

UZBEKISTAN

Since gaining independence in 1991, the government of Uzbekistan, headed by President Islam Karimov, has systematically and egregiously violated religious freedom and other human rights. The government harshly penalizes independent religious activity. USCIRF continues to recommend in 2012 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, in 2009 it has pursued a de facto policy of indefinitely waving any punitive action resulting from this designation.

Background

Uzbekistan’s 1998 Law on Freedom of Conscience and Religious Organizations severely limits the rights of all religious communities and facilitates Uzbek government 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 impossible standard for most minority religious groups. In November 2010, President Karimov announced a new administrative code as part of the “liberalization” of the judicial-legal system; 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 severely 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, an estimated 5,000 Muslims who rejected the state’s control over religious practice. The government claims that many of the detainees are associated with extremist groups that it broadly labels “Wahhabi” or, more recently, “jihadists.” Authorities use the terms 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 2005 Andijon Protest and its Aftermath: Following 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 some of them from prison, and held 20 officials hostage. A few days later, when several thousand mostly-unarmed civilians gathered to protest the sentences of the 23 businessmen, Uzbek armed forces fired without warning into the crowd. Fatality counts range from an official Uzbek total of 187 to more than 700 (according to the OSCE). Conditions for human rights, including religious freedom, further declined as a result of these events. There was a sharp increase of official repression against independent Muslims. Even relatives of human rights defenders have been beaten and imprisoned on fabricated criminal charges in an effort to find those connected to the Andijon events.

Detention Conditions: Conditions in detention are particularly troubling in Uzbekistan. Authorities often deny detainees access to a lawyer or hold them incommunicado for weeks or months. Many of those imprisoned on charges related to religion allegedly are subjected to torture to force them to renounce their beliefs. Many prisoners are re-sentenced shortly before their terms are scheduled to end. Particularly since 2005, it is difficult to verify independently Uzbek government claims that it is discouraging torture and improving prison conditions. In addition, the government has taken official steps to discourage the independent legal defense of human rights activists and religious prisoners.

Restrictions on Muslims: The Uzbek government tightly controls Islamic institutions and prohibits the independent practice of that faith. In the Ferghana Valley, the country’s religiously most active region, the government has confiscated several mosques and prohibited children from attending them. The government-controlled Muslim Spiritual Board

oversees the training, appointments, and dismissals of imams, and censors the content of sermons and Islamic materials. However, despite these efforts, the country's registered official mosques reportedly are full. In February 2012, a leading independent Uzbek imam who had received political asylum in Sweden was the subject of an attempted assassination.

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

Restrictions on Religious Materials: The Council on Religious Affairs (CRA) censors all religious materials. The religion law prohibits the importing, storing, producing, and distributing of unapproved religious materials. The government maintains an extensive list of banned international websites, particularly those that focus on human rights and religious freedom issues.

Restrictions on Religious Instructions: The government severely restricts religious education. Only six registered religious communities have the eight legally-required regional branches, so that they may legally engage in religious education. Moreover, religious instruction is limited to officially-sanctioned religious schools and state-approved instructors: private instruction is prohibited and punished. The government also restricts international travel for religious purposes and maintains an extensive black list of those banned from such travel.

Recommendations for U.S. Policy

There is concern that U.S. policy on Uzbekistan prioritizes 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. Under the 2003 FREEDOM Support Act, Congress prohibited U.S. assistance to the Uzbek central government unless the Secretary of State certifies 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 those issues. In 2008, Congress blocked Uzbek government officials from entering the United States if they were deemed responsible for the May 2005 Andijon tragedy or other human rights violations. In 2010, Congress permitted expanded International Military Education and Training (IMET) programs on civilian-military relations and military justice. In addition to continuing to designate Uzbekistan as a CPC, the U.S. government should:

- Lift the CPC waiver, 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 are reflected in its public statements 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 line with international standards; and
- Urge the Uzbek government to permit an independent international investigation into the 2005 Andijon events.