

6 October 2023

UZBEKISTAN: New punishments "correspond to international standards"?

By Mushfig Bayram, Forum 18 (<https://www.forum18.org>)

Senator Batyr Matmurotov would not say why Criminal and Administrative Code amendments to increase punishments related to exercising freedom of religion or belief, adopted by both chambers of parliament in September, were not first published for public comment. He falsely claimed that all laws "correspond to international standards". Prime Minister Abdulla Aripov reportedly warned state officials not to attend mosque, though his spokesperson denied this. From the summer, police resumed detentions on the street of Muslim women wearing religious clothes, including the hijab and niqab, and men growing beards.

Amendments to the Criminal and Administrative Codes to increase punishments related to exercising freedom of religion or belief were adopted by both chambers of parliament in September and await presidential signature. The amendments appear to increase punishment for the vaguely-worded "propaganda of superiority" based on religion, as well as for individuals wearing clothes in line with their religious beliefs. The text was not published in advance to allow public scrutiny and comment.

Asked why the draft amendments were not published in advance to allow the public, civil society and religious communities to give their comments, Senator Batyr Matmurotov would not answer, claiming to Forum 18: "When we prepare and adopt our laws, we make sure that they correspond to international standards." This claim is contradicted by the regime adopting its Religion Law in direct contradiction to recommendations based on Uzbekistan's legally binding international human rights obligations from the United Nations (UN) Special Rapporteur on Freedom of Religion or Belief, the UN Universal Periodic Review (UPR), the UN Human Rights Committee, the Organisation for Security and Co-operation in Europe (OSCE) and the Council of Europe Venice Commission (see below).

At a government meeting in September, Prime Minister Abdulla Aripov is reported to have warned state officials not to attend mosque. "Officials should either choose religion or work in the state," he was quoted as declaring, saying police would step up control in this area. Aripov's spokesperson denied that he had made these comments (see below).

From the summer, police resumed detentions on the street of Muslim women wearing religious clothes, including the hijab and niqab (Muslim clothes for women covering the face), as well as of men growing long beards. "Police shaved off the beards of some men," a Muslim human rights defender told Forum 18. Muslims are "afraid to talk to the media" about these incidents with the police (see below).

Avazjon Khasanov, Deputy Chief of the Interior Ministry's "Struggle with Extremism and Terrorism Department", which is responsible for freedom of religion or belief cases, denied that the police stop and detain Muslim women wearing the hijab or niqab, or men wearing long beards, and that the police shaved off the beards of some men. "You were given false information, no such raids against Muslims took place," he insisted to Forum 18 (see below).

One online Muslim platform Azon.uz abruptly halted its activity on 5 August without explanation. Mamur Parpiyev, the head of the Registration Department at the Information and Mass Communications Agency, denied that his Agency had ordered Azon.uz to close. "They gave us a letter saying that they were closing and annulling their licence," he claimed to Forum 18 (see below).

State censorship of all religious material published in or imported into Uzbekistan continues. The Religious Affairs Committee has rejected all requests from Jehovah's Witnesses to import any publication since 2006. Customs officials have seized religious literature from people entering Uzbekistan (see below).

Uzbek customs officials seized Bibles and other Christian books from a Baptist visiting from Kazakhstan, Nikolai Smirnov. A Tashkent Region court gave him an official warning. The Judge ordered that the books be destroyed. Forum 18 was unable to reach the Judge to find out why (see below).

Officials of the regime's Religious Affairs Committee (https://www.forum18.org/archive.php?article_id=2699), the Interior Ministry and the State Security Service (SSS) secret police (https://www.forum18.org/archive.php?article_id=2699) met leaders of registered

Protestant churches in August and September in various regions of Uzbekistan. The officials warned church leaders not to conduct religious activity without informing the authorities in advance (see below).

"We know everyone, even those who lead unregistered activity," an SSS secret police official told the church leaders. "You should not hold unregistered meetings without telling us first. There will be times when we will tell you to halt your activity at least for a time, and you must listen to us. Otherwise you will bear the consequences, and be punished." The official did not specify what the punishments might be (see below).

"Pressure on Muslims and Muslim activity is growing"

All religious communities in Uzbekistan are under tight government control. The regime uses the Muftiate to impose complete control on all public manifestations of Islam (https://www.forum18.org/archive.php?article_id=2699), including appointing all permitted leaders, controlling what they preach, and deciding on the numbers and locations of mosques. All public manifestations of Islam outside the Muftiate are banned.

State concern over the visibility of Islam appears to be growing. In various cities the authorities demanded that mosques reduce the volume of the call to prayer, Radio Free Europe Uzbek Service noted on 13 September (<https://www.ozodlik.org/a/o-zbekiston-masjid-azon-/32590814.html>).

After the latest Presidential elections in July 2023, Shavkat Mirziyoyev who "strengthened his grip on power for another seven years, began tightening the screws, particularly in relation to Muslims", a Muslim human rights defender, who asked not to be identified for fear of state reprisals, told Forum 18 on 29 September.

(No election in Uzbekistan has ever been found to be free and fair by Organisation for Security and Co-operation in Europe (OSCE) election observers (<https://www.osce.org/odihr/elections/uzbekistan>).

When Mirziyoyev came to power, "he promised freedom, and there was relative religious freedom in the initial stage of his presidency", the human rights defender explained. "But now we are heading back to the repression of the times of [former President] Islam Karimov. Pressure on Muslims and Muslim activity is growing."

The Religious Affairs Committee (https://www.forum18.org/archive.php?article_id=2699) in Tashkent did not answer phone calls between 2 and 3 October.

State officials warned not to attend mosque?

On 10 September, during a government meeting attended by SSS secret police (https://www.forum18.org/archive.php?article_id=2699) head Abdusalom Azizov, Prime Minister Abdulla Aripov is reported to have warned state officials not to attend mosque, an anonymous source close to the government told Radio Free Europe Uzbek Service for a 13 September article (<https://www.ozodlik.org/a/o-zbekiston-masjid-azon-/32590814.html>).

"Officials should either choose religion or work in the state," Aripov was quoted as declaring. He added that police and other agencies would step up control in this area.

However, the prime minister's spokesperson denied this. "The details of the meeting held with the participation of Prime Minister Abdulla Aripov are being misinterpreted in social networks," he wrote on his Telegram channel on 14 September. "Reports that the Prime Minister told officials that they should choose religion or work in the state are completely untrue."

No consultation on changes to punishments for Religion Law violations

The Legislative Chamber (lower chamber) of the Oliy Majlis (Uzbekistan's Parliament) approved amendments to the Administrative and Criminal Codes (https://www.forum18.org/archive.php?article_id=2699) on 5 September to increase punishments for a range of activities related to exercising freedom of religion or belief.

The amendments, among others, include a new Administrative Code Article 184⁷⁴ ("Being in public places with the face covered to an extent that does not allow identification of a person"). This was reported on the Legislative Chamber website on 5 September.

Punishments "for wearing the niqab [Muslim clothes for women that covers the face] are being adopted for effective work of the information programmes, implemented in the framework of the Safe City concept", gazeta.uz reported on 5 September.

(The amendments also include punishments for polygamy and rejecting equality between women and men.)

Neither the Legislative Chamber website nor the local media gave details of the changes to the punishments for violating the Religion Law (https://www.forum18.org/archive.php?article_id=2699).

A wide range of people Forum 18 spoke to – Muslims, Christians, human rights defenders, and lawyers – said that they have not seen the text of the amendments. The respondents did not wish Forum 18 to give their names for fear of state reprisals. Members of religious communities told Forum 18 that the authorities did not ask them for their proposals. Such lack of genuine consultation is normal for the regime (https://www.forum18.org/archive.php?article_id=2670).

The Senate (upper chamber) of the Oliy Majlis approved the amendments to the Administrative and Criminal Codes on 29 September. "We approved the changes on 29 September," Batyr Matmurov, a Senate Member who participated in the discussions, told Forum 18 from Tashkent on 4 October. "It is expected that the President will sign them into law within five days."

President Shavkat Mirziyoyev does not appear to have signed the amendments into law as of 6 October.

Amendments "correspond to international standards"?

Asked why the draft amendments to the Administrative and Criminal Codes (https://www.forum18.org/archive.php?article_id=2699) adopted by both chambers of parliament were not published in advance to allow the public, civil society and religious communities to give their comments, Senator Batyr Matmurov did not answer, responding only: "When we prepare and adopt our laws, we make sure that they correspond to international standards."

This claim is contradicted by the regime adopting its Religion Law in direct contradiction to recommendations based on Uzbekistan's legally binding international human rights obligations (https://www.forum18.org/archive.php?article_id=2670) from the United Nations (UN) Special Rapporteur on Freedom of Religion or Belief, the UN Universal Periodic Review (UPR), the UN Human Rights Committee, the Organisation for Security and Co-operation in Europe (OSCE) and the Council of Europe Venice Commission.

When Forum 18 repeated the question, Matmurov retorted: "I am not responsible for distributing the text." He did not wish to talk further to Forum 18, claiming that he was "busy in a meeting".

Akimjan (who did not give his last name), Assistant to Akmal Saidov, First Deputy Speaker of the Lower Chamber of the Oliy Majlis, refused on 2 October to discuss the amendments with Forum 18 or put it through to Saidov.

In an apparently coordinated move, Uzbekistan's Chief Mufti Nuriddin Kholiknazarov, in a sermon in a Tashkent mosque on 8 September, called on Muslims not to wear long beards, short trousers or other "foreign" religious clothing.

"Islam does not demand women fully to cover their faces or wear black clothes," Chief Mufti Kholiknazarov stated. "Arabs have their clothes, Turks theirs and Uzbeks theirs."

Mufti Kholiknazarov's Assistant (who did not give his name) refused to comment on the issue on 4 October or put the call through to the Mufti. He referred Forum 18 to Shavkat Hamdamov, Head of the state-controlled Muslim Board's International Relations Department. Hamdamov also declined to comment. "I cannot speak for the Mufti or the Muslim Board," he told Forum 18 the same day. "Please, send us a letter." He declined to talk further.

Police action against beards and hijabs "false information"?

In summer, the authorities resumed detentions on the street of Muslim women wearing religious clothes, including the hijab and niqab (Muslim clothes for women covering the face), as well as of men growing long beards. Throughout August and September, police in the capital Tashkent took men wearing long beards and women wearing the hijab or niqab to the local police station and warned them.

"Police shaved off the beards of some men," the Muslim human rights defender told Forum 18. Muslims are "afraid to talk to the media" about these incidents with the police.

Avazjon Khasanov, Deputy Chief of the Interior Ministry's "Struggle with Extremism and Terrorism Department", which is responsible for freedom of religion or belief cases, denied that the police stop and detain Muslim women wearing the hijab or niqab. He similarly denied that the police stop and detain men wearing long beards, and that the police shaved off the beards of some men. "You were given false information, no such raids against Muslims took place," he insisted to Forum 18 on 3 October.

When Forum 18 told him that it has spoken to Muslims about these raids and warnings, and that Chief Mufti Kholiknazarov publicly warned Muslims, and asked the question again, Khasanov referred Forum 18 to the headquarters of the Interior Ministry, without specifying who.

"Warned not to speak to the press about their problems"

"Individual Muslims have been warned not to speak to the press about their problems and they are afraid," the Muslim human rights defender told Forum 18.

The human rights defender cited the example of Hojiakbar Nosirov. The 25-year-old consumer rights activist from Tashkent posted a video on social media on 5 April declaring that the red colouring agent carmine he had found in locally-sold yoghurt is haram (forbidden) for Muslims.

Police investigated and commissioned an "expert analysis" (https://www.forum18.org/archive.php?article_id=2699) from the regime's Religious Affairs Committee that claimed Nosirov had expressed "enmity, intolerance or discord". On 8 April, a 3-minute closed online trial jailed him for 15 days (https://www.forum18.org/archive.php?article_id=2825). "The experts quickly conducted a literary examination, wrote down the conclusion and decided the fate of an individual," his lawyer told Forum 18.

The human rights defender pointed out to Forum 18 that after his release from his short-term jail term in April, Nosirov "stopped writing about Muslim problems because he was warned not to do so while in prison".

Online Muslim platform closes abruptly

One online Muslim platform Azon.uz abruptly halted its activity on 5 August without explanation. "Azon.uz is halting all projects," Mubashshir Ahmad, its founder, declared in a terse message on his Facebook page that day. "The reasons will be revealed later, if that is approved."

Azon.uz (which took its name from the Muslim call to prayer) covered news and comment from a Muslim perspective. The state's Information and Mass Communications Agency still lists the website as having registration as an online media outlet since 2018.

Ahmad, its founder, had studied at Al Azhar University in Cairo in the 1990s. Azon.uz had an online television and radio channel, as well as pages on social media. These were deleted on 5 August.

Mamur Parpiyev, the head of the Registration Department at the Information and Mass Communications Agency, denied that his Agency had ordered Azon.uz to close. "They gave us a letter saying that they were closing and annulling their licence," he told Forum 18 from Tashkent on 5 October. He refused to send a copy of the letter, claiming that it is a "confidential document".

Asked if Azon.uz could resume its publishing activity if it wanted to, given that it remains on the Agency's public register, Parpiyev said it could not. "They would have to apply for a new licence."

Azon.uz had earlier faced state pressure. In February 2021, Ahmad said that Dilshod Eshnaev, the Deputy Chair of the state's Religious Affairs Committee (https://www.forum18.org/archive.php?article_id=2699), called him from a hidden number and demanded that articles be deleted immediately and insulted him.

In June 2021, a Tashkent court fined four of the site's editors (https://www.forum18.org/archive.php?article_id=2673) (as well as staff of the site kun.uz) for publishing religious materials without a state "expert analysis". Editor-in-chief Abdulaziz Mubarak called it an "attempt to silence the site".

Continuing religious censorship, book destruction

All religious literature and texts (including electronic items such as Shia texts (https://www.forum18.org/archive.php?article_id=2655)) produced in or imported into Uzbekistan are kept under strict pre-publication and distribution state censorship (https://www.forum18.org/archive.php?article_id=2699). Religious Affairs Committee "expert analyses" are a key part of the censorship, as are court orders to destroy religious texts such as Baptist magazines (https://www.forum18.org/archive.php?article_id=2649).

The Religious Affairs Committee (https://www.forum18.org/archive.php?article_id=2699) has rejected all requests from Jehovah's Witnesses to import any publication since 2006. Even bringing personal copies of their publications into Uzbekistan can cause problems.

In October 2022, Uzbek border guards in Fergana detained a Kyrgyz Jehovah's Witness as she crossed from Kyrgyzstan into Uzbekistan after they found in her bag an Uzbek-language Bible produced by Jehovah's Witnesses. Female border guard officials then ordered her to undress to search her, Jehovah's Witnesses told Forum 18. They sent the Bible for "expert analysis" (https://www.forum18.org/archive.php?article_id=2699). This declared that it was not dangerous or in the list of banned literature.

Despite this, a court fined the woman 900,000 Soms under Administrative Code Article 184-2 (https://www.forum18.org/archive.php?article_id=2699). This punishes "Illegal production, storage, or import into Uzbekistan, with the intent to distribute or actual distribution, of religious materials" with a fine for individuals of 20 to 100 base units (currently 6,600,000 to 33,000,000 Soms, two to 10 months' average wage) plus confiscation of the materials. The Bible was handed to the

Religious Affairs Committee (https://www.forum18.org/archive.php?article_id=2699).

In June 2023, Uzbek border guards in Fergana detained an Uzbek Jehovah's Witness as she crossed from Kyrgyzstan into Uzbekistan after they found a Bible in her bag. A court then fined her 1,650,000 Soms, though it appears she has not been sent the written court decision.

In February 2023, Uzbek customs officials at the land border seized Bibles and other Christian books from a Council of Churches Baptist visiting from Kazakhstan, Nikolai Smirnov. They sent the books to the Religious Affairs Committee for an "expert analysis (https://www.forum18.org/archive.php?article_id=2699)". Although it found there was nothing illegal in the books, a case was brought against Smirnov (https://www.forum18.org/archive.php?article_id=2824) under Administrative Code Article 184-2.

Tashkent District Criminal Court in the town of Keles held a first hearing on 21 April. At a second hearing on 15 May, Judge Zafar Abbosov found Smirnov guilty and issued him with a warning. The Judge ordered the books destroyed. "This took place in my absence – I was not even informed about it and only got the decision a month later," Smirnov told Forum 18 from Kazakhstan on 5 October.

Forum 18 was unable to find out why Judge Abbosov ordered Smirnov's books destroyed. The Judge did not answer his phone on 6 October.

Forum 18 has been unable to find out if the literature seized from Smirnov - 237 copies of a book of children's stories "God's Miracle", about 60 copies of another children's book, 199 calendars and 31 Bibles, as well as postcards – has been destroyed. The Religious Affairs Committee (https://www.forum18.org/archive.php?article_id=2699) in Tashkent did not answer phone calls between 2 and 3 October.

The authorities "can halt our activity at any time"

Officials of the regime's Religious Affairs Committee, the Interior Ministry, and the SSS secret police (https://www.forum18.org/archive.php?article_id=2699) met leaders of registered Protestant churches in August and September in various regions of Uzbekistan. The officials warned church leaders not to exercise freedom of religion or belief without informing the authorities in advance, Forum 18 has learned.

The Religious Affairs Committee (https://www.forum18.org/archive.php?article_id=2699) in Tashkent did not answer phone calls between 2 and 3 October.

The duty officer at the SSS secret police headquarters in Tashkent refused to tell Forum 18 why the secret police was involved in the meetings with the Protestants, and why it warned them. "We cannot give comments," he replied on 2 October. He also refused to put Forum 18 through to any other official.

Avazjon Khasanov, Deputy Chief of the Interior Ministry's "Struggle with Extremism and Terrorism Department", which is responsible for freedom of religion or belief cases, refused to tell Forum 18 on 3 October why the Interior Ministry met and warned the Protestant leaders. He insisted that this was "false information" and that "no such meetings with Protestants" took place.

One Protestant, who knows of such meetings, told Forum 18 in late September that an SSS secret police (https://www.forum18.org/archive.php?article_id=2699) official told the church leaders that "We know everyone, even those who lead unregistered activity. You should not hold unregistered meetings without telling us first. There will be times when we will tell you to halt your activity at least for a time, and you must listen to us. Otherwise you will bear the consequences, and be punished." The official did not specify what the punishments might be.

Another Protestant, who knows of a meeting in another region, told Forum 18 in late September that some church leaders asked the authorities to help them gain state registration, "so that they do not get into trouble with the Religion Law (https://www.forum18.org/archive.php?article_id=2699)". The Religious Affairs Committee (https://www.forum18.org/archive.php?article_id=2699) official "took down the name of one particular church, which for several years has tried to get registration but did not succeed. He promised that the Church will get registration soon. However, until now the Committee has refused to register them."

The Protestant added: "We understand that the meeting was not arranged to solve our problems but to warn and instil fear in us, that we should listen to the authorities and they can halt our activity at any time."

"You need to also be active on the internet"

A third Protestant Christian told Forum 18 that the authorities had an "interesting request" to the church leaders in one meeting. "Recently Muslims have flooded the internet with their religious content and materials," officials told them. "There needs to be some balance. You need to also be active on the internet and publish sermons and reports of your activity."

The Protestant told Forum 18 that the participants of the meeting "are sceptical of publishing such materials on the internet, fearing that the authorities may in future use them against the churches". The Protestant said, however, that the "authorities did not warn of punishments or other consequences" if the churches did not publish such materials. (END)

More reports on freedom of thought, conscience and belief in Uzbekistan (<https://www.forum18.org/archive.php?country=33>)

For background information, see Forum 18's Uzbekistan religious freedom survey (https://www.forum18.org/archive.php?article_id=2699)

Forum 18's compilation of Organisation for Security and Co-operation in Europe (OSCE) freedom of religion or belief commitments (https://www.forum18.org/archive.php?article_id=1351)

Follow us on Twitter @Forum_18 (https://twitter.com/forum_18)

Follow us on Facebook @Forum18NewsService (<https://www.facebook.com/Forum18NewsService>)

Follow us on Telegram @Forum18NewsService (<https://t.me/s/forum18newsservice>)

All Forum 18 material may be referred to, quoted from, or republished in full, if Forum 18 is credited as the source.

All photographs that are not Forum 18's copyright are attributed to the copyright owner. If you reuse any photographs from Forum 18's website, you must seek permission for any reuse from the copyright owner or abide by the copyright terms the copyright owner has chosen.

© Forum 18 News Service. All rights reserved. ISSN 1504-2855.

If you need to contact F18News, please email us at:
f18news @ editor.forum18.org

Forum 18
Postboks 6603
Rodeløkka
N-0502 Oslo
NORWAY