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Restrictions remain in draft new Religion Law

The draft new Religion Law now in Parliament would, in defiance of Uzbekistan's international human rights commitments, continue to ban all exercise of freedom of religion without state permission, ban teaching about religion without state permission, continue the compulsory prior censorship of all materials about religion and ban sharing of faith. "There's not much difference between the draft Law and the current Law," commented human rights defender Bahodyr Eliboyev.

By Mushfig Bayram & Felix Corley

Forum 18 (24.08.2020) - <https://bit.ly/2EFW19G> - Uzbekistan's draft new Religion Law – which officials have promised for several years - maintains many of the restrictions in the current Religion Law, Forum 18 notes. In defiance of Uzbekistan's international human rights commitments, it would – if adopted in its current form - continue to ban all exercise of freedom of religion without state permission, ban teaching about religion without state permission, continue the compulsory prior censorship of all printed and electronic materials about religion and ban sharing of faith.

Although the draft Law would reduce the number of adult citizens required to apply for a community to be allowed to exist from the current 100 to 50, it would retain the burdensome registration process, as well as most of the web of restrictions. Registered religious organisations would still need to inform the authorities of any non-worship events they plan to hold away from their registered premises (see below).

"There's not much difference between the draft Law and the current Law," Bahodyr Eliboyev, an independent human rights defender from Fergana Region and critic of the draft Law, told Forum 18.

"The State must not be afraid of giving full religious freedoms," insists Abduvohid Yakubov, an independent rights defender from Tashkent who is also critical of the draft Law.

"These are natural rights of each citizen from birth," Yakubov told Forum 18. "The Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights talk about this clearly. As the United Nations Special Rapporteur on Freedom of Religion or Belief, Ahmed Shaheed, declared during his visit to Uzbekistan in 2017, religious freedoms must not be limited and unlawful limitations on religious freedoms must be banned."

The regime has announced no proposed changes to the Criminal and Administrative Code punishments for exercising freedom of religion or belief (see below).

The draft text of the new Religion Law was made public on the parliamentary website in Uzbek and Russian on 19 August "for public discussion". The website gives a parliamentary email address for those wishing to submit comments. However, it gave no deadline for when comments need to be submitted by.

The parliamentary website noted the same day that the draft Law had reached the Legislative Chamber of parliament, the Oliy Majlis.

The draft Religion Law "seeks to regulate the relationship between state bodies and religious organisations to ensure the right of everyone to freedom of conscience, equality of citizens regardless of religion, and inter-ethnic and inter-religious harmony in society", the website claimed.

It remains unclear if assessing any comments from the public and initial consideration of the draft Law will be in the hands of the Legislative Chamber's Committee on Democratic Institutions, Non-Governmental Organisations and Citizens' Self-Government Bodies. This Committee is chaired by Shukhrat Bafayev.

Contradicting Uzbekistan's UPR pledges

Uzbekistan announced in April 2020 its candidacy for membership from 2021 of the United Nations Human Rights Council, which oversees the Universal Periodic Review of all UN member states' human rights record. However, many provisions of the current and the draft new Religion Law, as well as numerous other laws, contradict Uzbekistan's pledges during its last UPR in 2018.

Among UPR recommendations the Uzbek delegation supported but which have not been fully fulfilled were two from Ghana, to "ensure that the right to manifest one's religion in private or in public is fully protected and realized"; and "Consider removing burdensome and oppressive registration requirements, and rescind intrusive government practices, including monitoring and raiding, which infringe on the right to freedom of religion or belief".

Uzbekistan also supported a recommendation from Canada: "Revise provisions in the country's criminal and administrative codes relating to freedom of religion or belief, so as to conform with article 18 of the International Covenant on Civil and Political Rights." This too has not been fulfilled.

Long delay

Senior government officials have claimed over many years that a new Religion Law will be adopted to replace the current Law, which mostly dates back to 1998.

On 17 September 2018, Sadyk Safoyev, the first deputy chair of the Senate, the upper chamber of parliament, announced that the Justice Ministry had prepared a draft new Religion Law, which was being discussed with "foreign specialists". He did not explain why the text had not been published in Uzbekistan for public discussion.

Officials gave the only previously-known draft to a small number of people approved by the government in May 2019. This text contained many of the restrictions on the exercise of freedom of religion or belief that remain in the August 2020 public draft.

On 20 August 2020, the day after parliament had announced it, the Justice Ministry too announced the new draft on its website. It noted that "experts, specialists and all citizens can present their proposals" about the draft Law.

"The draft Law was prepared by the Justice Ministry together with interested Ministries and Agencies with the aim of fulfilling the Decree of the President of Uzbekistan of 22 June 2020," the Justice Ministry said.

The June 2020 Decree outlines a human rights "Road Map". It gives a date for the Religion Law of 1 October 2020, but does not explain if this is the date by which the Justice Ministry is to produce a draft or if Parliament is to approve it.

The Justice Ministry claimed that in preparing the draft, "the norms of international law, the experience of developed Western countries in the given sphere were studied, analysed and used, while the views of international experts were also taken into account".

Officials stated during a meeting in the Oliy Mejlis building on 20 May that they expected the new Religion Law to be adopted by the end of 2020.

State control over exercise of freedom of religion or belief to continue

Despite provisions in Article 5 and Article 9 of the August 2020 draft Law that religion is separate from the state, human rights defenders and religious communities complain about the proposed continued role for the state to restrict and interfere in the exercise of freedom of religion or belief.

"Article 9 of the Draft Law declares the principle of separation of religion and State on the basis of mutual non-interference in the affairs of each other," Bahodiyr Eliboyev, an independent rights defender from Fergana Region, told Forum 18 on 21 August. "Even the title of the Article sounds ridiculous. How can the State regulate the activity of religious organisations if it is separated from religion?"

Abduvohid Yakubov, an independent rights defender from Tashkent, expressed similar concern about the proposed continuing role for state officials. "The Religious Affairs Committee is given so many responsibilities that there is no doubt that it will directly interfere in the affairs of religious communities," he told Forum 18 on 21 August.

The draft Law "lacks logical sense", says Yelena Urayeva of the independent human rights Alliance of Uzbekistan. "Under the Constitution, religion is separate from the State, yet religious communities must be registered by the State organs. They are bound to the State by having to register, by paying taxes, and by the possibility of being liquidated by the State under this Law," she told Forum 18 on 21 August.

Religion Law part of web of state controls

While the Religion Law is the main legal text setting out the state's control over the exercise of freedom of religion or belief, it is by no means the only one.

The Criminal and Administrative Codes include numerous provisions punishing the exercise of freedom of religion or belief.

Other laws which remain in force also include restrictions. The 2014 Law on Prevention of Violations of the Law gives wide-ranging powers to state bodies, including committees which run mahallas [local districts], as well as non-state and non-commercial public organisations and ordinary citizens. The Law requires individuals punished for exercising freedom of religion or belief to be placed on the Preventive Register and be subjected to close control.

This 2014 Law also gives mahalla committees wide powers in co-operation with the police. These include the requirement to "take measures to prevent the activity of unregistered religious organisations, ensure observance of rights of citizens to religious freedoms, not allow forced propagation of religious views, consider other questions related to observance of the Religion Law".

While the August 2020 draft Law makes no mention of any role for mahalla committees in restricting freedom of religion or belief in their local districts (unlike in the current Law), the 2014 Law on Prevention of Violations of the Law still requires them to do so.

In addition to Laws are regulations which set out the details of registration applications or the censorship procedures for all religious materials.

Alongside published legal texts, official attitudes also play an important role in restricting the exercise of freedom of religion or belief. After years of autocratic rule in Uzbekistan, police and secret police officers, prosecutors, courts and other officials and state bodies are used to denying individuals' rights, including to freedom of religion or belief.

Suspicion of exercise of freedom of religion or belief remains

The August 2020 draft new Religion Law – like the current 1998 Law - is framed with a deep suspicion of the exercise of freedom of religion or belief, alongside the unspoken assumption that exercise of the right needs to be controlled.

Such an approach is evident in the definitions in Article 3 of "missionary activity", "proselytism" and "illegal religious activity". Article 11 bans "any forms of missionary activity and proselytism capable of destroying inter-religious accord and religious tolerance in society" (see below).

Article 10 describes one of the state's aims in enacting policy on religion: "to counter the implanting and spread of various religious ideas and views threatening public order, health and the morals of individuals".

Article 11 also bans, among other things, "the use of religion with the aim of violent change to the constitutional order, violation of territorial integrity, Uzbekistan's sovereignty, the denigration of the Constitutional rights and freedoms of citizens, propaganda of war and national, racial, ethnic or religious hatred, causing harm to the health and morals of citizens, violation of civil accord, the spread of slanderous fabrications destabilising the situation, the creation of panic among the population and the carrying out of other actions directed at the person, society and the state".

The Article also bans use of religious organisations for criminal or mercenary aims.

Article 13 bans registered religious organisations from "carrying out forcible financial collections and levies on believers, as well as conducting other measures harming the honour and worth of the individual".

It remains unclear why these explicit bans are included in the draft Religion Law when these bans are already included in laws of general applicability which cover such actions by anyone.

Exercise of religious freedom without state permission still to be banned

Article 3 of the August 2020 draft, which defines concepts in the proposed Law, identifies "illegal religious activity" as "the carrying out of activity by religious organisations without undergoing registration under the established procedure or outside the territory of [their legally allowed] activity, and the undertaking of educational activity on a private basis".

Drawing on this definition, Article 11 of the draft declares that "illegal religious activity" is not allowed.

Council of Churches Baptists – who refuse on principle to seek state permission to exercise freedom of religion or belief and have been frequently raided and punished for meeting for worship – told Forum 18 on 24 August that the proposed new Law fails to respect their internationally-recognised right to exercise freedom of religion or belief without state permission.

Exercise of freedom of religion or belief at home still to be limited

Article 13 of the August 2020 draft specifies where registered religious communities are allowed to conduct "religious rites and ceremonies". These include in registered places of worship, places of pilgrimage, cemeteries and "in cases of ritual necessity" in homes at individuals' request.

This provision – which repeats the wording of the current Religion Law - appears to ban individuals from organising meetings for worship or other religious activity in their own homes.

Religious teaching without state permission still to be banned

Article 3 of the August 2020 draft, which defines concepts in the proposed Law, identifies "illegal religious activity" as including "the undertaking of educational activity on a private basis".

Drawing on this definition, Article 11 of the draft declares a ban on "the teaching of religious beliefs on a private basis, with the exception of education in the basics of religious practice and the ethics of behaviour given to their own children by parents and those in their place".

Article 3 defines a "religious educational establishment" as "an institution created by a central organ of administration [registered centralised religious organisation] to prepare clergy and necessary religious personnel, belonging to a particular confession".

Article 34 states that only centralised religious organisations registered by the Justice Ministry can establish religious educational establishments. Before applying to register such institutions, a centralised religious organisation needs an approval letter from the Religious Affairs Committee.

Article 19 allows religious educational establishments to function only after the Justice Ministry has registered them and the Religious Affairs Committee has given them a state licence. Only adults would be allowed to study in such institutions. Everyone teaching a religious subject in such institutions "must have professional religious education".

This means that religious communities which have been unable to register centralised religious organisations, or do not have communities in at least 8 of the country's 14 regions making them ineligible to apply, cannot try to register a religious educational establishment. Nor could several communities of different religious communities set up a joint religious educational establishment.

Nor, it seems, could a religious educational establishment offer education to individuals who want to learn more about their own or other faiths without this leading to a specific role in that registered religious community.

Human rights defender Yakubov calls for all religious organisations to be allowed to offer religious education, not only those which have been able to gain state recognition as "centralised religious organisations".

Article 15 hands to the regime's Religious Affairs Committee the organisation of local people going to study in religious educational establishments abroad, and people coming from abroad to study in religious educational establishments in Uzbekistan.

Human rights defender Yakubov calls for this Religious Affairs Committee role to be abolished.

Sharing faith still to be banned

Article 3 of the August 2020 draft, which defines concepts in the proposed Law, identifies "missionary activity" as "activity for spreading religious teaching and the implanting of religious views of an individual religious association by means of the purposeful deployment of ideological pressure on an individual (or group of individuals) with the aim of their turning to membership of the given association".

Article 3 then defines "proselytism" as "one of the forms of missionary activity by religious organisations having as the goal the turning of representatives of other religions to their own religion".

Drawing on these definitions, Article 11 of the draft declares a ban on "any forms of missionary activity and proselytism capable of destroying inter-religious accord and religious tolerance in society".

Religious censorship to continue

The August 2020 draft continues the prior, compulsory state censorship of all "materials of religious content". Article 3 defines these as all printed and electronic materials, including on the internet, as well as signs and symbols, "expressing the dogmatic bases, history and ideology of the teaching and commentary on it, the practice of rituals of different religious faiths, as well as an evaluation from a religious position of individual personalities, historical facts and events".

Article 14 declares that the Cabinet of Ministers sets out the procedure for individuals and legal entities to be allowed to produce, import or distribute materials about religion.

"Production, import or distribution of materials of religious content on the territory of the Republic of Uzbekistan is carried out after receiving a positive conclusion of a religious

studies expert analysis with the aim of suppressing in society ideas capable of destroying inter-religious accord and religious tolerance and calling for violence and outrages on a religious basis."

Article 15 identifies the regime's Religious Affairs Committee as the body that enforces this state censorship by conducting "expert analyses" of all materials on religion.

Restrictions on religious leaders to continue

Article 29 of the August 2020 draft declares: "The leader of a religious organisation can be an individual having appropriate religious education." However, having religious education appears to be a requirement for the leader of a registered religious organisation, not a choice.

Article 34 requires applications to register a centralised religious organisation or a local religious organisation to include "a document on the presence of religious education" of the leader.

The draft Law does not explain why religious leaders need state approval for their religious qualifications, nor define what level of religious education is sufficient to satisfy officials, nor whether it matters where this religious education was obtained.

Article 29 requires leaders of employees of a registered religious organisation to be accredited by the Justice Ministry. The current Law requires leadership candidates who are foreign citizens to be approved by the Religious Affairs Committee.

Burdensome registration approval to continue

Article 32 specifies that the Justice Ministry registers centralised religious organisations and religious educational establishments. Local Justice Departments in the 14 regions register local religious organisations.

However, applications for registration of any level of religious organisation require an approval letter from the Religious Affairs Committee. It remains unclear how the Committee decides whether to approve an application or not, nor what a community can do if the Committee refuses to give its approval.

Compulsory approval from the Religious Affairs Committee "must be removed", says human rights defender Yakubov. "The Committee has always abused its powers against religious communities and particularly mosques since 1998. It always created numerous obstacles in order not to register local mosques."

Yakubov noted that only about 2,000 mosques have been allowed across the country for a Muslim population he estimates at over 30 million. "Thousands of local mosques were closed down with the excuse that they had been built without the Committee's approval."

Yakubov pointed to Fergana Region, where he says "you can travel for tens of kilometres" with no mosque. "Scores of mosques are ready for registration but cannot get it because of the obstacles created by the Committee."

Another religious community which has faced numerous registration denials pointed to the Religious Affairs Committee's role in arbitrarily rejecting applications.

Local religious organisations also need to include a "letter of guarantee" from their regional Hokimat (administration) or, in the case of Karakalpakstan, its Council of Ministers, accompanied by "a conclusion on the appropriateness of the immovable

property of a religious organisation which it proposes to use as its postal address, with the demands of town-planning norms and the fire-safety rules and sanitary-hygienic norms".

Applications also need to include information about the organisation's founders, and the founding meeting, and – for centralised and local organisations – a document confirming that the leader has appropriate religious education (see above).

Enforced liquidation still to be possible

Officials will under Article 43 of the draft Law still be able to seek the liquidation of registered religious organisations, though now this must be done through the courts, not by the Justice Ministry or Justice Department as under the current Law.

Reasons for liquidating a registered religious organisation include "violating legislation by the religious organisation". A court can, at the request of the Prosecutor's Office or Justice Ministry or Justice Department, suspend a registered religious organisation for six months for "activities contradicting the aims in its statute" or failing to correct "violations" pointed out by these bodies.

Suspension or liquidation of a registered religious organisation means that any activity by members of such communities become illegal and punishable under the Criminal or Administrative Codes.

Independent mosques banned or not?

The August 2020 draft Law – like the current Law – contains no provisions that specifically ban Muslim communities outside the framework of the state-controlled Muslim Board (Muftiate) from seeking state registration. However, officials have always refused to register such communities without giving any valid reason why independent mosques or mosques of non-Muslim Board affiliation cannot exist.

The last provision of Article 30 – which specifies which documents must accompany registration applications – declares: "Statutes of religious organisations which have centralised organs of administration must be agreed by these organs."

Officials might interpret this provision in a way that prevents any mosque without the approval of the Muslim Board (or Orthodox church without the approval of the Russian Orthodox Church's Tashkent diocese) from seeking state registration.

Notification of off-site religious events still needed

Article 22 of the draft Law, which sets out obligations of registered religious organisations, requires them "to notify the [Religious Affairs] Committee on the conducting of events (conferences, seminars, training sessions, meetings, events, round table meetings, symposia, with the exception of events by religious organisations in the form of prayers, religious rites and rituals) for a timely decision by the organs of state power in the places of the organised events".

While maintaining the current requirement for notification of all aspects of proposed events away from a registered religious community's registered premises, the draft Law would contradict the requirement under a 1 June 2018 Justice Ministry Decree. This specifies notification to the Justice Ministry or local Justice Departments, not to the Religious Affairs Committee. No plans have been announced to amend or abolish the Decree.

At present, under the 2018 Decree, non-commercial organisations (including religious organisations) must inform the Ministry or the local Justice Department of plans to hold events such as seminars or conferences away from their registered premises. They must give 10 days' notice or – if any foreign citizens are involved – 20 days' notice.

A religious community the state allows to exist must give the reasons for any event, the address, date and time, how many people are due to attend, what type of people they are (students, women, children), sources of finance, and provide copies of any literature or audio-visual material that will be used at the event. Any foreign citizens attending have to be named, with information on their citizenship and date of birth.

The Decree says religious communities do not have to give such notice for "religious rituals", but they do if the events are of any other nature.

Justice Ministry officials can ban such events if religious communities fail to submit full information or if the proposed event is not in line with the law. If religious events go ahead without notifying the Justice Ministry or in defiance of a Justice Ministry ban, the organisers can face punishment.

"We hope that according to the new Law we will not be required to give advance notice of our meetings and spiritual exercises of our believers, including information about the participants and topics discussed," Bishop Jerzy Maculewicz, head of the Catholic Church in Uzbekistan, told Forum 18 in June 2020.

Religious Affairs Committee approval for building places of worship

Article 24 of the draft Law requires the Religious Affairs Committee to approve the granting of land for building to any registered religious organisation. Presumably, such permission would be required in addition to any permission on planning grounds from local administrations.

Human rights defender Yakubov describes this provision as "a mechanism for the Committee to control religious communities".

The current Religion Law requires such permission from the Cabinet of Ministers and regional administrations.

Minor restrictions eased

The August 2020 draft eases some of the restrictions in the current Law. Most notable is the reduction of the number of adult citizens living in one town or district needed to apply to register a local religious community from 100 to 50.

However, even with this number of founders, officials have many possibilities to find reasons to reject applications from communities they do not like, as frequently happens at present.

This also means that no community with fewer than 50 adult citizen members would be able to exercise freedom of religion or belief collectively.

The January 2009 OSCE ODIHR Comment on Kazakhstan's proposed Religion Law Amendments described a threshold of 50 members for a community to be able to gain legal entity status as "excessive".

Article 39 of the draft reduces the maximum time the Justice Ministry or regional Justice Departments are allowed to consider registration applications from three months in the current Law to one month.

Under Article 37, registered religious organisations must notify any changes to their postal address, bank details or ruling body to the Justice Ministry or regional Justice Departments electronically within one month. Under the current Law, such changes require the full re-registration of the organisation, with all the burdensome requirements this entails.

The draft does not continue the bizarre provision in Article 14 of the current Religion Law which bans people who are not registered clergy from appearing in public wearing religious clothes.

Electronic documentation

Article 51 of the draft Law notes that the registration process (which it describes as a "state service") is to be done online. Applications for registration are to be submitted electronically and registration certificates are held online in a registered religious community's online account.

However, although religious organisations seeking registration will have to submit documentation electronically, such documents will still be considered by officials. Whether they continue to use arbitrary criteria for rejecting applications from communities they do not like remains unclear.

The draft Law does not say if registered religious communities' compulsory annual reports on their activity to the Justice Ministry or regional Justice Departments are to be submitted electronically.

No mention of compulsory re-registration

The August 2020 draft makes no mention of whether or not religious communities that have state registration now will be required to re-register under the terms of the new Law. All registered religious communities were required to re-register the last time Uzbekistan adopted a new Religion Law in 1998.

After Religion Law changes in other countries – including Kazakhstan and Azerbaijan – registration of existing communities was annulled and re-registration for those which wished to retain legal status was compulsory. Many religious communities failed to get such re-registration. Such re-registration requirements are often set out in transitional measures at the end of new Laws.

Synagogue demolition threat now removed?

Tashkent's Jewish community is expecting on 10 August to receive a written court decision confirming that the building company aiming to destroy the Synagogue has withdrawn its suit. "Only then will it become clearer what will happen," a community member told Forum 18. Separately, officials including a Deputy Justice Minister have indicated that existing violations of human rights are likely to remain in a new Religion Law.

By Felix Corley

Forum 18 (07.08.2020) - <https://bit.ly/32oMkVu> - Tashkent's Ashkenazi Jewish community is expecting on 10 August to receive a written court decision confirming that the building company aiming to destroy their synagogue the capital Tashkent has withdrawn its suit. "The company withdrew the suit and the court did not consider it," a community member told Forum 18 after the 5 August hearing. "But the company could lodge it again at any time."

The Jewish community member said Tashkent's Inter-District Economic Court is due to hand down the written decision on Monday 10 August. "Only then will it become clearer what will happen."

In contrast to the caution of the Jewish community, the regime's Religious Affairs Committee late on 5 August claimed that Absolute Business Trade had decided to withdraw its suit. The Committee stated categorically that the Synagogue cannot now be destroyed (see below).

Meanwhile, a uniformed spokesperson for the Interior Ministry in Tashkent (which oversees the police) admitted in an online video on 1 August that no law bans "under age citizens and children" attending mosques. She said that they will be able to attend mosques after the coronavirus lockdown ends "in the company of fathers, brothers and other close relatives".

Places of worship have been closed since March because of the coronavirus pandemic.

The Interior Ministry spokesperson did not explain why over many years children and young people under 18 have been warned not to attend mosques and other places of worship, and in some places been prevented from doing so (see below).

Deputy Justice Minister Akbar Tashkulov insisted to Forum 18 on 6 August that the ban on "under age citizens and children" attending mosques has already been lifted. While admitting that the ban had been in force "in the past", he was unable to explain how officials could enforce a ban that was not enshrined in any law. He would not say if officials had exceeded their authority and should face punishment (see below).

Deputy Justice Minister Tashkulov said that the authorities will publish the draft of the long-promised new Religion Law "when we have finished working on it". "The text was sent to Parliament ages ago – in March or May – but it is still being agreed," he told Forum 18 from Tashkent. "The Presidential Administration and other agencies have still not agreed it. It is also still being agreed by experts."

Deputy Justice Minister Tashkulov refused to discuss specific provisions of the draft Law, though he said he has read the provisional text. But he indicated the ban on exercising freedom of religion or belief without state permission is set to remain. He was unable to explain why the regime thinks this is necessary (see below).

Dilshod Eshnayevev, a deputy chair of the regime's Religious Affairs Committee in Tashkent, refused to discuss any aspect of the proposed new Religion Law with Forum 18 (see below).

The assistant to Akmal Saidov, Head of the state-controlled National Human Rights Centre in Tashkent, told Forum 18 each time it called on 6 and 7 August that he was out of the office. The assistant – who did not give his name – insisted that a text of the draft Law exists, as he saw it at the beginning of 2020. He said the draft text is still being discussed with the Justice Ministry and the Religious Affairs Committee. "Observations are still being considered."

No official was prepared to explain why the regime is still not following the recommendations of the United Nations (UN) Special Rapporteur on Freedom of Religion or Belief, Ahmed Shaheed, following his October 2017 visit to Uzbekistan. He recommended (A/HRC/37/49/Add.2) that: "A new law on freedom of religion or belief should be fully compatible with article 18 of the International Covenant on Civil and Political Rights." Amongst the UN Special Rapporteur's other recommendations, he stated that: "The new draft law should be open to consultations and comments by the public, especially civil society, religious and belief communities and international partners, including the United Nations system" (see below).

Members of religious communities expressed their frustration to Forum 18 about the secrecy of the new Religion Law's drafting process, and the regime's apparent lack of willingness to end restrictions violating human rights obligations (see below)

Synagogue demolition threat lifted?

On 5 August, the lawyers for Absolute Business Trade which is seeking to build on the site that includes Tashkent's Ashkenazi Synagogue withdrew their suit against the Jewish community from court. The community has documentation proving its ownership since 1973.

On 11 September 2017, Tashkent's then Hokim (Head of District Administration), Rakhmanbek Usmanov, issued a decision granting the Tashkent-based firm Absolute Business Trade the right to build on a 6-hectare (15-acre) plot of land that includes the site of the Synagogue. After the community expressed its concerns, Usmanov visited the Synagogue in 2018 and told the community it would not be destroyed.

Earlier in 2020, Absolute Business Trade brought the suit against the Jewish community to Tashkent's Inter-District Economic Court. It sought approval for the demolition of the Synagogue to go ahead and sought "compensation" from the Jewish community of 7,363,996 Soms (6,575 Norwegian Kroner, 615 Euros, or 720 US Dollars).

"Despite the promise that no one would ever raise a hand against the Synagogue, the city authorities decided to demolish it in order to build a multi-storey building," the community stated in late July. "They want to destroy our Synagogue." The community learned of the suit only on 29 to 30 July, when along with Jews worldwide it was marking the annual fast of Tisha B'av.

"The company withdrew the suit and the court did not consider it," a community member told Forum 18 after the 5 August hearing. "But the company could lodge it again at any time."

The community member said Tashkent's Inter-District Economic Court is due to hand down the written decision only on 10 August. "Only then will it become clearer what will happen."

In contrast to the caution of the Jewish community, the regime's Religious Affairs Committee late on 5 August claimed that Absolute Business Trade had withdrawn its suit. The Committee stated categorically that the Synagogue cannot now be destroyed.

The Religious Affairs Committee had noted on its website that "foreign media outlets and websites" had reported on the attempts to oust the Jewish community from the Ashkenazi Synagogue. The Committee noted the community's long-standing ownership of its site, adding that "the above situation was studied with the participation of experts in the relevant field, quickly, in a timely manner, in full, and every effort was made to

ensure the unconditional protection of the rights of religious organisations to legal ownership".

The Committee quoted the Rabbi of Tashkent's Bukharan Jewish community, Arkady Isakharov, as being "concerned" about Absolute Business Trade's "absurd" claims of ownership of the site.

After the 5 August hearing, the Religious Affairs Committee claimed that "regular meetings were held with experts in the field, the reality was studied, practical efforts were made with the relevant authorities to maintain the building of the synagogue, and the issue was resolved legally".

The Committee again quoted Rabbi Isakharov as speaking of his "relief" on learning that the company had withdrawn its suit.

Illegal ban on "under age citizens and children" in mosques lifted?

On 1 August the Interior Ministry (which oversees the police) released a short online video in which uniformed spokesperson Nulifar Turakhonova admitted that no law bans "under age citizens and children" attending mosques. She said that they will be able to attend mosques after the coronavirus lockdown ends "in the company of fathers, brothers and other close relatives".

Interior Ministry spokesperson Turakhonova did not explain why over many years Muslim and non-Muslim children and young people under 18 have been warned not to attend mosques and other places of worship, and in some places been prevented from doing so.

Non-Muslim religious communities have also faced warnings, threats and pressure if children have been present in meetings for worship.

Deputy Justice Minister Akbar Tashkulov claimed to Forum 18 from Tashkent on 6 August that the ban on "under age citizens and children" attending mosques has already been lifted. While admitting that the ban had been in force "in the past", he was unable to explain how officials could enforce a ban that was not enshrined in any law. He would not say if officials had exceeded their authority and should face punishment.

On 25 December 2019 the Religious Affairs Committee harshened the existing severe state censorship system for all religious texts by approving an updated list of a wide range of banned Islamic texts. Among the very many imprecise reasons given for the wide-ranging bans are "inviting children and youths under 18 to religious activity".

Ordinary police and the State Security Service (SSS) secret police have routinely watched people who go to mosques, especially during Friday prayers. Particular attention has been given to men and boys under the age of 18. After they are identified, police visit their parents' homes to pressure them into stopping their children from attending mosques. Children and young people of all faiths attending meetings for worship have long been especially targeted by the regime.

The regime is hostile to teaching any beliefs to children and young people, and official imams have complained that they cannot teach Islam to children. Non-state controlled religious education is forbidden, and those who teach the Koran to school-age children have been prosecuted and parents who brought children to Islamic religious lessons fined.

This hostility has continued during the coronavirus lockdown. Police and SSS secret police in Margilan in the eastern Fergana Region raided the home of a retired school teacher on

4 March. They confiscated from her and her female students of the Koran both Arabic-language Korans and Arabic and Islamic textbooks published in Uzbekistan.

When will draft new Religion Law be published?

The regime seems to be no nearer publishing the draft of the long-promised new Religion Law. As of 7 August, the text is not on the regime website regulation.gov.uz where draft Laws are supposed to be posted.

Akmal Saidov, Head of the state-controlled National Human Rights Centre in Tashkent, appears to be overseeing the draft Law. His assistant told Forum 18 each time it called on 6 and 7 August that he was out of the office.

Dilshod Eshnaye, a deputy chair of the regime's Religious Affairs Committee in Tashkent, refused absolutely to discuss any aspect of the proposed new Religion Law with Forum 18 on 4 August.

Deputy Justice Minister Akbar Tashkulov – who addressed a meeting about the proposed new Law held in the Oliy Majlis (Parliament) building on 20 May - admitted that the text of the draft has not been made public.

Tashkulov said that the authorities will publish it "when we have finished working on it". "The text was sent to parliament ages ago – in March or May – but it is still being agreed," he told Forum 18 from Tashkent. "The Presidential Administration and other agencies have still not agreed it. It is also still being agreed by experts."

Members of many religious communities have expressed their frustration to Forum 18 about the secrecy of the new Religion Law's drafting process, and the regime's apparent lack of willingness to end restrictions violating human rights obligations. Officials' statements about a draft text do not match the concrete changes people in Uzbekistan have said they would like to see in a new Law.

No official was prepared to explain why the regime is still not following the recommendations of the United Nations (UN) Special Rapporteur on Freedom of Religion or Belief, Ahmed Shaheed, following his October 2017 visit to Uzbekistan. He recommended (A/HRC/37/49/Add.2) that: "A new law on freedom of religion or belief should be fully compatible with article 18 of the International Covenant on Civil and Political Rights."

Among the UN Special Rapporteur's other recommendations, Shaheed stated: "The new draft law should be open to consultations and comments by the public, especially civil society, religious and belief communities and international partners, including the United Nations system".

Ban on exercising freedom of religion and belief without state permission to remain?

Deputy Justice Minister Tashkulov said he has read the provisional text of the draft Law, but refused to discuss specific provisions. But he indicated the ban on exercising freedom of religion or belief without state permission is set to remain. He was unable to explain why the regime thinks such a ban is necessary, or why it is continuing to break Uzbekistan's legally-binding international human rights obligations.

Mahalla Committees to continue restricting freedom of religion and belief?

Mahalla committees (the lowest level of state administration) are a key element in the regime's attempts to stop people exercising freedom of religion and belief without state permission.

For example, alleged "consultation" (including fomenting mob hostility) by mahallas with their officials and residents has been manipulated to deny freedom of religion and belief to religious communities seeking state registration.

Mahalla committees are also a part of the complex and multilayered controls - also involving the State Security Service (SSS) secret police, the Muftiate, and the Religious Affairs Committee - which seriously restrict the ability of Muslims to make the haj pilgrimage that is an obligation for able-bodied Muslims. The system's complexity facilitates corruption.

Deputy Justice Minister Tashkulov would not say whether Mahalla Committees' role in restricting freedom of religion and belief would be removed. "This is being considered," he claimed. However, he repeatedly refused to say if any Mahalla Committees role is in the latest Religion Law draft.

Ban on non-Muslim Board mosques to remain?

Ending the ban on opening Sunni and Shia mosques which are not controlled by the regime is one of the many things people in Uzbekistan themselves would like to see in a new Religion Law.

Deputy Justice Minister Tashkulov denied to Forum 18 that mosques which are not controlled by the state-controlled Spiritual Administration of Muslims, or Muftiate, are not allowed to gain state approval to exist. "Where are your facts?" he asked.

When Shia Muslims in Bukhara started a petition to reopen a closed Shia mosque, police pressured them to stop.

Speaking of non-state controlled Sunni and Shia Muslim communities, Tashkulov claimed: "Any community that lodges an application with all its documents in order will get registration."

Registration denials "not true"?

Deputy Justice Minister Tashkulov claimed to Forum 18 that he was not aware of any non-Muslim religious communities being arbitrarily denied state registration. He also denied that many communities – especially Protestant Christian and Jehovah's Witness - have faced such arbitrary denials over many years.

One Protestant, who wished to remain anonymous for fear of state reprisals, told Forum 18 that "I know of several Churches across Uzbekistan which the authorities refused to register in 2019." Some cannot get Land Registry or Mahalla approval, others face demands for bribes. Seven Jehovah's Witness communities were rejected. Catholics await registration for a sixth parish.

An official of the Justice Ministry's Non-State and Non-Commercial Organisations Department also denied that officials arbitrarily obstruct registration applications from religious communities they do not like. This Department registers centralised religious organisations, while local religious organisations apply to local Justice Departments.

"It is not true that registration is difficult," the official claimed to Forum 18 from Tashkent on 6 August. The official also denied that registration is arbitrarily denied. "That's not

true. If all the required documents are presented and everything is in order, they get registration. But it happens that communities bring documents that are not in order."

The Justice Ministry official claimed that their Department had granted registration to a Christian organisation Agape in June 2020 and in July to the New Apostolic Church. The official claimed the Department had rejected no applications from centralised religious organisations in 2020.

Asked why the Rabbinate was stripped of registration after the current Religion Law was adopted in 1998 and why it cannot legally exist, the official responded: "I do not have any documents on that." A member of the Jewish community told Forum 18 on 4 August 2020 that the absence of an officially-registered Rabbinate remains a "serious concern" for the community.

Following the arbitrary denial of registration applications from all seven Jehovah's Witness communities in various cities which were lodged in September 2018, they then tried in February 2019 to register a branch of their US-based organisation. After the Justice Ministry rejected this, Jehovah's Witnesses challenged the denial through the courts. Finally the Supreme Court rejected their appeal on 14 July 2020, Jehovah's Witnesses told Forum 18. The Justice Ministry official claimed they knew nothing about the Jehovah's Witness applications or suit.

Bribe demands "not true"?

The official of the Justice Ministry's Non-State and Non-Commercial Organisations Department denied absolutely that any officials would demand bribes to register a religious organisation. "This doesn't happen, either in the Justice Ministry or in the regional Departments," the official claimed to Forum 18. "We have a strong Anti-Corruption Centre, and we would also ask communities if there were such a case to go to the General Prosecutor's Office."

Although the authorities registered some non-Muslim communities in late 2019, several sources told Forum 18 that officials demanded bribes during the process. The sources declined to give examples of communities which paid bribes to gain state registration.

Uzbekistan has a poor ranking of 153 out of 180 countries in Transparency International's Corruption Perceptions Index 2019. Officials are also known to demand bribes from Muslims who want to go on the state-controlled haj pilgrimage.

Notification of religious communities' offsite activity to remain?

Under a 1 June 2018 Decree, signed by Justice Minister Ruslanbek Davletov, non-commercial organisations (including religious organisations) must inform the Ministry or the local Justice Department of plans to hold events such as seminars or conferences away from their registered premises. They must give 10 days' notice or – if any foreign citizens are involved – 20 days' notice.

However, this only applies to communities the state allows to exist. Against Uzbekistan's binding international human rights obligations, religious communities the state does not allow to exist are banned from exercising freedom of religion and belief in any way – including holding any events.

A religious community the state allows to exist must give the reasons for any event, the address, date and time, how many people are due to attend, what type of people they are (students, women, children), sources of finance, and provide copies of any literature

or audio-visual material that will be used at the event. Any foreign citizens attending have to be named, with information on their citizenship and date of birth.

The Decree says religious communities do not have to give such notice for "religious rituals", but they do if the events are of any other nature.

Justice Ministry officials can ban such events if religious communities fail to submit full information or if the proposed event is not in line with the law. If religious events go ahead without notifying the Justice Ministry or in defiance of a Justice Ministry ban, the organisers can face punishment.

Deputy Justice Minister Tashkulov would not explain why notification of events held away from a religious community's registered place of worship is needed. He laughed and replied: "The law envisages it. Earlier [up to 2018], religious organisations had to seek permission, but now they just have to give notification."

"We hope that according to the new Law we will not be required to give advance notice of our meetings and spiritual exercises of our believers, including information about the participants and topics discussed," Bishop Jerzy Maculewicz, head of the Catholic Church in Uzbekistan, told Forum 18 in June 2020.

Deputy Justice Minister Tashkulov would not answer when Forum 18 asked whether this requirement to notify the authorities will be abolished.

"They want to destroy our Synagogue"

Despite having legal proof that since 1973 Tashkent's Jewish community bought and remains the owner of its Synagogue, a building firm is preparing to demolish it and is claiming "compensation" from the Jewish community. It remains unclear how the city Hokimat (Administration) could allocate the land to the private company. The next hearing in the case brought by the building firm is due on 5 August.

By Felix Corley

Forum 18 (04.08.2020) - <https://bit.ly/3liLlyM> - Forty seven years after the Ashkenazi Jewish community in Uzbekistan's capital Tashkent in 1973 bought and received state permission for what became its Synagogue, a building firm is preparing to demolish it. At a hearing due tomorrow (5 August) at Tashkent's Inter-District Economic Court, the building firm is seeking both confirmation of its alleged right to demolish the Synagogue as well as "compensation" from the Jewish community.

The first hearing took place on 10 July, but the Jewish community was only told about the suit on 29 to 30 July when along with Jews worldwide it was marking the annual fast of Tisha B'av. "Tisha B'av for the Jewish community of Tashkent is not only a memorial day of mourning, but a real tragedy!" the community wrote on its Facebook page. "Despite the promise that no one would ever raise a hand against the Synagogue, the city authorities decided to demolish it in order to build a multi-storey building. They want to destroy our Synagogue" (see below).

The assistant to Judge Islomjon Khamrayev of Tashkent's Inter-District Economic Court confirmed to Forum 18 on 4 August that the hearing will take place in person in court on 5 August at 15:50 Tashkent time.

"Why should we have to move anywhere?" a community member told the Moscow Jewish magazine "Lechaim" for a 29 July online article. "This is our place of prayer, for many years Jews living in the city and visiting Tashkent have come here to pray."

The building firm, Absolute Business Trade, is planning to build an apartment complex on the site in Tashkent's Yakkasaray District that includes where the Synagogue stands. In September 2017, Tashkent's then Hokim (Head of District Administration), Rakhmanbek Usmanov, issued a decision granting the firm the right to build on a 6-hectare (15-acre) plot of land that includes the site of the Synagogue.

Usmanov "assured us personally that the Synagogue would not be destroyed," a community member told Forum 18 from Tashkent on 4 August 2020. "We didn't challenge the 2017 decision because the Hokim told us the Synagogue would not be demolished and only the front part of the site would be built on" (see below).

Despite then Hokim Usmanov's assurances, Absolute Business Trade continued steps to expel the Jewish community from the site. Several fires also broke out close to the Synagogue and the perpetrators remain unknown (see below).

According to land registration documents seen by Forum 18, the Jewish community bought the land in 1973 and remains today the legal owner (see below).

The community member complained that the building firm had received a building permit, "but not a word was said about the fact that this construction meant the demolition of the Synagogue. At the same time, they insist on calling us 'an apartment', since it is easier to confiscate residential property for construction" (see below).

It remains unclear how the Hokimat (District Administration) could allocate land to a private company when at least part of it was owned by a religious community. Forum 18 was unable to reach the former Hokim Usmanov (who is now the Hokim of Tashkent's Yunusabad District), or the current Hokim Jahongir Artikhojayev (see below).

Asked whether corruption might have been involved in the 2017 decision to allow the company to build on the Jewish community's site, Hokim Usmanov's assistant told Forum 18: "That couldn't have been. He's a very devout person. We consider that haram [forbidden]". Corruption is widespread in Uzbekistan (see below).

Absolute Business Trade's lawyer and appointed representative in the case, Azamat Ergashev, insisted that "everything is being done in accordance with the law – we have all the approvals". Told that Forum 18 has seen the cadastral documents proving the Jewish community's ownership of the site, and asked whether that does or does not prove that the community owns the site, he would not answer (see below).

Dilshod Eshnaye, a deputy chair of the government's Religious Affairs Committee in Tashkent, insisted to Forum 18 that "nothing has been taken from anyone". He declared categorically: "The land belongs to the Synagogue." He told Forum 18 to wait for the Economic Court's ruling (see below).

The Synagogue has not been able to host worship since 16 March because of the coronavirus pandemic, a community member told Forum 18. Of the up to 4,000 Ashkenazi Jews in the city, between 50 and 100 regularly attended Sabbath prayers until then.

Since the then-head of Uzbekistan's Jewish community, Chief Rabbi Abe David Gurevich, was expelled in June 2008, the community has struggled to have its own rabbi (see below).

1973 purchase of site

Tashkent's Ashkenazi Jewish community bought the site from a private individual "for use as a premises for prayer", notes the 4 May 1973 decision (seen by Forum 18) of the city's Executive Committee signed by its then head Vahid Kazimov.

Since 1973, the community has renovated and improved the Synagogue building, which has been in constant use for worship and community events. The community has never given or sold the site to anyone else.

A certificate of 30 November 2010 from Tashkent's Land Resources and State Registry Department – seen by Forum 18 – confirms that the Jewish community's ownership of the site of 489 square metres (5,265 sq. feet) had been entered in the State Land Registry. An official of the State Registry Department told Forum 18 on 4 August 2020 that these certificates are still valid.

Forum 18 has also seen the small plastic card issued to the community by the Registry Department confirming the ownership of the site.

Mirabad Avenue project – including Synagogue demolition

In the mid-2010s, Uzbek company Golden House began planning a large apartment complex on a 6-hectare (15-acre) site on Mirabad Avenue which would partly be built on the Synagogue's land. The architectural concept was prepared by the British company Chapman Taylor.

"Our client Golden House presented the topography of an empty site and our international team prepared the architectural concept – designing a beautiful facade," Yelena Karikova, Director of Chapman Taylor's Moscow office, told Forum 18 on 4 August. "Further work was done by other companies. For the last four years we have had no connection with the project. We are not involved now at all."

On 11 September 2017, Tashkent's then Hokim (Head of District Administration), Rakhmanbek Usmanov, issued a decision – seen by Forum 18 – granting the Tashkent-based firm Absolute Business Trade the right to build on the 6-hectare site.

Despite repeated calls on 4 August, Forum 18 was unable to reach the former Hokim Usmanov (who is now the Hokim of Tashkent's Yunusabad District), or the current Hokim Jahongir Artikhojayev.

Asked whether corruption might have been involved in the 2017 decision to allow the company to build on the Jewish community's site, Hokim Usmanov's assistant told Forum 18: "That couldn't have been. He's a very devout person. We consider that haram [forbidden]."

Absolute Business Trade's lawyer and appointed representative in the case, Azamat Ergashev, insisted that "everything is being done in accordance with the law – we have all the approvals". Told that Forum 18 has seen the cadastral documents proving the Jewish community's ownership of the site, and asked whether that does or does not prove that the community owns the site, he would not answer.

But Ergashev adamantly denied that any corruption had been involved. "There was no corruption," he told Forum 18 on 4 August. However, he refused to explain how a company could be handed property that belongs to a religious organisation whose ownership is recorded on the State Land Registry.

"Corruption is endemic"

Uzbekistan scores poorly, at 153 out of 198 countries globally, on Transparency International's 2019 Corruption Perceptions Index.

"Corruption is endemic and penetrates all levels of the business, government and social environment," the Risk & Compliance Portal's Uzbekistan Corruption Report states.

Officials are known to demand bribes from Muslims who want to go on the state-controlled haj pilgrimage, and bribes have also been demanded to register some non-Muslim communities in late 2019, several sources told Forum 18.

"Wait for the legal process"

Dilshod Eshnaye, a deputy chair of the regime's Religious Affairs Committee in Tashkent, insisted to Forum 18 on 4 August that "nothing has been taken from anyone". He declared categorically: "The land belongs to the Synagogue."

However, Eshnaye repeatedly refused to say if the Committee was doing anything to defend the rights of the Jewish community. He told Forum 18 to wait for the Economic Court's ruling. "In every country you have to wait for the legal process to take its course."

Verbal assurance now forgotten?

At the beginning of 2018, Absolute Business Trade warned the Jewish community that it would demolish its Synagogue as part of the demolition of the entire district.

A community member complained that the building firm had received a building permit, "but not a word was said about the fact that this construction meant the demolition of the Synagogue. At the same time, they insist on calling us 'an apartment', since it is easier to confiscate residential property for construction".

The community told the Hokimat (District Administration) it was highly concerned about the demolition plan. In February the community also wrote President Shavkat Mirziyoyev setting out their concerns.

"A Hokimat commission then visited our Synagogue and Hokim Usmanov assured us personally that the Synagogue would not be destroyed," a community member told Forum 18 from Tashkent on 4 August 2020.

"We didn't challenge the 2017 decision because the Hokim told us the Synagogue would not be demolished and only the front part of the site would be built on." However, the Hokim was replaced in April 2018.

Moves against community continue - and who started fires?

Despite then Hokim Usmanov's assurances, Absolute Business Trade continued steps to expel the Jewish community from the site.

Several fires also broke out close to the Synagogue and the perpetrators remain unknown. "The most recent was on 21 July 2019, when the fire was literally 2 and a half metres from the roof of our building," a community member told "Lechaim". Forum 18 has seen photos of the burnt buildings by the Synagogue.

On 1 October 2019, in a letter seen by Forum 18, Absolute Business Trade wrote to the Jewish community insisting that, in line with the 2017 order from the Hokim, it was building on the entire plot. Existing buildings would be demolished "on condition of compensation for the demolished property in line with the law".

Absolute Business Trade's letter – written by Azamat Ergashev, a lawyer of the Tashkent law firm Interlex - stated that despite prolonged discussions, the Jewish community had refused its offers of compensation. Ergashev gave his telephone number and urged it to be in contact to agree compensation.

A 3 October 2019 power of attorney, signed by Absolute Business Trade Director Payzullajon Mirzayev, authorised Ergashev and two other lawyers to act on behalf of the company over the Mirabad Avenue project and another Tashkent development project.

Forum 18 was unable to reach Mirzayev, who is listed in company records and on documentation as the director of Absolute Business Trade. He is known to conduct business in Uzbekistan and in Russia. Listed telephone numbers went unanswered or were no longer in service.

"Compensation" demanded from Jewish community

In 2020, Absolute Business Trade brought a suit against the Jewish community to Tashkent's Inter-District Economic Court. It sought approval for the demolition of the Synagogue to go ahead and sought "compensation" from the Jewish community of 7,363,996 Soms (6,575 Norwegian Kroner, 615 Euros, or 720 US Dollars).

The Jewish community did not attend the 10 July 2020 hearing, so Judge Islomjon Khamrayev ordered a new hearing for the afternoon of 5 August, according to the decision seen by Forum 18. He instructed Absolute Business Trade to inform the Jewish community of the hearing so that they could attend.

Jewish community not informed of first hearing until Tisha B'av

It appears that the Jewish community only found out about Absolute Business Trade's suit on 29 to 30 July, from a phone call from the regime's Religious Affairs Committee.

The same day the Religious Affairs Committee called, the Tashkent Jewish community along with Jews worldwide were marking Tisha B'av. This annual fast day is regarded as the saddest in the Jewish calendar, and commemorates the destruction of both Solomon's Temple and the Second Temple in Jerusalem along with other tragedies.

"Tisha B'av for the Jewish community of Tashkent is not only a memorial day of mourning, but a real tragedy!" the community wrote on its Facebook page. "Despite the promise that no one would ever raise a hand against the Synagogue, the city authorities decided to demolish it in order to build a multi-storey building. They want to destroy our Synagogue."

The assistant to Judge Khamrayev confirmed to Forum 18 on 4 August that the hearing will take place in person at Tashkent's Inter-District Economic Court, on 5 August at 15:50.

No rabbi

Tashkent's Ashkenazi community has struggled to have its own rabbi in recent years. The community had planned to invite Rabbi Osher Krichevsky, who has served as rabbi in the Russian city of Omsk since 2001. He visited the Tashkent community in autumn 2019

and for Purim. However, his planned visit for Passover in April 2020 had to be cancelled because of the coronavirus pandemic.

"The community has asked the Chabad-Lubavitch Movement to send us a rabbi," a community member told Forum 18. "They have promised to help. Pray God that if they don't demolish the Synagogue then once coronavirus is past a rabbi will be allowed to come to us."

Chief Rabbi expelled in 2008

On 5 June 2008, the then-head of Uzbekistan's Jewish community, Chief Rabbi Abe David Gurevich, was forced out of Uzbekistan after the Justice Ministry refused to renew permission for him and his wife Malka to work in the country and their visas expired. Russian-born Gurevich, who is an American and Israeli citizen, had worked in Uzbekistan since 1990 and also worked for the Hasidic Chabad-Lubavitch Movement.

State-controlled media in April 2008 accused Rabbi Gurevich of embezzling funds, his organisation's premises illegally not being at the officially-registered address, and hindering Jews of Uzbek nationality from becoming new leaders of the Jewish community.

"I have checked up and could not find the authors of some of the articles, and I believe that these were made-up names," Gurevich told Forum 18 that month. "The Ministry knows very well that I receive funds for charity from Jewish organisations in the US and Russia" and the authorities have the means to check up on their bank account in Uzbekistan and do so regularly, Gurevich pointed out.

The articles were followed by a visit from Religious Affairs Committee and Justice Ministry officials on 7 April. The officials checked the accounts and the school, found everything was in order and left, Chief Rabbi Gurevich stated. In a 10 April letter, the Justice Ministry refused to renew his permission to work.

The refusal to allow Rabbi Gurevich and his wife to continue working in the country came despite an appeal to the Justice Ministry signed by 88 members of Tashkent's Jewish community calling for him to be allowed to stay. "We do not want him to stop ministering to us," they told the Ministry. Uzbekistan also at that time expelled other foreign citizens who had been working in Christian religious communities.

Rabbi Gurevich – who is by now elderly – was allowed to revisit Uzbekistan only in July 2019. He visited the Tashkent Synagogue before travelling to the community in Fergana.

Rabbinat abolished in 1998

Uzbekistan's Rabbinat was abolished when a new Religion Law was introduced in 1998. Since then the Justice Ministry has refused to re-register it, despite requests from the Jewish community.

The absence of an officially-registered Rabbinat remains a "serious concern" for the community, a community member told Forum 18. "The head of a religious community must be an Uzbek citizen."

Uzbekistan lifts 'ban' on minors attending prayers in mosques

Interior ministry says Muslim minors accompanied by 'close relatives' can attend mosques, ending a de facto ban.

Al Jazeera (03.08.2020) - <https://bit.ly/3k9uspz> - Uzbekistan has allowed children to attend Muslim prayers again, ending a de facto ban first enforced under the country's late first president, Islam Karimov.

The country's interior ministry said during the weekend that minors will be able to attend mosques "accompanied by fathers, brothers and close relatives" after restrictions on general worship imposed as a result of the coronavirus outbreak are lifted.

While the video statement posted on the ministry's Telegram channel stressed there were no laws banning minors from attending mosques, a de facto ban was enforced under hardliner Karimov and persisted after his death in 2016.

According to a 2019 United States State Department report on religious freedom, police last year detained two bloggers who called for authorities to allow children to attend mosques, girls to wear hijabs and men to grow beards.

Religion is a sensitive topic for Uzbekistan's government, which remains strongly secular nearly three decades after the country gained independence from the Soviet Union.

President Shavkat Mirziyoyev has introduced several political and economic reforms while keeping the authoritarian government intact.

Mirziyoyev served as prime minister under Karimov for more than 13 years and has continued to honour him in public despite reversing some of his most repressive policies.

Agents provocateurs, arrests, torture, criminal cases

In three known cases so far in Tashkent in 2020, Muslims who discussed their faith with others are being prosecuted for alleged terrorism-related offences. In all three cases, the men were tortured and agent provocateurs used to bring false charges. Separately, a surgeon in Karakalpakstan who asked about coronavirus cases and then had religious texts confiscated has been put under house arrest.

By Mushfig Bayram & Felix Corley

Forum 18 (23.07.2020) - <https://bit.ly/31vtyfU> - In the third known case so far in 2020 in the Uzbek capital Tashkent, Muslims who sought to find out more about their faith and discussed it with others are being prosecuted for alleged terrorism-related offences. In all three cases, the authorities subjected the men to torture and appear to have used agents provocateurs to build a criminal case against them.

In an unrelated case, a trauma surgeon in the north-western Karakalpakstan Region has been placed under house arrest for an unspecified period and so is unable to continue his work for patients. Dr Alimardon Sultonov, who is known for publicly discussing Muslims' freedom of religion and belief, called the local medical emergency service to ask whether there were any coronavirus cases in Karakalpakstan. Officials came to the hospital to question him about whether he had any religious texts, and later detained him before

putting him under house arrest. Dr Sultonov has already been charged under a new Criminal Code Article 244-5 ("Dissemination of knowingly false information about an infectious disease"), and now faces new criminal charges. Interior Ministry officials told him that "those who wear a beard are terrorists" (see below).

In the third known case involving torture and an agent provocateur, on 7 January Tashkent Police arrested about 25 Muslim men who had been part of a group who met regularly to discuss their faith while drinking tea or having a meal. Four of the men were ordered held in pre-trial detention. Police officers tortured the four men by beating them with truncheons in the days after their arrest, as well as denying them food for the first two days of detention and then feeding them bread and water only. Two of those who were tortured are known to have health problems. At least one of those initially detained is thought to have been a police agent provocateur. The case against at least three appears close to being sent to court for trial (see below).

In the second known case, on 18 March the trial began in Tashkent City Criminal Court of eight Muslims accused of allegedly downloading "extremist sermons" and discussing Islam among themselves. One of them is thought to be a police agent provocateur. Their trial continues. All eight were tortured in pre-trial detention. Against Uzbekistan's binding international human rights obligations, no official suspected of involvement in the torture of the Muslims has been arrested and put on criminal trial for torture (see below).

In the first known case, at the end of a trial on 13 March of four men aged between 19 and 22 who had sought to learn more about Islam, Tashkent City Criminal Court jailed three of them for between five and six years. The fourth was given a community work sentence and 10 per cent deduction of his wages for a year. Since 2016, the four young men had been interested in finding out about Islam. But one man – apparently on police instructions - tried to get them to agree to support terrorism and go to Syria to fight. The agent provocateur was not put on trial and was a witness for the state during the trial of the four young men. While giving testimony "he accidentally admitted that he received instructions from the police", a relative who wishes to remain anonymous for fear of state reprisals told Forum 18.

Police tortured all four of the men in pre-trial detention. Against Uzbekistan's binding international human rights obligations under the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, no official suspected of involvement in torture in any of the three cases has been arrested and put on criminal trial for torture.

Why the targeting of Muslims discussing their faith?

On 22 July 2020, Forum 18 tried to reach Lieutenant-Colonel Nuriimon Abulkhasan, head of the Interior Ministry's "Struggle with Extremism and Terrorism Department" in Tashkent. He was a deputy chair of the Religious Affairs Committee before being appointed to his new role in September 2019.

The regime often uses "Struggle with Extremism and Terrorism Departments" to target people exercising their freedom of religion and belief.

The official who answered Lt-Col Abulkhasan's phone, who refused to give his name, claimed the Lt Col was not in the office. Forum 18 asked the official why Muslims who want to discuss and find out more about their faith are being targeted with agents provocateurs, arrests, torture and criminal cases. The official put the phone down without replying and subsequent calls went unanswered.

Police arrest and torture Muslims, four in pre-trial detention

In the latest of the three cases, on 7 January Tashkent police arrested a large group of Muslim men who met regularly to discuss their faith while drinking tea or having a meal. Among those arrested were Ravshan Utkirovich Igamberdiyev (born 14 November 1987) and his brother in law, Iskandar Alimovich Iskandarov (born 24 January 1988). "We have not seen my husband or brother since they were arrested," Sabina Sakhibova, Igamberdiyev's wife and Iskandarov's sister, told Forum 18 on 17 July.

Also among those arrested were Akbar Absalov, who is in his early thirties, and Fakhruddin (last name unknown) who is in his early twenties.

Human rights defender Tulkun Astanov put the number of those arrested at about 25. "Relatives of some of them have complained to us but unfortunately I cannot give their names or details to you," he told Forum 18 on 11 July.

Sakhibova confirmed to Forum 18 that she also has heard that the number of the arrested men was up to 25. "They were all arrested on the same day. My husband was detained in our flat and my brother at his work at a construction site." The others were arrested "on the street, some in a mosque".

The authorities placed eight of the men in detention, while they released the rest of the approximately 25 arrested men later on 7 January, Astanov and Sakhibova separately told Forum 18. "Four of the eight detained men were released after a few days, I do not know exactly when," Sakhibova added. "At present, two men remain in custody with my husband and brother."

While the four men - Igamberdiyev, Iskandarov, Absalov and Fakhruddin - were held by police between 7 and 12 January, officers tortured them with physical violence and starvation, Sabikhova stated. "For the first two days they were given nothing to eat," Sabikhova said. "On the third day they gave them only bread and water." The men were also beaten with police truncheons, Sabikhova added.

No one at Tashkent City Police would explain to Forum 18 on 22 July why its officers tortured the four men, or whether in line with international human rights law any suspected torturer had been arrested and prosecuted for the torture.

On 9 January, police searched the homes of Igamberdiyev and Iskandarov and possibly others. "They took a flash drive and a smart phone from my brother, which contained only music and family photos," Sakhibova said. "From us they took a notebook computer."

The Tashkent court hearing which in mid-January ordered the four men held in pre-trial detention was held behind closed doors, Sakhibova stated.

The four, who are still in custody, were held at the Tashkent City Police for the first five days, and then taken to the Interior Ministry building's detention prison in Tashkent, Sakhibova said. A few days later, they were taken back to Tashkent Police. They were then again taken to the Interior Ministry and in mid-February transferred to Tashkent's Investigation Prison.

Agent provocateur?

Sakhibova told Forum 18 that her husband told her that he and his friends met regularly to discuss their faith while drinking tea or having a meal between August and late December 2019. "However the last time on 24 December a man calling himself Ranjumon (it is unclear if this is his real name) told everyone that he wants to join the

fighting in Syria, my husband told me. Everyone got suspicious about this. He might have had a recording device in his pocket." Soon after this, on 7 January 2020, police arrested the men attending the meals.

Ranjumon was one of those detained, and signed statements at the police station against Igamberdiyev and Iskandarov. Relatives of the other Muslims think Ranjumon may be a police agent provocateur, Sakhibova and Astanov told Forum 18.

Interior Ministry Investigator, Eldor (who did not give his last name), interrogated Sakhibova and her brother's wife in March. He told them that from August 2019 the group were under surveillance. "During the questioning Investigator Eldor also asked us how long we have been wearing the hijab," Sakhibova stated.

Criminal charges – and trial imminent?

Prosecutors have charged Igamberdiyev, Iskandarov and Absalov (and possibly others) under Criminal Code Article 244-1 ("Production, storage, distribution or display of materials containing a threat to public security and public order"), Article 244-2 ("Creation, leadership or participation in religious extremist, separatist, fundamentalist or other banned organisations") and Article 155 ("Terrorism"), Sakhibova told Forum 18.

Fakhruddin appears to be facing charges in a separate case under eight Articles of the Criminal Code.

"We have not seen my husband and brother ever since their arrest but only talked to them over the phone for three minutes each time," Sakhibova added. "We have talked to them four times, the first time in the end of May. I could talk only to my husband. My brother's wife talked to him also in late May. And the last time I talked to my husband was on 16 June. We do not know when the trial will begin."

Investigator Ulugbek Khamdamov of the Interior Ministry's "Struggle with Extremism and Terrorism Department", who has been leading the case, is due to hand the case to Tashkent's Yakkasaray District Court. This has been delayed because of the coronavirus pandemic, Sakhibova told Forum 18. The Court told Forum 18 on 21 July that the case has not yet arrived.

The man who answered Investigator Khamdamov's phone on 22 July listened to Forum 18's question and then, without saying anything, put the phone down. Subsequent calls went unanswered.

Igamberdiyev, Iskandarov, Absalov and Fakhruddin (and possibly others) are currently held in Tashkent's Investigation Prison. Sakhibova has concerns about the health situation both of her husband (who has suffered a haemorrhage) and her brother (who has begun suffering from heart problems). Their prison address is:

Ichki Ishlar Vazirligi 1-sonli Tergov Xibisxonasi
Bogzor kochasi
Zangiota tuma
Tashkent viloyati
Uzbekistan

Tashkent trial of eight Muslims resumes online

In the second known such case in 2020, the trial continues at Tashkent City Criminal Court of eight Muslims, including Alisher Kasymov, Shakhzodjon Zokirov, Javokhir

Akhmedov, Ubaydulla Murtazoyev, Azimjon Abdusamatov, Bakhodiyr Jokhonov, and Abdulboriy Abdurakhmonzoda.

They are accused of allegedly downloading "extremist sermons" and terrorism-related offences. Human rights defender Yelena Uralyeva, who chairs the Human Rights Alliance, and a relative of one of the defendants in custody told Forum 18 that the eight men "began looking for information on the Muslim faith on the internet, and soon the police began watching their social media profiles." Four of the defendants – including the one who allegedly wanted to blow up a police station and to go to Syria – are not being held in pre-trial detention. Uralyeva and the relative think that police used some of the defendants to "provoke discussions of jihad".

Murtazoyev, Tursunov, Zokirov and Kasymov are in Tashkent's Investigation Prison (see address above). The other four are at home on bail.

The trial began on 18 March under Judge Khamid Shamshiyev.

On 15 July the Court resumed hearing the case online, with the next hearing set for 17 July and then on 22 July. The four detained defendants appear by videolink from prison. The other four appear in person. Judge Shamshiyev's assistant (who did not give his name) refused to give Forum 18 any information on 21 July about the further progress of the trial.

"Though my defendants and other defendants refused to agree to an online hearing the Court still went ahead on 15 July," lawyer Dilshod Jabborov – who is defending Kasymov and Abdurakhmonzoda - told Forum 18. "Had it not acted quickly on the case, it would have been obliged to release the defendants. Under the Criminal Procedure Code, defendants can only be held in custody for up to six months after a court process begins."

Lawyer Jabborov said two "experts" – one from the Interior Ministry and one from the military – had examined files – including deleted files - extracted from the men's phones and other devices. "I told the court it is not right to examine deleted files, because this shows that the individuals didn't want to listen to them and keep them." He also said that the "experts" did not say which files they examined had been deleted and which were still on the devices.

Jabborov pointed out that files can be sent to anyone on Telegram or other programs "whether you want them or not".

The trial is due to resume on the morning of 24 July. Relatives are not able to attend the trial because of the coronavirus pandemic.

Criminal charges

The charges against seven of the eight Muslims on trial in Tashkent are:

Alisher Kasymov, born 5 December 1986, charged under Criminal Code Articles 244-2, Part 1 ("Creation, leadership or participation in religious extremist, separatist, fundamentalist or other banned organisations") and 155-3, Part 1 ("Terrorism");

Shakhzodjon Zokirov, born 3 August 1999, charged under Criminal Code Articles 244-2, Part 1 ("Creation, leadership or participation in religious extremist, separatist, fundamentalist or other banned organisations"), 159, Part 1 ("Attempts to change the Constitutional order"), 155 Part 2 ("Terrorism"), and 155-2, Part 1 ("Undergoing training to carry out terrorism");

Javokhir Akhmedov, born 19 August 1996, charged under Criminal Code Articles 244-2, Part 1, 244-1, Part 3 (d) ("Production and storage of materials containing ideas of religious extremism, separatism, and fundamentalism, calls for pogroms or violent eviction, or aimed at creating panic among the population, as well as the use of religion for purposes of breach of civil concord, dissemination of calumnious and destabilising fabrications, and committing other acts aimed against the established rules of conduct in society and public order using the mass media or telecommunication networks, as well as the world wide web");

Ubaydulla Murtazoyev, born 26 January 1996, and Bakhtiyor Tursunov, born 21 August 1997, both charged under Criminal Code Articles 244-2, Part 1, 244-1, Part 3 (d), and 159, Part 3 (a) ("Repeated attempts to change the Constitutional order");

Azimjon Abdusamatov, born 28 February 2000, charged under Criminal Code Articles 244-2, Part 1, 159, Part 1, and 155, Part 2;

Bakhodiyor Jokhonov, born 17 November 1999, charged under Criminal Code Article 244-2, Part 1;

Abdulboriy Abdurakhmonzoda, born 20 May 2000, charged under Criminal Code Articles 241, Part 1 ("Failure to report a crime or concealing a crime"), and 155-1, Part 1 ("Failure to report information on terrorist acts").

Torture unpunished

The eight Tashkent Muslims were tortured for 11 days in the Interior Ministry building, human rights defender Uralayeva told Forum 18 in May. Major Talat Elbekov and other officers "severely beat the defendants to extort confessions. The officers also threatened them that their family members will be brought to the Ministry building and will be severely physically assaulted in front of them. Many of them had bodily injuries."

Lieutenant Colonel Sherzod Shermatov of the Interior Ministry told Forum 18 in June that no arrests or trials of suspect torturers will happen as "all the actions of the investigators were lawful".

In 2018 police officer Ravshan Sobirov, who tortured Jehovah's Witness Anvar Tajiyev and made death threats against him, was not arrested and prosecuted for torture as Uzbekistan's international human rights obligations require. Tajiyev lost hearing in one ear and still suffers headaches. Many complaints to the President, national and local Prosecutor's Offices have led to no arrests or prosecutions.

Similarly, in Urgench and Namangan Regions, the houses of Protestants were raided and searched illegally without warrants. Police also pressured individuals to sign fabricated statements made up by police. "Investigations" in both places in 2019 found no police wrongdoing. Instead, church members faced threats of punitive measures.

Karakalpakstan doctor under house arrest – trial to follow?

On 31 March, Dr Alimardon Sultonov, a trauma surgeon at Ellikkala Central State Hospital in the north-western Karakalpakstan Region, called the local medical emergency service to ask whether there were any coronavirus cases in Karakalpakstan. Five officials then came to the hospital to question Dr Sultonov, who is known for publicly discussing Muslims' freedom of religion and belief. They claimed to his colleagues they were checking enforcement of the coronavirus lockdown – despite the risks of coronavirus infection they exposed staff and patients to by coming to the hospital.

The officials questioned Dr Sulstonov about whether he had any religious texts. He said he had Muslim texts on his computer, so officials confiscated it. A criminal case was then opened against him for allegedly spreading false information on lockdown measures under the new Criminal Code Article 244-5 ("Dissemination of knowingly false information about an infectious disease"). This Article was added to the Criminal Code on 26 March 2020 following the outbreak of the coronavirus pandemic.

"Those who wear a beard are terrorists", Interior Ministry officials claim

Interior Ministry Investigators Gafur Saliyev and Nemat (who did not give his last name) questioned Dr Sulstonov on 22 June in the criminal case opened against him. "The Investigators insulted me for wearing a beard. Those who wear a beard are terrorists, they told me," he told Forum 18 on 17 July.

Ellikala District Police arrested Dr Sulstonov on 26 June. The following day, Ellikala District Court ordered him held in pre-trial detention. On 29 June, after Dr Sulstonov had been held for three days, Ellikala Prosecutor's Office asked the District Court to change his detention to house arrest. Dr Sulstonov remains under house arrest and unable to continue his work for hospital patients as a trauma surgeon.

The decision to transfer Dr Sulstonov to house arrest "may be because my case was covered in the press", he told Forum 18. "However, strangely enough, the court did not indicate the end date for my house arrest."

Investigators have also brought new charges against Dr Sulstonov, in addition to the existing charges under Criminal Code Article 244-5, Part 2 ("Dissemination of knowingly false information about an infectious disease in the media or on the internet"). Charges were added under Criminal Code Article 244-3 ("Illegal production, storage, import or distribution of religious literature") and Article 158, Part 3 ("Public insult or slander of the President").

The criminal charges are listed in the Prosecutor's Office motion from 27 June to the Court requesting his house arrest. The Prosecutor's Office's reason for asking for house arrest is the situation with the Covid-19 pandemic.

Investigator Saliyev's phone went unanswered each time Forum 18 called on 22 July. The man who answered Investigator Nemat's phone the same day said it was a wrong number. Ellikala District Police told Forum 18 the same day that the head of the Criminal Investigation Department, Umar Miriyev, was not in the office and that no one else could answer Forum 18's questions.

HRWF urges President Mirziyoyev to release 26 Muslim prisoners and publicize the announced draft religion law

HRWF has just published a 29-page report about Sunni Muslims in prison for their faith in five Asian countries¹

HRWF (15.07.2020) – *Human Rights Without Frontiers* urges President Mirziyoyev to release 26 Muslim prisoners who are serving lengthy prison sentences. Most of them were tried under President Karimov after being accused of alleged separatism,

¹ Those five countries are: China, Kazakhstan, Pakistan, Tajikistan and Uzbekistan

extremism, planning to overthrow the government and/or belonging to a banned Islamist movement. However, they are not known to have committed acts of violence and there were serious concerns that under President Karimov these charges were fabricated.²

List of 26 Muslim prisoners: See their documented cases in HRWF Database of FoRB Prisoners³: <https://hrwf.eu/prisoners-database/>

AKHMEDOV	Mansurkhon
FAYZIYEV	Davron Yuldashevich
INAGAMOV	Khusnuddin Abdukhakimovich
KAMILOV	Dilshod Khikmatullayevich
KASYMOV	Alisher
KHASANOV	Sobirjon Sotvoldiyevich
KHUDAIBERDIYEV	Bakhtiyor
KODYROV	Muhammad
KOMOLIDDINOV	Davron
KURBONOV	Botyraly
MIRZAYEV	Ravshan Mukhamadovich
MURTAZOYEV	Ubaydulla
RASHIDOV	Abdurashid Abdulkhayevich
RASULOV	Akmaljon
RIZAYEV	Khusnuddin Tokhtamurodovich
SADYKOV	Bakhadyr Bakhtiyarovich

² Mushfig, Bayram, "UZBEKISTAN: Religious freedom survey September 2017," Forum 18, September 11, 2019, accessed May 2020.

http://www.forum18.org/archive.php?article_id=2314.

³ There is often much confusion around the concept of the freedom of religion or belief (FoRB) in respect to the identification of groups and persons who are victims of FoRB violations.

For HRWF, a **FoRB prisoner** is someone whose rights, protected by **Article 18 of the International Covenant on Civil and Political Rights (ICCPR)**³ and **Article 6 of the 1981 UN Declaration of the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief**,³ were violated by state institutions. Not more and not less.

For more details about the distinctions between **FoRB prisoners** from **religious prisoners of conscience**, **FoRB defenders** and **human rights defenders**, see HRWF's latest report "In Prison for their Faith 2020"/ Foreword & Introduction (<https://hrwf.eu/forb/forb-annual-reports/>) just published online in July.

SADYKOV	Ravshan Bakhtiyarovich
TURABAYEV	Rakhmonzhon
TURDIBOYEV	Jonibek
TURSUNOV	Bakhtiyor
TURSUNOV	Khayrullo
UMARBAYEV	Ravshanbek
URUNOV	Afzaljon Azatovich
YUSUPOV	Latip Talipovich
YULDASHEV	Mirjamol
ZOKIROV	Shakhzodjon

Sunnis behind bars: some statistics

As of 1 June 2020, HRWF documented **26 cases** of Sunni Muslims in its Prisoners' Database.⁴ 19 of these individuals were arrested and detained before 2017 and are serving prison sentences that range from five to sixteen years. Four Sunni Muslims were detained in 2019 and three have been imprisoned so far in 2020.

In 2019, there were 38 cases recorded in HRWF's database. There were ten more cases in 2018. Between late August and early September 2018, the authorities arrested many bloggers criticising the lack of religious freedom in an attempt to stop public discussions on such issues. At least eight of them were jailed for two weeks.⁵ Some Sunni imams were also prosecuted for criticising the state controlled *Muftiate* and the ban on the wearing of hijabs in schools.

Articles of the Penal Code

Prisoners are typically charged under these articles of the Uzbekistani Criminal Code:

Article 156, Part 2 which includes 'deliberate acts intended to humiliate ethnic honour and dignity, insult the religious or atheistic feelings of individuals, carried out with the purpose of inciting hatred, intolerance, or divisions on a national, ethnic, racial, or religious basis, as well as the explicit or implicit limitation of rights or preferences on the basis of national, racial, or ethnic origin, or religious beliefs'.

Article 159 which is 'attempts to change the Constitutional order', including acts of violence. It is punishable by up to 10 years in prison.

Article 244-1, Part 1 which is 'the production, storage, distribution or display of materials containing a threat to public security and public order'. **Part 2** is the 'dissemination of materials containing ideas of religious extremism, separatism, and fundamentalism, calls for pogroms or violent eviction, or aimed at creating panic among the population, as well as the use of religion for purposes of breach of civil concord,

⁴ Our Database is updated on a regular basis. For more details about imprisoned Sunni Muslims, see <https://hrwf.eu/prisoners-database/>.

⁵ Mushfig, Bayram, "UZBEKISTAN: Jailings 'to intimidate all who speaks about freedoms'," Forum 18, September 20, 2018, accessed May 2020.

http://www.forum18.org/archive.php?article_id=2416.

dissemination of calumnious and destabilising fabrications, and committing other acts aimed against the established rules of conduct in society and public order'. **Part 3 (a)** specifies when these acts are premeditated or by a group of people, **Part 3 (b)** specifies when they are committed by officials, and **Part 3 (c)** specifies when they have received 'financial or other material aid from religious organisations, as well as foreign states, organisations, and citizens'.

Article 244-2, Part 1 which is the 'creation, leadership or participation in religious extremist, separatist, fundamentalist or other banned organisations'.

Article 246, Part 1 which includes 'smuggling, that is carriage through the customs border - without the knowledge of or with concealment from customs control - materials that propagandise religious extremism, separatism, and fundamentalism'. It is punishable by between 10 to 20 years in prison.⁶

Additionally, Sunnis may be charged under these articles of the Uzbekistani Code of Administrative Offences:

Article 240, Part 1 which includes the 'carrying out of unauthorised religious activity, evasion by leaders of religious organisations of registration of the charter of the organisation, and the organisation and conduct of special children's and youth meetings, as well as vocational, literature and other study groups not relating to worship'. Individuals found in violation of this article may be jailed for up to 15 days or required to pay fines that are 50 to 100 times the minimum monthly wage.

Article 241 includes 'teaching religious beliefs without specialised religious education and without permission from the central organ of a [registered] religious organisation, as well as teaching religious beliefs privately'. Individuals found in violation of this article may be jailed for up to 15 days or required to pay fines that are 50 to 100 times the minimum monthly wage.⁷

International advocacy

On 22 February 2018, the *Report of the Special Rapporteur on freedom of religion or belief on his mission to Uzbekistan* was presented to the **UN General Assembly**. In this report, the Special Rapporteur, Ahmed Shaheed, shared findings from his mission in October 2017, which included:

67. The number of detainees imprisoned on vague charges relating to 'religious extremism', 'anti-constitutional' activity or membership in an 'illegal religious group' — also known as 'religious detainees' — is unconfirmed. The estimate ranges between 5,000 and 15,000 individuals⁸, while the official data is unknown.

⁶ Mushfig, Bayram, "UZBEKISTAN: Religious freedom survey September 2017," Forum 18, September 11 2019, accessed May 2020. http://www.forum18.org/archive.php?article_id=2314.

⁷ Ibid.

⁸ The statistics mentioned by the Special Rapporteur were not supported by any identifiable source and the government of Uzbekistan fiercely denied such figures in its comments sent to the Special Rapporteur. However, USCIRF 2020 Annual Report was quoted as saying 'Estimates from international and local human rights organizations generally range from 1,500 to 5,000 prisoners. According to human rights activists in Uzbekistan, many of the remaining religious prisoners were sentenced in connection with real or fabricated membership in the Islamist organization Hizb ut-Tahrir, which is banned in Uzbekistan'. See United States Commission on International Religious

Thousands of Muslims have allegedly been imprisoned on accusations of belonging to terrorist, extremist or banned organizations or exercising the right to freedom of religion or belief. It is hard to know whether those detainees were indeed involved in violence or other crimes or whether they were only 'guilty' of taking their faith seriously.⁹

In February 2019, Principal Deputy Assistant Secretary for the **US Bureau of South and Central Asian Affairs** Alice G. Wells visited Uzbekistan. She raised concerns about religious freedom issues and specifically cited the release of prisoners of conscience as a positive step the government could take.¹⁰

The **US State Department** removed Uzbekistan from its list of Countries of Particular Concern (CPC) and placed it on its Special Watch List (SWL) for the first time in December 2018. It did so again in November 2019. Before this, Uzbekistan was designated as a CPC due to egregious violations of religious freedom.

The **United States Commission on International Religious Freedom's** (USCIRF) 2020 Annual Report recommended that the US State Department keep Uzbekistan on the Special Watch List.¹¹

Uzbekistan must stay on the path of religious freedom reform

Tashkent has made progress on the path toward greater religious freedom but must remain vigilant to protect the gains it has made and continue to actively push forward.

By **Nadine Maenza and Nury Turkel**

Freedom, Annual Report, *USCIRF-Recommended for countries of particular concern: Uzbekistan 2020*, 2020.

<https://www.uscirtf.gov/sites/default/files/Uzbekistan.pdf>.

⁹ Shaheed, Ahmed, *Report of the Special Rapporteur on Freedom of Religion or Belief on his mission to Uzbekistan*, United Nations, 2018.

<https://digitallibrary.un.org/record/1481445?ln=en#record-files-collapse-header>.

¹⁰ 'Principal Deputy Assistant Secretary for South and Central Asian Affairs Alice Wells Travels to Kyrgyzstan and Uzbekistan,' U.S. Department of State, February 24, 2019.

<https://www.state.gov/principal-deputy-assistant-secretary-for-south-and-central-asian-affairs-alice-wells-travels-to-kyrgyzstan-and-uzbekistan/>.

¹¹ United States Commission on International Religious Freedom, *Annual Report, USCIRF-Recommended for countries of particular concern: Uzbekistan 2020*, 2020.

<https://www.uscirtf.gov/sites/default/files/Uzbekistan.pdf>.



Credit: Catherine Putz

The Diplomat (09.07.2020) - <https://bit.ly/32h4Tg5> - For many years, Uzbekistan presented a bleak picture in a region notorious for poor human rights conditions. Under the country's late authoritarian leader, Islam Karimov, the government relentlessly repressed all independent religious activity that it did not expressly sanction. In one particularly infamous incident documented in 2002, the bodies of two religious prisoners held at Jasliq Prison — also called the "[House of Torture](#)" — were returned to their families with evidence of torture indicating that at least one of them may have been boiled alive. A decade later, a popular imam who fled Uzbekistan and received asylum in Sweden barely survived an assassination attempt that many believed was [orchestrated](#) by the government.

Karimov's death in 2016 brought to power his long-time prime minister, Shavkat Mirziyoyev, who has proven himself inclined to reform and committed to improving Uzbekistan's international image. Among his administration's efforts to implement reform on a number of fronts, its focus and engagement on religious freedom concerns have been a welcome, if slow, reversal of a long-standing official policy of persecution.

The government's initial move to delist thousands of individuals from its blacklist of potential "religious extremists," and its decision to invite the United Nations special rapporteur on freedom of religion or belief, Ahmed Shaheed, to visit the country in late 2017, were groundbreaking first steps in the right direction. The government's adoption of a "road map" in response to Shaheed's recommendations the following year was a promising sign of its commitment as well.

For 15 consecutive years, the U.S. Commission on International Religious Freedom (USCIRF) recommended that the U.S. State Department designate Uzbekistan as a Country of Particular Concern (CPC) under the International Religious Freedom Act of 1998 for its "systematic, ongoing, egregious violations of religious freedom."

But, on April 28, USCIRF for the first time recommended Uzbekistan for the Special Watch List (SWL) in recognition of the progress made, and, crucially, in expectation of continued reform in the year ahead.

Although the State Department had opted to remove Uzbekistan from its list of most egregious religious freedom violators earlier, in late 2018, USCIRF did not recommend the State Department do so until this spring.

It is imperative that Uzbekistan continue on its chosen path of reform to provide and protect the rights of all its people to practice their religion or beliefs. Its expected

adoption of a revised Law on Freedom of Conscience and Religious Organizations would be a welcome next step in its efforts to provide all the conditions for true religious freedom.

Over the course of the last year, we have seen Uzbekistan take real, concrete action to substantially improve and increase the space for religious freedom throughout the country. When a USCIRF delegation visited Uzbekistan last year, many diverse religious faiths and communities shared that the situation had truly changed for the better.

[USCIRF's 2020 Annual Report](#) highlighted the government's directive to law enforcement authorities and police to cease raids on religious groups and the announced closure of Jasliq Prison as some of the most significant positive developments of 2019.

However, although notable progress has been made, much remains to be done.

Of particular concern are the reported thousands of peaceful Muslims whom Uzbekistan continues to imprison on vague or spurious charges of "religious extremism." While there have been some prisoner releases, the government should fully review the cases of all individuals imprisoned under such charges as well as release, rehabilitate, and exonerate those held as political and religious prisoners.

Uzbekistan should also ensure that its approach and advancement of freedom of religion or belief is comprehensive and inclusive of *all* its religious communities, including Muslims. The government's reluctance to extend fundamental rights to all Muslims, and particularly those who choose to exercise or publicly express their beliefs by growing a beard or wearing a hijab, is contrary to its commitment to international human rights standards. As Uzbekistan moves forward with plans to overhaul its religion law, it should minimize mandatory registration requirements as much as possible, and set aside inordinate and stifling bans on proselytism, missionary activity, and the private teaching of religion.^N

Finally, Uzbekistan must remain vigilant to protect the gains it has made, continue to actively push forward reforms to its legal framework regarding religion — such as fulfilling its pledge to revise the Law on Freedom of Conscience and Religious Organizations — and avoid any [backsliding](#).

Nadine Maenza is a Commissioner on the United States Commission on International Religious Freedom, appointed by President Donald Trump.

Nury Turkel is a Commissioner on the United States Commission on International Religious Freedom, appointed by House Speaker Nancy Pelosi.

When will draft Religion Law be made public?

By Mushfig Bayram Felix Corley

Forum 18 (09.06.2020) - <https://bit.ly/3dRqzCa> - Members of religious communities expressed their frustration to Forum 18 about the secrecy of the new Religion Law's drafting process, and the regime's apparent lack of willingness to end restrictions violating human rights obligations. Officials' statements about a draft text do not match the concrete changes people in Uzbekistan have said they would like to see in a new Law.

Senior Uzbek officials have made public claims giving the impression that a draft new Religion Law is in the process of being formally adopted in the unelected Oliy Majlis (Parliament). The most recent such statement was made on 20 May. Yet Forum 18 has found that as of 9 June, no draft Law has been formally presented to Parliament, and

Parliament has not begun the official process of adopting the draft Law. Officials refuse to say what stage the draft has reached, when it might be presented for open public discussion, and when submitted to Parliament.

Officials noted on 20 May that they expect to adopt the draft Law by the end of 2020. However, state Religious Affairs Committee officials in Tashkent told one religious community not to expect the draft Law text to be published until the end of 2020 (see below).

Officials at the state-controlled National Human Rights Centre in Tashkent, which is headed by Akmal Saidov and which is said to be drafting the new Law, refused to talk to Forum 18 (see below).

Members of a range of religious communities have told Forum 18 about the secrecy of the drafting process, and expressed frustration that the regime does not appear ready to end restrictions on the exercise of freedom of religion or belief which violate the country's international human rights obligations.

Officials' statements about a draft text do not match the concrete changes people in Uzbekistan have said they would like to see in a new Law. "Civil society is expecting systemic changes in human rights from the government," human rights defender Shukhrat Ganiyev told Forum 18. "Only this and real reforms can guarantee no return to the repressive past" (see below).

After the October 2017 visit to Uzbekistan of the United Nations (UN) Special Rapporteur on Freedom of Religion or Belief, Ahmed Shaheed, he recommended: "A new law on freedom of religion or belief should be fully compatible with article 18 of the International Covenant on Civil and Political Rights." He added: "The new draft law should be open to consultations and comments by the public, especially civil society, religious and belief communities and international partners, including the United Nations system" (see below).

Despite a proclaimed imminent simplification of registration procedures for religious communities, the Religious Affairs Committee published draft revised registration procedures for public consultation on 28 May 2020. These leave almost all registration provisions unchanged, for example requiring all religious communities to have state permission in order to exist and exercise their freedom of religion and belief, and so still violate Uzbekistan's binding international human rights law obligations (see below).

When the Religious Affairs Committee [last changed the registration procedures in May 2018, it added two new restrictive requirements for seeking legal status.](#)

Although the numbers of raids, fines and jailings to punish the exercise of freedom of religion or belief have fallen in recent years, individuals still face such punishments and the system of state control has not changed.

Members of many religious communities, who wish to remain anonymous for fear of state reprisals, have told Forum 18 that [many communities would like to obtain state registration but "are being blocked from registering with various excuses. Others have not applied, thinking that the authorities will not register them."](#)

One Protestant, who wished to remain anonymous for fear of state reprisals, told Forum 18 that "I know of several Churches across Uzbekistan which the authorities refused to register in 2019." Some cannot get Land Registry or Mahalla approval, others face demands for bribes. Seven Jehovah's Witness communities were rejected. Catholics await registration for a sixth parish. Police pressured Shia Muslims in Bukhara to halt a petition to reopen a closed Shia mosque.

People are afraid to try to open a mosque that is not state controlled [which is currently banned], a human rights defender told Forum 18 on 8 June 2020. "One hundred citizens' signatures are needed as founders, but it is difficult to find so many citizens to sign as they are afraid of the state".

The human rights defender commented that the "long list of permissions needed from state agencies" means that "in reality 99.99 per cent of religious communities will not get registration – especially Muslims". They also noted that "many local communities are waiting to get permission from the state to have mosques officially allowed. Most written requests are not answered, and the Religious Affairs Committee if it answers normally does this only verbally".

Two legal changes have reduced the fees religious communities need to pay when seeking state registration and the level of fines to punish the exercise of freedom of religion or belief under both the Criminal Code and the Administrative Code. The introduction of a new base unit instead of denominating such fees and fines using the official monthly minimum wage has had the effect of reducing such fines and fees by about two-thirds. The changes were apparently unrelated to the proposed new Religion Law (see below).

No draft Religion Law text for public to see

The regime has long promised to revise the Religion Law, which severely restricts the exercise of the right to freedom of religion or belief. The only draft – given to a small number of people approved by the government in May 2019 - would [reduce the number of adult resident citizens required to found a local religious organisation from 100 to 50, as well as registration fees, but would continue to ban the exercise of freedom of religion and belief without state permission, as well as sharing of faith.](#)

Yet despite these claims, the Religious Affairs Committee left registration requirements almost unchanged when it published draft changes to them on 25 May (see below). Among the unchanged requirements was the requirement [to have 100 adult citizens to found a religious community.](#)

The government claims to be following the recommendations of the United Nations (UN) Special Rapporteur on Freedom of Religion or Belief, Ahmed Shaheed, following his October 2017 visit to Uzbekistan. Shaheed recommended ([A/HRC/37/49/Add.2](#)) that: "A new law on freedom of religion or belief should be fully compatible with article 18 of the International Covenant on Civil and Political Rights."

Shaheed added: "The new draft law should be open to consultations and comments by the public, especially civil society, religious and belief communities and international partners, including the United Nations system".

Since the restricted distribution of the May 2019 text to government-approved people only, and despite frequent government statements that work on the draft Law was underway, the government has not published a later text. The draft Law does not appear on the government website regulation.gov.uz where draft Laws are supposed to be posted.

No religious community has confirmed to Forum 18 that it has seen a current text. Between 1 and 5 June 2020, Forum 18 asked Parliament, the Justice Ministry, the state-controlled National Human Rights Centre, and the Religious Affairs Committee for the text. But no draft text has been published for all Uzbekistan's citizens to see or supplied to Forum 18.

"The authorities have not discussed the Law in the past and it does not seem that they will do so now," a Muslim from Tashkent, who asked not to be identified for fear of state reprisals, told Forum 18 on 8 June. "It is because they do not respect their citizens, and are not ready to listen to their opinion. We have not seen the text or any public discussions."

"Unfortunately, we haven't seen the draft Law, and no one has asked us our opinion," Rukhiddin Komilov, an independent Muslim human rights defender, told Forum 18 on 5 June.

"We have not seen any texts of the Law anywhere on the official websites of the Religious Affairs Committee or any other state agency," the leader of an unregistered Protestant community – who asked not to be identified for fear of state reprisals – told Forum 18 on 4 June. "Our opinion has not been asked, and so it is all unknown to us."

"We do not know what is in the new draft Law, since we have not seen it," Bishop Jerzy Maculewicz, head of the Catholic Church in Uzbekistan, told Forum 18 from Tashkent on 5 June.

"Unfortunately, we don't know much regarding the current status of the draft Law except what is provided by the official media," Jehovah's Witnesses told Forum 18 on 8 June. "When our local religious association in Chirchik inquired of the Religious Affairs Committee on this matter in the middle of May 2020, the reply they received stated that the draft should not be expected soon because it will be published approximately by the end of this year."

Jehovah's Witnesses added that they also tried to get more information through the offices of the United Nations (UN) Resident Coordinator and the Office of the UN High Commissioner for Human Rights, but they could not provide any information either.

In July 2019, Foreign Minister Abdulaziz Kamilov claimed in Washington DC that "in the near future" a draft law would be sent for review to UN Special Rapporteur Shaheed, the OSCE Office for Democratic Institutions and Human Rights (ODIHR), the US State Department, and the US Commission on Security and Cooperation in Europe (the Helsinki Commission) for review. There has been no sign of this happening.

Officials wrongly imply Parliament formally considering draft Religion Law

On 3 March 2020, Yadh Ben Achour, a member of the United Nations Human Rights Committee – during its consideration in Geneva of Uzbekistan's human rights record ([CCPR/C/SR.3691](#)) - told the Uzbek delegation that he "wondered what reasons could account for the delay in drafting a bill on freedom of conscience and religious organizations, which had been in development for some five years".

Okil Ubaydulloyev, Senior Advisor to President Shavkat Mirziyoyev on security and religious issues, claimed in response that a new Law "was being discussed by a parliamentary committee and working group".

Ubaydulloyev claimed that the draft Religion Law "provided for the incorporation of 20 new articles which would, for instance, reduce the number of members required for the registration of a religious organization, reduce the deadline for registration from three to two months and do away with the need to submit a large number of documents and diplomas".

Akmal Saidov, Director of the state-controlled National Human Rights Centre, spoke

immediately after Ubaydulloyev, pledging that the new Law "would reflect the standards enshrined in the Covenant [International Covenant on Civil and Political Rights]".

On 20 May, the Oliy Majlis (Parliament) held a meeting – which was not part of the formal adoption process of a law - to discuss a Road Map approved by Parliament on 4 May 2018 which claimed to set out measures the government would take to ensure freedom of religion or belief for all. Officials stated during the meeting that the draft Law would be adopted by the end of 2020, but gave no other timescale for its consideration and adoption.

The account on the parliamentary website the following day stated that the meeting was a "parliamentary hearing", but it was not a hearing discussing a specific draft text, and was not empowered to give a reading to a draft Law. No text of the promised draft Law was given out.

Deputy Justice Minister Akbar Toshkulov spoke of alleged changes in the legal situation, including a five-fold fall in the state fees to register religious communities, a reduction in the number of documents required to register a religious community, a requirement that registered religious communities present annual, not quarterly reports to the state, ending the powers of Justice Departments to close religious communities, and the imposition of fines of 100 base units for religious communities which violate legal provisions.

The Russian-language website account of the meeting then adds: "The proposal of the draft Law on freedom of conscience and religious organisations was adopted in the new version." The Uzbek-language account says merely that "detailed information" was provided on the changes in the draft Law.

Officials unwilling to state what stage draft Religion Law at

As the draft Law, if a text exists, has not begun the process of being formally adopted by Parliament, and contrary to UN Special Rapporteur Shaheed's recommendations no text has been made public, Forum 18 tried to find out what stage the draft Law has reached.

Justice Ministry officials declined to comment to Forum 18 on the draft Law or put Forum 18 through to Deputy Minister Akbar Toshkulov. Reception officials on 3 June referred Forum 18 to Afzal Artykov, Head of the International Relations Section of the Senate, the upper chamber of Parliament.

"I know that the Law is some at some stage of development," Artykov told Forum 18 from the Senate on 3 June, "but I cannot tell you the exact situation." He referred Forum 18 to Akmal Saidov, Director of the state-controlled National Human Rights Centre, and his Assistant Dilnoza Muratova. "They are more competent to talk about it and the National Centre prepared the draft Law."

State-controlled National Human Rights Centre officials refused to comment on the draft Law or to put Forum 18 through to Saidov or Muratova between 3 and 5 June. Oybek Akhmadov, a reception official, told Forum 18 on 3 June that Saidov is "not available" and Muratova is "busy." He asked it to call back the next day. However, on 4 June officials (who refused to give their names) kept asking Forum 18 to call back later. On 5 June Akhmadov put the phone down as soon as he heard Forum 18's name. Subsequent calls to the Centre went unanswered.

Okil Ubaydulloyev, Senior Advisor to President Shavkat Mirziyoyev on security and religious issues, on 4 June began questioning Forum 18 why it is asking him about the Law and who else it contacted before calling him. He already knew that it called the Senate and National Centre. "Was it you who called the National Centre and Senate asking about the Law yesterday?" he asked.

When Forum 18 asked again what stage the claimed draft Law has reached, Ubaydulloyev replied: "I cannot tell you exactly. I will ask Saidov and his Assistant from the National Centre to reach Forum 18 through its website and write about the developments with the Law." Forum 18 has received no reply yet from the National Centre.

What changes do people in Uzbekistan want?

People in Uzbekistan have repeatedly criticised to Forum 18 [restrictions on the exercise of freedom of religion or belief in the current Religion Law](#). This was adopted in 1998 under the previous President Islam Karimov and has remained largely unchanged since then.

Most forthright are members of Baptist Council of Churches congregations, who as is their right in international law choose not to seek state permission to exercise freedom of religion or belief. "The state should abolish the Religion Law altogether," one Council of Church Baptist told Forum 18 on 5 June. "Why should it regulate the religious life of believers through a law? If they must have a law, then it should make state registration voluntary, not compulsory."

Others focused on the current obstructions to religious communities gaining state registration and the intrusive controls this brings. "We hope that the Law will be changed significantly so that it will not be difficult to register our Church," the leader of an unregistered Protestant community – who asked not to be identified for fear of state reprisals – told Forum 18 on 4 June.

Bishop Jerzy Maculewicz, head of the Catholic Church in Uzbekistan, told Forum 18 that he hopes that the new Law is better than [the current Law](#). "We hope that according to the new Law we will not be required to give advance notice of our meetings and spiritual exercises of our believers, including information about the participants and topics discussed."

The Bishop said that he had already explained to officials that they do not need to know "that we will for example gather at a certain time to talk about the Holy Spirit or any other religious topics with our believers. I hope some of those requirements will be removed with the new Law."

A Muslim human rights defender from Tashkent, who wished to remain anonymous for fear of state reprisals, told Forum 18 on 5 June that they want a new Religion Law to:

- end the ban on Muslim women wearing the hijab or other religious head scarf;
- end the ban on Muslim men wearing beards at work place or places of education;
- end the ban on teaching religion privately, an end to the ban on private teaching of Islam to children or opening new madrassahs [religious schools];
- end the ban on opening mosques which are not state controlled via the Muslim Board (Muftiate);
- and end the ban on praying with others outside state-registered places of worship in private homes.

Rukhiddin Komilov, an independent Muslim human rights defender, told Forum 18 on 5

June that a new Religion Law should allow children to be taught Islam. "If parents are not allowed to teach the foundations of Islam and our own traditions to their children, how can young men or their parents be blamed if they join extremist movements?"

Komilov also noted that registration applications can take months if not years. He thought that state agencies should be given a maximum of one month to answer all applications for state registration from religious communities.

Human rights defender Shukhrat Ganiyev from Bukhara told Forum 18 on 5 June that "we have noticed a temporary reinforcement of the control over the exercise of freedom of religion and belief. For example, the government [still seriously limits the freedom of expression of one's own religious beliefs and public criticism of government religious policies](#)".

Ganiyev also noted that both people in Uzbekistan and international organisations have strongly criticised the use of "vague concepts of 'extremism', 'anti-constitutional acts', and 'participation in banned religious groups' to punish Muslims".

Human rights defender Ganiyev also noted that former prisoners of conscience have not been rehabilitated and their criminal records annulled. "This is important for their integration into society. They still have to go report to the local posbon's [state appointed [mahalla](#) official] and go through 'preventive talks' on a regular basis. They have problems finding employment. It is necessary to improve the procedures for full rehabilitation of these individuals who were unjustly prosecuted and suffered."

"Civil society is expecting systemic changes in human rights from the government. Only this and real reforms can guarantee no return to the repressive past," Ganiyev commented.

Registration requirements almost unchanged

Despite proclaimed imminent changes to the Religion Law, the Religious Affairs Committee left registration requirements almost unchanged when it published draft changes to them on 25 May.

Among the unchanged requirements were those [to have 100 adult citizens to found a religious community, the requirement to present extensive documentation](#) (including religious education certificates of leaders, written permission from local authorities and a range of other state agencies), and the requirement – for local religious communities - to give the physical distance between the community's place of worship and the nearest registered place of worship of the same faith.

The requirement for all religious communities to have state permission in order to exist and exercise their freedom of religion and belief also remains unchanged. This does not as UN Special Rapporteur Shaheed recommended, implement Uzbekistan's binding international human rights law obligations. The obligations on registration are outlined in the Organisation for Security and Cooperation in Europe (OSCE) / Council of Europe Venice Commission [Guidelines on the Legal Personality of Religious or Belief Communities](#).

The government draft law website [regulation.gov.uz](#) gave the public until 9 June to comment on the proposed amendment. However, the website noted only two such comments by the end of 9 June.

Jehovah's Witnesses pointed out that the proposed revised registration regulations do nothing to help resolve the ["insurmountable obstacles in registration" they still face](#). They

note that the proposed text still requires a community to get permission from the mahalla committee, the state-run body that controls a small district of a town or city, for it to use a particular address. Even if it achieves this, a community still needs to get the approval of the Religious Affairs Committee.

"We cannot overcome even the first point: [mahallas in a number of regions have been refusing to give their approval](#)," Jehovah's Witnesses told Forum 18 on 8 June.

Fees, fines reduced

Two legal changes apparently unrelated to the proposed new Religion Law have reduced the non-refundable fees religious communities need to pay when applying for state registration, and the level of fines to punish the exercise of freedom of religion or belief under both the Criminal Code and the Administrative Code.

On 21 May 2019, President Mirziyoyev signed a Decree on setting the levels of wages, pensions and fees. This established from 1 September 2019 a new base unit for calculating state fees (for example for registering a religious community) and fines, replacing the earlier use of multiples of the official monthly minimum wage.

The introduction of a new base unit instead of denominating such fees and fines using the official monthly minimum wage has had the effect of reducing such fines and fees by about two-thirds.

The minimum monthly wage from September 2019 was 634,800 Soms, while the new base unit was set at 223,000 Soms. While the minimum wage and pensions increased from 1 February 2020, the base unit remained unchanged.

The Criminal Code and the Administrative Code were both amended on 4 December 2019. A fine of 100 times the minimum monthly wage, for example, became a fine of 100 base units.

The new Law on State Fees (including for state registration of religious communities) came into force on 7 January 2020. The fee for registering a centralised religious community was set at 20 base units (currently 4,460,000 Soms), and a local religious community at 10 base units (currently 2,230,000 Soms). Re-registration fees are half the level of the original registration.

Ten base units represents about one month's average wage for those in formal work.

Police agent provocateur used to entrap Muslims

Forum 18 (03.06.2020) - http://www.forum18.org/archive.php?article_id=2575 - A police agent provocateur tried to get four young men interested in Islam to support terrorism. After this failed, Tashkent City Criminal Court jailed three of the men for between five and six years. Despite telling the Court that their "confessions" were extorted by torture "this was totally ignored". Another trial of eight men is underway on similar charges at the same Court.

At the end of a trial on 13 March of four men aged between 19 and 22 who had sought to learn more about Islam, Tashkent City Criminal Court jailed three of them for between

five and six years. The fourth was given a community work sentence and ten per cent deduction of his wages for a year.

In August 2019 Mirjamol Yuldashev created a Telegram messenger group to discuss Islam at the instigation of Samarjon Abdullayev, who was his private boxing coach and an undercover police agent provocateur. Yuldashev invited Muhammad Kodyrov, Botyraly Kurbonov and Khudoyberdy Dultayev to join the group (see below).

Since 2016, the four young men had been interested in finding out about Islam. But Abdullayev – apparently on police instructions - tried to get them to agree to support terrorism and go to Syria to fight (see below).

Abdullayev was not put on trial and was a witness for the state during the trial of the four young men. While giving testimony "he accidentally admitted that he received instructions from the police", a relative who wishes to remain anonymous for fear of state reprisals told Forum 18 (see below).

Police arrested the four young men – but not Abdullayev. During the pre-trial detention "Erkin Beknazarov of Tashkent Police Criminal Investigation Department (CID) and other officers tortured the three men in the police station basement and dictated the confessions to them," Yelena Urayeva, an independent human rights defender from Tashkent who chairs the Human Rights Alliance, told Forum 18 (see below).

Beknazarov of Tashkent CID would not answer when Forum 18 asked him on 2 June 2020 why he tortured the defendants. Under the United Nations (UN) Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Uzbekistan is under a binding legal obligation to arrest and put on criminal trial for torture any official suspected of torture. This does not seem to have happened yet (see below).

On 13 March 2020, Yuldashev was jailed for six years, Kodyrov was jailed for five years, Kurbonov was jailed for five years and six months, and Dultayev was sentenced to one year of community work, with the state deducting ten per cent of his income during that year.

The defendants told Tashkent City Criminal Court that the "confessions" were extorted from them by torture, human rights defender Urayeva told Forum 18. "Instead of seriously investigating this," she complained, "both Judge Turgunova and Nurmatov of the Prosecutor's Office scolded the defendants and asking them why they did not complain about this to Interior Ministry medical personnel" (see below).

Defence lawyer Dilshod Jabbarov asked the Court and the Prosecutor's Office to investigate the informer Abdullayev's actions, and open a criminal case against him. "But this was totally ignored," a relative told Forum 18 (see below).

Eight Muslim men are currently on trial in Tashkent in a similar case. Alisher Kasymov, Shakhzodjon Zokirov, Javokhir Akhmedov, Ubaydulla Murtazoyev, Azimjon Abdusamatov, Bakhodiyr Jokhonov, and Abdulboriy Abdurakhmonzoda are accused of allegedly downloading "extremist sermons" and discussing Islam among themselves. They were also tortured (see below).

In August 2019 Mirjamol Yuldashev created a Telegram messenger group to discuss Islam at the instigation of Samarjon Abdullayev, who was his private boxing coach and an apparent undercover police agent provocateur, a source who knows the case well told Forum 18 on 29 May 2020. The source wishes to remain anonymous for fear of state reprisals.

Yuldashev invited three other young men to join the group. They were Muhammad Kodyrov, who like Yuldashev is from the capital Tashkent, Botyraly Kurbonov and Khudoyberdy Dultayev from Uchkuprik District of the eastern Fergana Region.

"They did not know Yuldashev before, and were innocently looking for information on the internet about their new-found faith," a relative of one defendant, who wishes to remain anonymous for fear of state reprisals, told Forum 18 on 22 May.

Yelena Urlayeva, an independent human rights defender from Tashkent who chairs the Human Rights Alliance, told Forum 18 on 22 May that relatives told her that the young men got to know each other via social media. "They were all were looking for information on the internet about Islam, and the authorities watched them."

The State Security Service (SSS) secret police is [known to carry out both covert and open surveillance of all religious communities](#).

Yuldashev, Kodyrov, Kurbonov, and Dultayev were subsequently arrested, tortured, and after being put on trial in Tashkent from 13 January to 13 March 2020 punished for their participation in the group.

The trial verdict, seen by Forum 18, states that, between 2016 and August 2019, the four young men listened to the sermons of banned imams such as Abduvali Mirzayev.

Mirzayev was an imam in Andijan in eastern Uzbekistan, whose recorded sermons became popular among Muslims across the country. He ["disappeared" with his assistant at Tashkent Airport in 1995](#) and has never been seen again.

Credible evidence exists that the regime has used false accusations of listening to his sermons, combined with the use of informers, to convict Muslims who have only met to pray and study the Koran.

Agent provocateur

Abdullayev was not put on trial and was a witness for the state during the Tashkent trial of the four young men. While giving testimony "he accidentally admitted that he received instructions from the police", a relative of one of the defendants who wishes to remain anonymous for fear of state reprisals told Forum 18.

"Abdullayev himself began provoking the young men by writing comments in the messenger such as 'Muslim men should fight for their faith', 'Muslims should join jihad in Syria and other places'," the relative told Forum 18.

"The sermons [by the imams the young men listened to] covered various Islamic topics, including the subject of jihad. Some of those imams propagate jihad as war but others preach against it. Abdullayev recommended sermons to support his idea of jihad as war," the relative told Forum 18.

Another relative told Forum 18 that the young men "argued with Abdullayev and said that that they are not sure that jihad means going to war with those from other faiths or convictions. After these discussions, Dultayev asked the Imam of the local mosque he attends in Fergana about the issue, and was told that jihad does not mean war with others."

The four young men agreed to meet on 12 August 2019, but only Kodyrov and Yuldashev came. "This again was Abdullayev's idea. He manipulated Yuldashev to arrange the

meeting," the second relative told Forum 18. "Abdullayev's original idea was that the four meet and discuss how they could go to Syria, promising them money, but this did not work out since only Kodyrov came to see Yuldashev."

"Kodyrov was scared after the meeting with Yuldashev and he informed his relatives about the messenger group, their discussions, and blocked Yuldashev's and Abdullayev's numbers. He also cleared all the chats in the messenger group from his phone", the second relative stated.

Two weeks after this, on 26 August 2019, Abdullayev took Yuldashev to Tashkent International airport to find out the cost of plane tickets to Turkey. Human rights defender Urayeva told Forum 18 that Abdullayev promised on the group that he would help them buy tickets to Turkey, and if necessary would send them there as boxers of the Boxing Federation. He told them that if they decided to go to Syria to fight for Muslims, it could be easy to do so from Turkey. He recorded the conversation.

During the four men's trial, one of the defendants' relatives told Forum 18, defence lawyer Dildshod Jabborov asked Abdullayev why he took Yuldashev to the airport. "We decided to do this," Abdullayev replied. When Jabborov asked who "we" were, Abdullayev replied: "Me and the police, because they already knew about what was going on and told me that I needed to go to the airport and record the conversation."

Torture

On 29 August 2019, police detained Yuldashev and Kodyrov, and on 10 September detained Kurbonov. During the pre-trial detention "Erkin Beknazarov of Tashkent Police Criminal Investigation Department (CID) and other officers tortured the three men in the police station basement and dictated the confessions to them," human rights defender Urayeva stated.

Yuldashev "confessed" to having 995 grams of agricultural fertiliser – allegedly found by police in his home – to make a bomb with. One relative pointed out that such fertiliser is widely available. Kodyrov and Kurbonov "confessed" that they were preparing to go to Syria for jihad.

Beknazarov of Tashkent CID would not answer when Forum 18 asked him on 2 June 2020 why he tortured the defendants. He then put the phone down and did not answer subsequent calls.

Under the United Nations (UN) Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, [Uzbekistan is under a binding legal obligation to arrest and put on criminal trial for torture any official suspected of torture](#). This does not seem to have happened yet.

Tashkent Prosecutor's Office did not answer multiple phone calls between 29 May and 2 June.

Sentenced

On 13 March 2020, Judge Mukhtaram Turgunova of Tashkent City Criminal Court sentenced Yuldashev, Kodyrov, Kurbonov and Dultayev. The Prosecutor's Office brought the charges, and was represented by Iftikhor Nurmatov.

Yuldashev (born 14 September 1997) was convicted under Criminal Code Article 244-2, Part 1 ("Creation, leadership or participation in religious extremist, separatist,

fundamentalist or other banned organisations") and Criminal Code Article 155-2, Part 1 ("Undergoing training to carry out terrorism"). He was jailed for six years.

Kodyrov (born 31 October 1998) was convicted under Criminal Code Article 244-2, Part 1 and was jailed for five years.

Judge Turgunova ordered the sentences of Yuldashev and Kodyrov to be counted from 12 September 2019, the day Tashkent City Criminal Court authorised their pre-trial detention.

Kurbonov (born 15 July 2000) was convicted under Criminal Code Articles 244-2, Part 1 and 244-1, Part 3 (d) ("Production and storage of materials containing ideas of religious extremism, separatism, and fundamentalism, calls for pogroms or violent eviction, or aimed at creating panic among the population, as well as the use of religion for purposes of breach of civil concord, dissemination of calumnious and destabilising fabrications, and committing other acts aimed against the established rules of conduct in society and public order using the mass media or telecommunication networks, as well as the world wide web") He was jailed for five years and six months.

Kurbonov's sentence will be counted from 24 September 2019, the day he was taken into pre-trial detention.

Dultayev (born 4 January 2001) was convicted under Criminal Code Article 241-1, Part 1 ("Failure to report a crime or concealing a crime") and was sentenced to one year of community work, with the state deducting ten per cent of his income during that year. Oversight of the punishment was assigned to Uchkuprik District Police in Fergana Region where Dultayev lives. He had not been held in pre-trial detention.

Most of these Criminal Code articles [have been previously used to jail Muslims whose only "crime" is to meet to study their faith and pray.](#)

Call to investigate informer "totally ignored"

During their trial at Tashkent City Criminal Court, the defendants testified that the "confessions" had been extorted from them by torture, human rights defender Yelena Uralyeva told Forum 18. "Instead of seriously investigating this," she complained, "both Judge Turgunova and Nurmatov of the Prosecutor's Office scolded the defendants and asking them why they did not complain about this to Interior Ministry medical personnel."

One of the defendants' relatives told Forum 18 that defence lawyer Jabbarov asked the Court and the Prosecutor's Office to investigate the informer Abdullayev's actions, and open a criminal case against him. "But this was totally ignored."

Judge Turgunova on 2 June told Forum 18 that "I already gave my decision, and I will not discuss it with you". Asked when Uzbekistan will fulfil its legally binding international obligations by arresting and putting on criminal trial the suspect torturers she put the phone down.

Defence lawyer Jabbarov told Forum 18 on 28 May that "an appeal will only be possible after the lockdown loosens. The Court decision has not entered into force. We are waiting for the Court to let us know when we can file our appeal."

"Kodyrov cannot be visited in prison because of the lockdown. He told his father by phone on 18 May in a 15 minute conversation that he is being treated normally," Jabbarov added.

Yuldashev, Kodyrov, and Kurbonov are currently held in Tashkent's Investigation Prison:

Ichki Ishlar Vazirligi 1-sonli Tergov Xibisxonasi
Bogzor kochasi
Zangiota tuma, Tashkent viloyati
Uzbekistan

Another informer, more criminal charges

Eight Muslim men are currently on trial in Tashkent in a similar case. Alisher Kasymov, Shakhzodjon Zokirov, Javokhir Akhmedov, Ubaydulla Murtazoyev, Azimjon Abdusamatov, Bakhodyr Jokhonov, and Abdulboriy Abdurakhmonzoda are accused of allegedly downloading "extremist sermons" and discussing Islam among themselves.

On 23 November 2018, Tashkent's Sergeli District Court had given Kasymov a suspended sentence of five years' restricted freedom under Criminal Code Article 244-1, Part 2 ("Dissemination of materials containing ideas of religious extremism, separatism, and fundamentalism, calls for pogroms or violent eviction, or aimed at creating panic among the population, as well as the use of religion for purposes of breach of civil concord, dissemination of calumnious and destabilising fabrications, and committing other acts aimed against the established rules of conduct in society and public order").

Murtazoyev, Tursunov, Zokirov, and Kasymov were given 15-day short-term jail terms on fabricated charges in August 2019, human rights defender Urayeva told Forum 18.

Urayeva and a relative of one of the defendants in custody told Forum 18 that the eight men "began looking for information on the Muslim faith on the internet, and soon the police began watching their social media profiles."

Four of the defendants – including one who allegedly wanted to blow up a police station and to go to Syria – are not being held in pre-trial detention. Urayeva and the relative think that police used some of the defendants to "provoke discussions of jihad".

Defence lawyer Jabborov told Forum 18 that Murtazoyev, Tursunov, Zokirov and Kasymov are in police custody, but the other four are under house arrest.

Tamara Umedova, Murtazoyev's mother, told Forum 18 on 29 May that "our son is very young as are the others. He is totally innocent, and the police fabricated the case. He was supposed to get married soon. We are very sad for his detention and also embarrassed in front of his bride and her family."

Umedova explained that the police uses as evidence of extremism the picture her son put on his Instagram account where he made himself a head cover from his scarf. "He was just playing around with his friends when the picture was taken. Some friends commented under the picture that he looked like a real Muslim." Police claim that this is evidence of a wish to be a terrorist.

Major Talat Elbekov, Senior Investigator of the Interior Ministry's CID, opened a criminal case against the eight men. On 10 January 2020, Lieutenant Colonel Sherzod Shermatov, the head of the CID, signed the indictment.

Torture

The men were tortured for 11 days in the Interior Ministry building, human rights defender Urayeva told Forum 18. Major Elbekov and other officers "severely beat the

defendants to extort confessions. The officers also threatened them that their family members will be brought to the Ministry building and will be severely physically assaulted in front of them. Many of them had bodily injuries."

Lieutenant Colonel Shermatov of the Interior Ministry adamantly denied the torture. "We thoroughly investigated the case, and all the actions of the investigators were lawful," he claimed to Forum 18 on 2 June.

When Forum 18 asked when Major Elbekov and others will be – in line with Uzbekistan's international obligations – arrested and put on criminal trial for torture Shermatov replied: "There is no need for that, since no violations took place against the defendants."

In Urgench and Namangan Regions, Protestant Christians [complained about police raids and house searches without warrants, as well as police pressure on individuals to sign fabricated statements. "Investigations" in both places in 2019 found no police wrongdoing. Instead, church members faced possible punitive measures.](#)

Similarly in 2018, [police officer Ravshan Sobirov, who tortured Jehovah's Witness Anvar Tajiyev and made death threats against him, was not brought to justice as Uzbekistan's international human rights obligations require. Tajiyev lost hearing in one ear and still suffers headaches.](#) Many complaints to the President, national and local Prosecutor's Offices have led to no arrests or prosecutions.

Demonstration

Relatives of the defendants and human rights defender Urayeva conducted a demonstration in Tashkent on 17 March in front of the Interior Ministry. They handed in a complaint signed by the participants demanding an investigation into the torture. During the demonstration, an unknown man attacked Urayeva and tried to take away her camera. The participants of the demonstration protected her and the man did not succeed.

No relatives or human rights defenders wanted in court, case postponed

The case against the eight men was handed to Tashkent City Criminal Court, and the trial began on 18 March under Judge Kahmid Shamshiyev.

The Judge had instructed police to deny entry to the Court to one of the relatives and human rights defender Urayeva, but they managed to get into the court. She criticised Judge Shamshiyev for barring them from the hearing and "demanded that he should take measures about the facts of police torture of the defendants." Judge Shamshiyev "then announced a break and demanded that all the relatives and human rights defenders leave the room, which we did," Urayeva said.

Jahongir Bobonazarov, Judge Shamshiyev's assistant, refused to answer any question from Forum 18 on 2 June, including when Uzbekistan will fulfil its legally binding international obligations by arresting and putting on criminal trial for torture the suspect torturers.

The same day the case opened, Judge Shamshiyev postponed the hearing of the case until a later date. It has now been postponed for an indefinite period because of the lockdown, Kadyrov's defence lawyer Dilshod Jabborov told Forum 18 on 28 May.

Criminal charges

The charges against the eight Muslims are:

Alisher Kasymov, born 5 December 1986, charged under Criminal Code Articles 244-2, Part 1 ("Creation, leadership or participation in religious extremist, separatist, fundamentalist or other banned organisations") and 155-3, Part 1 ("Terrorism");

Shakhzodjon Zokirov, born 3 August 1999, charged under Criminal Code Articles 244-2, Part 1 ("Creation, leadership or participation in religious extremist, separatist, fundamentalist or other banned organisations"), 159, Part 1 ("Attempts to change the Constitutional order"), 155 Part 2 ("Terrorism"), and 155-2, Part 1 ("Undergoing training to carry out terrorism");

Javokhir Akhmedov, born 19 August 1996, charged under Criminal Code Articles 244-2, Part 1, 244-1, Part 3 (d) ("Production and storage of materials containing ideas of religious extremism, separatism, and fundamentalism, calls for pogroms or violent eviction, or aimed at creating panic among the population, as well as the use of religion for purposes of breach of civil concord, dissemination of calumnious and destabilising fabrications, and committing other acts aimed against the established rules of conduct in society and public order using the mass media or telecommunication networks, as well as the world wide web");

Ubaydulla Murtazoyev, born 26 January 1996, and Bakhtiyor Tursunov, born 21 August 1997, both charged under Criminal Code Articles 244-2, Part 1, 244-1, Part 3 (d), and 159, Part 3 (a) ("Repeated attempts to change the Constitutional order");

Azimjon Abdusamatov, born 28 February 2000, charged under Criminal Code Articles 244-2, Part 1, 159, Part 1, and 155, Part 2;

Bakhodyr Jokhonov, born 17 November 1999, charged under Criminal Code Article 244-2, Part 1;

Abdulboriy Abdurakhmonzoda, born 20 May 2000, charged under Criminal Code Articles 241, Part 1 ("Failure to report a crime or concealing a crime"), and 155-1, Part 1 ("Failure to report information on terrorist acts").

Iftihor Nurmatov is representing the Prosecutor's Office in Court. Tashkent City Prosecutor's Office did not answer their phones between 29 May and 2 June.

Lieutenant Colonel Shermatov of the Interior Ministry CID refused on 2 June to say what actions of the defendants justified such serious charges. "Everything is clearly written out in the indictment," he mumbled. He then refused to discuss the case more. "We referred the case to the Court, and now it is up to them."

Despite coronavirus lockdown officials continue literature raids

By Mushfig Bayram

Forum 18 (17.04.2020) - http://www.forum18.org/archive.php?article_id=2564 - The authorities are using a new March Criminal Code Article 244-5 ("Dissemination of

knowingly false information about an infectious disease") against a surgeon in Karakalpakstan because he had Muslim religious texts on his computer. Many Islamic texts face a new ban, raids for religious literature continue, and import bans on non-Muslim texts continue.

Despite a coronavirus lockdown, officials are continuing raids to find and confiscate religious texts. Also, the authorities are using a new 26 March Criminal Code Article 244-5 ("Dissemination of knowingly false information about an infectious disease") against a trauma surgeon who had Muslim religious texts on his computer.

On 31 March Dr Alimardon Sultonov, a trauma surgeon at Ellikkala Central State Hospital in the north-western Karakalpakstan Region, called the local medical emergency service to ask whether there were any coronavirus cases in Karakalpakstan. Five officials then came to the hospital to question Dr Sultonov, who is known for publicly discussing Muslims' freedom of religion and belief, claiming to his colleagues they were checking enforcement of the coronavirus lockdown – despite the risks of coronavirus infection they exposed staff and patients to by coming to the hospital (see below).

The officials questioned Dr Sultonov about if he had any religious texts. He said he had Muslim texts on his computer, so officials confiscated it. A criminal case was then opened against him for allegedly spreading false information on lockdown measures under the new Criminal Code Article 244-5 ("Dissemination of knowingly false information about an infectious disease") (see below).

At the moment Dr Sultanov is not being subjected to further police questioning or other investigation. "I am not detained, and I continue my work without interference at the moment," he told Forum 18. However, he fears the authorities may bring more serious charges for alleged "religious extremism" (see below).

Police and SSS secret police in Margilan raided the home of a retired school teacher who taught the Koran to female students. Arabic-language Korans and Arabic and Islamic textbooks published in Uzbekistan were confiscated from her and her students, and police have opened a case against her (see below).

After Uzbekistan initiated a coronavirus lockdown in March and madrassah classes stopped, madrassah students in Bukhara asked for textbooks confiscated from them by plain clothes officials (who did not identify the state agency they were from) to be returned so they could study privately at home. Madrassah administrators told students that the plain clothes officials who confiscated the books stated: "This is not possible as students may violate lockdown rules and attend madrassah courses during the coronavirus lockdown". Local Muslims pointed out to Forum 18 that this was "clearly just an excuse, as students will in any case have to stay at home during the lockdown" (see below).

On 25 December 2019 the Religious Affairs Committee harshened the existing severe state censorship system for all religious texts by approving an updated list banning a wide range of Islamic texts. Around 200 texts from a very wide range of Muslim backgrounds are now banned, including all texts by the late Turkish theologian Said Nursi and texts by Ahmadi Muslims. A wide range of other Islamic authors are also banned (see below).

"Religious texts which were not included in this list are not authorised but are subject to further expert analysis," the document adds. "The list of banned books will be regularly updated. Texts in the list and their translations into other [non-Uzbek] languages as well as their electronic copies are also banned." Among the very imprecise reasons given for the wide-ranging bans is "inviting children and youths under 18 to religious activity" (see

below).

The latest bans are "like in the old Soviet Union", one Muslim told Forum 18. "Instead of Uzbek Muslim scholars deciding issues of theology, the secret police decides what can be read and what not. And they do it by way of bans. It puts Muslims in a dangerous place. They want to read about their faith, but the authorities ban religious texts" (see below).

Human rights defender Bahodiyr Eliboyev from Fergana Region told Forum 18 that "We as Muslims are not able to read the books of our Imams explaining the foundations of our faith. Many Muslims in Uzbekistan nowadays do not even know of the existence of such books, since we cannot even find electronic versions of such works because they are blocked by the authorities" (see below).

The regime continues as of April 2020 to maintain blocks on a wide range of websites it dislikes, including Forum 18's and religious communities the regime dislikes such as Jehovah's Witnesses (see below).

The regime also continues to impose severe restrictions on imported non-Muslim texts, banning for example Jehovah's Witness texts and restricting their use to within the building of the only permitted Jehovah's Witness community in the country, in Chirchik (see below).

Similarly, Council of Churches Baptists told Forum 18 that the import of their books into Uzbekistan remains banned. The latest confiscations of their imported literature took place in July and November 2019. The July confiscation also resulted in a large fine imposed on the German Baptist who was carrying 44 copies of a "Learn the Bible" book in Uzbek (see below).

In 2 April 2020 Concluding Observations, the UN Human Rights Committee criticised Uzbekistan's human rights record. "The Committee remains concerned at .. b) the censorship of religious material and restrictions on its use". The Human Rights Committee stated that Uzbekistan should "Guarantee the freedom of religion and belief and freedom to manifest a religion or belief and refrain from any action that may restrict such freedoms beyond the narrow restrictions permitted in article 18 of the Covenant" (see below).

Surgeon asks about coronavirus, officials open criminal case against him

On 31 March Dr Alimardon Sultonov, a trauma surgeon at Ellikkala Central State Hospital in the north-western Karakalpakstan Autonomous Republic, called the local medical emergency service to ask whether there were any coronavirus cases in Karakalpakstan.

"I left my phone number with the emergency service," Dr Sultonov told Forum 18, "and on 2 April five officials came from the regional capital Nukus to see me at my work in the hospital." The five officials included Lieutenant Colonel Nemat Abdullayev from the police "Struggle with Extremism and Terrorism Department", Karakalpakstan Interior Ministry officials, and State Security Service (SSS) secret police officers, he told Forum 18 on 14 April.

"As well as being a trauma surgeon, I am also known in the area for talking publicly about the freedom of religion and belief of Muslims," Dr Sultonov added. "The authorities know this very well."

The five officials asked Dr Sultonov in front of his colleagues why he called the authorities on the coronavirus issue. The officials originally said the reason for their coming to the hospital was checking enforcement of the coronavirus lockdown – despite the risks of

coronavirus infection they exposed staff and patients to by coming to the hospital.

"Then the officials asked others to leave the room, and when I was alone with them they asked whether I have any religious texts," Dr Sultonov told Forum 18. "When I told them that on my computer I have some writings and sermons of Imam Muhammad al-Bukhari, Obid Nazarov and others, which are not officially allowed in Uzbekistan, they confiscated the computer and took it with them."

Ninth century Islamic scholar Imam Muhammad al-Bukhari's book "Sahih al-Bukhari" is a collection of hadiths which Sunni Muslims regard as the most authentic compilation. It is [banned in Uzbekistan under the regime's strict censorship system](#). Imam Obid Nazarov is an exiled critic of the regime who has political asylum in Sweden, where he was the target of an assassination attempt in 2012.

Lieutenant Colonel Abdullayev told Forum 18 on 15 April 2020 that the criminal investigation against Sultonov "was suspended for a time". Forum 18 asked why, and whether police found allegedly "extremist" texts on his computer. Abdullayev did not answer but stated that "Sultonov is a normal fellow, and we will soon return his computer." He did not want to talk more to Forum 18.

On 4 April Dr Sultonov was summoned to the office of Captain Umar Miriyev, Chief Criminal Investigator of Ellikkala District Police. There he was given a written notice that police have opened a criminal case against him for allegedly spreading false information on lockdown measures under the new Criminal Code Article 244-5 ("Dissemination of knowingly false information about an infectious disease"), signed into law by President Shavkat Mirziyoyev on 26 March 2020.

Captain Miriyev on 15 April categorically refused to answer any of Forum 18 questions. "I cannot talk to you on this case unless the Interior Ministry allows me to," he claimed. He also refused to say what action in the case will follow and when.

Officials did not discuss the coronavirus risks they exposed hospital staff and patients to by travelling from Nukus to visit the hospital, and summoning Dr Sultanov to Ellikkala District Police offices.

New Criminal Code Article 244-5

This new Criminal Code article bans the dissemination of allegedly false information about the spread of infections dangerous to humans and the lockdown. The punishments imposed are:

a fine of up to 200 times the monthly minimum salary;
or compulsory community service for up to 300 hours;
or correctional labour for up to two years.

The dissemination of allegedly false information in a printed or similar form, or online, is punishable by:

a fine of between 200 and 400 times the monthly minimum salary;
or compulsory community service of between 300 to 360 hours;
or correctional labour for between two to three years;
or restrictions on liberty for up to three years;
or imprisonment for up to 3 years.

Doctor able to continue work "without interference at the moment"

At the moment Dr Sultanov is not being subjected to further police questioning or other investigation. "I am not detained, and I continue my work without interference at the moment," he told Forum 18. "However, I think that the authorities may bring more serious charges for alleged 'religious extremism'."

Fergana raid

Police and SSS secret police in Margilan in the eastern Fergana Region raided the home of a retired school teacher on 4 March. They confiscated from her and her female students of the Koran both Arabic-language Korans and Arabic and Islamic textbooks published in Uzbekistan, a human rights defender who wished to remain anonymous for fear of state reprisals told Forum 18 on 9 April.

The regime is [hostile to teaching any beliefs to children and young people, and official imams have complained that they cannot teach Islam to children. Non-state controlled religious education is forbidden, and those who teach the Koran to school-age children have been prosecuted and parents who brought children to Islamic religious lessons fined.](#)

Police have opened a case against the teacher under [Administrative Code Article 241 \("Violation of the Religion Law"\)](#). "She understands that she cannot leave her home while the coronavirus lockdown continues," human rights defenders told Forum 18.

Elyor Tashmatov, Chief of Fergana Police regional Struggle with Extremism and Terrorism Department, refused to discuss the case with Forum 18 on 15 April. He also refused to explain why the regime punishes the private teaching of the Koran and Arabic.

Bukhara raid

On 12 February in the southern Bukhara Region, administrators of a local madrassah with plain clothes officials (who did not identify the state agency they were from) confiscated officially published Islamic textbooks from madrassah students, local Muslims who wished to remain anonymous for fear of state reprisals told Forum 18 on 8 April.

Madrassahs are Islamic religious colleges for training potential imams. The SSS secret police [maintains informers in madrassahs, and they are like other public manifestations of Islam controlled by the state. The regime maintains a strict censorship system for religious texts, and has often confiscated even texts that have passed state censorship.](#)

After Uzbekistan initiated a coronavirus lockdown in March and madrassah classes stopped, students asked for the textbooks to be returned so they could study privately at home. Madrassah administrators told students that the plain clothes officials who confiscated the books stated: "This is not possible as students may violate lockdown rules and attend madrassah courses during the coronavirus lockdown."

Local Muslims pointed out to Forum 18 that this was "clearly just an excuse, as students will in any case have to stay at home during the lockdown".

Bukhara Muslims told Forum 18: "We are not sure which officials of which agencies were involved in the raid, because they did not show their identification documents. But the officials were led by madrassah administrators to the students."

Major Khojimurat Sharipov, Chief of Bukhara Regional police Struggle with Extremism and Terrorism Department, adamantly denied to Forum 18 on 15 April that police were involved in confiscating the textbooks. "As far as I can remember we have not been to

the madrassah or its students for the last two years. We have not confiscated any of the religious books."

Despite lockdown police continue raids, searches for religious texts

Despite the coronavirus lockdown, police continued to endanger people by raiding the homes of Muslims hunting for religious literature, human rights defenders who wished to remain anonymous for fear of state reprisals have told Forum 18.

Similarly, exiled Imam Fazliddin Parpiyev who had to [flee the country in 2018 after protesting at freedom of religion and belief violations](#) told Forum 18 on 8 April that "even during the lockdown I have heard of police across Uzbekistan making such raids". Those targeted by raids wish to remain anonymous for fear of state reprisals.

Such [raids on homes hunting for religious texts of all faiths have often happened](#).

Religious Affairs Committee bans more Muslim texts

On 25 December 2019 the Religious Affairs Committee harshened [the existing severe state censorship system for all religious texts](#) by approving an updated list of a wide range of banned Islamic texts.

Around 200 texts from a very wide range of Muslim backgrounds are now banned, including all texts by the late Turkish theologian Said Nursi ([readers of whom have in the past been jailed](#)), and all texts by adherents of the Tabligh Jamaat Muslim missionary group, as well as texts by Ahmadi Muslims. A wide range of other Islamic authors are also banned.

Apparently to allow officials the maximum flexibility in imposing arbitrary bans the documents states: "Religious texts which were not included in this list are not authorised, but are subject to further expert analysis. The list of banned books will be regularly updated. Texts in the list and their translations into other [non-Uzbek] languages as well as their electronic copies are also banned."

Among the very imprecise reasons given for the wide-ranging bans are "violation of the constitutional order and of security", "incitement of religious enmity and insulting religious feelings", "teaching of religious separatism and sectarianism", "inviting children and youths under 18 to religious activity", and "texts by banned Muslim religious movements".

Among the banned books is a Lahore Ahmadi Movement for the Propagation of Islam translation into Russian of the Koran and commentaries by Maulana Muhammad Ali. (The Lahore Movement was founded in 1914, and is an offshoot of the main Ahmadi movement.) The Religious Affairs Committee document states: "Because the Ahmadi movement's teaching is contrary to traditional Islam, all its religious texts are banned".

State tests of belief and reasons such as banning people under 18 from the exercise of freedom of religion and belief violate Uzbekistan's [binding international human rights law obligations on freedom of religion and belief](#).

Neither Abdugofur Akhmedov (Chair of the Religious Affairs Committee), nor Dilshod Eshnayevev (Deputy Chair of the Religious Affairs Committee), nor Begzod Saipov (Chief Specialist for "expert analysis" of religious literature), nor Begzod Kadyrov (Chief Specialist of the Religious Affairs Committee) answered their telephones on 15 and 16 April. Muzaffar Jalilov of the International Relations Section on 15 April refused to explain why the Religious Affairs Committee bans texts, and would not explain why his

colleagues did not answer their telephones. Nor would the Religious Affairs Committee reception.

"Like in the old Soviet Union"

The latest bans are "like in the old Soviet Union", one Muslim from Tashkent, who wished to remain anonymous for fear of state reprisals, told Forum 18. "Instead of Uzbek Muslim scholars deciding issues of theology, the secret police decides what can be read and what not. And they do it by way of bans. It puts Muslims in a dangerous place. They want to read about their faith, but the authorities ban religious texts. Muslims will be punished as in the past [for reading or carrying religious texts on their electronic devices](#)."

"We as Muslims are not able to read the books of our Imams explaining the foundations of our faith," human rights defender Bahodiyr Eliboyev from Fergana Region told Forum 18 on 16 April. "Many Muslims in Uzbekistan nowadays do not even know of the existence of such books, since we cannot even find electronic versions of such works because they are blocked by the authorities."

Website blocks continue

The regime [continues to maintain blocks on a wide range of websites it dislikes, including Forum 18's](#). Human rights defenders in a variety of different regions across Uzbekistan told Forum 18 on 16 April that blocks on such sites, including Forum 18's and religious communities the regime dislikes such as Jehovah's Witnesses, still continue as of April 2020.

Attempts to access blocked sites produce a notice in Uzbek, Russian and English stating that "access to the information resource was restricted according to Cabinet of Ministers decree No. 707 from 5 September 2018 on 'Measures of improvement of information security in World-Wide Web – Internet'."

Non-Muslim texts continue to be banned from import

Included within the regime's severe censorship system are [stringent restrictions on the import of religious texts, including non-Muslim texts](#). Jehovah's Witnesses, for example, told Forum 18 on 14 April that "as of April 2020 Jehovah's Witnesses religious literature cannot be imported into Uzbekistan".

Jehovah's Witnesses added that individuals are able to bring into the country some religious literature on their person, but these publications can only be distributed within the confines of [the building of the only officially allowed Jehovah's Witness community in the country, in Chirchik](#) north-east of the capital Tashkent.

"The use of the Bible or even the mere possession of it outside the registered religious building in Chirchik is considered to be a [violation of the Administrative Code](#)."

Bans on religious believers reading their own religious texts in their own homes [have been applied to people of all faiths](#).

Similarly, Council of Churches Baptists told Forum 18 on 15 April that "there is still there is a ban on the import of our books into Uzbekistan." The latest confiscations of their imported literature took place in July and November 2019.

(Council of Churches Baptists [meet for worship without seeking state permission, as is their right under international human rights law although this has long been banned in Uzbekistan](#)).

July 2019 import ban

On 6 July 2019 Tashkent International Airport customs officials stopped Viktor Klassen, a visiting Baptist from Germany, and confiscated 44 copies of a "Learn the Bible" book in Uzbek language from him.

After being questioned at the Airport for several hours, Klassen was given a Religious Affairs Committee "expert analysis" stating that the books are "banned from import, storage and use in the territory of Uzbekistan as they are intended for missionary work".

Klassen was allowed to leave the airport on condition that he paid a fine of 4,054,600 Soms (4,175 Norwegian Kroner, 370 Euros, or 400 US Dollars). He paid the fine, but a local Baptist told Forum 18 on 8 April 2020 that "we don't know what they did with the books, as they did not send them back to Germany".

Farhod Jurayev from the International Relations section of Tashkent International Airport's Customs Service told Forum 18 on 16 April that the books were given to the Religious Affairs Committee. Asked why the books were not given to the Baptist Church, or given to Klassen to take back to Germany, he did not answer. He instead referred Forum 18 to the Customs Services' Investigations Division. They did not answer phone calls on 16 April.

November 2019 import ban

On 24 November 2019, Uzbek border officials stopped a group of six Baptists who had crossed from Kazakhstan into Uzbekistan. Customs officials, one of whom gave his name as Davron, questioned the Baptists for four hours about who gave them 10 copies of "Learn the Bible" they were carrying. After confiscating the books, customs officials released the Baptists.

UN Human Rights Committee criticism

In its Concluding Observations on Uzbekistan's implementation of the International Covenant on Civil and Political Rights ([CCPR/C/UZB/CO/5](#)), adopted on 27 March and made public on 2 April, the UN Human Rights Committee criticised the country's human rights record.

Among a number of criticisms of the country's record on freedom of religion and belief, the Committee said it "remains concerned at .. b) the censorship of religious material and restrictions on its use; c) the strict State control over religious education.."

Among its observations, the Human Rights Committee stated that Uzbekistan should "Guarantee the freedom of religion and belief and freedom to manifest a religion or belief and refrain from any action that may restrict such freedoms beyond the narrow restrictions permitted in article 18 of the Covenant".