

UZBEKISTAN

U.S. Commission on International Religious Freedom: 2013 Annual Report

Bottom Line: The Uzbek government continues to repress religious freedom through a restrictive religion law facilitating state control over all religious communities, particularly the majority Muslim community. It imprisons individuals who do not conform to officially-prescribed practices or who it claims are extremist, including as many as 5,000 to 10,000 Muslims.

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 2013 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, particularly of the majority Muslim community. While the law has 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 only allows clerics to wear religious clothing in public. Many religious groups are unable to meet registration requirements, which include a presence in eight of the 13 provinces. In 2010, President Karimov announced a new more “liberal” administrative code, but human rights groups note that past amendments have raised penalties and new punishments for religious activity.

Religious Freedom Conditions

Uzbekistan violates religious freedom and severely penalizes individuals for independent religious activity, regardless of religious affiliation. The Uzbek government continues to arrest Muslims and repress individuals, groups, and mosques that do not conform to officially prescribed practices or for alleged association with extremist political programs. Up to 10,000 Muslims, many of whom reportedly are denied due process and subjected to torture, are imprisoned or in psychiatric hospitals. While Uzbekistan faces security threats from groups using violence in the name of religion, the government’s approach has led to the arbitrary use 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 possible 20-year terms, estimates of up to 10,000 Muslims who reject state control over religious practice. The government claims that many detainees are associated with extremist groups that it broadly labels “Wahhabi” or, more recently, “jihadists.” Authorities use these terms for a range of Muslim individuals or groups, including genuine extremists, political opponents, those with foreign education, and others.

The 2005 Andijon Protest and its Aftermath: In May 2005, the Uzbek government violently repressed largely peaceful protests in Andijon over the trial of 23 businessmen for their alleged membership in *Akromiya*. The Uzbek response killed as many as 1,000 civilians; after the crackdown, the Uzbek government ramped up its efforts against independent Muslims, human rights activists, journalists, and others suspected of involvement in the protests. According to the Uzbek human rights group, Andijon-Justice and Revival, 10 prisoners have died of the 241 imprisoned in connection with the Andijon events. The Uzbek government continues to prosecute persons it deems to have a connection to, or information about, these events, and has pressured other countries to return Uzbek refugees who fled after Andijon, including those under UNHCR protection.

Detention Conditions: The Uzbek human rights group *Ezgulik* documented in 2011 the alleged torture of female detainees, including many imprisoned due to their religious beliefs. Despite Uzbek government promises, torture remains endemic in prisons, pretrial facilities, and local police and security service precincts, and reportedly includes the threat or use of physical violence, rape, the use of gas masks to block victims' air supply, and the use of extremely cold cells. Torture allegedly is used to force adults and children to renounce their religious beliefs or to implicate themselves or others. Convictions are almost entirely based on confessions, which are often gained by torture. In June 2012, the UN Committee against Torture (CAT) found that it had been "sufficiently established" that Uzbekistan has a "pattern of gross, flagrant or mass violations of human rights and [a] significant risk of torture or other cruel, inhuman or degrading treatment ... in particular for individuals practicing their faith outside of the official framework."

After the reporting period, the International Committee for the Red Cross announced it had to halt its work in Uzbekistan due to lack of official cooperation.

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. USCIRF received reports of 37 individuals being targeted for police raids for possessing "illegal" religious literature in 2012-2013.

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. 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 January 2012, the State Department certified on national security grounds that military aid to Uzbekistan should resume, temporarily lifting the ban on military aid, including training border troops and possibly providing military supplies. The ban was lifted despite the State Department's human rights assessment, including severe limits on religious freedom, persistent torture, and no independent probe into the 2005 Andijon events. 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.

Please see USCIRF's 2013 Annual Report for a more extensive review and recommendations on Uzbekistan.