



USCIRF Annual Report 2013 - Countries of Particular Concern: Uzbekistan

Publisher [United States Commission on International Religious Freedom](#)

Publication Date 30 April 2013

Cite as United States Commission on International Religious Freedom, *USCIRF Annual Report 2013 - Countries of Particular Concern: Uzbekistan*, 30 April 2013, available at: <http://www.refworld.org/docid/51826ef316.html> [accessed 17 May 2013]

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USCIRF STATUS: Tier 1 Country of Particular Concern

BOTTOM LINE: The Uzbek government continues to repress religious freedom through a restrictive religion law facilitating state control over all religious communities, particularly the majority Muslim community. It imprisons individuals who do not conform to officially-prescribed practices or who it claims are extremist, including as many as 5,000 to 10,000 Muslims.

EXECUTIVE SUMMARY

FINDINGS: Since Uzbekistan gained independence in 1991, its government has systematically and egregiously violated freedom of religion or belief, as well as other human rights. The Uzbek government harshly penalizes individuals for independent religious activity regardless of their religious affiliation. A restrictive religion law facilitates state control over all religious communities, particularly the majority Muslim community. The government arrests Muslims and represses individuals, groups, and mosques that do not conform to officially-prescribed practices or that it claims are associated with extremist political programs. Thousands of individuals remain imprisoned as alleged extremists, including many who reportedly are denied due process and subjected to torture. While Uzbekistan does face security threats from groups that advocate or perpetrate violence in the name of religion, vague anti-extremism laws are applied against many Muslims and others who pose no credible threat to security.

Based on these systematic, ongoing, and egregious violations, USCIRF continues to recommend in 2013 that Uzbekistan be designated as a "country of particular concern," or CPC. Since 2006, the

State Department has so designated Uzbekistan, but since 2009 it placed a waiver on taking any action as a consequence of the CPC designation.

Uzbek police and security forces continue to raid and detain members of unregistered, and sometimes registered, religious groups for peaceful religious activity. Over the past decade, the Uzbek government reportedly has sentenced or imprisoned, sometimes in psychiatric hospitals, as many as 10,000 individuals for terms of up to 20 years for their non-violent Islamic religious affiliations or beliefs in trials that fall far short of international standards. For example, the Uzbek government continues its campaign against the *Nur* group for alleged extremism. It also targets religious minority groups, especially those viewed as engaging in proselytism.

PRIORITY RECOMMENDATIONS: The State Department should again designate Uzbekistan as a CPC. Upon re-designation, the United States immediately should engage Uzbekistan in intensive negotiations to see concrete progress to address religious freedom abuses. If those talks fail after 180 days, it should lift the waiver and impose sanctions, such as a ban on visits to the United States by high-level and mid-level Uzbek officials including President Islam Karimov. Considering Uzbekistan's geographical position in the Northern Distribution Network and the impending withdrawal of U.S. combat forces from Afghanistan, U.S. policy toward Uzbekistan should be coordinated across agencies to ensure that human rights concerns are reflected in all dealings with the Uzbek government. Measures should be adopted to ensure U.S. security materiel and other assistance are not given to Uzbekistan without concrete improvements in respect for religious freedom, and if assistance is given, Uzbek agencies or units known to be responsible for severe violations of religious freedom should be excluded. The United States also should press the Uzbek government to revise its 1998 religion law in line with international standards and establish a mechanism to review the cases of persons detained under suspicion of or charged with religion-related offenses. Additional recommendations are at the end of the chapter.

RELIGIOUS FREEDOM CONDITIONS

LEGAL FRAMEWORK

Uzbekistan's 1998 Law on Freedom of Conscience and Religious Organizations imposes onerous hurdles for the registration of religious groups, severely restricts religious freedom for unregistered groups, and restricts rights deemed in conflict with national security. The law criminalizes unregistered religious activity; restricts the right to establish schools and train clergy to registered groups alone; bans the production and distribution of unofficial religious publications; and prohibits minors from participation in religious organizations.

Registration requirements include: a minimum membership of 100 Uzbek citizens; a fee of 50 times the minimum monthly wage; documents detailing the group's rules and meeting protocols; and other data. Many religious groups, particularly minority communities, are unable to meet these requirements. Uzbek officials reportedly reject valid registration applications from disfavored groups on artificial grounds. Without registration, religious groups cannot open bank accounts;

construct, rent, or buy buildings; print, distribute, or import religious literature; appoint or hire religious leaders; or engage in any religious activities.

Under Uzbek criminal and administrative codes, the penalties for "illegal" (unregistered) religious activities include fines of as much as 300 times the minimum monthly wage and up to five years' imprisonment. Unregistered groups can be ordered to disband. Groups deemed extremist, fundamentalist, or separatist can be banned and those who take part in a banned group face up to 20 years in prison.

In 1998, the Uzbek government closed 3,000 of the 5,000 mosques open in the country, and mosques still face registration difficulties. Many non-Muslim religious groups encounter major registration difficulties. For instance, the registration requests of all Baptist churches have been rejected since 1999. Reportedly, Jewish groups have not been allowed to register in various cities. Since 1996, the Jehovah's Witnesses applied for registration 23 times in Tashkent and 13 times in Uzbek provinces, and only one Jehovah's Witness group in Chirchik was registered.

EXTREMISM CHARGES AGAINST MUSLIMS

Although the precise numbers are impossible to verify, human rights groups estimate that there could be as many as 5,000 to 10,000 Muslims who have been imprisoned for up to 20 years for their practice of independent, non-violent Islam or for alleged links to groups the Uzbek government views as extremist. USCIRF has received information from the Initiative Group of Independent Human Rights Defenders of Uzbekistan concerning Muslim political prisoners in Uzbekistan who were arrested or sentenced in 2012 and early 2013; a detailed list of these 27 individuals is included in the appendix to this Annual Report.

Uzbekistan does face security threats, including from groups which advocate or perpetrate violence in the name of religion. Nevertheless, Uzbek government actions lack due process, are based on arbitrary application of vague laws against those who pose no credible threat to security, and often involve credible allegations of torture. As a result, to avoid harassment Muslim men reportedly are hesitant to grow beards or wear traditional clothing. Women wearing *hijabs* face official harassment and possible sentences. These long-standing Uzbek policies fuel popular anger, and may aid recruitment efforts by genuine terrorist groups.

The Uzbek government bans and criminalizes alleged membership in Islamic groups it deems "*Wahhabi*" or "*Jihadist*," including *Hizb ut-Tahrir* (HT), *Akromiya*, *Tabligh Jamaat*, *Nur*, and others. Although "*Wahhabi*" usually refers to the highly restrictive interpretation of Sunni Islam in Saudi Arabia, the government applies the term to include violent Islamist extremists, domestic political opponents, Uzbeks educated abroad, and practitioners of non-violent independent Islam.

The Uzbek government has undertaken a systematic campaign against three Uzbek imams prominent in the 1990's, two of whom were disappeared in Uzbek prisons. The third, Obidkhon Qori Nazarov, has political asylum in Sweden and was shot and critically injured there in February 2012. In July 2012, Sweden's Chief Public Prosecutor accused the Uzbek secret service of involvement in his attempted assassination. After a police search found recordings by these imams, journalist Khairulla Khamidov received a six-year prison sentence in 2010.

Nine Muslim men from the Tashkent Region, who held informal discussions on religion and prayer instruction, were sentenced in November 2012, Forum 18 reported. Gayrat Khusanov and Shuhrat Yunusov each received seven-year jail terms while seven other defendants received three-year suspended terms. Charges against the men focused on their alleged role in an illegal religious group, perhaps because they had literature by prominent dissident imams discussed above. Uzbek activists consider the charges to be fabricated.

Alleged members of HT are believed to comprise the majority of the political prisoners in Uzbek prisons, although arrests seem to have decreased since 2008. According to the State Department, "authorities made little distinction between actual members [of HT] and those with marginal affiliation with the group, such as persons who had attended its Koran study sessions." Frequently, cases involve false accusations of HT membership and are based on planted evidence, a lack of credible evidence of violence, due process violations, and allegations of torture. While most Muslim countries ban HT for political activities, the United States has not designated it a terrorist group due to lack of evidence that HT as an organization has committed violence. Some HT members may have committed violent acts independent of the organization.

The Uzbek government has also repressed and prosecuted members of *Akromiya* (or *Akromiylar*) since 1997; it claims that *Akromiya*, along with the terrorist Islamic Movement of Uzbekistan (IMU), attempted to overthrow the Uzbek government in Andijon in May 2005. *Akromiya* is considered an informal, non-violent association that promotes Islamic business principles, as espoused by the 1992 writings of imprisoned Uzbek mathematics teacher, Akram Yuldashev.

In May 2005, the Uzbek government violently repressed largely peaceful protests in Andijon over the trial of 23 businessmen for their alleged membership in *Akromiya*. The Uzbek response killed as many as 1,000 civilians; after the crackdown, the Uzbek government ramped up its efforts against independent Muslims, human rights activists, journalists, and others suspected of involvement in the protests. According to the Uzbek human rights group, Andijon-Justice and Revival, 10 prisoners have died of the 241 imprisoned in connection with the Andijon events. The Uzbek government continues to prosecute persons it deems to have a connection to, or information about, these events, and has pressured other countries to return Uzbek refugees who fled after Andijon, including those under UNHCR protection.

Another group prohibited in Uzbekistan, *Tabligh Jamaat*, is an Islamic missionary group from South Asia that emphasizes piety, prayer, and preaching. Some former members who reportedly left the movement due to frustration with its apolitical stance have attempted acts of violence. In 2011, a group of 17 alleged *Tabligh Jamaat* members were convicted in one trial, the first known conviction of such a large number of alleged members of this group.

Since 2008, the Uzbek government has imprisoned numerous alleged members of what it labels the *Nur* group – readers of the works of Said Nursi, a Turkish theologian, whose books were widely circulated in Uzbekistan in the 1990s. Nursi's followers are not known to have advocated or used violence and are doubted to constitute a formal group. However, 141 members of *Nur* were convicted in recent years and sentenced to prison terms ranging from six to 12 years.

Three Muslim women, convicted in April 2010, are still imprisoned on criminal charges of threatening the constitutional order, public security, and public order for their private religious instruction of girls. Mehriniso Hamdamova, a teacher at an officially-approved women's religion

course at Karshi's Kuk Gumbaz Mosque, was given a seven-year prison camp term; her sister Zulkhumor Hamdamova and their relative Shahlo Rakhmonova are both serving 6 ½ year terms.

EXTREMISM AND OTHER CHARGES AGAINST NON-MUSLIMS

The Uzbek government frequently brands Protestants and Jehovah's Witnesses "extremists" for their practice of religion outside state-sanctioned structures. These groups face ongoing harassment, detention, and arrest for "illegal religious activity," such as holding private prayer meetings or possessing "illegal" religious literature.

Pentecostal pastor Dmitri Shestakov from the city of Andijon was sentenced to a four-year term in a labor colony in 2007. He was charged with organizing an illegal religious group, inciting religious hatred, and distributing extremist religious literature. He was released in January 2011 after serving his full sentence, but remained under police surveillance. In late January 2013, Pastor Shestakov and his family flew to Ukraine where they were given political asylum status by the UN High Commissioner for Refugees. USCIRF informed UNHCR of his planned departure, so as to ensure that Shestakov was not forcibly returned to Uzbekistan from Ukraine as has happened in several recent cases.

Observers note that Uzbek authorities increasingly refuse to release prisoners, especially those convicted of religious extremism, at the completion of their terms. Prison authorities often extend inmates' terms by accusing them, without judicial review, of new crimes or even minor infractions of prison regulations, and claiming that the prisoners still represent a danger to society. For instance, in June 2012, Jehovah's Witness Abdubannob Ahmedov received a new 30-month sentence one month before his sentence ended for allegedly violating prison rules.

The Uzbek authorities also have adopted repressive measures against families on charges of alleged religious extremism, including that of Akhmadjan Madmarov, a human rights activist, whom USCIRF met during its 2004 visit to Uzbekistan.

Uzbek authorities also continue to raid, harass, and fine both registered and unregistered Christian groups and individuals throughout the country for "illegal" activities such as teaching of religion privately, meeting outside their geographic area of registration, possessing unapproved religious literature, discussing their faith, or singing religious songs. The ethnic identity of Christian leaders may be a factor in discriminatory Uzbek policies. Three Baptist churches in the Tashkent region led by an Uzbek, Azeri, and a Tatar received official warnings. Officials deported two Jehovah's Witnesses to Russia in 2012, despite both being born in Uzbekistan and holding residency status, for speaking about their faith, one after 23 days in jail.

TORTURE IN DETENTION

The Uzbek human rights group *Ezgulik* documented in 2011 the alleged torture of female detainees, including many imprisoned due to their religious beliefs. Despite Uzbek government promises, torture remains endemic in prisons, pretrial facilities, and local police and security service precincts, and reportedly includes the threat or use of physical violence, rape, the use of gas masks to block victims' air supply, and the use of extremely cold cells. Torture allegedly is used to force adults and children to renounce their religious beliefs or to implicate themselves or others. Convictions are almost entirely based on confessions, which are often gained by torture.

In June 2012, the UN Committee against Torture (CAT) found that it had been "sufficiently established" that Uzbekistan has a "pattern of gross, flagrant or mass violations of human rights and [a] significant risk of torture or other cruel, inhuman or degrading treatment ... in particular for individuals practicing their faith outside of the official framework." The CAT found that the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment had been violated when 28 Uzbek asylum seekers were forcibly returned Uzbekistan in June 2011 from Kazakhstan. The asylum seekers claimed persecution for their Muslim beliefs. The Committee noted that the men were detained as soon as they arrived back in Uzbekistan and that some had received prison terms of more than ten years. The Uzbek government has not responded to repeated requests for permission to revisit the country from the UN Special Rapporteur on Torture, who was last permitted to visit in 2002.

In 2011, President Karimov signed a new law that prohibits torture, discrimination, and harassment in pretrial detention centers and jails. However, *Ezgulik* reports that the new law has not improved the poor conditions of pretrial detention, including extremely cold cells used for punishment amounting to torture.

Dr. Gulchehra Abdullayeva, a 54-year-old Jehovah's Witness, reported she was tortured by police in August 2012 in the Khorezm region, according to Forum 18. In an effort to extract a confession that she owned religious literature, police forced her to stand for four hours with no food or water and placed a gas mask over her head, blocking her air supply. Unlike most Uzbek torture victims who fear retribution, Abdullayeva complained about her treatment to Uzbek officials and the UN Special Rapporteurs on Torture and Freedom of Religion or Belief.

Two Russian courts in 2010 denied extradition requests for Uzbek refugees because they face the likelihood of torture. Nevertheless, according to a report by the Moscow-based Human Rights Center "Memorial" (HRCM), Uzbek security police are given access to Uzbek prisoners in Russia. After he made this report public in late 2012, Vitaly Ponomarev, HRCM director, has received email death threats reportedly from Uzbek sources.

OTHER RESTRICTIONS ON MUSLIMS

Despite the purported constitutional separation of religion and state, the Uzbek government controls Islamic institutions and practice through the officially-sanctioned Sunni Muslim Spiritual Board, the Muftiate. The Muftiate controls the training, appointments, and dismissals of Muslim leaders, the content of imams' sermons, and the amount and substance of published Islamic materials. The government does not permit the separate training of Shi'i imams inside the country, and does not recognize such education received abroad.

The government films participants at Friday prayer services, has instructed neighborhood committees and imams to identify local residents as possible extremists, including those who pray daily, and monitors social meetings at which religious issues are discussed. Since several men were arrested due to their alleged discussions at social meetings in 2011, reportedly Muslims are more reluctant to discuss religion outside of mosques.

In the Ferghana Valley, the country's most actively religious region, the government has confiscated a number of mosques in recent years and uses them as warehouses or for other state purposes. For the past several years, the government has maintained various administrative obstacles to religious

practice in this region. Since 2007 the Muftiate has not allowed imams in the Namangan area to preach or children to pray during Ramadan night prayers and limited public calls to prayer. The central government has told regional officials that children should not attend mosque, but many young people reportedly attend registered mosques.

ACTIONS AGAINST NON-MUSLIMS

Uzbek authorities continue to raid meetings of registered and unregistered Christian groups. In November 2012, the Tashkent region Justice Ministry summoned leaders of some registered Protestant churches, warning them to eliminate from their statutes provisions on missionary activity and instructed them to re-register within one month. Written warnings of this nature place congregations and their leadership in a vulnerable position for future prosecution of "illegal" activity.

Uzbek police in December 2012 raided a group of about 80 Protestants on holiday in the Tashkent region; four were charged under the Administrative code for discussing their faith and singing Christian songs. Local police also confiscated three Bibles and 100 Christian songbooks, insulted the group, and took fingerprints. In June 2012, police officers with a warrant told Yelena Kim at her Baptist church in Fergana that criminal charges were lodged against her; in July 2011 she had been tried and fined for the private teaching of religion.

In some regions of Uzbekistan, such as Karakalpakstan and Khorezm, almost all churches have been closed and Hare Krishna and evangelical Protestant students have been expelled from university. In Karakalpakstan, no non-Muslim and non-Orthodox religious communities are registered, making "illegal" the activity of more than 20 Protestant and Jehovah's Witnesses congregations. In Karakalpakstan region and elsewhere, ethnic Korean congregations have been told that they cannot be in contact with other countries.

The state-controlled media has encouraged intolerant views of certain minority religious groups, particularly Protestants, Baha'is, and Jehovah's Witnesses. Furthermore, journalists have accused missionaries of posing a danger to society and equated them with religious extremists. Government officials have held meetings at universities and schools around the country warning students about the "negative consequences of missionaries and religious extremism."

RESTRICTIONS ON RELIGIOUS MATERIALS

The official Council on Religious Affairs (CRA) must approve all religious literature. Under the religion law, importing, storing, producing, or distributing unapproved religious materials is prohibited; violations are subject to large fines, corrective labor of up to 3 years, confiscation of the materials, and/or destruction of means of production and distribution. Uzbek law punishes the production and distribution of literature deemed "promoting racial and religious hatred."

Only eight registered religious organizations (an inter-denominational Bible Society, the Muslim Board of Uzbekistan, two Islamic centers, and Russian Orthodox, Full Gospel, Baptist, and Roman Catholic offices) may legally publish, import, and distribute religious literature. A 2006 government instruction reportedly limits the press run of any religious book to fewer than 1,000 copies. It remains difficult to secure permission from the CRA and the Muftiate to publish Muslim literature, and almost no foreign Islamic literature is allowed to be imported.

USCIRF received reports of 37 individuals being targeted for police raids for possessing "illegal" religious literature in 2012-13. Additional actions included heavy fines and confiscations of religious books from private homes, with incidents reported against Protestants, Baptists, Jehovah's Witnesses, and Russian Orthodox. Two Protestants found with "illegal" religious material in 2012, Sharofat Allamova and Nina Chashina, may face criminal or administrative punishments. Courts routinely order the destruction of confiscated religious material, including Muslim, Christian and Jehovah's Witness literature. In July 2012, a Kashkadarya regional court issued administrative fines against ten members of an unregistered Baptist congregation: seven were each fined the equivalent of 1,280 US Dollars. Confiscated Christian materials were ordered destroyed. Since nine of the Baptists are deaf, they were absent from the trial since they had not been properly notified. In another egregious incident, during an August 2012 police raid on the Tashkent home of a Russian Orthodox woman, Valentina Pleshakova, her disabled daughter was beaten and religious literature seized.

The Uzbek government also monitors and restricts access to the Internet. Over 250 websites viewed as hostile by the Uzbek government are blocked inside the country, including many with religious content. According to the OpenNet Initiative, which monitors web censorship, Uzbekistan has the "most pervasive regime of filtering" in the former Soviet Union.

RESTRICTIONS ON RELIGIOUS EDUCATION

Only six registered religious communities have the required eight regional branches to qualify as a central administrative body, and therefore are permitted to engage in religious education. Moreover, Uzbek law limits religious instruction to officially-sanctioned religious schools and state-approved instructors. The law prohibits private instruction and sets fines for violations. The state has also closed or confiscated privately-funded religious schools.

There are 11 state-controlled *madrassas* (including two for women) that also provide secular secondary education. The Islamic Institute and Islamic University in Tashkent provide higher education and religion programs, although the Islamic University in Tashkent is a secular institution. There is no other officially sanctioned religious instruction on Islam. Imams no longer offer informal religious education, the State Department noted, out of fear of arrest. According to a 2012 report issued by the Uzbek Initiative Group of Independent Human Rights Activists, the official Muslim educational establishment is riddled with bribery, corruption, and favoritism. Despite the presence of a Shi'i minority, Uzbekistan does not have training facilities for Shi'i leaders, nor does the Uzbek government recognize foreign Shi'i religious education. Reportedly, however, some Sunni *madrassas* offer some courses in Shi'i jurisprudence.

The Uzbek government allows religious minorities very limited educational opportunities. The Russian Orthodox Church operates two monasteries (one for women, one for men) and a seminary, and many of its churches offer Sunday school education. The Jewish community lacks a rabbinate or yeshiva because it does not have synagogues in eight different Uzbek provinces and therefore cannot meet the legal requirements for a registered central office. A Jewish school and kindergarten operates in Tashkent.

Although registered Christian groups may establish Sunday schools, they are subject to numerous government restrictions. Registered Baptist and other Protestant leaders have been charged and fined for "illegally" involving children in religious activities. There also have been reports that

some schools sent questionnaires asking parents if their children attend church or mosque and telling parents not to allow it. Some school officials have questioned students about their religion and why they attend worship services.

The government forbids the wearing of Islamic headscarves in state schools. Since 2011, the government has required students at all institutions of higher education to sign a 23-page pledge agreeing not to wear religious dress or "immodest" Western-style clothing, and not to "allow foreign religious or extremist influences."

RESTRICTIONS ON FOREIGN TRAVEL FOR RELIGIOUS PURPOSES

As in previous years, the Uzbek government restricted international travel for religious purposes, including limiting the number of Muslims allowed to make the *hajj* well below its quota. The government denied exit visas to Muslims, Protestants, and Jehovah's Witnesses. It also has blocked Russian Orthodox Church Patriarch Kirill from visiting to mark the 140th anniversary of the church in Uzbekistan, reportedly because the Moscow Patriarchate had appointed a new bishop to Tashkent in 2011 without first obtaining Uzbek approval.

U.S. POLICY

For the past several years, U.S. policy in Uzbekistan has focused on that country's key position in the Northern Distribution Network (NDN), a supply route via Central Asia rather than Pakistan for U.S. and International Security Assistance Forces (ISAF) in Afghanistan. According to the U.S. Transportation Command, 40 percent of supplies for U.S. and ISAF troops in Afghanistan are now shipped via the NDN. In addition, as of 2009, U.S. Special Operations Forces were reportedly permitted by Uzbekistan on a "case-by-case" basis to conduct counter-terrorism operations. Uzbekistan also has allowed U.S. service members to be transferred to Afghanistan via its military base in Termez, where German troops are based.

While the Department of Defense will not disclose how much Uzbekistan is paid for its NDN role, the governments of Kazakhstan, Kyrgyzstan, Tajikistan and Uzbekistan receive a combined annual total of US \$500 million in transit fees. Uzbekistan, with Central Asia's most developed railway network, is the NDN hub, but at times has been uncooperative. Uzbekistan's role will become more important in 2014 as the withdrawal of combat forces accelerates.

The U.S. reliance on Uzbekistan for the NDN has led human rights groups to express concerns that the U.S. government tempers its criticisms of Uzbek violations and reduces its efforts to promote human rights. Increased government corruption in connection with NDN payments is another concern. The United States instituted Annual Bilateral Consultations (ABCs) with each of the Central Asian countries in December 2009. According to Assistant Secretary of State for South and Central Asia Robert Blake, the ABCs constitute "a face-to-face structured dialogue, based on a jointly developed agenda that facilitates candid discussions on the full spectrum of bilateral priorities, including human rights, religious freedom ... defense cooperation, and any other issue that either side would like to bring to the table." Reportedly, the United States agreed with Uzbek

requests to defer discussion of religious freedom during the initial ABC talks in 2009. Assistant Secretary Blake co-chaired the first Civil Society Forum in August 2012 where NGOs and Uzbek officials discussed human rights commitments.

Under the FREEDOM Support Act, U.S. assistance to the Uzbek central government was prohibited unless the Secretary of State reports that Uzbekistan is making substantial progress in meeting human rights commitments, establishing a multi-party system, and ensuring free and fair elections. Since 2004, some U.S. aid to Uzbekistan had been withheld due to a lack of progress on democratic reforms. In 2008, Congress adopted a measure blocking Uzbek officials from entering the United States if they are deemed responsible for the 2005 Andijon violence or other human rights violations. In 2010, Congress permitted expanded International Military Education and Training (IMET) programs for Uzbekistan, such as courses on civil-military relations and military justice.

In January 2012, the State Department certified on national security grounds that military aid to Uzbekistan should resume, temporarily lifting the ban on military aid. The State Department also provided an assessment of the human rights situation. Reportedly under strong pressure from the Defense Department, the aid in question includes training border troops and possibly providing military supplies. The lifting of the ban occurred despite the State Department's human rights assessment finding numerous concerns, such as severe limitations on religious freedom, persistent torture, and no independent probe into the 2005 Andijon events.

Since 2006, the State Department has designated Uzbekistan as a "country of particular concern," or CPC, for its systematic, egregious, ongoing violations of religious freedom. The CPC designation was most recently renewed in September 2011. At that time, the State Department again waived taking any action under the International Religious Freedom Act (IRFA) to "further the purposes of the Act." However, it ended its previous approach of issuing a 180 day waiver and replaced it with an indefinite waiver.

The State Department negotiated with the Uzbek government to arrange an April 2012 visit by Ambassador-at-Large for International Religious Freedom Suzan Johnson Cook and Deputy Assistant Secretary of State for Democracy, Human Rights, and Labor Thomas Melia. In Johnson Cook's interview with the VOA Uzbek Service, she noted that the visit's main purpose was to "initiate a dialogue," did not mention the CPC designation until asked about it by the reporter, and then merely noted that Uzbekistan was one of eight CPCs.

During his August 2012 visit to Uzbekistan for the third ABC session, Assistant Secretary Blake stated to the press that the U.S. government can now "provide non-lethal military assistance to Uzbekistan, even though they have not met a lot of the human rights conditions that would allow for more regular military assistance." Blake confirmed that the United States will continue providing Uzbekistan with non-lethal military assistance and did not exclude providing Uzbekistan with other types of military assistance under Excess Defense Articles allocations. Blake noted Uzbekistan's "strong support" of the NDN, which effectively had raised its profile with international terrorist groups that may want to target the country.

For FY 2012, the State Department has requested \$1.7 million in Peace and Security assistance for Uzbekistan, including \$300,000 for IMET programs and \$380,000 for programs relating to security sector reforms. The total amount of the U.S. assistance requested by the Department of State for Uzbekistan for FY 2012 is \$11.8 million. According an August 2012 Congressional Research

Service report, the Obama administration has requested \$12.595 million for FY2013 foreign aid for Uzbekistan (not including Defense and Energy Department funds).

RECOMMENDATIONS

USCIRF recommends that the U.S. government continue to designate Uzbekistan as a CPC and immediately engage in intensive negotiations to see concrete progress to address religious freedom abuses. If those talks fail after 180 days, it should lift the waiver and impose sanctions, including a ban on visits to the United States by high-level and mid-level Uzbek officials. As described below, USCIRF recommends that the U.S. government should prioritize freedom of religion or belief in U.S.-Uzbek bilateral relations, encourage greater international scrutiny of Uzbekistan's rights record, and support human rights defenders and religious freedom initiatives.

I. PRIORITIZING FREEDOM OF RELIGION OR BELIEF AS AN ISSUE IN BILATERAL RELATIONS

In addition to continuing to designate Uzbekistan as a CPC, the U.S. government should:

- press for concrete progress to address religious freedom abuses, and if those efforts fail after 180 days, lift the indefinite waiver and impose sanctions, including a ban on visits to the United States by high-level and mid-level Uzbek officials, and work to have Uzbek officials up to and including President Karimov added to the Politically Exposed Persons list as a consequence of Uzbekistan's CPC designation and human rights violations;
- ensure that U.S. assistance to the Uzbek government, such as U.S. security materiel and other assistance, with the exception of assistance to improve humanitarian conditions and advance human rights, be made contingent upon establishing and implementing specific measures to improve conditions of freedom of religion or belief and observe international human rights standards, including:
 - establishing a mechanism to review the cases of persons previously detained under suspicion of or charged with religious, political, or security offenses; releasing those who have been imprisoned solely because of their religious beliefs or practices as well as others unjustly detained or sentenced; and making public detailed information about individuals detained under these articles or imprisoned following conviction;
 - revising the 1998 Law on Freedom of Conscience and Religious Organizations to bring it into compliance with international standards, including making changes consistent with recommendations made by the Organization for Security and Cooperation in Europe (OSCE) Panel of Experts on Freedom of Religion or Belief, and registering religious groups that have complied with the legal requirements;
 - ending reliance on convictions based solely on confessions and implementing the recommendations of the UN Committee Against Torture and the UN Special Rapporteur on Torture; and
 - adopting policies to ensure that every prisoner has greater access to his or her family, human rights monitors, adequate medical care, and a lawyer, as specified in

international human rights instruments, and allowing prisoners to practice their religion while in detention to the fullest extent compatible with the specific nature of their detention; and

- for any assistance provided, make certain that it does not go to Uzbek government agencies, such as branches of the Interior and Justice Ministries and certain judges and prosecutors, responsible for particularly severe violations of religious freedom.

II. ENCOURAGING GREATER INTERNATIONAL SCRUTINY OF UZBEKISTAN'S HUMAN RIGHTS RECORD

The U.S. government should:

- encourage public scrutiny of Uzbek religious freedom and related human rights in appropriate international fora, such as the UN, OSCE and other multilateral venues, and facilitate the participation of Uzbek human rights defenders in multilateral human rights mechanisms; and
- urge the Uzbek government to agree to visits by UN Special Rapporteurs on Freedom of Religion or Belief, the Independence of the Judiciary, and Torture, set specific visit dates, and provide the full and necessary conditions for such a visit.

III. SUPPORTING UZBEK HUMAN RIGHTS DEFENDERS AND RELIGIOUS FREEDOM INITIATIVES

The U.S. government should:

- continue to monitor closely the status of individuals who are arrested for alleged religious, political, and security offenses;
- continue efforts to improve the situation of Uzbek human rights defenders, including by pressing for religious communities and human rights groups to be allowed to register or to operate freely without registration and ensuring that the U.S. Embassy in Uzbekistan maintains active contacts with Uzbek human rights activists and recognizes their work;
- increase foreign travel opportunities for religious leaders, civil society activists and others in Uzbekistan concerned with religious freedom so that they can take part in international conferences and exchange programs, and ensure that the U.S. Embassy vigorously protests if Uzbek authorities harass participants after their return to Uzbekistan, and if such harassment continues, implement penalties, including a ban on high-level meetings;
- support the development of civil society institutions' ability to protect religious freedom and related human rights, including by funding training in human rights and the rule of law, expanding legal assistance programs for Uzbek relatives of detainees and religious communities;
- specify freedom of religion as a grants category and area of activity in the Democracy and Conflict Mitigation program of the U.S. Agency for International Development and the Democracy Commission Small Grants program administered by the U.S. Embassy, and encourage the publicly-funded National Endowment for Democracy to make grants for civil society programs on tolerance and freedom of religion or belief; and
- counteract the Uzbek government's blockade on information into the country by increasing radio, Internet, and other broadcasting, particularly in the Uzbek language, of objective news and information on relevant issues, including specific religious freedom concerns in the

country and explaining why religious freedom is an important element of U.S. foreign policy.

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