions on dubious charges. Also, during

the year, Christian minorities experienced constant harassment in the form of raids, literature confiscations, short-term detention, and torture. The most accurate picture of religious freedom conditions in Uzbekistan remains uncertain and incomplete due to intense government surveillance, intimidation, and fear of reprisals among religious believers for speaking out. Based on these systematic, egregious, ongoing violations, USCIRF again finds in 2018 that Uzbekistan merits designation as a “country of particular concern,” or CPC, under the 1998 International Religious Freedom Act (IRFA). While the U.S. State Department has designated Uzbekistan as a CPC since 2006, most recently in December 2017, it has indefinitely waived taking any action as a consequence of the designation.

RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Redesignate Uzbekistan as a CPC under IRFA;
- Lift the waiver on taking any action as a consequence of the CPC designation, in place since January 2009, and work to establish a binding agreement with the Uzbek government, under section 405(c) of IRFA, on steps it can take to be removed from the CPC list; should negotiations fail or Uzbekistan not uphold its commitments, impose sanctions, as stipulated in IRFA;
- Use targeted tools against specific officials and agencies identified as having participated in or being responsible for human rights abuses, including particularly severe violations of religious freedom; these tools include the “specially designated nationals” list maintained by the U.S. Department of the Treasury’s Office of Foreign Assets Control, visa denials under section 604(a) of IRFA and the Global Magnitsky Human Rights Accountability Act, and asset freezes under the Global Magnitsky Act;
- Urge the Uzbek government to close the notorious Jasliq Prison, where many religious prisoners of conscience are held;
- Press for at the highest levels and work to secure the immediate release of individuals imprisoned for their peaceful religious activities or religious affiliations and press the Uzbek government to treat prisoners humanely and allow them access to family, human rights monitors, adequate medical care, and lawyers, and the ability to practice their faith;
- Make the return of corruption-linked funds seized by the United States under the Kleptocracy Asset Recovery Initiative dependent on the Uzbek government’s adoption of specific actions to improve religious freedom conditions and comply with international human rights standards;
- Ensure that the U.S. Embassy, including at the ambassadorial level, maintains appropriate contacts with human rights activists and religious leaders;
- Urge the Uzbek government to bring its laws into conformity with international human rights standards, including removing registration requirements on religious communities, permitting the distribution and possession of peaceful religious literature, and permitting the sharing of religious beliefs;
- Ensure continued U.S. funding for Radio Ozodlik and the Uzbek service of the Voice of America so that uncensored information about events inside Uzbekistan, including those related to religious freedom, continues to be disseminated; and
- Ensure that INTERPOL implements announced reforms to more effectively process complaints about the misuse of international arrest and extradition requests, known as “red notices,” to pursue political and religious dissidents.

COUNTRY FACTS

FULL NAME

Republic of Uzbekistan

GOVERNMENT

Presidential Republic

POPULATION

29,700,000

GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

Islam and Christianity (Orthodox, Catholic, and Protestant)

RELIGIOUS DEMOGRAPHY*

93% Muslim (92% Sunni and 1% Shi'a)

4% Russian Orthodox Christian

3% Other (including Protestants, Catholics, Jehovah's Witnesses, Buddhists, Jews, and Baha'is)

* U.S. Department of State

BACKGROUND

Uzbekistan's 1998 Law on Freedom of Conscience and Religious Organizations severely limits the rights of all religious groups and facilitates government control of religious activity, particularly of the majority Muslim community. The law criminalizes unregistered religious activity; requires official approval of the content, production, and distribution of religious publications; bans minors from religious organizations; allows only clerics to wear religious clothing in public; and prohibits proselytism and other missionary activities. Many religious groups cannot meet registration requirements, such as a permanent representation in eight of the country's 13 provinces. A detailed censorship decree went into effect in 2014 banning materials that "distort" beliefs or encourage individuals to change religions.

The Council on Religious Affairs (CRA) censors religious materials. The government also maintains an extensive list of banned international websites, particularly those pertaining to human rights and freedom of religion or belief. The religion law prohibits the import, storage, production, and distribution of unapproved religious materials. Members of various religious communities reportedly destroy their own sacred texts due to fear of confiscation during police raids. According to a CRA official, Uzbek law only allows religious texts to be read inside the buildings of registered religious groups.

The Uzbek government regards religious activity outside of official channels with deep suspicion and wields a variety of repressive instruments against those who fail to submit to state control of religious practice, including fines, punitive searches, detention, torture, prolonged imprisonment, and the intimidation of family members. While Uzbekistan faces security threats from groups using violence in the name of religion, the government has used vague anti-extremism laws against peaceful religious adherents and others who pose no credible security threat. In April 2016, articles 244-1 and 244-2 of the Criminal Code were broadened and the maximum penalty raised from five years to eight years in prison for the crime of having "extremist materials," and from 15 years to 20 years in prison for taking part in "extremist organizations." Particular targets of government legal persecution include alleged Islamic fundamentalists and Christian groups suspected of proselytism.

In October 2017, USCIRF commissioners and staff visited Uzbekistan for the first time in 13 years, traveling to Tashkent, Bukhara, and Ferghana to meet with government officials, religious communities, and nongovernmental organizations. Although the USCIRF delegation was heartened by evidence of positive changes, it was clear that the Uzbek government still has significant work to do in bringing its treatment of religious belief and activity in line with international standards.

RELIGIOUS FREEDOM CONDITIONS 2017

Arbitrary Accusations of Islamic Extremism

With several hundred Uzbeks believed to be fighting in Syria and Iraq, and Uzbeks implicated in several recent terrorist attacks around the world, the Uzbek government has legitimate concerns about terrorism. Nevertheless, the widespread use of torture and coercion by Uzbek authorities, the use of religious charges to settle political and economic scores, and frequent reliance on guilt by association make it difficult to disentangle legitimate prosecutions from arbitrary or fabricated ones. For example, in February 2016, an Uzbek citizen and Armenian Christian fish farmer, Aramais Avakian, was sentenced along with four Uzbeks to seven years in prison on allegations of planning to stage a rebellion and then flee to Syria to join the Islamic State of Iraq and Syria (ISIS). Not only did the case appear to have been based on testimony extracted through torture, but the chief witness and codefendant later admitted to inventing many of the key details. Avakian's family, for its part, claimed he was targeted after he refused to surrender ownership of his fish farm to a local administrator.

In line with a general easing of longstanding repressive policies under President Mirziyoyev in 2017, human rights observers reported to USCIRF during its October 2017 visit that the number of incidents of harsh and arbitrary treatment of Muslims appeared to have declined. The government itself publicized the removal of 16,000 out of 17,000 names from an official "blacklist" of suspected Islamic extremists, albeit some of whom were small children, elderly relatives, and other family members of imprisoned religious believers who did not even know they were on the list. However, the lack of free and independent media in Uzbekistan and the lack of transparency on the part of the government makes it difficult to assess the depth of these changes, and violations of religious freedom continued to occur in 2017. In November 2017, several independent news outlets based outside of Uzbekistan reported on mass raids throughout the Tashkent area in which close to 100 people were detained, many of whom were the family members of

persons already imprisoned on religious grounds. While most were released after being questioned about their ties to the Islamic fundamentalist movement Hizb ut-Tahrir and the whereabouts of a suspected female extremist who has been a fugitive since 2008, seven persons continued to be held at the end of the reporting period. According to the Uzbek Initiative Group of Independent Human Rights Defenders (IGNPU), one of those arrested was Nasrullokh Agzamov, whose father has been in prison since 2001 and whose uncle died under torture in 2006.

In October 2017, Radio Ozodlik reported on a rare public protest against the torture and detention of religious believers. Assisted by longtime human rights activist Elena Urlaeva and journalist Malohat Eshankulova, several individuals spoke out against the arrest and mistreatment of their sons. One woman, Inobat Arzieva, reported that her son Hasan was arrested in April 2017 after returning from Russia and is now paralyzed after having been severely beaten by interrogators. Another woman, Barno Vosieva, reported that her son was arrested in 2017 and tortured with electric shocks. Neither of these cases was reported by other independent news outlets, demonstrating how difficult it can be to obtain information about human rights abuses in Uzbekistan.

Also, in October 2017, a member of Uzbekistan's tiny Shi'a minority, Dzhakhongir Kulidzhanov, was sentenced to five years in prison for participation in an illegal religious organization. Dzhakhongir was one of 20 ethnic Iranian Shi'a Muslim men in the city of Bukhara who were detained in February 2017 after they gathered in a café to celebrate the birthday of venerated Islamic figure Sayiddah Zaynab and read an e-book about the Battle of Karbala. Although only Kulidzhanov

ultimately was convicted, another man was so badly beaten in detention that he had to undergo surgery on his kidneys. Although it is not known exactly why these men were targeted, the government of Uzbekistan often avoids addressing the concerns of ethnic minorities in

the country, including Iranians, by classifying them as ethnic Uzbeks in their internal identity documents.

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In March 2017, 18-year-old Ilkhom Kamolov died in custody shortly after being arrested by the Uzbek security service (SNB). Ilkhom's brother Rakhmidin was detained by Russian authorities in Moscow in late 2016 at the request of the Uzbek government on charges of belonging to Hizb ut-Tahrir and sentenced to 16 years in a Russian prison in December 2017. In January 2017, Umar Badalov was arrested at the Tashkent airport after arriving from Russia, where he worked as a heavy equipment operator. Badalov previously had been convicted of Islamic extremism and was amnestied in 2003 after serving four years of a 17-year sentence; the IGNU reported that the authorities planned to charge him with having committed a September 2015 bombing outside a mosque that took place while he and his wife were at a maternity hospital 35 kilometers away.

Inhumane Detention Conditions

In Uzbek prisons and labor camps, religious prisoners of conscience routinely face physical and psychological torture, malnutrition, poor sanitation, and arbitrary changes of conditions. During USCIRF's 2017 visit, a recently released prisoner described the notorious Jasliq Prison in remote northwestern Uzbekistan as a "veritable concentration camp," where even uttering the name of God in passing was forbidden. Radio Ozodlik reported on the case of Mukhabbat Kholmatova, whose two sons have been imprisoned on charges of religious extremism since 2010. In the summer of 2017, one son, Alisher, reported that prison guards had poured scalding water on his genitals and those of four or other prisoners as punishment for praying daily. In 2017, the independent news agency Tsentr-1 reported on the deaths of two religious prisoners in Uzbek prisons. One, Shorasul Shorakhimov died in July after serving 12 years in prison, while his brother-in-law, Abduzhalil Karimov, was released with a terminal illness after 18 years in prison and died shortly thereafter in May.

The Uzbek government frequently and arbitrarily extends the prison terms of prisoners who are on the verge of completing their sentences, often under absurd or

improbable pretexts. This amounts to a form of indefinite detention, whereby the government effectively can keep individuals imprisoned for life by repeatedly prolonging their sentences; human rights activists believe that several thousand prisoners are held indefinitely with this tactic. In 2017, at least two religious prisoners are known to have had their sentences extended by up to five years within a month of their release in January: Abdukarim Mirzaev, for failing to shave, and Akhmadillo Mirzaev, for failing to make his bed. Sisters Mehriniso and Zulhumor Hamdamova, who are serving terms for providing private religious education to women, had their sentences extended in the summer and fall of 2016 by three years; Mehriniso reportedly is suffering from a uterine tumor that has grown so large it is now inoperable and for which the prison authorities have refused to allow treatment.

Sources reported to USCIRF that prison conditions have improved under President Mirziyoyev. At Jasliq Prison, each unit of prisoners has a choice of two religious books made available to them for use between nine in the morning and five in the evening. Long-serving prisoners accused of belonging to Hizb ut-Tahrir have been moved to better facilities or have less-strict regimens. As of late 2017, it was reported that the practice of arbitrarily extending sentences had ceased; however, it was unknown whether that meant religious prisoners would be allowed to leave prison before the end of their already-assigned sentences. For example, Forum 18 reported that six men convicted of studying the works of Turkish theologian Said Nursi were released in November 2017. However, the men had either completed their

terms earlier in the year or were due for release within a year. During its October 2017 visit, USCIRF was informed by members of civil society that parole commissions were interviewing prisoners and that long-serving religious

prisoners were, in fact, being released from prison. The full extent of the prisoner releases remains unclear; when questioned by USCIRF, Uzbek government representatives declined to provide any data about the number of persons imprisoned on religious grounds, the number of those released, or even examples of persons released.

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A former prisoner with whom USCIRF spoke stated that while releases from Jasliq Prison had increased from perhaps 10 a year under the previous president to 15 to 20 a month under President Mirziyoyev, those released were prisoners whose sentences the administration was no longer extending.

On the occasion of the 25th anniversary of the adoption of the Uzbek constitution in December 2017, President Mirziyoyev announced that 965 prisoners were being pardoned, of whom 763 were imprisoned under the articles of the Criminal Code used to punish religious belief. Because this was a pardon and not an amnesty, the criminal convictions of those released remain in force.

Restrictions on Muslim Religious Activity

Private religious practice without official sanction is subject to severe penalties in Uzbekistan. Even the public practice of state-sanctioned Islam has long been restricted in different and unpredictable ways in an effort to diminish religiosity. In 2017, however, the government eased some of the most unpopular restrictions, including on children, religious education, and public devotion. In late 2017, the government announced that mosques would be allowed to broadcast the call to prayer, although which mosques, when, and at what volume was reportedly yet to be determined; as of the end of the reporting period, the largest mosque in Tashkent was broadcasting the call to prayer.

Despite the fact that Uzbekistan is Central Asia's most populous state, the government has long sought to limit the number of institutions of Islamic higher education. As of 2017, Uzbekistan had only 250 persons studying in 11 institutions of higher education (compared to 112 institutions in much-smaller Kyrgyzstan); consequently, Uzbekistan has approximately one imam for every 8,000 residents. In November 2017, the government announced that another 700 places would be made available for adults to pursue paid religious education. The government's general disapproval of religious education for children and prohibitions on participation in religious ritual have also been sources

of friction within society. Reversing a longstanding prohibition, however, in 2017, children were permitted to take part in Ramadan celebrations at mosques, which in turn were allowed to stay open much later than had earlier been the case. Observers reported to USCIRF that other changes were visible at mosques, including the removal of police guards at mosque entrances and a lessening of the propaganda content in the sermons delivered by imams, who appeared to have more freedom to craft their messages.

Receiving government permission to leave the country for the Muslim hajj pilgrimage remains difficult. In January 2017, the Uzbek government announced that citizens would be restricted to one pilgrimage in a lifetime. In December 2017, the government announced that prospective pilgrims would have to fulfill several conditions, including proof of solvency, demonstrated authority in their communities, and the ability to serve as an example to others.

Persecution of Expatriates and Their Families

A large number of Uzbek citizens live abroad, including at least 1.7 million in Russia, mostly for economic reasons but also to escape religious and political

persecution. The government closely surveils the families of expatriates in the belief that Uzbeks overseas are susceptible to subversion and religious extremism. In addition, the Uzbek government reportedly has issued numerous international arrest and

extradition requests—better known as INTERPOL “red notices”—for hundreds of its citizens, including against political and religious dissidents.

Repression of Christians

The Uzbek government reserves the harshest punishments for the expression of religious belief by the Muslim majority population, but members of Christian denominations suspected of missionary activity—above all preaching to ethnic Uzbeks, as opposed to ethnic Russians and Koreans—are singled out for constant harassment

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in the form of fines, raids, seizures of literature, short-term detentions, and physical mistreatment. During USCIRF's visit to Uzbekistan in 2017, a climate of fear was evident among Christian minority groups, some of whom clearly had been warned not to speak with outsiders, or canceled meetings outright.

On an administrative level, the limitations imposed upon Christian groups in Uzbekistan revolve around the issues of registration, religious literature, and proselytism. The onerous requirements for registering a religious community mask the fact that the eventual granting of any registration is entirely at the whim of the authorities. It has been years since the government has permitted any new Christian communities to register, and authorities have engaged in violent reprisals against communities, such as the Jehovah's Witnesses, that have attempted to register in recent years. When asked by USCIRF about the inability of communities to register, Uzbek government officials falsely claimed that no such application had been made in the last 10 years. Contradictory instructions exist about where even a personal Bible may be kept, and these regularly are confiscated from private homes. The circulation of Uzbek-language Bibles is tightly controlled by a government-run Bible Society, and conducting prayers in the Uzbek language or using Uzbek translators is unofficially forbidden.

The Jehovah's Witnesses are among the Christian groups most targeted by Uzbek authorities. During the visit of UN Special Rapporteur on freedom of religion or belief Dr. Ahmed Shaheed in October 2017, 19 Witnesses were briefly arrested, apparently on the orders of the CRA. The Jehovah's Witnesses are allowed to maintain only one prayer hall in the country, in Chirchik, a distant suburb of Tashkent. After the Jehovah's Witnesses in Urgench attempted to register their community in December 2016, a wave of official retaliation followed. Police beat one Witness for hours, resulting in a traumatic brain injury and partial hearing loss. His mother, who had been honored by the local press for her work, was fined and fired from her job. Authorities repeatedly harassed and threat-

ened to deport the wife of the head of the community in Chirchik, a Turkmen citizen, in late 2016 and 2017.

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From September 2016 to July 2017, the prayer meetings and homes of Jehovah's Witnesses reportedly were subjected to 185 raids by police; close to 150 Witnesses were fined, and seven were imprisoned for several days at a time.

These raids were accompanied by beatings, threats, and, in one case, the groping of female detainees by police officers.

Dozens of Protestant believers, including Baptists and Seventh-day Adventists, were also victims of raids, fines, and temporary detention throughout the country in 2017. In April and June, at least six Protestants were given short jail terms of between five and 15 days for praying together. Two Protestants, who were severely beaten by police in August 2017 for hosting a pastor in a private home in northwestern Uzbekistan, reportedly were brushed off when they asked to file a complaint.

U.S. POLICY

Uzbekistan is Central Asia's most populous country and shares borders with the four other former Soviet republics in Central Asia as well as Afghanistan. The country also has a central position in the regional Soviet-era rail system that connects with Russia. Therefore, U.S. policy in Uzbekistan has focused on the country's key position in the Northern Distribution Network (NDN), a supply route for international forces in Afghanistan. Uzbekistan is the NDN hub but at times has not been cooperative. Although aid and assistance periodically has been withheld over the last decade due to human rights concerns, there remain important spheres of cooperation between the United States and Uzbekistan, including counternarcotics, border security, and counterterrorism.

In December 2017, President Donald Trump spoke with President Mirziyoyev by phone about regional security and cooperation. In November 2017, National Security Council Senior Director Lisa Curtis also met with President Mirziyoyev. In September 2017, Secretary of State Rex

Tillerson hosted a meeting in New York of the C5+1 Ministerial, which brings together the foreign ministers of the five Central Asian states and the United States for discussions on various multilateral issues, including respect for basic freedoms. In October 2017, Dr. Shaheed made the first visit to Uzbekistan by a UN Special Procedures mandate-holder in 15 years.

In February 2016, the U.S. Department of Justice froze more than \$800 million held in Western bank accounts in connection with an investigation into bribes allegedly paid by Western mobile network operators to Gulnara Karimova, the daughter of the late Uzbek president. The money was seized under the Kleptocracy Asset Recovery Initiative, an anticorruption program inaugurated by the Department of Justice in 2010. Some argue that the return of the money

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to Uzbek authorities should be contingent on the fulfillment of human rights obligations. In December 2017, Karimova was sanctioned under the Global Magnitsky Act.

Since 2006, the State Department has designated Uzbekistan as a CPC for its systematic, ongoing, and egregious violations of religious freedom. The CPC

designation was renewed most recently in December 2017. The State Department cited “the necessity for cooperation with the Government of Uzbekistan on certain core U.S. national security interests” such as “collective efforts

to counter violent extremism and transnational terrorism” as a justification to continue a waiver of presidential action, including sanctions.