



USCIRF Annual Report 2016 - Tier 1 CPCs designated by the State Department and recommended by USCIRF - Uzbekistan

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Key Findings

The government of Uzbekistan continues to enforce a highly restrictive religion law and impose severe restrictions on all independent religious activity, particularly by Muslims, unregistered Protestants, and Jehovah's Witnesses. The government imprisons and often subjects to brutal treatment individuals, including an estimated 12,800 Muslims, who do not conform to officially-prescribed religious practices or who it claims are extremist. Based on these systematic, ongoing, and egregious violations of religious freedom, USCIRF again recommends in 2016 that Uzbekistan be designated a "country of particular concern," or CPC, under the 1998 International Religious Freedom Act (IRFA). While the State Department has so designated Uzbekistan since 2006, most recently in July 2014, it indefinitely waived taking any action as a consequence of the designation.

Background

With an estimated 28.7 million people, Uzbekistan is the most populous post-Soviet Central Asian state. An estimated 93 percent of its population is Muslim, mostly following the Hanafi school of Sunni Islam, with about one percent Shi'a, mostly in Bukhara and Samarkand. Some four percent are Russian Orthodox, while the other three percent include Roman Catholics, ethnic Korean Christians, Baptists, Lutherans, Adventists, Pentecostals, Jehovah's Witnesses, Buddhists, Baha'is, Hare Krishnas, and atheists. About 6,000 Ashkenazi and 2,000 Bukharan Jews live in Tashkent and other cities.

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

The Uzbek government actively represses individuals, groups, mosques and other houses of worship that do not conform to officially-prescribed religious practices or for alleged association with extremist political programs. While Uzbekistan faces security threats from groups using violence in the name of religion, the government has used vague anti-extremism laws against peaceful religious adherents and others who pose no credible security threat. Particular targets include those allegedly linked to the May 2005 protests in Andijon over the conviction of 23 businessmen for their supposed membership in the banned Muslim group *Akromiya*. Responding to that largely peaceful protest, Uzbek government troops killed up to 1,000 civilians. Linked to that tragedy, 230 individuals remain jailed, and 11 prisoners have died in custody, including Muslim religious leader Akram Yuldashev. In January 2016, a month before his release from 17 years of imprisonment, Uzbek officials informed the world, and Yuldashev's family, that he had died in 2010 – supposedly of tuberculosis. The Uzbek government also pressures other countries to return hundreds of Uzbeks who fled after the Andijon tragedy and bans their relatives from leaving Uzbekistan to reunite with their family members abroad.

Despite Uzbekistan's repressive religion laws and policies, official mosques are often full, including with large numbers of young people. Tens of thousands gathered in Tashkent to bid farewell to the country's former Grand Mufti, Muhammad-Sodiq Muhammad-Yusuf, who died of a heart attack in March 2015 at the age of 63. The former Grand Mufti, with whom the Commission met several times, was also a prominent Islamic scholar; his many books included texts on Islam and human rights and his website provides perspectives on foreign, and limited information on domestic, Islam.

Religious Freedom Conditions 2015-2016

Application of Extremism Laws

The Uzbek government continued its decade-long policy of arresting and imprisoning individuals who reject state control over religious practice or for their suspected religious affiliation, some for as long as 20-year prison terms. Many are denied due process and are tortured; some are detained in psychiatric hospitals. According to the Uzbek Initiative Group of Independent Human Rights Defenders (UIGIHRD), as of late 2015, there are 12,800 religious prisoners, many at risk of torture; reportedly 84 religious prisoners are held in solitary confinement. UIGIHRD also reported mass arrests in 2015 of labor migrants returning from Russia, Turkey, Europe, and the United States on suspicion of links to the terrorist group the Islamic State of Iraq and the Levant (ISIL); the fate of at least 200 is unknown, partly because secret police have told their relatives not to hire lawyers or contact human rights activists. The government claims that many detainees are linked to extremist groups that it labels "Wahhabi" or "jihadist" but often provides no evidence of the use or advocacy of violence. These terms can refer to a range of Muslim individuals or groups, including violent

extremists, political opponents, those with foreign education, and others. In July 2015, the United Nations Human Rights Committee concluded that Uzbekistan engaged in "unlawful arrests, detentions, torture and ill-treatment and convictions on religious extremism related charges of independent Muslims practicing their faith outside registered structures."

In June 2015, police in Tashkent held Muslim Olmosbek Erkaboyev for two months, beating him to make him confess to religious extremism, according to Uzbek human rights activist Surat Ikramov. In February 2016, a Jizzak court sentenced Armenian Christian Aramayis Avakian to a seven-year jail term, Muslim Furkat Juraev to 12 years, and three other Muslims to five-and-a-half to six-and-a-half year terms. They were all charged with Islamic extremism, according to their defense group Avakian+4.

In the February 2015 lead up to presidential elections, the Uzbek government granted amnesty to six known Muslim prisoners of conscience, including Hairulla Hamidov, a well-known sports journalist and Muslim commentator. As a release condition, all were told to write apologies to President Karimov. According to Uzbek human rights groups, religious prisoners are not eligible for Uzbekistan's traditional Constitution Day amnesties. For example, Zuboyd Mirzorakhimov, a Tajik citizen arrested in 2013 for having a Qur'an text on his cell phone, was not amnestied in January 2016.

Detention Conditions

Despite the Uzbek government's claims, torture remains endemic in prisons, pretrial facilities, and police precincts, and reportedly includes the threat or use of violence, including rape, and the use of gas masks to block victims' air supply. Torture allegedly is used to force adults and children to renounce their religious beliefs or to make confessions. According to a 2015 Amnesty International report, men and women charged or convicted of extremism-related offenses over the past 15 years are most vulnerable to being tortured, particularly Muslims who worship in independent mosques and members or alleged members of opposition political parties and banned Islamic movements or Islamist groups and parties. In late 2015, a Muslim prisoner, Khayrullo Tursunov, seemed to be on the verge of death, his sisters observed during a visit; he had been illegally extradited by Kazakhstan in 2013 and later got a 16-year term. The Uzbek human rights group *Ezgulik* has reported on torture of female detainees, including many jailed for religious beliefs. Shortly before religious prisoners complete their terms, Uzbek authorities often fabricate charges of violation of prison regimen, thereby prolonging prisoners' terms by three to six years, as recently happened to Muslim prisoners, Kamol Odilov and Botir Tukhtamurodov; they are among over 100 Muslims jailed for studying Said Nursi's texts. In early 2013, the International Committee of the Red Cross took the highly unusual step of halting its work in Uzbekistan, citing lack of official cooperation.

Restrictions on Muslims

The Uzbek government tightly controls Islamic institutions and prohibits the independent practice of Islam. In the Ferghana Valley, the government has confiscated several mosques and banned children from attendance. The state-controlled Muslim Spiritual Board oversees the training, appointment, and dismissal of imams, and censors the content of sermons and Islamic materials. Reportedly, a group of Muslims in the Tashkent region were subjected to severe harassment since mid-2015. Four were jailed for one to two months and 18 were fined for "violation of the procedure for holding religious meetings." A group of ten women were detained and fined for the same

"offense." In August 2015, Anti-Terrorism police raided the homes of their male relatives; they were told that they will be jailed if they still pray together.

Treatment of Non-Muslims

The state-controlled media encourages prejudice against minority religious groups and has equated missionaries with religious extremists. The government often brands Evangelical Protestants and Jehovah's Witnesses as "extremists" for practicing religion outside of state-sanctioned structures. They face massive fines, detention, and arrest for "illegal religious activity." In February 2016, Council of Churches Baptist prisoner Tohar Haydarov was told he will not be freed on parole this year. In November 2015, after a Tashkent school principal told police that two pupils were sharing their faith, police raided a Protestant meeting, some attendees were tortured and detained. Police also stole money and confiscated Christian texts. In April 2015, police renewed a search in the Kashkadarya region for Protestant Guljahon Kuzebayeva; she has been in hiding since July 2014 due to fear of police brutality. As Jehovah's Witnesses met in May 2015 for worship near Samarkand, they were raided and later fined; some were given two years' probation on false drug charges; female Witnesses were threatened with rape and tortured. In July 2015, Jehovah's Witnesses sought government approval to bury a relative in a local cemetery, but police and the local imam blocked the burial. At a Tashkent meeting of non-Muslim religious leaders, officials "suggested" – but only to ethnic Uzbek non-Muslims – that their wills should specify burial wishes. Reportedly, officials pressure Protestant churches when they publicly complain about burial problems. Authorities raid meetings of registered and unregistered Christian and Baha'i groups.

Surveillance Regime

A 2014 law set up a Preventive Register that listed all previous convicts who have served at least one year of "preventive measures," including for religious "offenses." It authorizes state agencies to extend Register listings beyond one year and allows local authorities to "prevent the activity of unregistered religious groups." In May 2015, Navoi regional police stopped four Protestants; during police questioning, one was tortured; one of the four, Murot Turdiyev, reportedly is on the Preventive Register. In April 2015, three years after she was fired as a teacher for wearing the Islamic headscarf, Gulchohra Norbayeva faced accusations of "illegal" teaching of the Qur'an, and police pressure to incriminate Muslim men; police told her that she is on the Preventative Register.

Restrictions on Religious Materials

The Council on Religious Affairs (CRA) censors religious materials. The government also maintains an extensive list of banned international websites, particularly on human rights and religious freedom. The religion law prohibits the importing, storing, producing, and distributing of unapproved religious materials. Members of various religious communities reportedly destroy their own sacred texts due to fear of confiscation during police raids. According to a CRA official, Uzbek law only allows religious texts to be read inside buildings of registered religious groups. After he publicly offered a religious pamphlet, Baptist Doniyor Akhmedov became one of three known Uzbek Protestants jailed for up to 15 days in early 2015. He later was fined over three times the official yearly minimum wage. In September 2015, 10 Baptists in Karshi were fined up to 50 times the minimum monthly wage for unauthorized worship meetings, and their Bibles and hymnals were ordered destroyed. According to Forum 18, after police raids and text seizures during the first ten

months of 2015, Jehovah's Witnesses faced 75 fines, each totaling as much as 20 times the minimum monthly wage.

Limits on Religious Instruction and Travel

Uzbekistan severely restricts the number of Muslims who can make the *hajj*, including via lengthy secret police scrutiny. In 2015, an Uzbek human rights activist noted that she will be 205 years old before she reaches the top of the *hajj* waiting list – and even then may be denied an exit visa. Religious instruction is limited to officially-sanctioned religious schools and state-approved instructors, and only six registered religious communities have the required eight legally-registered regional branches so that they can conduct legal religious education. Private religious education is punished. Muslim religion teacher Mehriniso Hamdamova is still serving a seven year prison term imposed in 2010 for teaching women about Islam; she reportedly suffers from cancer but is denied medical care.

U.S. Policy

Uzbekistan is Central Asia's most populous country and shares borders with the four other former Soviet Republics in Central Asia as well as Afghanistan. It is central to the regional Soviet-era rail system that also connects with Russia, and therefore U.S. policy in Uzbekistan has focused on the country's key position in the Northern Distribution Network (NDN), a supply route for international forces in Afghanistan. Uzbekistan is the NDN hub but at times has not been cooperative.

In 2004, Congress prohibited U.S. assistance to the Uzbek central government 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 recent years, however, military assistance has increased. As of 2009, Uzbekistan reportedly has allowed "case-by-case" counter-terrorism operations on its territory. In 2010, Congress permitted expanded military education and training programs for Uzbekistan. In 2012, the State Department certified on national security grounds that military aid to Uzbekistan should resume for six months, despite its human rights assessment citing numerous concerns, such as severe limitations on religious freedom, persistent torture, and no independent probe into the 2005 Andijon events. Such aid includes training border troops and possibly providing military supplies.

At the November 1, 2015 first-ever meeting of Central Asian foreign ministers with the United States, held in Uzbekistan, Secretary of State Kerry emphasized that the United States and Central Asia are economic and security "partners" and listed "human dimension" issues last among the meeting's five other topics. While Secretary Kerry noted that his country shared Uzbek concerns over Afghanistan's security and radical religious extremism, he did not mention human rights issues.

The United States instituted Annual Bilateral Consultations (ABCs) with each Central Asian state in 2009. The most recent U.S.-Uzbekistan ABC was held in Washington, D.C. in January 2016. The U.S. delegation was led by Assistant Secretary of State for South and Central Asia Affairs Nisha

Desai Biswal; Foreign Minister Abdulaziz Kamilov headed Uzbekistan's delegation. Human rights issues discussed included the status of several religious and other prisoners, restrictions on civil society and media, labor rights, and religious freedom, particularly the onerous registration requirements for religious groups.

Since 2006, the State Department has designated Uzbekistan a "country of particular concern," or CPC, for its systematic, ongoing, and egregious violations of religious freedom. The CPC designation was renewed most recently in July 2014, but the State Department continued its policy of indefinitely waiving taking any action as a consequence. It stated that the waiver is in the "important national interest of the United States" pursuant to IRFA section 407.

Recommendations

In addition to recommending that the U.S. government continue to designate Uzbekistan a CPC, USCIRF recommends that the U.S. government should:

- Work to establish a binding agreement with the Uzbek government, under section 405(c) of IRFA, on steps it can take to be removed from the CPC list; should negotiations fail or Uzbekistan not uphold its commitments, lift the waiver on taking any action in consequence of the CPC designation, in place since January 2009, and impose sanctions, as stipulated in IRFA;
- Consider making U.S. assistance, except humanitarian assistance and human rights programs, contingent on the Uzbek government's adoption of specific actions to improve religious freedom conditions and comply with international human rights standards, including reforming the 1998 religion law and permitting international investigations into the 2005 Andijon events and the 2010 prison death of Muslim leader Akram Yuldashev;
- Press for UN Human Rights Council scrutiny of the human rights situation in Uzbekistan, as well as raise concerns in other multilateral settings, such as the OSCE, 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;
- Ensure that U.S. statements and actions are coordinated across agencies so that U.S. concerns about religious freedom and related human rights are reflected in its public statements and private interactions with the Uzbek government, including calls for the release of religious prisoners;
- Ensure that the U.S. Embassy maintains appropriate contacts, including at the ambassadorial level, with human rights activists;
- Press for at the highest levels and work to secure the immediate release of individuals imprisoned for their peaceful religious activities or religious affiliations, and press the Uzbek government to ensure that every prisoner has greater access to his or her family, human rights monitors, adequate medical care, and a lawyer;
- Maintain the two-day duration of the Annual Bilateral Consultations to allow full discussion of relevant issues, particularly human rights and religious freedom; and
- Encourage the Broadcasting Board of Governors to ensure continued U.S. funding for the Uzbek Service of the Voice of America and for RFE/RL's Uzbek Service website, Muslims and Democracy, and consider translating material from RFE/RL's Uzbek Service into other relevant languages.

