

Since gaining independence in 1991, the government of Uzbekistan, headed by Islam Karimov, has systematically and egregiously violated freedom of religion or belief and other human rights. The government harshly penalizes individuals for independent religious activity, regardless of their religious affiliation. USCIRF continues to recommend in 2011 that Uzbekistan be designated as a “Country of Particular Concern,” or CPC, under the International Religious Freedom Act of 1998 (IRFA). While the State Department has so designated Uzbekistan since 2006, in 2009 it placed a de facto indefinite waiver on any punitive action as a result of this designation.

BACKGROUND

Uzbekistan’s 1998 Law on Freedom of Conscience and Religious Organizations severely limits the rights of all religious communities and facilitates the Uzbek government’s control over them, particularly the majority Muslim community.

While the law includes provisions on freedom of worship and the separation of religion from state, it criminalizes unregistered religious activity; bans the production and distribution of unofficial religious publications; prohibits minors from participating in religious organizations; and forbids the wearing of religious clothing in public by anyone other than clerics. Many religious groups are unable to meet the religion registration requirements which include a presence in eight of the 13 provinces, an impossibility for most minority religious groups.

In November 2010, President Islam Karimov announced a new administrative code as part of the “liberalization of the judicial-legal system.” Although the specific changes are not known, human rights groups note that past changes in the code have increased penalties for religious activity and introduced new punishments.

RELIGIOUS FREEDOM CONDITIONS

Uzbekistan violates religious freedom and harshly penalizes individuals for independent religious activity, regardless of their religious affiliation. The Uzbek government continues to arrest Muslims and repress individuals, groups, and mosques that do not conform to government-prescribed practices or allegedly are associated with extremist political programs, resulting in the imprisonment of thousands, many of whom reportedly are denied due process and subjected to torture. While Uzbekistan faces security threats from groups advocating violence in the name of religion, the government’s broad-brush approach has led to the arbitrary application of vague anti-extremism laws against religious adherents and others who pose no credible security threats.

Application of Extremism Laws: Over the past decade, the government has arrested and imprisoned, with terms of up to 20 years, thousands of Muslims who reject the state’s control over religious practice, many of whom the government claims are associated with extremist groups that it broadly labels “Wahhabi” or, more recently, “jihadists.” The government uses the term to refer to a wide range of Muslim individuals or groups, including genuine extremists, political opponents of the Karimov regime, those with foreign education, and others.

The Andijon Protest and its Aftermath: Conditions for religious freedom specifically and human rights generally declined after the Uzbek government cracked down on protests in May 2005. The incident was in response to the jailing of 23 influential businessmen in the city of Andijon for alleged ties to Islamic extremism. In May 2005, a group of armed men freed the businessmen from prison, and then held 20 officials hostage. Later that month, when several thousand mostly-unarmed civilians gathered to protest the trial, Uzbek armed forces fired without warning into the crowd. Fatalities range from an official Uzbek total of 187 to over 700 (according to the Organization for Security and Cooperation in Europe). After the 2005 Andijon events, the number of court cases against independent Muslims increased markedly. Even relatives of human rights defenders have been threatened, beaten, arrested, and imprisoned on fabricated criminal charges, in an effort to find those connected to, or with information about, the Andijon events.

Detention Conditions: Conditions in detention are particularly troublesome in Uzbekistan. Once arrested, people often are denied access to a lawyer or held incommunicado for weeks or months. Many of those imprisoned for charges related to religion are treated particularly harshly, with torture allegedly used to force people to renounce their beliefs. Particularly since the 2005 Andijon events, it is difficult to verify independently Uzbek government claims that it is discouraging torture and improving prison conditions.

Restrictions on Muslims: The government controls Islamic institutions and prohibits the independent practice of the faith. In the Ferghana Valley, the country's most active religious region, the government has confiscated a number of mosques in recent years. The government also has prohibited children from attending mosques. The government controlled Muslim Spiritual Board oversees the training, appointments, and dismissals of Muslim leaders, the content of imams' sermons, and the quantity and substance of published Islamic materials. Despite these efforts, the country's registered official mosques reportedly are very full.

Charges against Non-Muslims: Uzbekistan frequently brands Protestants and Jehovah's Witnesses as "extremists" for practicing religion outside state-sanctioned structures. They face ongoing harassment, detention, and arrest for "illegal religious activity" such as holding private prayer meetings. Authorities raided several meetings of registered and unregistered Christian and Baha'i groups during 2010 and 2011. The state-controlled media also has encouraged prejudice against certain minority religious groups, particularly Protestants, Baha'is, and Jehovah's Witnesses and has equated missionaries with religious extremists.

Restrictions on Religious Literature: The Council on Religious Affairs (CRA) approves all religious literature. Under the religion law, importing, storing, producing, or distributing unapproved religious materials is prohibited. Only eight registered religious organizations have the legal right to publish, import, and distribute religious literature. Religious education is severely restricted, with only six registered religious communities having the eight regional branches necessary to be permitted to engage in religious education. Moreover, religious instruction is limited to officially-sanctioned religious schools and state-approved instructors; private instruction is prohibited. The government also restricts international travel for religious purposes, including denying exit visas to members of religious minorities.

RECOMMENDATIONS FOR U.S. POLICY

There is concern that U.S. policy on Uzbekistan emphasizes that nation's strategic importance as a key part of the Northern Distribution Network (NDN), a supply route for U.S. and NATO forces in Afghanistan, rather than human rights and freedom of religion or belief. Since 2003, under the FREEDOM Support Act, 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 has been withheld due to a lack of progress on democratic reforms. In 2008, Congress blocked Uzbek government officials from entering the United States if they are deemed to have been responsible for the events in Andijon or other human rights violations, and in 2010, permitted expanded International Military Education and Training (IMET) programs for Uzbekistan, consisting of courses stressing civil-military relations and military justice. In addition to continuing to designate Uzbekistan as a CPC, the U.S. Government should:

- Lift the CPC waiver that has been in place since January 2009 and impose sanctions, including a ban on visits to the U.S. by high-level Uzbek officials;
- Ensure that U.S. statements and actions are coordinated across agencies so that U.S. concerns about human rights conditions are reflected in its public and private arrangements with the Uzbek government;
- Make 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;
- Work with other governments to urge the UN Human Rights Council to reverse its decision ending human rights scrutiny of Uzbekistan and address its human rights status through a special resolution;
- Press the Uzbek government to revise its 1998 religion law to bring it in accord with international standards; and
- Urge the Uzbek government to permit an independent international investigation into the 2005 Andijon events.

Please see USCIRF's 2011 Annual Report for a more extensive review and recommendations on Uzbekistan.□