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Country Report on Human Rights Practices 2018 - Uzbekistan

EXECUTIVE SUMMARY

Uzbekistan is a constitutional republic with a political system dominated by President Shavkat Mirziyoyev and his supporters. In 2016 former prime minister Shavkat Mirziyoyev won the presidential elections with 88 percent of the vote. The Organization for Security and Cooperation (OSCE) in Europe's Office for Democratic Institutions and Human Rights (ODHIR), in its final election observation report, noted, "the campaign lacked competitiveness and voters were not presented with a genuine choice of political alternatives," with OSCE/ODIHR observers citing "serious irregularities inconsistent with national legislation and OSCE commitments, including proxy voting and indications of ballot box stuffing." Parliamentary elections took place in 2014. According to the OSCE's observer mission, those elections did not meet international commitments or standards.

Civilian authorities generally maintained effective control over the security forces, but security services permeated civilian structures, and their interaction was opaque, making it difficult to define the scope and limits of civilian authority.

Human rights issues included torture and abuse of detainees by security forces, arbitrary arrest, and incommunicado and prolonged detention; harsh and sometimes life-threatening prison conditions; political prisoners; restrictions on freedom of speech, the press, and the internet, including censorship, criminal libel, and site blocking; restrictions on assembly and association, including restrictions on civil society, with human rights activists, journalists, and others who criticized the government subject to harassment, prosecution and detention; severe restrictions on religious freedom; restrictions on freedom of movement; restrictions on political participation in which citizens were unable to choose their government in free, fair, and periodic elections; criminalization of lesbian, gay, bisexual, transgender, and intersex (LGBTI) conduct; and human trafficking, including forced labor.

Impunity remained pervasive, but government prosecutions of officials on corruption charges significantly increased during the year.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were no reports the government or its agents committed arbitrary or unlawful killings.

b. Disappearance

There were no reports of politically motivated long-term disappearances by or on behalf of government authorities.

In its 2018 annual report, the Geneva-based UN Working Group on Enforced or Involuntary Disappearances noted it had seven outstanding cases from previous years. According to the working group, the government did not respond to the group's latest request to visit the country, issued in January.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

While the constitution and law prohibit such practices, law enforcement and security officers routinely beat and otherwise mistreated detainees to obtain confessions, incriminating information, or for corrupt financial gain. Sources reported that torture and cruel, inhuman, or degrading treatment occurred primarily in pretrial facilities, and local police and security service precincts for those arrested or detained on religious or extremism charges. Reported methods of abuse included harsh beatings, denial of food and the use of a toilet, and tying of hands. There were also continued reports that authorities exerted psychological pressure on detainees, including threats against family members and blackmail. Torture continued for members of faith communities organized outside of the state religion, including Muslims, Protestants, and Jehovah's Witnesses, according to members of the religious communities.

In 2010 the UN Human Rights Committee expressed concern that the definition of torture in the criminal code did not conform to the Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, to which the country is a party. In March 2017 the government approved rules governing the conduct of law enforcement officers and addressed torture. Article 8 of the updated Law on Police states, "employees of the internal affairs may not employ torture, violence, or other cruel or degrading treatments. The employee of the internal affairs is obliged to prevent intentional acts causing pain, physical or moral suffering to the citizen." In November 2017 the law banned the use of evidence obtained by torture in court proceedings.

In April President Mirziyoyev signed an antitorture law, which increases liability for the use of torture and other inhuman or degrading treatment. Prior to the adoption of the law, there were formal obstacles to the prosecution of persons involved in torture. These restrictions have been eliminated. According to human rights advocates, the torture law, while drafted without the participation of independent nongovernmental

organizations (NGOs), addresses the ambiguities of the previous legislation with a concrete definition of torture as well as sentencing guidelines. In September 2017 Journalist Bobomurod Abdullayev was arrested by officers from the former National Security Service (NSS), renamed the State Security Service (SSS) in January) and charged with plotting to overthrow the government. Human rights monitors, including Human Rights Watch, noted the openness of his trial, which took place in Tashkent in May; nonetheless, human rights observers believed there was clear evidence Abdullaev was tortured by the security services. According to Abdullayev's open court testimony, police investigators beat him, kept him naked in a freezing cell, and did not allow him to sit down or sleep for six days. On May 7, Abdullayev was released from custody. Following an investigation of Abdullayev's case and a criminal trial, a Military Tribunal convicted Colonel Nodir Turakulov and, on October 25, sentenced the former deputy head of the National Security Service (now the State Security Service), who was reportedly involved in torture of Abdullayev, to 16 years in prison. Turakulov was tried in accordance with the antitorture law.

Prison and Detention Center Conditions

Prison conditions were in some circumstances harsh and life threatening due to food shortages, gross overcrowding, physical abuse, and inadequate sanitary conditions and medical care.

Physical Conditions: Reports of overcrowding, severe abuse, and shortages of medicine were common. Inmates generally had access to potable water and food, but both reportedly were of poor quality, and visiting family members often brought provisions to detained family members. There were sporadic reports of prisoners of conscience held in cells without proper ventilation and subjected to temperatures below freezing in winter and more than 120 degrees Fahrenheit in summer; detention facilities, such as Jaslyk Prison, commonly lacked heat or air conditioning. Family members of inmates did not report any incidents of sexual abuse. Upon release, political prisoners reported to Human Rights Watch (HRW) and others of being beaten and otherwise tortured, including the use of stress positions, while in prison.

Prison administration officials reported an active World Health Organization tuberculosis program in the prisons and an HIV/AIDS treatment and prevention program. Visiting Centers for Disease Control and Prevention officials noted continued high rates of TB infection in the prison system. Government efforts to lower infection rates were largely unsuccessful due to poor compliance with treatment plans. Officials reported hepatitis was not present in high numbers and that hepatitis patients received treatment in existing medical facilities and programs. Reports of such treatment could not be verified independently access to such facilities was frequently denied.

Administration: There was no information available whether recordkeeping on prisoners was adequate. Authorities frequently used administrative measures such as bail, house arrest, and correctional work as alternatives to criminal sentences for

nonviolent offenders. In addition, the criminal code mandates that courts may not sentence individuals to prison if he or she has paid a fine in full. The government usually respected these injunctions unless a case was considered politically sensitive.

The Human Rights Ombudsman's Office and the Prosecutor General's Office may investigate complaints from detainees and the public. The Ombudsman's Office may make recommendations on behalf of specific prisoners, including changes to the sentences of nonviolent offenders to make them more appropriate to the offense. Family members of detained or released prisoners said their complaints to the ombudsman went unanswered or were referred to the original sentencing court for redress.

Prison officials allowed family members to visit prisoners for up to four hours two to four times per year. Relatives of prisoners held on religious or extremism charges reported occasional denial or delay of visitation rights. Officials also permitted longer visits of one to three days two to four times per year, depending on the type of prison facility, as well as overnight stays. Family members of political prisoners reported that officials frequently delayed or severely shortened visits arbitrarily.

The government stated prisoners have the right to practice any religion or no religion, but prisoners frequently complained to family members that they were not able to observe religious rituals conflicting with the prison's schedule. Such rituals included traditional Islamic morning prayers. Authorities forbid prisoners to observe religious holidays such as Ramadan, with no fasting allowed. Although some prison libraries had copies of the Quran and the Bible, family members continued to complain that authorities did not allow prisoners access to religious materials.

According to official government procedures, prisoners have the right to "participate in religious worship and family relations, such as marriage." "Close relatives" also have the right to receive oral and written information from prison officials regarding the health and disciplinary records of their family members. Families continued to report that the government provided limited to no information or withheld information contained in health and prison records.

Independent Monitoring: Independent observers had extremely limited access to some parts of the penitentiary system, including pretrial detention facilities, women's prisons, and prison settlements. UNICEF regularly accessed the country's four juvenile offenders' colonies. The International Committee for the Red Cross has not visited detainees since 2013. In October 2017 the UN special rapporteur on freedom of religion or belief, Ahmed Shaheed, visited Jaslyk, a maximum-security prison.

d. Arbitrary Arrest or Detention

The constitution and the law prohibit arbitrary arrest and detention, but authorities continued to engage in such practices. During the year several prominent political prisoners were released from prison. Nonetheless, arbitrary arrest on political grounds continued amidst such releases.

Role of the Police and Security Apparatus

The government authorizes three different entities to investigate criminal activity. The Ministry of Interior controls the police, who are responsible for law enforcement, maintenance of order, and the investigation of general crimes. The Prosecutor General’s Office investigates violent crimes such as homicide as well as corruption by officials and abuse of power. The State Security Service, headed by a chairman who reports directly to the president, deals with national security and intelligence issues including terrorism, corruption, organized crime, border control, and narcotics.

Impunity remained widespread, although the government was taking steps to address it. The Ministry of Interior investigates and disciplines those officers accused of human rights violations. The Human Rights Ombudsman’s Office, affiliated with parliament, also has the power to investigate cases, although its decisions on such investigations have no binding authority.

The government did take steps to prosecute officials suspected of human rights abuses. According to Radio Freedom’s Uzbek Service, citing a law enforcement source, in June, five senior security officials in Bukhara region were convicted of torture and abuse of office and sentenced to lengthy prison terms. Reportedly, a former chief of the NSS Directorate in Bukhara, Rustam Azimov, was convicted at a closed trial and sentenced to 14 years in prison. Four former associates of Azimov, including head of the NSS Anticorruption Department for Bukhara region Inam Marupov, deputy head of the Internal Security Division of the NSS in Bukhara Azim Yunusov, Special Interrogator Umid Bobomurodov, and deputy of the head of Bukhara Regional Tax Agency Rovshan Rajapov, were convicted and sentenced to prison terms ranging from 16 to 18 years. In addition, four former guards at a detention center in Bukhara were sentenced to 18 years’ imprisonment each after being convicted on similar charges.

Arrest Procedures and Treatment of Detainees

By law a judge must review any decision to arrest accused individuals or suspects. Judges granted arrest warrants in most cases. Defendants have the right to legal counsel from the time of arrest. State-appointed attorneys are available for those who do not hire private counsel. Officials did not always respect the right to counsel and occasionally forced defendants to sign written statements declining the right. Authorities’ selective intimidation and disbarment of defense lawyers produced a chilling effect that also compromised political detainees’ access to legal counsel. The law authorizes the use of house arrest as a form of pretrial detention.

The law allows detainees to request hearings before a judge to determine whether the detainees remain incarcerated or may be released before trial. Authorities rarely granted these hearings. The arresting authority is required to notify a relative of a detainee of the detention and to question the detainee within 24 hours of arrest. There were complaints authorities tortured suspects before notifying either family members or attorneys of their arrest to gain confessions.

Suspects have the right to remain silent and must be informed of the right to counsel. Detention without formal charges is limited to 48 hours, although a prosecutor may request an additional 48 hours, after which the person must be charged or released. Authorities typically held suspects after the allowable period of detention, according to human rights advocates. After formal charges are filed, the prosecutor decides whether a suspect is released on bail (or on the guarantee of an individual or public organization acting as surety), stays in pretrial detention, or is kept under house arrest. The judge conducting the arrest hearing is allowed to sit on the panel of judges during the individual's trial.

The law requires authorities at pretrial detention facilities to arrange a meeting between a detainee and a representative from the Human Rights Ombudsman's Office upon the detainee's request. Officials allowed detainees in prison facilities to submit confidential complaints to the Ombudsman's Office and the Prosecutor General's Office.

Once authorities file charges, suspects may be held in pretrial detention for up to three months while investigations proceed. The law permits an extension of the investigation period for as much as one year at the discretion of the appropriate court upon a motion by the relevant prosecutor, who may also release a prisoner on bond pending trial. According to human rights advocates, authorities frequently ignored these legal protections. Those arrested and charged with a crime may be released without bail until trial on the condition they provide assurance of "proper behavior" and that they would appear at trial.

A decree requires that all defense attorneys pass a comprehensive relicensing examination. In past years several experienced and knowledgeable defense lawyers who had represented human rights activists and independent journalists lost their licenses after taking the relicensing examination or because of letters from the bar association under the control of the Ministry of Justice claiming that they violated professional ethical norms. As a result several activists and defendants faced difficulties in finding legal representation.

In July the Samarkand city criminal court reviewed and upheld the request of the regional Prosecutor's Office to arrest Sanat Umarov, a Kattakurgan district police officer accused of abuse of power and using torture and other cruel treatment. Umarov and others allegedly forced a woman, who was detained on suspicion of theft, to strip naked. The Interior Ministry announced Umarov's dismissal and a general "cleansing" of law enforcement bodies. Ombudsperson Ulugbek Mukhammadiyev called the incident "an outrageous case of inhumanity and degrading treatment to a woman and mother," deserving "public censure and punishment under the law."

Arbitrary Arrest: Authorities continued to arrest or detain persons arbitrarily on charges of extremist sentiments or activities and association with banned religious groups. Local human rights activists reported that police and security service officers frequently detained and mistreated family members and close associates of registered religious and banned religious groups. Allegations of coerced confessions and testimony in such cases were commonplace.

In June 2017 the government began to phase out the use of preventative watchlists, which contained the names of those convicted for religious crimes or crimes against the regime. Authorities compelled named individuals on the watchlist to submit to police for interrogation, denied issuance of passports and travel visas, and, in some cases, prohibited the purchase and use of smartphones. The government asserted it removes individuals from the "blacklist" after a government commission examines the offenders for suitability to reintegrate into society. According to the government, more than 16,000 individuals have been removed from this watchlist since 2017.

In 2017 President Mirziyoyev signed a decree authorizing the creation of a commission to review the prison profiles of convicts sentenced on charges of religious extremism. Based on the work of the commission, since 2017 the president pardoned more than 3,000 prisoners. During the year the president signed another decree establishing a commission to review the petitions of persons "who mistakenly became members of banned organizations." The commission has the power to exonerate citizens from all criminal liability.

Based on a resolution adopted by the Cabinet on March 22, the Tashtyurma detention center was closed. Tashtyurma Prison, officially known as Detention Center No. 1 and built in 1891, was the oldest in the country, and, according to human rights defenders, it was dilapidated and substandard. In January its former inmates were moved to a newly built jail in the Zangiota district outside the capital.

Pretrial Detention: Prosecutors generally exercised discretion regarding most aspects of criminal procedures, including pretrial detention. Detainees had no access to a court to challenge the length or validity of pretrial detention, despite the right to do so granted by law. Even when authorities did not file charges, police and prosecutors frequently sought to evade restrictions on the length of time persons could be held without charges by holding them as witnesses rather than as suspects. Human rights defenders noted incidents where security personnel used pretrial detention from one to three months without formal charges or a court hearing. The government did not provide information regarding the number of persons held in pretrial detention centers.

Detainee's Ability to Challenge Lawfulness of Detention before a Court: By law detainees or former detainees are able to challenge the lawfulness of their detention before a court. Appeals are sometimes open to the public by request of the applicant. New evidence is rarely heard. Appeal courts generally review previous trial records and ask applicants to declare for the record their innocence or guilt. Appeals rarely resulted in the courts overturning their original decisions.

Amnesty: Authorities annually grant amnesty and release individuals imprisoned for religious extremism or political grounds. For example, in February journalist Dilmurod Saidov was released after eight years in jail for conviction of alleged charges of extortion. Additionally, in March civil society activist Gaybullo Jalilov was released. Jalilov, who was sentenced in 2009 on security related charges and for membership in an unregistered religious organization, consistently maintained his innocence. In 2013 the United Nations Working Group on Arbitrary Arrest and Detention called for Jalilov's release. Also in March, journalist Gayrat Mikhliboev and activists Yuldash Rasulov,

Chuyan Mamatkulov, and Kudrat Rasulov were released. More than 16 other prisoners of conscience were released during the year. In May the Committee for the Protection of Journalists reported the country's prisons were free of journalists for the first time in more than two decades. According to Human Rights Watch, since September 2016 Uzbek authorities have released approximately 40 persons imprisoned on politically motivated charges.

e. Denial of Fair Public Trial

The constitution provides for an independent judiciary; however, there were some instances in which the judiciary did not operate with complete independence and impartiality. Although the constitution provides for an independent judiciary, members of the judiciary reportedly rendered verdicts desired by the Prosecutor General's Office or other law enforcement bodies. This was due in part to a shortage of judges and high caseloads, which the government was moving to address by increasing the number of law students.

Under amended Articles 63, 63-1, and 63-2, which came into effect in April 2017, judges are appointed by the newly established Supreme Judicial Council, subject to concurrence by the Senate. "Lifetime" appointments became possible, "a judge shall be appointed or elected in accordance with the established procedure for an initial five-year term, a regular 10-year term and a subsequent indefinite period of tenure."

Trial Procedures

The criminal code specifies a presumption of innocence. Most trials were officially open to the public, although access was sometimes restricted. Judges may close trials in exceptional cases, such as those involving state secrets or to protect victims and witnesses. Judges generally permitted international observers at proceedings without requiring written permission from the Supreme Court or court chairmen, but judges or other officials arbitrarily closed some proceedings to observers, even in civil cases. Authorities generally announced trials only one or two days before they began, and hearings were frequently postponed.

A panel of one professional judge and two lay assessors, selected by committees of worker collectives or neighborhood committees, generally presided over trials. Lay judges rarely speak, and the professional judge usually accepts the prosecutors' recommendations on procedural rulings and sentencing.

Defendants have the right to attend court proceedings, confront witnesses, and present evidence, but judges declined defense motions to summon additional witnesses or to enter evidence supporting the defendant into the record. While the overwhelming majority of criminal cases brought to trial resulted in guilty verdicts, the number of acquittals has risen. From 2011 to 2016, there were just seven acquittals, according to the Supreme Court. In 2017 there were 162 acquittals out of 59,135 criminal court cases. By contrast, as of September, the country's courts acquitted 569 individuals. The

number of acquittals has risen in recent years due to criminal justice reforms that include greater transparency in court procedures and broader access for defense teams to prosecutorial evidence.

Defendants have the right to hire an attorney although some human rights activists encountered difficulties finding legal representation. The government provided legal counsel and interpreters without charge when necessary. According to credible reports, state-appointed defense attorneys routinely acted in the interest of the government rather than of their clients because of their reliance on the state for a livelihood and fear of possible recrimination.

By law a prosecutor must request an arrest order from a court, and courts rarely denied such requests. Prosecutors have considerable power after obtaining an arrest order: they direct investigations, prepare criminal cases, recommend sentences to judges, and may appeal court decisions, including sentences. After formal charges are filed, the prosecutor decides whether a suspect is released on bail, stays in pretrial detention, or is kept under house arrest. Although the criminal code specifies a presumption of innocence, a prosecutor’s recommendations generally prevailed. If a judge’s sentence does not correspond with the prosecutor’s recommendation, the prosecutor may appeal the sentence to a higher court. Judges often based their verdicts solely on confessions and witness testimony, which authorities allegedly were thought to extract through abuse, threats to family members, or other means of coercion. This was especially common in religious extremism cases. Lawyers may, and occasionally did, call on judges to reject confessions and investigate claims of torture.

Following the president’s December 2017 decree prohibiting the use of evidence derived from torture, judges increasingly responded to claims of torture. In September Jahongir Umarov, a businessman who was earlier sentenced to five years in prison for conviction of drug abuse, was released after he claimed in court proceedings that he was tortured by security service personnel into providing a false confession. A court-ordered examination revealed a rib fracture from physical abuse.

In September the government introduced live coverage of court hearings. Online translation services allow the real time monitoring of court hearings in Uzbek and Russian, including for mobile phone users. Legal protections against double jeopardy were not applied.

The law provides a right of appeal to defendants, but appeals rarely resulted in reversals of convictions. In some cases, however, appeals resulted in reduced or suspended sentences.

Political Prisoners and Detainees

International and domestic human rights organizations estimated that authorities held hundreds of prisoners on political grounds. The government allows limited access to such persons by human rights or humanitarian organizations such as the Tashkent-based independent human rights organization Ezgulik. According to Human Rights Watch and the Committee for the Protection of Journalists, Uzbekistan continued to

release prisoners of conscience during the year, which resulted in no imprisoned journalists or civil society activists for the first time in more than two decades. Also according to Human Rights Watch, since September 2016 Uzbek authorities have released approximately 40 persons imprisoned on politically motivated charges; however, many others are still being held. The exact number of political prisoners has not been determined.

According to numerous former political prisoners, the government provides released prisoners with material compensation upon parole. Such compensation includes travel expenses to one's place of residence, health benefits, and the issuance of a passport, which is the primary form of identification in the country. Upon release, convicts sign a document acknowledging they understand the terms of their parole. This typically includes a prohibition on travel abroad for up to one year. Several former prisoners reported that authorities levied a fine against them as a condition of their parole. Failure to abide by the terms of payment may result in the termination of parole. One former prisoner, for example, was reportedly required to pay 20 percent of his monthly salary to the government for 18 months following his release.

HRW reported that "though Uzbek authorities have amnestied some political prisoners and released others early, in some cases such prisoners were unable to obtain materials necessary to appeal their unlawful convictions." In May, Samandar Kukanov, a former member of parliament released in November 2016 after a 23-year sentence that human rights organizations claimed was the result of peaceful opposition activity, filed an appeal with the Tashkent Regional Court to review his criminal conviction. According to HRW, in September, Kukanov received a letter from the court informing him that in April the "materials of his criminal case" had been "destroyed in accordance with established procedure" by the Tashkent Region State Archive and thus his requests for "full rehabilitation" could not be reviewed.

Civil Judicial Procedures and Remedies

Citizens may file suit in civil courts for alleged human rights violations by officials, excluding investigators, prosecutors, and judges. There were reports that bribes to judges influenced civil court decisions.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

Although the constitution and law forbid arbitrary or unlawful interference with privacy, family, home, or correspondence, authorities did not respect these prohibitions. The law requires that prosecutors approve requests for search warrants for electronic surveillance, but there is no provision for judicial review of such warrants.

There were reports that police and other security forces entered the homes of human rights activists and members of religious groups without a warrant. According to Forum 18, a Norwegian NGO that reports on religious freedom, members of Baptist, Protestant, Jehovah's Witnesses, and other minority churches holding worship services

in private homes reported that armed security officers raided services and detained and fined church members for religious activity deemed illegal. Among such incidents were raids in Fergana in February, in Karakalpakstan in July and in Chust in August. Baptist congregants reported home intrusions by authorities even when they gathered to celebrate important occasions such as birthdays. They also reported harassment and interference by authorities when publicly reading the Bible.

Human rights activists and political opposition figures generally assumed that security agencies covertly monitored their telephone calls and activities.

The government continued to use an estimated 12,000 neighborhood (mahalla) committees as a source of information on potential "extremists." The committees provided various social support functions, but they also functioned as an informational link from local society to government and law enforcement. Mahallas in rural areas tended to be more influential than those in cities.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Expression, Including for the Press

The constitution and law provide for freedom of expression, including for the press, but the government restricted these rights for both online and offline media.

Freedom of Expression: The government exercises official and unofficial restrictions on the ability of individuals to criticize the government or to discuss matters of general public interest. The law restricts criticism of the president, and publicly insulting the president is a crime for which conviction is punishable by up to five years in prison. The law specifically prohibits publication of articles that incite religious confrontation and ethnic discord or that advocate subverting or overthrowing the constitutional order.

Press and Media Freedom: Independent media did not operate freely because the state exercises broad control over media coverage. All media entities, foreign and domestic, must register with authorities and provide the names of their founder, chief editor, and staff members. Print media must also provide hard copies of publications to the government. The law holds all foreign and domestic media organizations accountable for the accuracy of their reporting, prohibits foreign journalists from working in the country without official accreditation, and subjects foreign media outlets to domestic mass media laws. The government used accreditation rules to deny foreign journalists and media outlets the opportunity to work in the country. Nevertheless, during the year a correspondent affiliated with a foreign-government sponsored news agency received accreditation and has begun cooperation with *UZA.uz*, the main state news agency. In addition, foreign-based news website *Eurasianet* has also received accreditation.

Amendments in 2014 to the Law on Information Technologies hold bloggers legally accountable for the accuracy of what they post and prohibit posts potentially perceived as defaming an individual's "honor and dignity." Limitations also preclude perceived

calls for public disorder, encroachment on constitutional order, posting pornography or state secrets, issuing "threats to the state," and "other activities that are subject to criminal and other types of responsibilities according to legislation."

The government prohibited the promotion of religious extremism, separatism, and fundamentalism as well as the instigation of ethnic and religious hatred.

In June the Oliy Majlis approved a new law "On Countering Extremism." The bill states that it aims to provide for individuals' security, protect the society and the state, preserve the constitutional order and the territorial integrity of the country, retain peace, and provide for multiethnic and multireligious harmony among citizens. The law provides a framework of basic concepts, principles and directions for countering extremism as well as responsibility for carrying out extremist activities. Civil society groups expressed concern that the law's definition of extremism remains too broad.

Articles in state-controlled newspapers reflected the government's viewpoint. The main government newspapers published selected international wire stories. The government prohibited legal entities with more than 30 percent foreign ownership from establishing media outlets. The government allowed publication of a few private newspapers with limited circulation containing advertising, horoscopes, and some substantive local news, including infrequent stories critical of government socioeconomic policies. Some government controlled print media outlets began to publish articles that were openly critical of local municipal administrations.

A few purportedly independent websites consistently reported the government's viewpoint. During the year, however, press and news organizations began broadcasting and publishing a wider variety of views and news, to include criticisms and policies enacted under former president Karimov. In July 2017 the government launched *Ozbekiston*, a 24-hour news channel that broadcast current affairs and news in Uzbek, Russian, and English. The channel interviewed visiting high-level foreign officials.

Violence and Harassment: Police and security services subjected print and broadcast journalists to arrest, harassment, and intimidation as well as to bureaucratic restrictions on their activity. A blogger, Akrom Malik, who was arrested in 2016 for allegedly writing articles promoting the banned People's Movement of Uzbekistan, was convicted and in January sentenced to six years in prison.

Censorship or Content Restrictions: Journalists and senior editorial staff in state media organizations reported that some officials' responsibilities included censorship. In many cases the government placed individuals as editors in chief with the expressed intent that they serve as the main censor for a particular media outlet. Continuing the past trend of moderate criticism of the government, online publications like *Kommersant.uz* and *Nuz.uz* have published critical stories on issues such as electricity outages, currency, trade, and the black market. In addition, *Adobiyat Gazetesi*, a literary journal, published stories by authors who are still on a "black list" and have not been able to publish elsewhere.

In July the privately owned *Kun.uz* news website was blocked for several weeks following critical reporting on a relative of the information and communication minister. In September the privately owned *Gazeta.uz* news website was blocked for several weeks following publication of a critical report on government policy regarding the Aral Sea.

There was often little distinction between the editorial content of government and privately owned newspapers. Journalists engaged in little investigative reporting. Widely read tabloids occasionally published articles that presented mild criticism of government policies or discussed some problems that the government considered sensitive, such as trafficking in persons.

The "International Press Club," launched in April 2017, continued to interview high-level officials and serves as a venue for discussion between journalists and the government.

Libel/Slander Laws: The criminal and administrative codes impose significant fines for libel and defamation. The government used charges of libel, slander, and defamation to punish journalists, human rights activists, and others who criticized the president or the government.

Internet Freedom

The government generally allowed access to the internet, including social media sites. Internet service providers, allegedly at the government's request, routinely blocked access to websites or certain pages of websites that the government considered objectionable, such as *Fergananews.com*, *Ozodlik.org*, and *Asiaterra.info*. The government blocked several domestic and international news websites and those operated by opposition political parties. Since September, Facebook, YouTube, Vkontakte, have been intermittently blocked, but users are able to access it with Virtual Presence Networks. NGOs reported that international human rights websites such as Amnesty International, Human Rights Watch, and Reporters without Borders were blocked.

The media law defines websites as media outlets, requiring them to register with authorities and provide the names of their founder, chief editor, and staff members.

According to government statistics, approximately 60 percent of individuals in the country used the internet. Unofficial estimates, especially of internet access through mobile communications devices, were higher. Telegram, a social media application that users access on their mobile phones, has become increasingly popular. Several active online forums allowed registered users to post comments and read discussions on a range of social problems. To become a registered user in these forums, individuals must provide personally identifiable information. It was not clear whether the government attempted to collect this information, although provisions of the Law on Information Technologies require internet cafe proprietors to log customers' browser history.

A decree requires all websites seeking the ".uz" domain to register with the government's Agency for Press and Information. The decree generally affected only government-owned or government-controlled websites. Opposition websites and those operated by international NGOs or media outlets tended to have domain names registered outside the country.

In September the government adopted new procedures for restricting access to websites that included "banned information," as reported by the press service of the Uzbek Justice Ministry on its Telegram-channel. Based on these regulations, a website or blog could be blocked for calling for the violent overthrow of the constitutional order and territorial integrity of the country; spreading ideas of war, violence and terrorism, as well as religious extremism, separatism and fundamentalism; disclosing information that is a state secret or protected by law; or disseminating information that could lead to national, ethnic or religious enmity or involves pornography, or promoting narcotic usage. According to the ministry, the government has the authority to block websites or blogs without a court order.

In August and September authorities arrested four online writers, Adham Olimov, Ziyavuddin Rahmon, Otabek Usmanov and Miraziz Ahmedov, likely due to their religious views that were posted on blogs. Olimov has been critical of government policies on Islam in his postings on Facebook, where he goes by the name Musannif Adham. Olimov's relatives say he was detained by police on the evening of August 28 and that prior to his detention his Tashkent apartment had been searched without warning. Among the items allegedly confiscated by police were mobile phones, a laptop, a desktop computer, two external hard drives, and Arabic-language books and dictionaries. The Tashkent city prosecutor's office told Olimov's family that he had been sentenced to 15 days in detention for refusing to submit to police authority. He was also fined 191,500 sums ($23). The bloggers were initially denied access to attorneys in pretrial detention. All of the bloggers were released as of September.

Academic Freedom and Cultural Events

The government continued to limit academic freedom and cultural events. In September the National Library was ordered to cancel an event commemorating a famous national poet, Rauf Parfi. Authorities occasionally required department head approval for university lectures, and university professors generally practiced self-censorship.

Although a decree prohibits cooperation between higher educational institutions and foreign entities without the explicit approval of the government, foreign institutions often were able to obtain such approval through the Ministry of Foreign Affairs, especially for foreign-language projects.

b. Freedoms of Peaceful Assembly and Association

Freedom of Peaceful Assembly

The constitution and law provide for freedom of assembly, but the government often restricted this right. Authorities have the right to suspend or prohibit rallies, meetings, and demonstrations for security reasons. The government often did not grant the permits required for demonstrations. Authorities subjected citizens to large fines, threats, arbitrary detention, and abuse for violating procedures for organizing meetings, rallies, and demonstrations or for facilitating unsanctioned events by providing space, other facilities, or materials. Organizers of "mass events" with the potential for more than 100 participants must sign agreements with the Ministry of Interior for the provision of security prior to advertising or holding such an event. This regulation was broadly applied, even to private corporate functions.

On August 3, the City Court in Chust, near Namangan, sentenced Pastor Alisher and his assistant Abror, to 10 days of administrative arrest. Judge Bokhodir Kazakov found them and six other individuals guilty of "illegal religious activity" that was allegedly just a tea party at the pastor's home. The six other individuals were penalized under the same charges for 999,445 sums ($120) each, with payment due immediately. Their cell phones were also confiscated.

Freedom of Association

While the law provides for freedom of association, the government continued to restrict this right. While the government released new laws and guidance it stated were intended to encourage the growth of civil society, the government still sought to control NGO activity, internationally funded NGOs, and unregulated Islamic and minority religious groups. The operating environment for independent civil society, in particular human right defenders, remained restrictive. Activists reported continuing government control and harassment.

On April 21 in Chimbay City, Karakalpakstan, local police raided a birthday party attended by a group of Christians. The participants were escorted to the local police station and charged with holding an "illegal religious meeting," and released the next morning. On July 13, group members were summoned to the local court by telephone, not by written notification. The judge found all of them, except the minors, guilty of engaging in illegal religious activity. The women were ordered to pay penalties of $150-$200 (1,230,000 sum to 1,640,000 sum) each and the owner of the house to pay $1,000 (8,220,000 sum). The 11 men involved were sentenced to 5 to 7 days of administrative arrest. Eight of the convicted Christians were 18-19 years of age, and their parents did not receive any formal notification after their children were sentenced. As a result of international pressure, on July 17, the Supreme Court of Karakalpakstan vacated the verdicts of the Chimbay court and ordered restitution of personal belongs to the defendants.

The Ministry of Justice, which oversees the registration of NGOs, requires NGOs to obtain the ministry's approval to hold large meetings with nonmembers, including foreigners; to seek the ministry's clearance on any event where materials are to be distributed; and to notify the ministry in writing of the content and scope of the events in question.

On April 12, the President signed the new Law on Public Control to establish a legal framework for public oversight of the activities of government bodies and government officials. In accordance with the law, citizens, citizens' self-government bodies, noncommercial organizations, and mass media have the right to exercise oversight regarding activities of government bodies and officials.

There are legal restrictions on the types of groups that may be formed, and the law requires that organizations with an operating budget and funds be registered formally with the government. The law allows for a six-month grace period for new organizations to operate while awaiting registration from the Ministry of Justice, during which time the government officially classifies them as "initiative groups." Several NGOs continued to function as initiative groups for periods longer than six months.

The government issued a number of regulations that affected NGO activity. In May the president issued a decree entitled "Measures to Fundamentally Enhance the Role of Civil Society Institutions in the Process of Democratic Renewal of the Country." In a separate action, in June the Ministry of Justice (MoJ) issued an order on the procedure for NGOs to inform the government of their planned activities. According to a summary posted on Norma.uz, starting from June 1, NGOs are no longer required to obtain approval from the MoJ in order to conduct events, but they still need to notify the MoJ of plans to conduct public programs. The minimum period for informing the ministry of planned activities is 10 days before the start of an event without the participation of foreign citizens, and 20 days before the start of event with the participation of foreign citizens. The MoJ only provides NGOs with written notice in cases of refusal to conduct the event. On June 27, another order established a new form of annual reporting on the NGO activities for submission to the government. In August the Ministry of Justice adopted the Regulation on Monitoring and Studying Activities of Nongovernmental Noncommercial Organizations, which establishes a separate procedure on monitoring and studying NGOs' activities.

International NGOs praised the development of these procedures, stating that they offered new procedural rules and limitations for the actions of MoJ inspectors; one NGO stated, however, a concern that the latter regulation still provided the authority for the MoJ to audit and harass NGOs. The administrative liability code imposes large fines for violations of procedures governing NGO activity as well as for "involving others" in "illegal NGOs"; the law does not specify whether the term refers to NGOs suspended or closed by the government or merely NGOs not officially registered. The administrative code also imposes penalties against international NGOs for engaging in political activities, activities inconsistent with their charters, or activities the government did not approve in advance.

In May the president signed a decree abolishing the so-called banking commission, established in 2004 to regulate or oversee NGO receipt of foreign grants. Beginning on September 1, registered NGOs are allowed to receive grants from domestic and foreign donors. Receiving organizations must notify the Ministry of Justice of their grants and present a plan of activities to the ministry that details how the NGO would allocate the funds. If the ministry approves, no other government approvals are required. The ministry requires yearly financial reports from NGOs.

Parliament's Public Fund for the Support of Nongovernmental, Noncommercial Organizations, and Other Civil Society Institutions continued to conduct grant competitions to implement primarily socioeconomic projects. Some civil society organizations criticized the fund for primarily supporting government-organized NGOs. The law criminalizes membership in organizations the government broadly deemed "extremist."

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/religiousfreedomreport/ (http://www.state.gov/religiousfreedomreport/).

d. Freedom of Movement

The constitution and laws provide for freedom of internal movement, foreign travel, emigration, and repatriation.

In-country Movement: Citizens were required to have a domicile registration stamp in their passport before traveling domestically or leaving the country, and the government at times delayed domestic and foreign travel and emigration during the visa application process. Permission from local authorities was required to move to Tashkent City or the Tashkent Region from other parts of the country, but permission is no longer required to work in Tashkent. Those living without Tashkent City or Tashkent Region registration were unable to receive city services and could not legally work, send their children to school, or receive routine medical care.

The government required hotels to register foreign visitors with the government on a daily basis. Foreigners staying in private homes were required to register their location within three days of arrival.

Foreign Travel: The government generally granted the requisite exit visas for citizens and foreign permanent residents to travel or emigrate outside the *Commonwealth of Independent States*. Exit visa procedures, however, allow authorities to deny travel based on "information demonstrating the inexpedience of the travel." According to civil society activists, these provisions were poorly defined and denials could not be appealed. Authorities sometimes interfered in foreign travel if the purpose of the trip was expressly religious in nature.

On May 25, Deputy Interior Minister Rustam Juraev signed an order that girls and women living in the capital are no longer required to be interviewed by the migration and citizenship departments and obtain permission to travel abroad. The head of Shaykhantahur Department of migration and registration of citizenship Dilshod Kadirov said that in addition, girls and women no longer need permission from their spouse or a warrant from the authorized person, certificates from the mahalla, or to take any tests in order to qualify for foreign travel.

Protection of Refugees

Refoulement: The government provided some protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened due to their race, religion, nationality, membership in a particular social group, or political opinion.

Access to Asylum: The laws do not provide for the granting of asylum or refugee status, and the government has not established a system for providing protection to refugees.

Among 27 individual refugees (18 cases), the total number of individuals was reduced to 13 individuals, due to death, spontaneous departure, or the fact that they had obtained various alternative stay arrangements. As of June there are 14 individuals (10 cases) remaining under the Office of the *UN High Commissioner for Refugees'* (UNHCR) mandate. UNHCR undertakes the following activities in coordination with the UNDP office in Tashkent, through its staff under UNDP contract and under the overall supervision of the UN Resident Coordinator: Issuing a mandate refugee certificate to the existing refugees, monitoring their rights situations and providing counseling and making interventions for the refugees when necessary, and providing financial assistance to some of the refugees based on their specific vulnerability.

In addition, UNHCR/UNDP staff provides counselling to asylum seekers when they arrive.

Stateless Persons

Some refugees from Tajikistan were officially stateless or faced the possibility of becoming officially stateless, as many carried only old Soviet passports rather than Tajik or Uzbek passports. Children born to two stateless parents could receive Uzbek citizenship only if both parents had a residence permit.

Although official data on stateless persons were not available, authoritative human rights activists estimated there were 3,000 stateless persons in Khorezm Province, Bukhara Province, and the autonomous Republic of Karakalpakstan. Most of these individuals reportedly were women who had married and lived in neighboring Turkmenistan prior to the country's independence in 1991.

On July 15, the government launched an online portal for registration of foreign citizens and stateless persons. Foreign citizens and stateless persons may register online at their place of residence after arrival.

Section 3. Freedom to Participate in the Political Process

The constitution and law provide citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage. The government did not conduct free and fair elections, restricted freedom of expression, and suppressed political opposition.

Elections and Political Participation

Recent Elections: Former president Karimov died in September 2016, and a special presidential election took place in 2016. Acting Interim President and Prime Minister Shavkat Mirziyoyev won the election with 88 percent of the vote. Mirziyoyev was one of four candidates who ran for election. For the 2016 special presidential elections, the government for the first time invited OSCE/ODIHR to conduct a full-scope observation mission with both short- and long-term observers. According to OSCE/ODIHRR, the 2016 presidential election demonstrated that systemic shortcomings in the election system persisted and that the dominant position of state actors and limits on fundamental freedoms continued to undermine political pluralism. These conditions resulted in a campaign that lacked genuine competition. Due to a highly restrictive and controlled media environment, voters did not have access to alternate viewpoints beyond a state-defined narrative. The OSCE/ODIHR report indicated significant irregularities were noted on election day, including indications of ballot box stuffing and widespread proxy voting.

The most recent parliamentary elections took place in 2014. The OSCE considered those elections not in accordance with international standards. During their observations, OSCE observers uncovered registration restrictions of potential voters, restrictions on a candidate's ability to be listed on a ballot, lack of candidate access to media, ballot box stuffing, lack of ballot secrecy, and intimidation.

Political Parties and Political Participation: The law allows independent political parties. The Ministry of Justice has broad powers to oversee parties and may withhold financial and legal support to those it judges to be opposed to government policy. There are four registered political parties. The law makes it difficult for genuinely independent political parties to organize, nominate candidates, and campaign. The law allows the Ministry of Justice to suspend parties for as long as six months without a court order. The government also exercises control over established parties by controlling their financing and media exposure.

In the 2016 special presidential elections, the OSCE/ODIHR observation mission identified shortcomings in the electoral process. Voters lacked a genuine choice of political alternatives. Only registered political parties could nominate candidates. The government did lower the number of signatures needed to gather on a nominating petition from 5 percent to 1 percent of voters nationwide. There were no debates among the candidates themselves.

The law prohibits judges, public prosecutors, SSS officials, members of the armed forces, foreign citizens, and stateless persons from joining political parties. The law prohibits parties that are based on religion or ethnicity; oppose the sovereignty,

integrity, or security of the country, or the constitutional rights and freedoms of citizens; promote war or social, national, or religious hostility; or seek to overthrow the government. The law also prohibits the Islamist political organization Hizb-ut-Tahrir, stating it promotes hate and condones acts of terrorism.

The government banned or denied registration to several political parties following the 2005 violence in Andijon. Former party leaders remained in exile, and their parties struggled to remain relevant without a strong domestic base.

Participation of Women and Minorities: No laws limit the participation of women and members of minorities in the political process, and they did participate. National minorities have full political rights under the constitution, and campaign materials were available in minority languages. The Central Election Commission passed a regulation in 2016 ensuring persons with disabilities could independently participate in the election. In addition, as a first time initiative, the Central Elections Commission printed some ballots in braille.

Section 4. Corruption and Lack of Transparency in Government

In 2016 parliament approved a new law to fight corruption. The law strengthens criminal penalties for conviction of official corruption. Despite some high-level corruption-related arrests, corruption remained endemic, and officials frequently engaged in corrupt practices with impunity.

Corruption: In July the governor of Samarkand province, Turobjon Juraev, and his deputy resigned in connection to construction projects in UNESCO-protected areas of Samarkand city that caused public outrage. Radio Free Europe/Radio Liberty's Uzbek language service, Ozodlik, reported that after Prime Minister Aripov's personal investigation into the case, law enforcement officials found a number of violations of construction norms. Companies that built residential apartments affecting historical sites had paid a substantial amount of money to obtain approval from the local government. According to Ozodlik, the governor and his deputy have been in custody since July 10.

Financial Disclosure: Government officials are required by law to disclose only income from outside employment, and such disclosures were not publicly available.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights

A number of domestic human rights groups operated in the country, although the government often hampered their ability to operate, investigate, and publish their findings on human rights cases. Government officials were somewhat cooperative and responsive to their views, but at times the government harassed and intimidated

human rights and civil society activists. A new decree and administrative orders on civil society sought to encourage its growth, and offered procedural rules and some new limitations for the actions of Ministry of Justice inspectors (see section 2.b.).

The government officially acknowledged two domestic human rights NGOs, Ezgulik and the Independent Human Rights Organization of Uzbekistan. Ezgulik representatives reported that authorities' harassment, intimidation, and threats of judicial proceedings against members continued to hamper their activities. Other groups were unable to register but continued to function at the national and local levels.

Organizations that attempted to register in previous years and remained unregistered included the Human Rights Alliance, Najot, the Humanitarian Legal Center, the Human Rights Society of Uzbekistan, the Expert Working Group, and Mazlum (Oppressed). These organizations did not exist as legal entities but continued to function.

Government officials spoke informally with domestic human rights defenders, some of whom were able to resolve cases of human rights abuses through direct engagement with authorities if they did not publicize these cases.

Human rights defenders and journalists have reported being under surveillance. In October the International Partnership for Human Rights (IPHR) reported witnessing the surveillance of several civil society activists, including Agzam Turgonov and former prisoner Bobumurod Abdullayev. On October 20, IPHR observed that Turgunov's residence was under surveillance by plain-clothed individuals. Turgunov, who was in the process of trying to register a human rights NGO, also reported that on October 18, two representatives of the local Mahalla committee warned him that law enforcement officials had been asking about him and also reported he was being followed. On the same day, Abdullaev reported on Facebook that he was followed from a teahouse by 10 to 12 individuals, including several officers he believed had previously tortured him.

IPHR and Human Rights Watch reported several other human rights defenders and journalists subjected to surveillance or harassment in the past year.

The United Nations or Other International Bodies: The government cooperated with and permitted visits by UN representatives, as well as those from UN specialized agencies such as the International Labor Organization (ILO) and other international organizations that monitor human rights. The government hosts the regional office of the United Nations Office on Drugs and Crime (UNODC) and has signed a "roadmap" with UNODC that includes, among other things, projects on criminal justice reform.

The government approved several proposed OSCE projects during the year, including in the "human dimension," the human rights component of the OSCE's work. The government hosted the Asian Forum on Human Rights in November and granted visas to critics of the government who had previously been barred from visiting. Following the forum, the government issued the Samarkand Declaration, in which it pledged to implement a national human rights protection system to respect, promote, and protect human rights and fundamental freedoms.

Government Human Rights Bodies: The goals of the Human Rights Ombudsman's Office included promoting observance and public awareness of fundamental human rights, assisting in shaping legislation to bring it into accordance with international human rights norms, and resolving cases of alleged abuse. The Ombudsman's Office mediated disputes among citizens who contacted it and made recommendations to modify or uphold decisions of government agencies, but its recommendations were not binding. In July 2017 the president strengthened the powers of the Ombudsman's Office by permitting it to make unannounced inspections of prisons and established a separate division to investigate government abuse of businesses.

The National Human Rights Center is a government agency responsible for educating the public and officials on the principles of human rights and democracy and for ensuring that the government complied with its international obligations to provide human rights information.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

Women

Rape and Domestic Violence: The law prohibits rape, including rape of a "close relative," but the criminal code does not specifically prohibit spousal rape. Cultural norms discouraged women and their families from speaking openly regarding rape, and the press rarely reported it.

The law does not specifically prohibit domestic violence, which according to victim advocates, remained common. While the law punishes physical assault, police often discouraged women in particular from making complaints against abusive partners, and officials rarely removed abusers from their homes or took them into custody. Local authorities emphasized reconciling the husband and wife, rather than addressing the abuse.

There are government-run shelters for victims of domestic abuse and telephone hotlines for victims seeking assistance. Victims of domestic violence may be sheltered in the newly created Centers for Rehabilitation and Adaptation.

On July 6, the president signed a resolution to prevent domestic violence and conduct a study to research conflict situations in families. The resolution also outlines the basis for a new law on domestic violence and recommends specific punishments for the perpetrators convicted of domestic violence and legal protections for the victims.

In October an anonymous survey among female students at the Kokan City Specialized College of Light Industry in Fergana revealed several reports of rape. In response law enforcement agencies launched an investigation. The college director, two of his deputies, the chief accountant, five educators and a security guard were detained.

Other Harmful Traditional Practices: Polygamy is practiced in some parts of the country. The law punishes conviction of polygamy with up to three years of imprisonment and fines, but does not penalize the women in such cases.

Sexual Harassment: The law does not explicitly prohibit sexual harassment, but it is illegal for a male supervisor to coerce a woman who has a business or financial dependency into a sexual relationship. Social norms, lack of reporting, and lack of legal recourse made it difficult to assess the scope of the problem.

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization.

Discrimination: Legal status and rights are the same for men and women, although the labor code prohibits women from working in a specified number of industries open to men. The government provided little data that could be used to determine whether women experienced discrimination in access to employment or were paid less for similar work.

Children

Birth Registration: Citizenship is derived by birth within the country's territory or from one's parents. The government generally registered all births immediately.

Medical Care: While the government provided equal subsidized health care for boys and girls, those without an officially registered address, such as street children and children of migrant workers, did not have regular access to government health facilities.

Child Abuse: Society generally considered child abuse to be an internal family matter; little official information was available on the subject.

Early and Forced Marriage: The minimum legal age for marriage is 17 for women and 18 for men, although a district may lower the age by one year in exceptional cases. In some rural areas, girls 15 years of age or younger were married in religious ceremonies not officially recognized by the state.

Sexual Exploitation of Children: The law seeks to protect children from "all forms of exploitation." Conviction of involving a child in prostitution is punishable by a fine of 25 to 50 times the minimum monthly salary and imprisonment for up to five years.

The minimum age for consensual sex is 16. The punishment for conviction of statutory rape is 15 to 20 years' imprisonment. Conviction of the production, exhibition, and distribution of child pornography (involving persons younger than age 21) is punishable by fine or by imprisonment for up to three years.

Institutionalized Children: According to UNICEF almost 20,000 children with disabilities were in institutions for children with disabilities. The rest of these children, an estimated 60 percent, receive no form of education. UNICEF reported that many of these children could be with their families if support were given to the families and inclusive education facilities provided.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data.html (https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data.html).

Anti-Semitism

There were no reports of anti-Semitic acts or patterns of discrimination against Jews. There were eight registered Jewish congregations. Observers estimated the Jewish population at 10,000, concentrated mostly in Tashkent, Samarkand, the Fergana Valley, and Bukhara. Their numbers continued to decline due to emigration, largely for economic reasons.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/ (http://www.state.gov/j/tip/rls/tiprpt/).

Persons with Disabilities

The law prohibits discrimination against persons with disabilities, but societal discrimination based on disability occurred.

The law allows for fines if buildings, including private shops and restaurants, are not accessible, and activists reported authorities fined individuals or organizations in approximately 2,500 cases during the year. Disability activists reported accessibility remained inadequate, noting, for example, that many of the high schools constructed in recent years had exterior ramps but no interior modifications to facilitate access by wheelchair users.

The Ministry of Health controlled access to health care for persons with disabilities, and the Ministry of Employment and Labor Relations facilitated employment of persons with disabilities. No information was available regarding patterns of abuse in educational and mental health facilities.

Disability rights activists reported that discrimination occurred and estimated that 90 percent of persons with disabilities were unemployed and approximately 70 percent lived below the poverty line. The city of Tashkent set aside 4,000 housing units for persons with disabilities. The government mandates that social infrastructure sites, urban and residential areas, airports, railway stations, and other facilities must provide for access to persons with disabilities, although there were no specific government programs implemented and activists reported particular difficulties with access.

Students who were blind or with vision disabilities studied dated braille books published during Soviet times, but there were some computers adapted for persons with vision disabilities. Based on a presidential decree signed in 2017, the number of persons with disabilities significantly increased in institutions of higher learning as a result of a new government quota system. In 2017 only 50 persons with disabilities were accepted to higher education; during the year, the number increased to 1,200.

National/Racial/Ethnic Minorities

The law does not require Uzbek language ability to obtain citizenship, but language often was a sensitive issue. Uzbek is the state language, and the constitution requires that the president speak it. The law also provides that Russian is "the language of interethnic communication."

Officials reportedly reserved senior positions in the government bureaucracy and business for ethnic Uzbeks, although there were numerous exceptions.

Complaints of societal violence or discrimination against members of ethnic minority groups were rare.

Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity

Conviction of sexual relations between men are punishable by up to three years' imprisonment. The law does not criminalize consensual same-sex sexual activity between women.

Same-sex sexual activity was generally a taboo subject in society, and there were no known LGBTI organizations. Deeply negative social attitudes related to sexual orientation and gender identity limited the freedom of expression of the LGBTI community as well as public reports of discrimination.

In May following the country's Universal Periodic Review, the government rejected recommendations related to decriminalization of LGBTI status and called LGBTI issues "irrelevant to Uzbek society."

HIV and AIDS Social Stigma

The law protects those infected with HIV from discrimination and provides for free health care. As of 2015 UNAIDS estimated 33,000 individuals were living with HIV. Persons known to be HIV positive reported social isolation and discrimination by public agency workers, health personnel, law enforcement officers, landlords, and employers after their HIV status became known. The military summarily expelled recruits in the armed services found to be HIV positive. Some LGBTI community activists reported that hospital wards reviewed the personal history of HIV-infected patients and categorized them as being drug addicts, homosexuals, or engaged in prostitution. Those whose files were marked as "homosexual" were referred to police for investigation, because consensual same-sex sexual conduct between men is a criminal act.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

While the law generally provides the right of workers to form and join independent unions and bargain collectively, these legal rights have not been possible to exercise since there were no independent labor unions operating in the country. The law neither provides for nor prohibits the right to strike. The law prohibits antiunion discrimination. The law on trade unions states that workers may not be fired due to trade union membership, but it does not clearly state whether workers fired for union activity must be reinstated. Volunteers in public works and workers employed by individuals without documented contracts do not have legal protection.

The government did not effectively enforce applicable laws. Article 200 of the Administrative Responsibility Code and article 217 of the criminal code provide penalties for violating freedom of association laws equal to five to 10 times the minimum salary. In 2016 the country ratified ILO Convention 87 (Freedom of Association and the Right to Organize), which entered into force during the year, and amended the law on "professional unions, rights, and guarantees of their activities," which improved the legal role of the trade unions in the protection of labor and employees' social rights. Despite the improvements in legal protections, workers were unable to exercise their right to form and join unions. Workers continued to worry that attempts to create independent alternative unions would be repressed. Unions remained centralized and wholly dependent on the government.

The state-run Federation of Trade Unions of Uzbekistan incorporated more than 35,000 primary organizations and 14 regional trade unions; according to official reports, 60 percent of employees in the country participated in the federation in 2017. Leaders of the federation were appointed by the president's office rather than elected by the union members or board. All regional and industrial trade unions at the local level were state managed.

Even under the auspices of the Federation of Trade Unions of Uzbekistan, union members and their leaders remained unable to conduct activities without interference from employers or government-controlled institutions. These government-organized unions demonstrated minimal bargaining power. For example, government ministries,

including the Ministry of Agriculture in consultation with the Federation of Trade Unions, continued to set wages for government employees and production quotas in certain sectors. In the emerging private sector, management established wages or negotiated them individually with persons who contracted for employment. There was no state institution responsible for labor arbitration.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced or compulsory labor, except as legal punishment for such offenses as robbery, fraud, or tax evasion, or as specified by law. Certain sections of the criminal code allow for compulsory labor as a punishment for offenses including defamation, and incitement of national, racial, ethnic, or religious enmity.

The government continued its efforts to combat all forms of forced labor. During the year the government informed the public of the prohibition against forced labor, including in the annual cotton harvest. Working closely with the ILO to raise awareness, the government erected 400 roadside billboards and distributed brochures, and oversaw a cotton harvest feedback mechanism that included telephone hotlines and online messaging applications dedicated to reporting labor violations. On September 5, the prime minister chaired a Cabinet of Ministers' conference, also attended by ILO and media representatives, that served to operationalize the cabinet resolution passed on August 30, "On Measures of Conducting Organized Cotton Harvesting Works in 2018." The prime minister underlined that the use of forced labor was absolutely forbidden during the cotton harvest and those responsible for forced labor would be punished.

During his visit to Syrdarya Region on April 13, President Mirziyoyev pledged to punish officials if they forced teachers, doctors, or students into cleaning roads or other places prior to presidential visits. This followed the death of a schoolteacher named Diana Enikeyeva in a roadside accident while undertaking compulsory street beautification activities. Meeting with Syrdarya regional activists, the President expressed regret regarding the death of Enikeyeva and emphasized that such instances of forced labor would be regarded as a betrayal of the "policy pursued by the head of the state."

On April 19, the prime minister chaired a Cabinet of Ministers meeting on the prohibition of forcing students, medical workers, teachers and representatives of other social spheres, to undertake field and landscaping activities.

On May 10, the Cabinet of Ministers adopted a resolution forbidding teachers, medical worker, other public workers, and students from recruitment into compulsory labor activities such as landscaping of district and urban areas, seasonal agricultural work as well as metal scrap and waste paper collection. Also in May, the government established specific fines for illegally recruiting students and public workers to this unpaid work. Media reported isolated instances of forced labor compelled by local or regional authorities, including the Fergana regional governor's order to all members of the Fergana Regional State Customs Committee to participate in public beautification projects. In June local media reported that police officers in Tashkent complained of being forced to clean streets.

While the government formally prohibited the use of forced labor in all sectors of the economy, this prohibition was inconsistently implemented at the local level and there were credible reports of isolated cases in which local or regional authorities compelled forced labor by adults in the cotton sector. The central government continued to impose cotton production quotas, which put pressure on local officials to ensure the quota was met. To incentivize cotton picking by the unemployed, the government raised the basic pay rate from 450 sums per kilo of cotton in 2017 to a range between 650 and 1,000 sums (between 7 and 12 cents) per kilo, depending on the different phases of the harvest. This approach was successful during the first 10 days of the harvest and there were few reports of forced labor. However, by the end of the harvest, pressure to meet the quota led local leaders in some locations to pressure teachers and other government workers to pick. The Uzbek German Forum reported that, on October 13,--late in the harvest--its monitors in seven of Uzbekistan's 13 regions recorded "forced mobilization to pick cotton or the demand to pay for replacement workers."

The government pursued complaints of forced labor, even those from independent observers, which resulted in administrative penalties for 169 local officials accused of forcing individuals to work. The government reported approximately 45 convictions for forced labor but did not provide sufficient information to determine if these crimes were related forced labor in the country or of a transnational nature. There were no criminal convictions of government officials for complicity in forced labor.

The government also allows the ILO access in real time to its feedback mechanism for reporting labor violations to see how it responded to complaints. The ILO calculated that the percentage of pickers forced to pick cotton fell from 12 percent in 2017 to 7 percent in 2018. Additionally, the government made important efforts to meet with international organizations, NGOs, civil society organizations, and local activists to discuss the issue of forced labor publicly and to receive feedback including suggestions and criticism to enable it to improve its approach to forced labor in the cotton harvest. The government acknowledged its problem with forced labor and sought assistance to eliminate it.

Local government-compelled forced labor existed in other sectors as well. Local officials forced civil servants and private businesses employees, and others to work in construction and other forms of noncotton agriculture, including to clean parks, streets, and buildings.

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/ (http://www.state.gov/j/tip/rls/tiprpt/).

c. Prohibition of Child Labor and Minimum Age for Employment

The law sets the minimum working age at 16 and provides that work must not interfere with the studies of those younger than 18. The law does not allow children younger than age 15 to work at all, but this provision was not always observed. Children aged 15, with permission from their parents, may work a maximum of 24 hours per week when school is not in session and 12 hours per week when school is in session. Children

between ages 16 through 18 may work 36 hours per week while school is out of session and 18 hours per week while school is in session. Decrees stipulate a list of hazardous activities forbidden for children younger than age 18 and prohibit employers from using children to work under specified hazardous conditions, including underground, underwater, at dangerous heights, and in the manual harvesting of cotton, including cotton harvesting with dangerous equipment.

Children were employed in agriculture, in family businesses such as bakeries and convenience stores, and as street vendors.

Inspectors from the Ministry of Employment and Labor Relations have authority to enforce laws on child labor and forced labor. However, the lead government organization for child labor is the Prosecutor General's Office, which works closely with the Ministry Employment and Labor Relations the Ministry of Interior's general criminal investigators. The Office of the Prime Minister took the lead role in coordinating implementation of labor decrees to keep children from working in cotton fields. Governmental, and international and local organizations representing women, youth, labor, farmers, and employers' interests participated in national child labor monitoring in the cotton sector. The ILO increased the scope of its Third Party Monitoring during the year to encompass 11,000 individuals (in face-to-face interviews, via telephone calls, and by surveys). This Third Party Monitoring was conducted under the guidance of the ILO and by applying its methodology. The ILO monitoring teams concluded there was no systemic use of child labor in the harvest during the year.

There were isolated reports of children picking cotton, but these were individual occurrences rather than government-compelled, nationwide mobilization. The government prohibition against the use of students remains in force, although a small number of students were found to be working voluntarily to earn extra cash.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at www.dol.gov/ilab/reports/child-labor/findings/ (http://www.dol.gov/ilab/reports/child-labor/findings/).

d. Discrimination with Respect to Employment and Occupation

Laws and regulations prohibit discrimination with respect to employment and occupation based on race, gender, religion, and language. The labor code states that differences in the treatment of individuals deserving of the state's protection or requiring special accommodation, including women, children, and persons with disabilities, are not to be considered discriminatory. The law does not prohibit discrimination based on sexual orientation or gender identity, age, political opinion, national origin or citizenship, or social origin. HIV-positive individuals are legally prohibited from being employed in certain occupations, including those in the medical field that require direct contact with patients or with blood or blood products, as well as in cosmetology or haircutting. The government generally did not effectively enforce these laws and regulations. There were no reliable data on employment discrimination.

In April, the Uzbek Labor Code was amended to prohibit refusing employment based on an applicant's criminal record or the criminal record of a close relative.

Foreign migrant workers enjoy the same legal protections as Uzbek workers as long as their employers follow all legal procedures for their employment. The law provides for a number of punishments of Uzbek employers who do not follow all legal procedures. Enforcement of employment law was lax, primarily due to insufficient staffing of relevant entities and endemic corruption.

e. Acceptable Conditions of Work

The national minimum monthly wage, used primarily to calculate salaries in the public sector as well as various taxes and duties, was 149,775 soms ($19) per month in 2017.

A 2013 amendment to the labor code raised the minimum monthly salary for full-time employees in the public sector to 230,000 soms ($29). There were no official statistics concerning the average monthly wage, but most experts estimated in 2017 a figure of 780,000 soms ($98) before taxes. This level did not include wages in the agricultural sector, which were higher in 2018 than in 2017.

Officials defined the poverty level as consumption of fewer than 2,100 calories per day, but the government did not publish any income indicators of poverty. International estimates using a daily dollar average of $2.50 per person--a level four times higher than the minimum daily wage of $0.60--put the percentage of the population living below the poverty level as high as 77 percent.

The law establishes a standard workweek of 40 hours and requires a 24-hour rest period. The law provides for paid annual holidays. The law provides overtime compensation as specified in employment contracts or as agreed with an employee's trade union. Such compensation may be provided in the form of additional pay or leave. The law states that overtime compensation should not be less than 200 percent of the employee's average monthly salary rate. Additional leave time should not be less than the length of actual overtime work. An employee may not work more than 120 hours of overtime per year, but this limitation was not generally observed, particularly in the public sector. The law prohibits compulsory overtime.

The Ministry of Employment and Labor Relations establishes and enforces occupational health and safety standards in consultation with unions. According to the law, health and safety standards should be applied in all sectors. Employers are responsible for ensuring compliance of standards, rules, and regulations on labor protection, as well as obligations under collective agreements. The law provides that workers may legally remove themselves from hazardous work if an employer fails to provide adequate safety measures for the job, and the employer must pay the employee during the time of the work stoppage or provide severance pay if the employee chooses to terminate employment. Workers generally did not exercise this right because it was not effectively enforced and employees feared retribution by employers. The law requires employers to insure against civil liability for damage caused to the life or health of an employee in

connection with a work injury, occupational disease, or other injury to health caused by the employee's performance on the job. In addition, the company's employees have the right to demand, and the administration is obliged to provide them with information on the state of working conditions and safety at work, available personal protection means, benefits and compensations.

Approximately five to eight labor inspectors staffed offices in each of the country's 14 administrative units, and there were specialized offices for major industries, such as construction, mining, and manufacturing. The Ministry of Labor instituted new protocols requiring investigation into labor complaints within five business days. Labor inspectors usually focused on the private sector, while inspections of state-owned enterprises were considered pro forma. Labor inspectors conducted routine inspections of small and medium-sized businesses once every four years and inspected larger enterprises once every three years. Additionally, the ministry or a local governor's office could initiate a selective inspection of a business, and special inspections were conducted in response to accidents or complaints. A 2017 presidential decree prohibited unannounced inspections of private businesses, including labor inspections.

Reports suggested that enforcement was uneven. The law remained unenforced in the informal economy, where employment was usually undocumented.

The government continued with the extension of the ILO's Decent Work Country Program until 2020. The most common labor violations were working without contracts, receiving lower than publicly announced payments, delayed payments, and substandard sanitary or hygienic working conditions.

On September 27, the Oliy Majlis adopted the Law on "Private Employment Agencies", which provides a definition of "private" employment agency, and set requirements for its management and staffing. The law includes a provision for charging fees to job seekers, which is in contradiction with ILO Convention No 181 on Private Employment Agencies, of 1997.

The government and official media did not publish data on employment in the informal economy. Many employees had official part-time or low-income jobs. There were no effective government programs to provide social protections to workers in the informal economy.

No occupational health and safety violations were reported. Violations of wage, overtime, and occupational health and safety standards were most common in the private sector. Although regulations provide for safeguards, workers in hazardous jobs often lacked protective clothing and equipment. More specific information on sectors in which violations were common and on specific groups of workers who faced hazardous or exploitative working conditions was not available. In July the Ministry of Employment and Labor issued figures stating that during the past three years, 1,214 accidents have been registered at workplaces in Uzbekistan, resulting in 241 deaths.

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