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Freedom House

Freedom in the World 2019 - Uzbekistan

Not Free

9 /100

Overview:

While ongoing reforms under a new president, Shavkat Mirziyoyev, have led to improvements on some issues, Uzbekistan remains a consolidated authoritarian regime. No genuine opposition parties operate legally. The legislature and judiciary effectively serve as instruments of the executive branch, which initiates reforms by decree, and the media remains tightly controlled by the state. Reports of torture and other ill-treatment remain common, although highly publicized cases of abuse have led to dismissals and prosecutions for some officials. Despite some high-profile releases, the government still holds numerous prisoners on political or religious grounds.

Key Developments:

Key Developments in 2018:

- Throughout the year, authorities continued to release prisoners of conscience who had been jailed under former president Islam Karimov, including human rights activist Fakhridin Tillayev, who was freed in May after serving four years in prison.
- Also in May, journalists Bobomurod Abdullayev and Hayot Nasriddinov were released from prison, marking the first time in two decades that no journalists were imprisoned. However, self-censorship among journalists remains common.
- In August and September, eight religious bloggers were arrested and jailed for up to 15 days after criticizing the implementation of a nationwide school dress code that effectively banned hijabs in schools.
- Following President Mirziyoyev's pledge to reform the notorious National Security Service (SNB), the head of the agency was dismissed in January, and five senior SNB officials were convicted on torture charges in June and received lengthy prison sentences.

Political Rights and Civil Liberties:

POLITICAL RIGHTS: 1 / 40

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

The president, who holds most executive power, is directly elected for up to two five-year terms. Longtime prime minister Shavkat Mirziyoyev was named acting president through an irregular parliamentary process in 2016, after Karimov, who had held the presidency since Uzbekistan's independence from the Soviet Union in 1991, suffered a stroke and died. The constitution called for the Senate chairman to serve as acting president, but the chairman declined the post. Mirziyoyev won a special presidential election at the end of 2016, taking a reported 88.6 percent of the vote and defeating nominal challengers whose parties in some cases openly campaigned for the incumbent. Election monitors from the Organization for Security and Co-operation in Europe (OSCE) concluded that "the dominant position of state actors and limits on fundamental freedoms undermine political pluralism and led to a campaign devoid of genuine competition."

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

Uzbekistan has a bicameral legislature. The lower house is comprised of 150 seats, with 135 members directly elected in single-member constituencies and 15 representing the Ecological Movement of Uzbekistan, which holds separate indirect elections. The 100-member upper house, or Senate, has 84 members elected by regional councils and 16 appointed by the president. All members of the parliament serve five-year terms.

The 2014 lower house elections offered voters no meaningful choice, as all participating parties supported the government; observers from the OSCE reported that the elections "lacked genuine competition and debate." Karimov's Movement of Entrepreneurs and Businesspeople-Liberal Democratic Party (UzLiDeP) won the most votes and took 52 seats, while three loyalist parties split the remainder. Local human rights activists alleged serious disparities between reported turnout, which the government claimed was more than 88 percent, and the number of actual votes cast.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

The electoral laws and framework are implemented in ways that offer no opportunities for independent political actors or parties to participate in elections at any level. Election management bodies are closely controlled by the government and have not been reformed since Karimov's death, though Mirziyoyev has indicated that he plans to implement electoral reforms at the local and regional level, including the introduction of direct elections for local and regional executives. In 2017, he signed legislation allowing the election of 11 district councils within Tashkent, in addition to the existing council for the city as a whole; Tashkent has the status of a region, and districts in the country's other regions already had elected councils.

B. POLITICAL PLURALISM AND PARTICIPATION: 0 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

Only four political parties are registered—UzLiDep, the People's Democratic Party (PDP), the Adolat (Justice) Social Democratic Party, and the Milliy Tiklanish (National Revival) Democratic Party. They indulge in mild criticism of one another and occasionally of government ministers, but all are effectively progovernment.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

No genuine opposition parties operate legally. Unregistered opposition groups function primarily in exile. Domestic supporters or family members of exiled opposition figures have been persecuted, and they are barred from participating in elections.

B3. Are the people's political choices free from domination by the military, foreign powers, religious hierarchies, economic oligarchies, or any other powerful group that is not democratically accountable? 0 / 4

Regional alliances of political elites hold the levers of government at all levels, creating economic oligarchies and patronage networks that stifle political competition. There is some intra-elite competition, but without the patronage of the established networks, political and economic advancement is all but impossible.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

No registered party represents the specific interests of ethnic or religious minority groups, and no other parties or actors have the opportunity to achieve political representation. Women formally enjoy equal political rights, but they are unable to organize independently to advance their political interests in practice, and they remain underrepresented in leadership positions. Women hold 16 percent of the seats in the parliament's lower house and 17 percent of the seats in the Senate. No women ran for president in 2016.

C. FUNCTIONING OF GOVERNMENT: 1 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

The country's leadership is not freely elected, and the legislature serves as a rubber stamp for the executive branch.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Corruption is pervasive. Graft and bribery among low- and mid-level officials are common and at times conducted overtly and without subterfuge. In 2018, President Mirziyoyev spearheaded a crackdown on the notoriously corrupt security sector. In February, former prosecutor general Rashid Kadirov was arrested on corruption charges, which led to the arrests of dozens of security officials in connection with Kadirov's case. Kadirov awaited trial at the end of the year. Analysts contend that the purge is largely intended to neutralize security officials from the Karimov era.

Media discussion of corrupt practices has cautiously expanded since Karimov's death, but in some cases the journalists and commentators involved—rather than the corrupt officials—have come under pressure.

C3. Does the government operate with openness and transparency? 1 / 4

Government operations remain mostly opaque, but one of Mirziyoyev's first acts as president in late 2016 was the creation of new online mechanisms that offered citizens the opportunity to file complaints, report problems, and request services. The initial program was overwhelmingly popular and was quickly expanded to all ministries and local government offices, requiring local officials to interact with citizens and demonstrate responsiveness. The innovations contributed to a cultural change in governance, though they frequently encountered resistance at the local level.

CIVIL LIBERTIES: 8 / 60 (+2)

D. FREEDOM OF EXPRESSION AND BELIEF: 2 / 16 (+1)

D1. Are there free and independent media? 0 / 4

Despite constitutional guarantees, press freedom remains severely restricted. The state controls major media outlets and related facilities, and independent outlets were mostly shuttered or blocked under Karimov. Several foreign reporters were granted press passes in 2017 and 2018, but the presence of independent international outlets remained very limited. Domestic media, including news websites and live television programs, now cautiously discuss social problems and criticize local officials, reflecting a slight reduction in media repression since Mirziyoyev took power. However, even privately-owned media outlets often avoided openly criticizing Mirziyoyev and the government throughout the year.

Under Mirziyoyev, a number of journalists have been released from prison. In May 2018, journalists Bobomurod Abdullayev and Hayot Nasriddinov were released from custody after being charged in 2017 with "conspiracy to overthrow the constitutional regime." According to the Committee to Protect Journalists (CPJ), their release marked the first time in two decades that no journalists were in prison.

Despite the government's stated commitment to openness, access to popular social media sites like YouTube and Facebook was intermittently shut down at the end of the year without explanation.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 0 / 4

The government permits the existence of approved Muslim, Jewish, and Christian denominations but treats unregistered religious activity as a criminal offense. Suspected members of banned Muslim organizations and their relatives have faced arrest, interrogation, and torture. Arrested believers are frequently accused of founding previously unknown religious organizations, a charge that carries high penalties. In most cases, little evidence of the existence of such organizations is presented at the closed trials. In 2017, Mirziyoyev announced that some 16,000 individuals had been removed from a blacklist of roughly 17,000 people who had been suspected or previously convicted of religious extremism, and had been kept under close surveillance or on probation.

In 2018, however, many Islamic activists, bloggers, and clerics expressed disappointment with perceived setbacks in the movement toward greater religious tolerance. In September, Fazliddin Parpiyev, an imam in Tashkent, was fired after posting a video on Facebook appealing directly to the president to expand religious rights, including easing the ban on hijabs and beards. In December, Parpiyev fled the country after being threatened with prosecution for continuing to criticize restrictive religious policies on social media. Following their criticism of the August 2018 nationwide school dress code that effectively forbade girls from attending school wearing hijabs, eight religious bloggers were arrested and jailed for up to 15 days in August and September.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4 (+1)

The government has long limited academic freedom, in part by controlling contacts between universities or scholars and foreign entities. Universities in Uzbekistan expanded their cooperation with foreign counterparts in 2018, notably with the November announcement that a new online university would be created in cooperation with an array of foreign academic institutions. In August, the government registered the American Councils for International Education, an academic exchange organization based in the US.

Presidential monographs that glorify former president Karimov are no longer required reading at universities.

Score Change: The score improved from 0 to 1 due to universities' increased autonomy, and new avenues for academic cooperation with foreign universities and academic institutions.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

The freedom of private discussion has long been limited by *mahalla* committees, traditional neighborhood organizations that the government has transformed into an official system for public surveillance and control. The government also engages in extensive surveillance of electronic communications. However, through its various reforms since 2016, the Mirziyoyev administration has signaled a greater tolerance for public criticism, modestly improving the climate for expression of personal views on sensitive topics.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 1 / 12

E1. Is there freedom of assembly? 0 / 4

Despite constitutional provisions for freedom of assembly, authorities severely restrict this right in practice, breaking up virtually all unsanctioned gatherings and detaining participants.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 1 / 4

Unregistered nongovernmental organizations (NGOs) face severe repression and harassment, though significant breaks with past policy continued in 2018, including Amnesty International's first official visit to the country in 14 years in May. A large international conference on human rights initiated by President Mirziyoyev was held in Samarkand in November, and included delegations from multiple international rights monitors. The conference demonstrated the government's newfound willingness to listen to the perspectives of NGOs, although some international participants noted the lack of participation by domestic NGOs.

Also in November, several international human rights groups released a combined statement calling on the Uzbek government to cease "harassing" local activists, noting that some NGO leaders, like Agzam Turgunov, whose 2017 release from prison raised hopes about the opening of civic space, continued to experience intimidation and near-constant surveillance from local authorities.

Authorities released prisoners of conscience who had been jailed under former president Karimov throughout the year, including human rights activist Fakhridin Tillayev, who was released in May after serving over four years in prison following his conviction on politically motivated human-trafficking charges.

E3. Is there freedom for trade unions and similar professional or labor organizations? 0 / 4

The Federation of Trade Unions is controlled by the state, and no genuinely independent union structures exist. Organized strikes are extremely rare.

F. RULE OF LAW: 1 / 16 (+1)

F1. Is there an independent judiciary? 0 / 4

The judiciary is subservient to the president. In 2017, however, a number of judicial reforms were enacted through constitutional and legislative amendments, establishing specific terms in office for judges and creating a Supreme Judicial Council to oversee appointments and disciplinary action, among other changes. The council, whose chairperson is approved by the Senate on the president's recommendation, replaced a commission that was directly subordinate to the president.

In September 2018, the Supreme Court launched an interactive website that allows residents to access legal services, provides records of court rulings, and enables users to stream videos of trials. Pamela Spratlen, the US ambassador to Uzbekistan, praised the reforms for increasing transparency and fostering judicial independence.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Due process guarantees remain extremely weak. Law enforcement authorities have routinely justified the arrest of suspected religious extremists or political opponents by planting contraband, filing dubious charges of financial wrongdoing, or inventing witness testimony. The Lawyers' Chamber, a regulatory body with compulsory membership, serves as a vehicle for state control over the legal profession. The judicial reforms adopted in 2017 gave judges rather than prosecutors the authority to approve certain investigative steps, such as exhumations and some forms of surveillance.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4 (+1)

A 2016 law on police prohibits torture, and a 2017 presidential decree that bars courts from using evidence obtained through torture took effect in March 2018. Despite the reforms, reports of physical abuse against detainees remained common during the year. However, abuse accusations in 2018 more frequently appeared in news reports or were circulated on social media, which increasingly resulted in consequences for perpetrators. In July, a video shared widely on social media, showing police in the Kattakurgan district of Samarkand forcing a woman in custody to strip as they verbally abused and threatened her, led to a sustained public outcry. In response, one of the police officers responsible for the incident was convicted on torture charges in November and sentenced to six years in prison.

President Mirziyoyev has promised to reform the notorious SNB, which has been accused of widespread abuses. In January, he removed SNB head Rustam Inoyatov, who led the agency for 23 years and presided over torture and other atrocities. In June, Rustam Azimov, the former SNB chief for the Bukhara region, was sentenced to 14 years in prison for torture and abuse of power; four other high-level SNB officials also received lengthy prison sentences after being convicted on the same charges.

Prisons suffer from severe overcrowding and shortages of food and medicine. As with detained suspects, prison inmates—particularly those sentenced for their religious beliefs—are often subjected to torture and other ill-treatment.

Score Change: The score improved from 0 to 1 due to increased reporting and public discussion of human rights abuses committed by security personnel, some of whom were removed from office or prosecuted for their transgressions.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

Although racial and ethnic discrimination are prohibited by law, the belief that senior positions in government and business are reserved for ethnic Uzbeks is widespread. Women's educational and professional prospects are limited by discriminatory cultural and religious norms. Women are also barred from certain jobs under the labor code.

Sex between men is punishable with up to three years in prison. The law does not protect LGBT (lesbian, gay, bisexual, and transgender) people from discrimination, and social taboos deter the discussion of LGBT issues.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 4 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

Permission is required to move to a new city, and bribes are commonly paid to obtain the necessary documents. Bribes are also frequently required to gain entrance to and advance in exclusive universities. The government took steps to ease travel within the country and to neighboring states in 2017, removing police checkpoints at internal borders, resuming direct flights to Tajikistan, and opening border crossings as part of an agreement with Kyrgyzstan. Exit visas were still required for foreign travel during the year, but in August 2018, the Mirziyoyev administration announced plans to abolish them beginning in January 2019.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Widespread corruption and extensive state control over the economy limit private business opportunities and make property rights tenuous in practice.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Victims of domestic violence are discouraged from pressing charges against perpetrators, who rarely face prosecution. Rape is also seldom reported or prosecuted, and spousal rape is not explicitly criminalized. Extralegal child marriage is reportedly practiced in some areas.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Economic exploitation remains a serious problem, as does the trafficking of women abroad for prostitution. A 2009 law imposed stronger penalties for child labor, and in 2012, Mirziyoyev, then the prime minister, pledged to end the practice completely. In 2017, the president issued a decree to formally ban forced agricultural labor by students, health workers, and teachers. During the subsequent cotton harvests, the government increased incentives for voluntary labor and granted access to international observers. In November 2018, the International Labor Organization (ILO) noted that for the year's harvest, 93 percent of cotton workers were voluntarily employed, while child labor was not an issue. Nevertheless, local officials still faced pressure to meet government quotas, and reports of adult forced labor and abuse of workers persisted.

However, some local officials who employed forced labor were prosecuted and fined during the year. In October, President Mirziyoyev dismissed Deputy Prime Minister Zoyir Mirzayev after photos of cotton farmers being forced to stand in cold irrigation ditches as punishment for a poor harvest were widely condemned on social media. Mirzayev was present during the incident, and reportedly insulted the farmers as they stood in the knee-deep water.

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Uzbekistan

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