



## UNITED STATES COMMISSION *on* INTERNATIONAL RELIGIOUS FREEDOM

# COUNTRY UPDATE: UZBEKISTAN

September 2022

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### USCIRF's Mission

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

## Uzbekistan: Space for Reform

*By Keely Bakken, Senior Policy Analyst*



*The Bolo Hauz Mosque in Bukhara*

### Introduction

Uzbekistan is one of only three countries that the U.S. Department of State has in recent years removed from its list of Countries of Particular Concern (CPC), a label reserved for governments that have engaged in or tolerated “particularly severe violations of religious freedom” as defined in the International Religious Freedom Act of 1998. Uzbekistan was listed as a CPC for 12 consecutive years between 2006 and 2017, before a new administration came to power in Uzbekistan in 2016 and changed some official policies that had long constituted serious violations of freedom of religion or belief (FoRB).

In 2018, the State Department announced its decision not to designate Uzbekistan as a CPC and opted instead to place the country on the less-severe Special Watch List (SWL). In 2020, after two years of intensive diplomatic activity on the part of Uzbekistan, the State Department *removed* the country from the SWL altogether, having determined that the Uzbek government “no longer engaged in or tolerated



‘severe violations of religious freedom.’” The then U.S. Ambassador at Large for International Religious Freedom [stated](#) that the decision was due to unspecified but “significant and impressive steps” by the government to improve conditions.

While Uzbekistan has made important progress—ending police raids on religious minority communities, granting official registration to a handful of religious groups, and releasing some prisoners incarcerated for their religious activities—the government has not fundamentally changed its position vis-à-vis the state’s role in controlling religious affairs. On the contrary, it continues to heavily restrict religious practice and to enforce laws that punish religious expression and activities not expressly sanctioned by the state. Although the government has declared that the reforms it has made to date are “irreversible” and that it is committed to continue enacting democratic reform, officials maintain several “red lines” regarding issues on which they assert they will not change their position. These include bans on unregistered religious activity, missionary activity, proselytism, and the private teaching of religion. Despite the considerable lengths to which the government has gone to engage the international community and to solicit its expertise on legislative and other reforms, officials have thus far proved unwilling to take up many of the recommendations they have received, much less implement the sweeping changes required to advance greater respect for FoRB and other human rights to meet international standards. Consequently, the U.S. Commission on International Religious Freedom (USCIRF) has [found](#) that Uzbekistan continues

to commit severe violations of religious freedom that warrant the country’s placement on the State Department’s SWL.

### Continued Imprisonment of Muslims

Muslim communities and individuals—particularly those who step beyond the bounds of what the government has permitted in terms of the practice of Islam—continue to bear the brunt of official repression in the context of their freedom of religion or belief, despite [making up](#) the majority of the population at nearly 88 percent. Among the most concerning of the country’s persistent religious freedom issues, Uzbekistan continues to imprison approximately 2,200 Muslims related to their religious activities or affiliations, as [detailed](#) in an October 2021 special report by USCIRF. Many such individuals received sentences based on fictitious charges of attempting to overthrow the constitutional order, possessing or distributing “extremist” religious materials, or participating in a religious extremist or fundamentalist organization banned by the government. Though many people included in this estimate were imprisoned under the leadership of Uzbekistan’s late authoritarian president, Islam Karimov, the current government led by Shavkat Mirziyoyev continues to fine, detain, and arrest individuals on the same type of unsubstantiated charges. Moreover, USCIRF has also received reports that authorities continue to pursue individuals who in preceding years fled abroad and seek their extradition to face such charges.

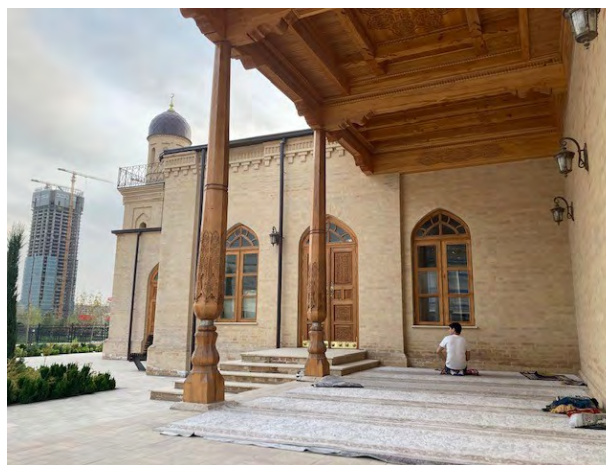
Reports regularly emerge of law enforcement authorities conducting operations against and detaining alleged

members of the Islamic group Hizb ut-Tahrir, an international political organization that seeks to establish a caliphate through non-violent means and that has expressed deeply intolerant and antisemitic views. Although Hizb ut-Tahrir is legal in the United States and throughout Europe, Uzbekistan has banned it as an extremist organization and regularly uses accusations of a connection to the group to arrest those who do not stay within the confines of the government's strict religious policies. In these cases, authorities often fail to produce evidence that alleged supporters of the organization have committed or planned to commit any crime. Rather, under Uzbek law it is sufficient to demonstrate that a group of people have gathered to discuss the ideas of Hizb ut-Tahrir or possess the group's literature in order to prosecute and imprison them for "extremism." In January 2022, officials from the Ministry of Internal Affairs (MoIA) reportedly *detained* 12 women in the region of Andijon after they met in a private home for religious readings. In June, an indeterminate number of men were likewise *detained* in Tashkent for sharing Hizb ut-Tahrir materials online. This approach also extends to others that the government has similarly banned as extremist. For example, in July a local court in Bukhara *sentenced* Bobirjon Tukhtamurodov to just over five years in prison for studying and sharing information about the works of Muslim theologian Said Nursi. The MoIA *claimed* that he was responsible for "attracting talented youth to the ranks of Nurchilar [an alleged organization banned as extremist]" and "distributing materials and literature abounding in extremist ideas."

Others have been jailed for the expression of their beliefs. In January, a court *sentenced* Muslim blogger Fazilhoja Arifhojaev to seven and a half years in prison for resharing a Facebook post that stated Muslims should not congratulate non-Muslims on the occasion of their religious holidays. Personnel from the official Committee on Religious Affairs *concluded* that the social media post "propagate[d] the ideas of religious fundamentalism." According to Human Rights Watch, Arifhojaev's lawyer claimed that police subjected his client to *torture* while in detention. Relatedly, security officials have *warned* journalists against writing on religious topics, among other issues considered to be too sensitive.

The government continued to *issue* presidential pardons that either resulted in the release of prisoners or the reduction of their sentences. In many cases, little information is made available about the grounds on which such pardoned prisoners were convicted, making it difficult to assess the number of those released who

were imprisoned on religion-based charges. Of 81 prisoner cases documented in USCIRF's report on Uzbekistan's religious prisoners, human rights defenders have confirmed the release of at least 11. The government of Uzbekistan, meanwhile, has shared that as many as 33 of those prisoners have been freed. Release from prison, however, does not necessarily entail an end to government oversight or harassment, as former prisoners are frequently subjected to extensive periods of "supervision" requiring routine check-ins with local law enforcement and controls on their movement. The government has yet to undertake efforts to systematically review the cases of or release prisoners sentenced in connection with their religious activities.



*The Orifjonboy Masjid in downtown Tashkent*

### Prosecution for Religious Materials

Authorities also use a variety of legal restrictions on the circulation of religious literature to control the spread of religious ideas and those that would espouse them. The Administrative Code *prohibits* the "illegal production, storage, import, or distribution of materials of religious content," while Criminal Code article 244.1 *punishes* the "production or distribution of materials containing a threat to public safety and public order," such as materials subjectively determined by the government to contain ideas of "religious extremism." In fact, authorities regularly rely on article 244.1 to target and imprison individuals on religious grounds, including many of those *documented* in USCIRF's recent special report. When USCIRF visited Uzbekistan in April 2022, human rights activists and other members of civil society shared that authorities do not consider intent when bringing charges under this article and have prosecuted



individuals for *receiving* religious content via messaging services such as SMS, WhatsApp, and Telegram. In one instance described to USCIRF, police detained a man who had downloaded and subsequently deleted religious literature from his phone. When police seized his phone, they successfully retrieved the deleted files and charged him with unauthorized possession of religious material. Nongovernmental organization Forum 18 has *reported* that several Muslims in Uzbekistan continue to face criminal charges for distributing Islamic material. Other sources have shared that authorities regularly search people's phones upon their return to Uzbekistan from abroad to look for incriminating religious content.

### Beards and Hijabs

Although the government formally lifted a ban on the wearing of religious attire in public with the adoption of a revised Law on Freedom of Conscience and Religious Organizations in July 2021—and at the beginning of the year *proposed* dropping the associated administrative fine—it remained ambivalent about certain perceived outward displays of religiosity, such as sporting a beard or wearing a hijab. Law enforcement authorities have sporadically forced men to shave their beards, often bringing individuals into police stations and only releasing them after they have been shaved. Most recently, in May, law enforcement in Tashkent *rounded up* around ten men and allegedly threatened them with 15-days behind bars if they did not comply and shave their beards. Then U.S. Ambassador to Uzbekistan Daniel N. Rosenblum *criticized* the incident of forced beard shaving and *expressed* that “there have been cases recently in Uzbekistan that reflect the old times.”

The ability of women and girls to freely wear religious head coverings similarly remains controversial. At times, the Ministry of Education has made announcements assuring the public that students can wear headscarves to schools. In fact, two different Ministers of Education have *within the last year* made nearly identical statements *specifying* that, “taking into account [Uzbekistan’s] national values, girls are allowed to come to school in a light-colored national headscarf.” The condition that the head covering conform to the style of a “national headscarf” raises concerns that the government may discriminate against other variations, such as the hijab. Even though wearing the hijab has gained popularity in Uzbekistan in recent years, reports *persist* that women and girls who wear it continue to experience harassment. Moreover, prisons reportedly do not permit the wearing of hijabs or any other head coverings.

### Stymied Attempts to Register

A major selling point of Uzbekistan’s protracted efforts to revise its religion law was the claim that the amended version would significantly simplify the mandatory registration process for religious groups. Religious communities are required to obtain registration from the state in order to operate legally and unregistered religious activity is *criminalized* and punishable by up to three years in prison for participation and five years in prison for organizing. Some amendments reduced arbitrary barriers to registration, such as a requirement that a religious organization have at least 100 founding members for its application to be considered. Under the revised law adopted in July 2021, that number was halved to 50, which marked a substantial improvement but still failed to address the overarching problem of the *incompatibility* of mandatory registration procedures with international standards.

In any case, both Muslim communities and non-Muslim religious minorities contend that, while the government has theoretically made the process of registration easier, it remains quite convoluted in practice and will ultimately be granted or denied at the complete discretion of the authorities. USCIRF is aware of only two religious minority communities—both Pentecostal churches—that *received registration* since the adoption of the revised religion law in July 2021. Many communities instead reported that various local bodies prevented their applications from moving forward. For instance, some asserted that the *hokimiyat*, or local governor’s office, blocked registration efforts by constantly finding “mistakes” in applications and asking applicants to resubmit, while others maintained that the *mahalla*, or local committee, retained its ability to block registration applications despite the government formally removing its role in the registration process last year. The fact that these effective denials take place at the local level has provided a degree of plausible deniability to national bodies like the Ministry of Justice and the Committee on Religious Affairs, which can then say they have neither denied nor received any applications to register. Communities of Protestants and Jehovah’s Witnesses remained without registration as of August 2022.

Finally, although the government has registered some mosques in the last few years, ethnic and religious minority communities, as well as Sunni Muslims, still *encounter* difficulties opening and registering their own mosques. Bukhara’s local Shi’a Muslim community has struggled in recent years to reopen the Hoji Bahrom

Mosque, which was closed in 2008, as the community's two existing registered mosques *cannot meet* the needs of the community. Shi'a Muslims tried to *reclaim* the site as a place of worship and took it upon themselves to renovate the space, but both local and national authorities have largely ignored those efforts and to date refused to register the mosque. In the spring of 2022, the local *mahalla* took over the grounds of the mosque and replaced the mosque's sign displaying its name with a new one that indicated the property belonged instead to the *mahalla*.



*The Hoji Bahrom Shi'a Mosque after its signage was changed to remove its name and attribute it instead to the mahalla*

### Closing Space for Civil Society

Uzbekistan's State Security Service (*Davlat Xavfsizlik Xizmati*) continued to actively surveil, intimidate, and harass those involved in human rights work, including human rights defenders monitoring and documenting violations of FoRB. USCIRF received reports that the security service routinely listened in on phone calls,

attempted to dissuade individuals from speaking to international organizations or foreign media outlets, and pressured human rights defenders and their families. Moreover, the government continued to undermine the functioning and further development of civil society by continuing to *block* the registration of many independent NGOs. The government's heavy-handed response in July against citizens *protesting* plans to curtail the autonomous status of Karakalpakstan *resulted* in at least 21 dead and hundreds injured and prompted *calls* for Uzbekistan to ensure the protection of human rights in line with its international obligations and commitments.

### Conclusion

The government of Uzbekistan appears to have slowed, if not ceased, its previously ambitious reform agenda to protect and promote the right to freedom of religion or belief. As *noted* in USCIRF's 2022 Annual Report, conditions for FoRB began to trend negatively in the country in 2021 as authorities introduced new restrictions on elements of this right and resumed the use of various repressive policies that primarily targeted Muslims. The passage of an underwhelmingly revised religion law that *disregarded* many of the recommendations of international experts further reinforced the perception that Uzbekistan is not yet fully committed to guaranteeing this right.

As it continues to engage Uzbekistan on concerns related to FoRB, the U.S. government should continue to press Tashkent for legislative reform. Although officials may not consider additional changes in the near-term to the law On Freedom of Conscience and Religious Organizations after amending it in 2021, the U.S. government should still advocate for changes to that law, as well as the *criminal code* and the law on extremism, to comply with international human rights standards. U.S. officials should also continue at all levels to push for the immediate release of individuals imprisoned for their peaceful religious activities. Lastly, barring any significant improvement to the situation that constitutes real systematic reform, the U.S. Department of State should place Uzbekistan back on its Special Watch List when it makes those designations at the end of 2022, as USCIRF recommended in April.

For more information on religious freedom conditions in Uzbekistan and USCIRF's recommendations to the U.S. government, see [USCIRF's 2022 Annual Report](#).



## UNITED STATES COMMISSION *on* INTERNATIONAL RELIGIOUS FREEDOM

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

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