



UNITED STATES COMMISSION *on* INTERNATIONAL RELIGIOUS FREEDOM

COUNTRY UPDATE: UZBEKISTAN

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USCIRF's Mission

To advance international freedom of religion or belief, by independently assessing and unflinchingly confronting threats to this fundamental right.

Assessing Religious Freedom in Uzbekistan

Updates from USCIRF's Visits to Tashkent, Samarqand, Bukhara, and Fergana

By Keely Bakken, Policy Analyst



The Kalyan Minaret in Bukhara.

Overview

In December 2018, the State Department announced its decision to remove Uzbekistan from the list of designated Countries of Particular Concern (CPC) under the International Religious Freedom Act of 1998 (IRFA) and place the country instead on the relatively new [Special Watch List](#) for those governments that have engaged in or tolerated “severe religious freedom violations.” The move marked an important shift; for Uzbekistan, it was the first year since 2006 that the State Department had not designated the country as one of the world’s most egregious violators of religious freedom. Also notable, this was only the second time in the history of IRFA that the State Department had removed a CPC designation due to diplomatic activity. However, in April 2019, the U.S. Commission on International Religious Freedom



(USCIRF) recommended in its [2019 Annual Report](#) that the State Department redesignate Uzbekistan as a CPC. The government of Uzbekistan has taken a number of welcome steps to improve religious freedom conditions in the country. Such steps include removing thousands of individuals from [religious extremism “blacklists,”](#) releasing some religious prisoners or reducing their prison sentences, largely ceasing raids on religious communities, and pledging to rewrite the restrictive 1998 Law on Freedom of Conscience and Religious Organizations that regulates and controls all religious activity. Nonetheless, serious concerns continue. As many as 5,000 individuals remain incarcerated for the peaceful practice of their religion or beliefs, in a prison system that still generates credible [allegations of torture](#). The government’s August 2019 announcement to close the notorious Jasliq Prison was also a positive step, which USCIRF had recommended most recently in its [2019 Annual Report](#). However, the government of Uzbekistan has yet to review and reopen the cases of prisoners charged on vague or spurious allegations of “religious extremism” or permit greater transparency into Uzbekistan’s infamous penitentiary system as a whole.

USCIRF traveled to Uzbekistan in May and September 2019 to meet with government officials, civil society and human rights activists, and representatives of various religious communities to discuss ongoing reform efforts and the persistent challenges individuals and communities continue to face. Although USCIRF was encouraged by widespread reports from a variety of interlocutors that religious freedom conditions had improved considerably in the last two to three years, the

Commission remains concerned that the government of Uzbekistan nevertheless continues to unduly interfere in—or, in some cases, outright prohibit—the religious practices of both majority and minority religious communities in Uzbekistan.

Unconfirmed Number of Religious Prisoners

Under the dictatorship of the late Islam Karimov, the government notoriously pursued and imprisoned [thousands of mainly observant Muslims](#) on overly broad charges of “religious extremism.” Although anecdotal reports indicate that the new administration of President Shavkat Mirziyoyev has released some religious and political prisoners, it is difficult to ascertain exactly how many individuals have been released or still remain imprisoned under such charges. Yet, local and international human rights groups contend that thousands of individuals remain behind bars on dubious convictions for “religious extremism” or “membership in a banned religious group.” Most recent estimates place the current number of religious prisoners between 1,500 and 5,000 individuals, although the government largely denies that there are any prisoners in jail in connection with their religious activities or beliefs.



Vice Chair Nadine Maenza (r) with Flora Avakian (l), mother of religious prisoner Aramais Avakian, in Tashkent.

USCIRF had the opportunity in September to meet with former religious prisoners and the family members of current religious prisoners, many of whom were covered in USCIRF's [2019 Annual Report](#). One such meeting was with the mother of Aramais Avakian, an ethnic Armenian Christian imprisoned on spurious charges of attempting to overthrow the constitutional order and participating in an illegal religious organization, concocted by local government authorities as a means to seize Avakian's [successful fish farms](#). Government officials recently attempted to pressure Avakian in prison to request a presidential pardon, which Avakian has reportedly refused. To obtain a pardon, the requester must affirm his or her guilt, leaving no means for the pardoned individual to continue to contest or seek to vacate criminal convictions. Avakian maintains his innocence of any crime.

Similarly, human rights activist Ahmadjon Madumarov and his family have been targeted in retaliation for his activism and human rights work. At various times spanning from the late 1990s to early 2000s, authorities imprisoned five members of his family under religious extremism charges tied to alleged membership in Hizb ut-Tahrir, an Islamist organization banned in Uzbekistan. Madumarov, however, denies that his family has ever had any connection to the organization and believes that security services planted Hizb ut-Tahrir publications on his family members in order to incriminate them. Both his son, Habibullah Madumarov, and nephew, Abdulahad Madumarov, remain in prison.

While the Mirziyoyev administration appears to have ceased the mass detentions and arrests that characterized the previous government, activists assert that people

are still charged under the Criminal Code's ambiguous Articles 216 and 244, which criminalize the "illegal establishment ... of illegal public associations or religious organizations," the "production or keeping with the purpose of disseminating materials that contain ideas of religious extremism, separatism, or fundamentalism," and the "establishment, direction of or participation in religious extremist, separatist, fundamentalist or other banned organizations." Sources also reported to USCIRF that labor migrants returning to Uzbekistan from Russia are frequently detained at airports and subjected to unauthorized searches of their phones and other electronics for religious materials.

Restrictions on Muslim Communities

Some of the most significant problems continue to affect Uzbekistan's various Muslim communities. Sunni Muslims expressed concerns that while the new government initially made meaningful strides toward allowing greater religious freedom, recent trends have started to move in the opposite direction—particularly concerning Muslims' ability to express their religious beliefs by wearing hijabs or having beards. In August 2019, immediately prior to USCIRF's September visit, authorities forced around 100 men to shave their beards in a Tashkent market due to alleged "security concerns." According to local law enforcement officials, individuals' appearances must match that of their biometric passports—that is, by being clean-shaven—for identification purposes by smart cameras. That justification is particularly concerning in light of the repressive use of similar [technology against Uyghur Muslims and others in China](#). In September 2019, a second incident of forced beard-shaving also took place in Namangan, raising fears that the government may be embarking on a campaign against beards across the country.

Similar concerns have also surrounded the issue of women and girls' ability to wear the hijab. The government's position on the matter, and the subsequent ways in which discrimination against visibly observant Muslim women have manifested, have been specific and generally uniform. In most such cases, authorities claim that there are no restrictions on the "headscarf," referring only to the *ro'mol*, a scarf tied behind the neck that is considered culturally traditional to the region, as opposed to the hijab, which officials largely oppose and have even [denied](#) exists in Uzbekistan. Schools and other educational institutions have enforced a government-introduced dress code that prohibits students from

wearing any religious clothing or symbols, including hijabs, yarmulkes, and crosses. In September 2018, an unclear number of female students were expelled from the International Islamic Academy in Tashkent for refusing to remove their hijabs. In May, USCIRF met with 19-year-old Luiza Muminjonova, one of the expelled students, who at the time was attempting to bring her case to Uzbekistan's Supreme Court. The following month, the Supreme Court decided not to take up her case and dismissed it. Moreover, some government officials have had no qualms about promoting such discrimination, such as Fergana regional governor Shuhrat Ganiev who in September 2019 warned his subordinates against admitting women in hijabs to their meetings, and *threatened* to “take the scarf and shove it in their mouths” should he see it. There also have been *reports* of local officials compiling lists of schoolgirls who wear the hijab, for monitoring purposes.



USCIRF Policy Analysts Jason Morton (l) and Keely Bakken (c) with Luiza Muminjonova (r).

Muslim communities that met with USCIRF believe that the Uzbek government continues to approach religious affairs through a securitized perspective, and they were wary of the recent appointment of an individual from the security services as the new chair of the Committee on Religious Affairs. Similarly, they asserted that many members of the Sunni Muslim community view the Muslim Board of Uzbekistan (MBU) as illegitimate, and would like communities to be able to choose their own religious leaders instead of the MBU making the choice for them. According to one activist who spoke with USCIRF, high-level government officials in September 2019 summoned imams from across the country to Tashkent, where they were instructed to only discuss general themes of “moral living” in Friday prayers and to

avoid overtly religious issues. They were also reportedly told not to hold religious meetings outside of mosques, grow or encourage the growing of beards, or promote or defend the wearing of headscarves for women or religious caps for men.

The Shi'a Muslim population in Uzbekistan, concentrated primarily in the cities of Bukhara and Samarqand, also continues to experience difficulty despite the relative opening in the country's religious space. They maintain four functioning mosques between both cities, out of a total of 15 that used to operate. According to USCIRF interlocutors, the non-functioning mosques are now used in other, non-religious capacities, such as for storage or business purposes. In one instance, a Shi'a Muslim community started a petition to reopen one of the mosques, but reportedly discontinued its efforts following a visit from the Ministry of Internal Affairs. Shi'a Muslims shared that they continue to have no means to educate their children according to their own beliefs, and are denied access to Shi'a Muslim literature in Russian. (Although some materials are available in Arabic and Persian, few in that community know either language.) USCIRF's interlocutors expressed fear that these restrictions will lead the Shi'a Muslim population in Uzbekistan to shrink and eventually disappear.

Mandatory Registration and Prohibitions

The government of Uzbekistan has yet to fulfill its pledge to rewrite the 1998 Law on Freedom of Conscience and Religious Organizations, which continues to extensively regulate and control all religious activity in the country. That law requires religious communities to register with the government and criminalizes any unregistered religious activity. The United Nations (UN) Special Rapporteur on freedom of religion or belief has *stated* specifically in regard to Uzbekistan that registration “should be an optional offer by the State ... [and] not a mandatory legal requirement to practice or manifest one's religion or belief. In this context, the situation of non-registered religious communities is a litmus test of the normative status of freedom of religion or belief in a country.”

Current registration requirements are particularly onerous, requiring religious communities to provide the names and personal information of at least 100 adult founding members in order to register. The government has proposed lowering this number to 50 and in the last year has registered some religious communities in accordance with this lower, although still burdensome,

figure. Nevertheless, it continues to refuse to address the role in the registration process of the *mahalla*, or local community, which has had discriminatory effects on the ability of non-Muslim religious minorities to register. As part of a religious community's application to register, it must first secure a letter of approval from the *mahalla*, which can deny approval for any or no reason. In 2018, for example, Jehovah's Witnesses sought the approval of seven *mahalla* committees for registration but were rejected by each. Some of those *mahallas* cited their disapproval of the group, claimed that the presence of an ethnic Korean Protestant church in the area precluded the need for Jehovah's Witnesses to register, or said that the presence of Jehovah's Witnesses would lead to divisions and conflicts in their community. Protestant representatives similarly reported that numerous small communities remained unable to register due to either the opposition of the *mahalla* or other local officials.



The Sacred Heart Cathedral, a Roman Catholic church in Tashkent.

Although many of the laws regulating and controlling religious activity remain in place, religious communities cited the cessation of police raids on their communities as a meaningful and significant positive development. In December 2018, President Mirziyoyev reportedly banned the secret service and law enforcement from conducting raids on religious communities. Since this directive, there have reportedly been only two such [raids](#) on Christian communities—a precipitous drop compared to previous years.

Finally, the government still maintains strict regulations on the import, export, production, and dissemination of religious literature, and it prohibits proselytism, missionary activity, and the private teaching of religion. Government officials told USCIRF that there were

no plans to remove current restrictions on religious literature, as they are necessary in order to screen for “unlawful propaganda.” Some Christian communities also reported a de facto ban on the use of the Uzbek language in Christian services and religious materials, claiming that it could be construed as missionary activity, even though the Bible has been publicly available in Uzbek since 2017. In regard to the prohibition on the private teaching of religion, one government official told USCIRF that individuals essentially have three choices: they can learn the basic tenets of their religion from their parents (such as how to pray), enroll in a state-approved religious institution of higher learning, or educate themselves. Pursuing any other means of religious education, such as through private mentoring, however, remains prohibited and is likely to remain as such indefinitely.

Conclusion

Although Uzbekistan has taken some initial and noteworthy steps, and it has commendably engaged the United States and other international partners in its efforts to reform the space for freedom of religion or belief, its government has yet to bring its laws and practices into full compliance with international standards. The government should continue to implement the [recommendations](#) of the UN Special Rapporteur on freedom of religion or belief to ensure that religious freedom becomes a reality for all of its citizens, including by:

- 1) revising the 1998 Law on Freedom of Conscience and Religious Organizations, the Criminal Code, and the Administrative Code to be consistent with international standards;
- 2) making registration optional; and
- 3) reviewing the cases of individuals imprisoned for “religious extremism” or “membership in a banned religious group.”

In December 2019, the State Department announced that it had [renewed](#) Uzbekistan's placement on the Special Watch List. In early 2020, USCIRF will review the status of religious freedom in Uzbekistan in 2019 to determine the country's placement in USCIRF's 2020 Annual Report.

For more information about religious freedom conditions in Uzbekistan and USCIRF's recommendations to the U.S. government, see the Commission's [2019 Annual Report](#).



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The U.S. Commission on International Religious Freedom (USCIRF) is an independent, bipartisan federal government entity established by the U.S. Congress to monitor, analyze, and report on threats to religious freedom abroad. USCIRF makes foreign policy recommendations to the President, the Secretary of State, and Congress intended to deter religious persecution and promote freedom of religion and belief.

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