

Uzbekistan

The pace of human rights reforms in Uzbekistan stalled and backtracked on some aspects in 2021, especially in the months leading up to presidential elections in late October, which the incumbent president Shavkat Mirziyoyev won. Uzbekistan's political system remains deeply authoritarian.

Freedom of speech and the media experienced clear setbacks, with authorities targeting outspoken and critical bloggers, including Otabek Sattoriy, who was sentenced to six-and-a-half years in prison in May. Authorities continued to deny registration to independent human rights groups and to criminalize consensual same-sex relations. Authorities used anal exams, a form of torture, in prosecutions of gay men. Impunity for ill-treatment and torture remained the norm.

The government's promised legislative reforms, including a new criminal code, stalled. A new law on religion fell far short of international standards. On June 7, Uzbekistan ratified the Convention on the Rights of Persons with Disabilities.

Presidential Elections

Uzbekistan's electorate re-elected President Mirziyoyev with 80.1 percent of the vote on October 24. No opposition candidates, including Khidirnazar Allakulov, whose Truth and Progress Party was denied registration by the Justice Ministry, or Jahongir Otajanov, nominated by the unregistered Erk Democratic Party, were allowed to participate. Authorities harassed Allakulov and others who supported him in the lead up to elections. In July, Otajanov announced he was dropping out of politics completely.

The Organization for Security and Co-operation in Europe's (OSCE) Office for Democratic Institutions and Human Rights (ODIHR) election monitoring mission found "significant procedural irregularities" and that the election lacked genuine competition. Monitors also expressed concern about the overall restrictive legal framework for media.

Freedom of Speech

Although media activity in Uzbekistan has increased considerably since 2016, there was a notable decline in respect for speech and media freedoms in 2021. Journalists faced harassment, prosecution, and assault. Defamation and insult remain criminal offenses, despite President Mirziyoyev's decriminalization pledge in 2020. In March, Uzbekistan adopted legislative changes criminalizing online criticism of the president. Radio Ozodlik, the Uzbekistan branch of Radio Free Europe/Radio Liberty, remains blocked. In June the Foreign Affairs Ministry denied accreditation to Agnieszka Pikulicka, a Tashkent-based foreign correspondent.

Authorities have targeted multiple bloggers with criminal or administrative charges. In May, a Surkhandaryo court sentenced the outspoken blogger Otabek Sattoriy to six-and-a-half years in prison following a dubious conviction on slander and extortion charges. Despite significant public outcry, his sentence was upheld on appeal in July. A Tashkent-based blogger, Miraziz Bazarov, was attacked by a mob after he expressed support for lesbian, gay, bisexual, and transgender (LGBT) rights, and had to be hospitalized.

Members of Tashkent's diplomatic community expressed concern about the attack. Upon being discharged from hospital, authorities placed Bazarov under house arrest on politically motivated charges of slander. In August, the blogger Valijon Kalonov was placed under arrest on charges of insulting the president online after he criticized the president and called for a boycott of presidential elections.

Civil Society

Uzbek authorities severely hinder the work of independent nongovernmental organizations (NGOs) with excessive and burdensome registration requirements. The Justice Ministry continued to deny registration to independent groups. In April, the Humanitarian Legal Centre in Bukhara was denied registration for the ninth time. In September, after being denied registration for the eighth time, the founders of the rights group Human Rights House filed a lawsuit against the Justice Ministry.

Uzbek authorities continue to refuse to restore full legal status and rights to more than 50 people, including human rights defenders, who, since 2016, had been released from prison after having served politically motivated sentences. In January, a Kashkardarya court ruled that Elyor Tursunov, who served nearly seven years of a 17-year sentence and who was acquitted and released in March 2018, should receive approximately US\$8,650 in compensation from the government for his wrongful imprisonment.

Criminal Justice, Torture

A draft criminal code, published by the Prosecutor General's office in February, retained many problematic articles, including overbroad and vague offences of extremism and incitement that would violate international human rights standards, if adopted. Following its publication, review of the draft criminal code stalled.

On May 25, the United Nations Working Group on Arbitrary Detention (WGAD) issued its opinion on the case of Kadyr Yusupov, a former diplomat who, in January 2020, was sentenced to five-and-a-half years in prison for treason. WGAD found that Yusupov was arbitrarily deprived of his liberty and said the Uzbek government should "take urgent action to ensure [Yusupov's] immediate release." Yusupov alleged he had been tortured in detention.

Torture and ill-treatment remain common in places of detention, with human rights groups and the media reporting on credible allegations of torture. Although Uzbek authorities said in 2019 that they had shuttered the notoriously abusive Jaslyk prison, the local human rights group Ezgulik reported in April that up to 100 people could still be imprisoned there.

On June 26, President Mirziyoyev signed a decree on "improving [Uzbekistan's] system for detecting and preventing cases of torture," which includes a provision establishing prevention monitoring groups under the office of the ombudsman tasked with carrying out prison visits.

Freedom of Religion

Uzbekistan adopted a new law on religion in early July. Officials did not make public the bill before it was adopted. In a joint July 29 communication to President Mirziyoyev, five UN special rapporteurs expressed serious concern about provisions in the law, such as the prohibition of all forms of peaceful missionary activity and the banning of non-state-approved religious education and of the manufacture, import, and distribution of non-state-approved religious material.

Muslims who practice their faith outside state controls continued to be targeted by authorities with spurious religious extremism-related criminal charges. In January, seven Muslims who in November 2020 were sentenced to between four and 11 years in prison on extremism related charges after meeting together to discuss Islam, began serving their prison sentences. In June, police brought extremism-related charges against Fazilkhoja Arifkhojaev, an outspoken Muslim government critic, and he was sent to pre-trial detention for three months.

Freedom of Assembly

Review of a draft law on public assemblies, published in August 2020, continued to stall in 2021. Amendments to Uzbekistan's Informatization Law adopted in March prohibited bloggers and others calling online for participation in protests "in violation of the established order." Spontaneous small-scale protests over social and economic issues occurred intermittently throughout 2021.

Sexual Orientation and Gender Identity

Men in Uzbekistan who engage in consensual same-sex sexual conduct face arbitrary detention, prosecution, and imprisonment under art. 120 of the criminal code, which carries a maximum sentence of three years in prison. Gay men also face threats and extortion by both police and non-state actors. Uzbekistan's draft criminal code, pending further review, retains the offense under article 154, with the wording unchanged.

Uzbek police and courts have relied on the conclusions of forced anal examinations conducted between 2017 and 2021 to prosecute men for consensual same-

sex relations. Such exams are a form of violence and torture, according to the World Health Organization (WHO).

Women's Rights

Deep inequality between men and women persists in Uzbekistan. Domestic violence remains a serious problem. Neither domestic violence nor marital rape are explicitly criminalized, and the draft Criminal Code, published in February, did not include a standalone offence of domestic violence. Between January and March, the Internal Affairs Ministry registered 11,070 complaints of harassment and violence against women. While the State Commission on Gender Equality reported in 2019 that it had opened 197 rehabilitation and adaptation centers for women who experience violence, a June media report found that many such centers “did not exist” or “did not function” as intended.

Forced Labor

Uzbekistan continued to make significant efforts to reduce forced labor in its cotton sector. Although the International Labour Organization (ILO) concluded in January that there was no systemic forced or child labor in the 2020 cotton harvest, it noted that “about four percent [of pickers] were subject to direct or perceived forms of coercion,” that is, approximately 80 thousand people. The ILO reported that “there were only isolated cases of minors below the legal working age picking cotton.” The lack of independent trade unions and civil society organizations in Uzbekistan undermines sustainability of progress made so far.

Refugees

After the Taliban seized control of neighboring Afghanistan, Uzbekistan contributed to the evacuation effort by allowing planes to refuel and passengers to transit to safe, third countries, but closed its land border to Afghan refugees, and to date, continues to refuse to offer international protection to at-risk Afghans fleeing the country. Uzbekistan is not a signatory to the 1951 United Nations Refugee Convention.

Key International Actors

In January, Uzbekistan assumed a seat on the UN Human Rights Council (HRC). The Uzbek government signed a new members' pledge to promote international human rights standards during its term.

The European Union in April granted Uzbekistan Generalised Scheme of Preferences (GSP+) unilateral trade preferences, a scheme conditioned on the ratification and implementation of core human rights treaties, despite acknowledging persistent concerns about Uzbekistan's compliance. In June the EU's Subcommittee on Justice and Home Affairs, Human Rights and related Issues "registered its concerns" relating to freedom of expression and assembly, registration of NGOs, and anti-discrimination, and called on Uzbekistan to investigate attacks against bloggers or protesters. In October, the EU expressed "regret" at the lack of genuine competition in Uzbekistan's presidential elections.

During a trip to the US in July, Foreign Minister Abdulaziz Kamilov met with Secretary Antony Blinken, who called the US-Uzbek relationship "vital," with the US offering "support for Uzbekistan's continuing reforms, including strengthening human rights and democracy." In early October, the US Deputy Secretary of State visited Tashkent and met with the Uzbek president and foreign minister where she "stressed the importance of continued progress on democratic reforms and promoting respect for human rights."