



EZGULIK

# "EZGULIK" HUMAN RIGHTS SOCIETY OF UZBEKISTAN

YEAR  
**2023**



## Annual report on the human rights situation in Uzbekistan

[www.ezgulikuz.org](http://www.ezgulikuz.org)

## INTRODUCTION

According to the State Statistics Committee, as of January 1, 2024, the permanent population of Uzbekistan is approximately 36.8 million. The number of women is 18,274,745 and the number of men is 18,525,011. As of January 1, 2024, the number of men in the permanent population exceeds the number of women by 250,266.

The country's permanent population has increased by 2.2% compared to the average for the previous year. The population of the country has reached 574,800 since the beginning of 2023. This figure indicates that the daily average population has increased to 2,100 people.

In 2023, Ezgulik and its branches in the regions had received 5,112 appeals from citizens. These appeals address issues such as corruption in government agencies, injustices in the judicial system, living conditions, difficult social situations, and religious freedoms.

In the "Democracy Index" of the research organization "The Economist Intelligence Unit", Uzbekistan took 148th place among 167 countries, A year ago, Uzbekistan took 149th place in this rating.

Unfortunately, the indicator of 2.12 points that Uzbekistan scored on the scale of democracy has not changed for several years.

According to the results of our small research, there is a kind of stagnation in the field of human rights. There is not enough coordination and mutual cooperation between the state authorities regarding the fulfillment of international obligations in the field. The President of Republic of Uzbekistan has mentioned these problems several times in his speeches.

The activity system in the field of human rights by the Parliament, government bodies, and civil society institutions is as well as President wants. There is a need to improve the legal framework and practice of implementing laws on ensuring effective parliamentary and public oversight over the fulfillment of international obligations of the Republic of Uzbekistan in the field of human rights.

Additionally, there is a demand for advancements in preventing and combating human rights violations. The prevention of human rights abuses requires effective collaboration and cooperation among law enforcement agencies and, moreover, the legal regulation of the activities of government authorities and administrations in the field of human rights.

According to research, there is a lack of effective implementation of international standards and norms related to human rights by judicial and law enforcement agencies and the courts rely more on decisions of the Supreme Court plenum than procedural norms. In fact, decisions of the Plenum of the Supreme Court are sub legal documents. Monitoring the respect for the human rights of individuals detained in places of deprivation of liberty is not decently-established system in places where individuals are deprived of their freedom. In this regard, only the Ombudsman has the right to conduct monitoring activities. In fact, such a right should be given to other institutions and organizations of civil society.

The continuous and comprehensive development of society and the state faces few challenges in ensuring and safeguarding the personal, political, economic, social, and cultural rights and freedoms of individuals.

In particular, the organizational and legal measures to legally solve this problem of our compatriots who have been living in the country for a long time, while most of them have been granted citizenship, while some individuals have been given the legal status of citizens of Uzbekistan, have not yet been fully resolved.

Consequently, systematic and interrelated activities have not been established in the field of human rights education and training, training and professional development of civil servants in accordance with international human rights obligations. Meanwhile, it is worth-mentioning that the Master's degree in human rights has been launched at the Academy of Human Rights Protection.

The resolution of the President of the Republic of Uzbekistan of April 2023 on measures to improve the effectiveness of the development of textbooks in the field of human rights education is one of the most important legal documents of recent years.

Ezgulik has emphasized these issues in its reports. We do not claim that our research can fully cover the human rights process in the country. On the contrary, we are happy if our conclusions serve the good as a result of the research carried out by our activists.

***We also thank the Friedrich Naumann Foundation of Freedom representative office in Georgia for their support in conducting our research.***

## FREEDOM OF SPEECH AND PLURALISM

The individual's thoughts and ethics are reflected in their speech, describing their inner world, delineating individuality. Thoughts are the active elements of the intellect. Ethics, on the other hand, is considered a stable system that describes the values and orientations of the individual.

Freedom of speech is considered one of the fundamental principles of a democratic society. It is essential for everyone to have the opportunity to freely express their thoughts. In this sense, efforts are underway in our country to implement comprehensive improvements in the media landscape. Recent activities indicate progress in content and diversity, especially in non-governmental online publications and social networks.

However, at the same time we are witnessing the partial or complete suspension of some publications.

The right to freedom of expression includes the freedom to think, receive and disseminate information and ideas without interference from state authorities and regardless of state borders. The importance of freedom of speech is obvious for people to know the truth, to realize their identity, to understand and defend their rights, and to identify the shortcomings of the existing political system.

### Freedom and limits

Guaranteed by the Constitution, freedom of speech allows individuals to freely express their thoughts and share them with others. Freedom of speech ensures a diversity of opinions on various societal and state issues, making it essential for a democratic society and the common good.

Paying attention to the true meaning of freedom, it indicates the absence of absolute restrictions on implementing a particular line of action. While freedom has been present throughout history, its realization has faced limitations within certain boundaries. The idea that 'the freedom of each person ends where the freedom of others begins' has been universally accepted by all states and societies.

It is possible to observe that the functioning of this principle has evolved and progressed in human society until today. In this context, it is crucial to differentiate between freedom and legal concepts. Freedom originates from an individual's birth, while the law represents the institutionalized and guaranteed form of this freedom by the state.

Freedom of speech extends to all ideas, with no exceptions. However, the utilization of this right is subject to the requirements of not causing harm or disadvantage to other subjects (individuals, society, or the state) whose rights and interests are at stake. Protection of human dignity, honor, and reputation, social order, public health, ethical values, state secrets, and state security are potential limits to this freedom.

According to the Open Data Inventory by Open Data Watch, Uzbekistan ranks 40th globally with a score of 66 points, and it holds the 1st position in Central Asia. Over the period 2020-2023, Uzbekistan's overall score for data coverage increased from 52 to 56, and for data openness, it rose from 72 to 74.

Uzbekistan's positive ranking can be attributed to improvements in the justice and fair trials, as well as significant advancements in sub-indicators of the state budget. Notably, improvements were made in the digitization of procurement processes, digitization of court procedures, and transparency in government expenditures, contributing to the country's favorable position in the ranking.

## Uzbekistan by mobile internet speed and price

According to the "Speed Test Global Index" rating of November 2023, Uzbekistan ranked 99th in the world in terms of mobile internet speed.

According to the Uzbek-language website of the Iranian TV and Radio Company, the mobile internet speed of Uzbekistan is estimated at 24.70 Mbit/s.

Furthermore, Uzbekistan ranks 90th in terms of mobile internet speed, having been 93rd previously. The average speed is 55.45 Mbit/s. The fastest mobile internet speed globally is in the United Arab Emirates with 324.92 Mbit/s. Singapore, on the other hand, leads in terms of broadband internet speed with 263.51 Mbit/s.



According to the Ministry of Information Technologies, more than 5,000 base stations have been installed and modernized across the country since the beginning of the year to improve the coverage of mobile communication and internet in residential areas. As a result, the mobile communication coverage across the republic has reached 99%, the wide-band mobile internet coverage has reached 98.5%, and the mobile internet coverage for international importance highways has been increased to 75%.

As of today, according to the international rating on the affordability of the internet by Cable.co.uk, Uzbekistan ranks 25th out of 219 countries for fixed-line internet affordability, with an average cost of \$15.48 USD. In terms of mobile internet affordability, Uzbekistan is ranked 22nd out of 233 countries, with an average cost of \$0.30 USD.

The entire country is equipped with high-speed internet connectivity, including all social infrastructure objects. This includes 10,271 educational institutions, 6,539 schools, 3,920 healthcare facilities, 9,403 community centers for citizens, and 5,583 police stations, all of which have access to high-speed internet. The opportunity for connection to high-speed internet is provided through a widespread network of Wi-Fi points in public places. A total of 7,081 Wi-Fi points have been established to expand the coverage of wireless networks in community areas, aiming to provide seamless connectivity.

## International norms

To ensure the legal and just protection of freedom of speech in states, a series of international legal mechanisms have been established. Firstly, in the context of human rights, Article 10(2) of the European Convention on Human Rights recognizes the right of states to establish specific restrictions based on the licensing or information disclosure perspective and other situations determined by law. The right to freedom of expression is emphasized in Article 19(3) of the International Covenant on Civil and Political Rights, indicating a separate obligation and responsibility to use freedom of speech. Such usage may be subject to certain limitations, but these restrictions must be determined by law and include the following:

- Respecting the rights and dignity of other individuals;
- Ensuring the necessity to preserve state security, public order, public health, or morality.

It is essential to emphasize that the limitation of freedom of speech should be based on two fundamental principles: legality and necessity. Legality implies that restrictions must be defined by law, while necessity refers to safeguarding the rights and interests of other entities. In this context, the purpose is as

mentioned above, protecting the legal interests of individuals, society, or the state, and the conditions for limitations should be strictly determined by law.

### Legislation of Uzbekistan

In the realm of political law and freedoms, one of the most crucial constitutional rights of individuals is the right to freedom of speech. This freedom is guaranteed by the state. This issue has been recently addressed in the revised Constitution, where its nature and content have been given a separate place.

In the newly amended Constitution of Uzbekistan, which came into effect on May 1, 2023, some changes have also been made to the provisions related to freedom of speech and mass media.

These regulations are outlined in the 33rd article of the new constitution, stating: *Everyone has the right to freedom of thought, speech, and expression. Everyone has the right to search for, receive, and disseminate information. The state establishes conditions for ensuring the use of the Internet as a global information resource.*

*The right to search for, receive, and disseminate information may be restricted only in accordance with the law and only to the extent necessary to protect the health of the population, morality, the rights and freedoms of others, ensure state security, as well as prevent the disclosure of state secrets or other information protected by law.*

### The new version includes two articles on mass media:

Article 81. Mass media are free and operate according to the law. The state guarantees the freedom of media activity, their rights to seek, receive, use and disseminate information. Mass media are responsible for the reliability of the information they provide.

Article 81. Censorship is not allowed. Obstructing or interfering with the activities of mass media is a cause of responsibility according to the law.

According to the new constitution accepted in the referendum on May 30, a plan to align legislation with the new constitution has been developed within two months, and the responsibility of presenting it to the Oliy Majlis has been assigned to the Supreme Court.

The issue of establishing accountability in legal codes for journalists' activities, whether it be alarming or conflicting, should also be addressed in line with this plan.

It is a condition that citizens, while exercising their freedom of speech and rights, should not harm the legal interests of other individuals, the state, and society.

According to Article 2 of the Law "On Mass Media", mass media are free in the Republic of Uzbekistan and operate in accordance with the Constitution, this law and other legal documents; mass media use the right to seek, receive and distribute information and are responsible for the accuracy and truthfulness of the information they publish in accordance with the procedure established by law. First of all, it is forbidden to insult the honor and dignity of citizens and interfere in their private life through mass media.

In the context of exercising freedom of speech, one should not violate legal procedures, neglect relevant obligations, cause harm to the rights and interests of others, spread false accusations, engage in slander,



disseminate false information, make public appeals for the violation or disregard of legal documents, produce and distribute products in violation of the law, engage in activities related to pornography, exploitation, or cruelty, promote or participate in advertising, dissemination, or promotion of materials that threaten public safety and order, or encroach on the President of the Republic of Uzbekistan's legal responsibilities for public governance. Violating these legal responsibilities may lead to prosecution under the Administrative Code or the Criminal Code of the Republic of Uzbekistan.

Article 70 of the Constitution stipulates that "in the Republic of Uzbekistan, trade unions, political parties, societies of scientists, women's organizations, organizations of veterans, youth and persons with disabilities, creative associations, mass movements and other associations of citizens are recognized as public associations". Mass media is also considered a non-governmental, non-profit organization.

To date, 749 mass media have been officially registered in Uzbekistan.

**Article 72** "The state guarantees the rights and legal interests of non-governmental non-profit organizations, creates equal legal opportunities for their participation in public life. State bodies and officials may not interfere in the activities of non-governmental non-profit organizations, as well as in the activities of state bodies and officials by non-governmental non-profit organizations." Therefore, there should be no restrictions or interference by government authorities in the legitimate activities of mass media.

Several channels publishing legal information, including, on 05.01.2023 the Ministry of Justice of Uzbekistan, based on Article 15 of the Law "On the Protection of Journalism" (adopted in 1997), posted information on the responsibility of journalists for the accuracy of messages and materials prepared and distributed .

However, Article 14 of this law does not specify responsibility for censorship, exerting pressure on journalists, interfering with their professional activities, or holding them accountable for discrediting information sources or defaming the author without justification.

To ensure the responsible use of freedom of speech within the framework of legal regulations and judicial practices in the society of free citizens, a specific system of limitations is established. Particularly, legal measures are taken to prevent the abuse of freedom of speech, protect the state order and laws with vigilance, suppress the dissemination of other secrets threatening public order, engage in activities leading to the commission of crimes, promote national, racial, religious, and other hatred, insult and defamation of other individuals, and violate public morality and ethics. Legal responsibility in this regard is defined in relevant legislation.

In recent years in Uzbekistan, the level of opportunities for expressing free opinions and providing information to media outlets has noticeably increased. Individuals have actively exercised their rights to express opinions in public discourse, both in mass media outlets and in various social platforms. This has been particularly evident in the social movements where bloggers, independent journalists, and human rights activists have played a significant role in highlighting serious issues in various social and political domains, addressing common citizens' concerns.

The constant monitoring and persecution of certain individuals, sometimes escalating to open aggression, have created a climate of fear and anxiety in society. Despite facing threats to their well-being, including intimidation and physical harm, some individuals, including ordinary citizens, continue to actively assert

their rights. President Shavkat Mirziyoyev's ongoing efforts to improve freedom of speech in the country and the consistent initiatives to address the challenges suggest a direction that is not likely to backtrack.

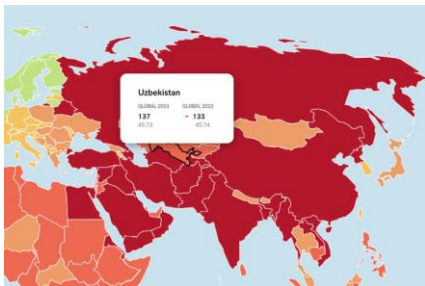
Unfortunately, individuals engaged in corrupt activities in any society tend to resort to various illicit actions, including open intimidation of the public, consistent resistance against international and social networks, and employing physical force, torture, and even extrajudicial actions, regardless of the means, sometimes even physical elimination when purchasing is not possible.

However, it has been historically proven that it is not possible to eliminate such public misconduct without freedom of speech.

In Uzbekistan, the activities of the Information and Mass Communications Agency are being reorganized based on the recommendations of international organizations in the field of freedom of speech and media. This is outlined in the Development Strategy for 2022-2026.

### In 2023, Uzbekistan dropped 4 places in the "Freedom of Speech Index"

In the 2023 ranking of the "Reporters Without Borders" organization, Uzbekistan lost 4 places compared to the previous year and took the 137th place among 180 countries. "After the death of President Islam Karimov in 2016, the situation in the press improved somewhat, but criticism of the government remains a problem," the organization's report says. According to the report, Uzbek authorities "significantly" control a number of bloggers with close ties to the media and government. The country has repressive media laws and widespread surveillance, censorship and self-censorship.



Experts have criticized the pressure on blogger Otabek Sattoriy's work and the harassment faced by journalists who covered the protests in Nukus in 2022. In May 2021, Sattoriy was labeled as "slanderous" and a "traitor" and was deprived of freedom for 6.5 years. The blogger himself was unable to challenge the court decision. Human Rights Watch characterized the charges against him as "ambiguous", while considering the court's decision as a "blow to freedom of speech in Uzbekistan".

On May 8, Shavkat Mirziyoev, at a meeting with the heads of Oliy Majlis chambers, political parties, judicial and executive authorities, and public activists dedicated to the results of the referendum, emphasized the crucial role of the media and journalists in ensuring the legitimacy and transparency of information. He highlighted the importance of respecting the people's voice and opinions, urging broad public involvement and drawing attention to the significant influence of mass media and journalists, acknowledging them as the most influential force in today's world.



On May 15, 2023, Sherzod Asadov, Deputy Head of the Presidential Administration, Press Secretary of the President, expressed his opinion about the level of freedom of speech in Uzbekistan within the framework of the annual "Golden Pen" national award for journalism.



According to him, "In my opinion, if you are an objective journalist, you can choose this too. A lot of work has been done. Of course, there are no limits to development, progress. Our work is very diverse. It is impossible to stop."

Director of the Information Security Department of the Presidential Administration, Komil Allamjonov, assessed the level of freedom of speech on a scale of 10 and gave it a score of 5.5, emphasizing that there is still much work to be done.

### The right to use the Internet

Uzbekistan citizens have gained another right to their personal freedoms—the right to unrestricted use of the internet.

According to Article 33 of the new Constitution, freedom of thought, expression, and access to information, including the right to freely use the internet, is recognized as a fundamental personal right. According to the new provision, the state creates conditions for ensuring the use of the internet as a global information resource.

In Uzbekistan, the number of internet users has grown from 12.1 million in 2016 to 32 million in 2022. The country's internet penetration rate, which was 28% in 2016, reached 98% in 2022.

However, along with these advancements, various issues and challenges that require the attention of our society and state are also emerging. The global nature of the internet brings with it certain threats and destructive elements, and it is necessary to address these issues, considering the potential negative impact on our youth when absolutely necessary. The methods of regulating such issues are well-known from international experience.

### The Ministry of Justice accused the media of one-sided coverage of administrative reforms

The Ministry of Justice criticized privately published materials that expressed opinions contrary to government changes. Specialists who expressed their opinions were labeled as uneducated and irresponsible.

A The Ministry of Justice accused certain mass media outlets for portraying administrative changes, especially the mergers of ministries and the dissolution of some state organizations, only from a negative perspective.



*"Of course, diverse opinions are good, but some mass media outlets and social networks, even if they lack necessary knowledge and expertise, conduct interviews with individuals who declare themselves as experts, engaging in one-sided criticism and evaluation without engaging in constructive improvements. Particularly, these days, Kun.uz and Qalampir.uz platforms have*

*been actively promoting interviews", - says the statement of the Ministry of Justice.*

In recent years, Kun.uz has published interviews on the topic of administrative reforms with economist Abdulla Abduqodirov, legal expert Abdurahmon Tashanov, and education expert Bahodir Ganiev. Qalampir.uz has also published interviews with political analyst Hamid Sodiq. In these discussions, the experts shared both positive aspects and shortcomings of the administrative changes, expressing their opinions on various aspects.

The Ministry of Justice criticized these individuals, referring to them as "individuals who declare themselves as experts," accusing them of irresponsibility.

### Saida Mirziyoeva met with the representative on freedom of speech

On November 17, Saida Mirziyoyeva, the assistant to the President of the Republic of Uzbekistan, [held](#) talks with Teresa Ribeiro, the representative on issues of media freedom of the Organization for Security and Co-operation in Europe (OSCE).



In the meeting, discussions were held on issues related to freedom of speech globally, including the challenges and sometimes confrontations that arise.

“Currently, we are in the process of improving legislation on mass media. The Media Code project is underway. In recent years, preserving positive changes in the field of freedom of speech within the OSCE framework and protecting journalists are crucial for us”, said Saida Mirziyoyeva. It should be noted that several joint projects addressing this particular topic are under consideration and discussion.

### Active journalists assess freedom of speech in Uzbekistan negatively

On May 16, 2023, during the ceremony of awarding the XVII National Prize "Oltin Qalam" (Golden Pen), a journalist and public figures were posed the question: "How would you rate the freedom of speech in Uzbekistan on a scale of 10 points?". They answered this question in different ways, according to the Rost24 website:

Kun.uz journalist Abror Zohidov rated freedom of speech with 5 points and noted that "this indicator has decreased compared to last year".

Meanwhile, the rector of Journalism and Mass Communication University of Uzbekistan Sherzodhon Qudratkhujayev responded, "Compared to the country's recent past, the current indicator is not low", suggesting a more positive perspective on the state of freedom of speech in Uzbekistan.

The Press Secretary of the President, Sherzod Asadov, emphasized that "it is essential for journalists to evaluate freedom of speech themselves".

The Deputy Head of the Presidential Administration, Komil Allamjonov, rated freedom of speech at 5.5 points. He also emphasized that "there is a lot of work to be done in this regard in Uzbekistan".

Ismat Khushev, head of the "Dunyo Uzbeklari" site, expressed the opinion that "journalists and bloggers were arrested because they did not feel responsible for their words".

In addition to these opinions, some other journalists and public figures also gave low ratings to freedom of speech in Uzbekistan. They particularly emphasized "the increasing pressure on bloggers and journalists".

## About appealing to the President

On March 3, a group of journalists and social networks of the country sent an appeal to President Sh. Mirziyoyev, asking for help in ensuring freedom of speech and opinion through social networks.

Although President Mirziyoyev or the President's Office did not respond to the published appeal, the Union of Journalists of Uzbekistan responded to it while it was being discussed on social networks.

It remains unclear why the Union of Journalists, which is supposed to protect against pressures on freedom of speech, responded to the appeal to the president.

A text written under the heading "Let impartiality and justice be the main criterion" was posted on the association's web page, and it rejected the points in the appeal.

Қолаверса, айни кунларда ҳам мамлакатимизда матбуот ва сўз эркинлиги таъминланишини янада кучайтириш, бу борда қонунийликни таъминлаш, журналист ва блогерларни ҳар жиҳатдан қўллаб-қувватлашга қаратилган кенг қўлмалли ишлар давом эттирилмоқда. Ҳусусан, янгиланаётган Конституциямизда оммавий ахборот воситалари фаолиятига тўққинчи қилиш ёки аралашш кўнунга мувофиқ жавобгарликка сабаб бўлиши белгилан қўйилган, Ахборот кодекси лойиҳаси ишлаб чиқилгани бунга яна бир ёрқин мисолдир.

Юқоридегилардан келиб чиқиб, шунга айтишимиз мумкинки, бир гуруҳ журналист ва блогерларнинг давлатимиз раҳбарига мурожаат йўллаганининг ўзи ҳам мамлакатимизда сўз эркинлигининг очиқ эканлигидан далолат беради. Лекин мурожаатда билдирилган кўпгина фикрларга қўшилишининг иложи йўқ. Сабаби, тўғри ва холислик билан сўз айтган, танқид қилаётган ҳеч бир инсонга бирон-бир тўсиқ ва босимлар бўлаётганини шунчаки уйдурма, ҳақиқатдан йироқ деб ҳисоблаймиз.

Ўзбекистон Журналистлар уюшмаси

In the meeting, it was noted that the policy of openness and freedom of speech is a priority in Uzbekistan.

"Frankly, if this appeal was announced 7-8 years ago, there would probably not have been any need to express an opinion. Because today, in our country, the policy of openness, freedom of speech and press is a priority," said the organization, which is said to be reminiscent of Karimov's era.

The Union wrote that it did not witness pressure on any editorial office or independent journalists.

"Recently, we have not witnessed pressure on any editors and independent journalists, bloggers, or demanding to change the content of any information or not publish it."

The Union of Journalists of Uzbekistan also addressed the issue of bloggers and journalists who have been prosecuted and accused them of "abusing the freedom of speech, using the sacred pulpit of the press for personal gain, false reputation or other malicious purposes."

The Union of Journalists said that the claims about pressures on the media are baseless and unfounded.

## "There's still a lot of work to be done" — Blinken

"If the Central Asian countries enter into deep integration, instead of five small markets, they would have created a single large market," said U.S. Secretary of State Anthony Blinken in an interview with Kun.uz on March 1. He acknowledged the progress Uzbekistan has made in recent years in recognizing achievements in economic reforms, emphasizing that there is still much work to be done.

In the interview with Kun.uz, U.S. Secretary of State Anthony Blinken responded to a question about the possibility of Central Asian states forming a separate economic alliance without external participants.

*"I believe that these countries will benefit through sovereign decisions they themselves accept. Our belief is firm that the deeper the Central Asian countries go into integration, the more benefits there will be for the people. For example, they would have created a single large*



*market instead of five small markets. As a result, it could attract much more investment from various parts of the world.*

*Strengthening mutual relations, facilitating trade and investment within Central Asia, will boost economic growth, and all countries in the region will benefit from it. The decisions on how to implement this should be made by these countries themselves, not by external forces", said Blinken.*

The US diplomat evaluated the changes made by the current government of Uzbekistan in terms of openness, freedom of speech and religious freedom.

*"Today, in our conversation with the president, we discussed creating more conditions for media freedom, combating disinformation coming from other countries, strengthening civil society, and further strengthening the achievements in the field of religious freedom. A particularly historic achievement was the abolition of forced and child labor in cotton farming. I think that Uzbekistan has a clear view of the future and has its own path. We hope that we will be a good partner for Uzbekistan in this way," said Anthony Blinken.*

### **How much will full censorship cost Uzbekistan?**

Censoring information does not solve the problem, but kills the ability of the state to see and feel the problem. This means the victory of supporters of the old way of thinking over Uzbekistan and the second administration.

Kamoliddin Rabbimov, a political scientist and a member of Ezgulik, said that the president supports the independent mass media, but there are those who ask him to close the free press.

During his recent trip to Kashkadarya, President Mirziyoyev said that some government officials asked to "close independent mass media".



*"Being a closed country and not supporting the media, we did not hear the voice of the people. Do you like the breath of freedom? I like it. True, it is more difficult for me to work like this. Everyone says, shut it up. No, I won't close. Should we go back to how it was before, with prosecutors, the National Security Service, investigators at the helm? Did we reach what we intended? Do we become prosperous?" said the president.*

Let's keep in mind that freedom of speech and opinion is a constitutional value and requirement in Uzbekistan. That is, whoever opposes the freedom of speech and opinion, actually opposes the Constitutional system. Because according to the Constitution of Uzbekistan, freedom of speech and opinion is one of the highest values, it is the right of every person, and violating it is an illegal act.

The initiative of information and opinions about Uzbekistan will again go outside Uzbekistan. Humanity lives in globalization. After that, between information and a person, only his will can be a barrier. Information resides within the essence of human beings. After that, there will be no shortage of information.



On the contrary, people's and society's attention will be lacking. There will be a lot of information. There will be unprecedented competition between information. This information fights for the attention, trust and consciousness of people and societies.

However, if complete censorship is imposed in Uzbekistan, the country may withdraw from this competitive field, based on its preferences. The initiative will be fully captured by foreign mass media, said Kamoliddin Rabbimov.

### Persecution and arrests

In Uzbekistan, the trend of persecution and "conversations" for press and Internet appearances continues. Some bloggers and journalists seem to be under pressure. It is becoming noticeable that the persecution of freedom of speech is not carried out by the government, but only by representatives of some state authorities. This shows that the government does not have a systematic approach to stifling freedom of speech, and that the government is not interested in stifling freedom of speech.

Over the past few years, citizen journalists have been playing a major role in Uzbekistan. They are trying to expand the restrictions allowed by the government of President Mirziyoyev.

Although the authorities monitored outspoken bloggers and arrested several social media activists, this was not seen as a complete crackdown on media freedom, with many citizen journalists continuing to hope that these were isolated cases.

Activist author - blogger Hojiakbar Nosirov, who prepares shows on social networks promoting the fight against the production and sale of unhealthy products for the health of the population, posted a video on his social media pages in which he expresses his opinion about not eating various yogurt products sold in commercial stores because they are haram.



Through the above mentioned video clip, it was reported that the blogger expressed his opinions to the citizens that yogurts produced by different manufacturing companies cannot be consumed due to the presence of "carmine" substance in them, based on his personal religious views, without obtaining conclusions from relevant experts.

In connection with the conducted examination based on the mentioned circumstances, Hojiakbar Nosirov has officially received an administrative penalty under Article 184-3 (preparation, storage, or distribution of materials that incite national, racial, ethnic, or religious enmity) and Article 194 (failure to comply with the legal requirements of a law enforcement officer) of the Administrative Code.

On April 8, he was sentenced to 15 days of administrative imprisonment by the Shaykhontohur district court on criminal cases.



On January 23 of last year, blogger Dilshod Orozboev, known by the nickname "Dili Me" in social networks, with his partners deliberately disrespected the rules of behavior in society, beating an unnamed citizen and inflicting bodily injuries. The Yashnabad district prosecutor's office initiated a criminal case under Article

277 of the Criminal Code.

Despite being summoned several times, the suspect in the criminal case has been evading coming to the investigation. Therefore, a search warrant was issued against him.

During the rapid search operations conducted, the blogger was caught on March 10 and was investigated. Dilshod Urozboev has been released after a certain period and has returned to his family.

On January 27, 2023, the director of the Human.uz website, Khurshid Daliev, and other editorial staff were taken from their office.

The Supreme Court reported that the verdict was announced in the criminal case related to the Kompromatuzb Telegram channel:

On September 26, in the first-instance court of the Shaihontohur district court for crimes, under the leadership of the head of the court T. Obidov, the open court proceedings on the criminal case of Kh.D. (born in 1984 in Andijan region), S.Kh. (born in 1983 in Kashkadarya region), A.A. (born in 2004 in Andijan region), and M.M. (female, born in 1973 in Andijan region) were completed, and the court verdict was announced.

Khurshid Daliev and Siyovush Khoshimov, each of them was sentenced to 7 years of imprisonment. Ahmadullo Ahmadjonov was sentenced to 3 years of imprisonment and Mavjuda Mirzaeva received a 5-year sentence of restriction of liberty.



In November 2022, "Anorbank" filed a lawsuit against the Sof.uz publication "for disseminating information damaging the reputation of the business". On April 5, 2023, this economic dispute came to an end at the Tashkent Interdistrict Economic Court. The court ordered Sof.uz to pay damages in the amount of 3.7 billion soums in favor of the bank.

Of course, there is absolutely no justification for a bank to sue a media outlet and force it to pay a huge fine or damages. A media outlet is not a bank, they don't have that much money. Most likely, the founder of the "Sof.uz" site, "Komil Unsur" LLC, will be closed without being able to pay this amount.

Blogger Olimjon Haydarov was arrested in Kokan on charges of extortion in July. Haydarov was found guilty of committing offenses under Article 139 (defamation), part 2, part 3, item "a", Article 140 (insult), part 3, item "a" and Article 165 (extortion), part 2, item "b" of the Criminal Code. He was sentenced to 8 years of imprisonment and was ordered to serve the sentence in general order colonies.



On December 28, the appellate court of the Fergana regional court on criminal cases upheld the verdict.

Journalist Abduqadir Mominov was also accused of extortion and imprisoned on February 8. On August 4, the Mirabad District Court of



Tashkent found the author of the "Ko'zgu" YouTube channel guilty of violation of privacy, extortion, fraud, violation of trade or service rules and participation in bribery. For this, he received a prison sentence of 7 years and 3 months, with a ban on journalistic activity for 3 years.

The appellate instance of the Tashkent city court upheld the verdict against Abdulqodir Muminov without any changes.

Journalist Anora Sadiqova, on February 8th, posted on her Facebook page indicating that a recent material about the activities of the Epsilon company published in the Rost24 outlet has caused her concerns and questions about the possibilities of practicing journalism in Uzbekistan.

"It seems that we will be closed. It seems that the following material will be my last material. The people I asked for help are silent. Is it possible to do journalism in Uzbekistan? This question remains open for me", the journalist wrote in a post that was later deleted.



A few days before this post, Rost24 published on the YouTube channel "Who is behind Epsilon - the company that exploits the underground resources of Uzbekistan?" In the video, journalist Anora Sodikova questioned how transparent the company's activities are.

"Who are the mysterious founders of Epsilon Development Company, which shares the richest mines of our nation? Perhaps the original founder of Epsilon DC, which is registered in the offshore area, is our own Uzbek national? Why is a company of dubious origin allowed to conduct geological exploration work in five mines of Uzbekistan?" such questions were raised during the video.

Also, in the video, Anora Sodikova questioned on what basis the Uzbek government granted a license to this company "of non-transparent origin". After that, the video and the article attached to it were deleted from the Rost24 website and the pages of the publication on all platforms.

Anora Sodikova reported that in April 2022, she was forced to remove the article about businessman Jahangir Usmanov under threats and pressure.

On May 26, blogger Elmurod Odilov, who lives in Yakkabog, was severely beaten by the Ministry of Internal Affairs (MIA) officers at the district MIA station and taken to the department.

Daryo.uz publication wrote that the blogger tried to cover the meeting of the officials headed by the mayor on the cocoon, mobilization call and tax issues.



"They beat and broke their phones. Those who were standing there recorded the incident on their phones. The fact that they were taken out of the gate, beaten, dragged, and smashed their phones must have been caught on the camera there," the publication quoted the source as saying.



On May 27, the Kashkadarya regional MIA and the Supreme Court

stated that Odilov had interfered in the work of farmers, committed petty hooliganism and disobeyed the demands of the authorities.

On June 13, the blogger, who was sentenced to administrative imprisonment, made a video appeal, and claimed that on May 26, he was beaten by the Yakkabog district mayor and MIA officers at the pill point.

### **Nasafnews.uz publication and 3 bloggers have finished their activities**

On June 5, the Internet publication Nasafnews.uz, operating mainly in Kashkadarya, announced that it was ending its activity. At the same time, Umid Karimov, the author of the "Kapitan Karimov" blog, who is considered the head of the publication, announced that he will no longer run his blog.

After that, two other bloggers, Otabek Artikov the author of «AvtoblogUz» Maqsud Muzaffarov, announced that their work has come to an end.

In these cases, bloggers Umid Karimov and Maqsud Muzaffarov were found to have committed an offense under various articles of the Criminal Code of Uzbekistan on May 29, and they announced the above decision after they were imprisoned for 5 days.

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### **Recommendations to the Government of Uzbekistan for Ensuring Freedom of Speech and Pluralism:**

- 1. Creation of the fundamental foundations of freedom of speech: improvement of the "Information Code" of the Republic of Uzbekistan and reduction of state interference in mass media;**
- 2. Ensure internet freedom: Investigate and lift restrictions on websites that do not pose a real threat to national and social security, promoting online freedom;**
- 3. Grant freedoms to civic institutions and political parties: Align the legal documents such as the "Law on Public Associations" and the "Law on Political Parties" with the "International Covenant on Civil and Political Rights";**
- 4. Simplification of registration of electronic and printed publications. Improvement of laws on protection of journalistic activities.**

## RELIGIOUS FREEDOMS

According to the information provided by the Committee on Religious Affairs under the Cabinet of Ministers of the Republic of Uzbekistan, as of January 1, 2023, there are 2,131 mosques and 197 non-Islamic religious institutions in the country. Based on the data, 88% of the population are Sunni Muslims, with the majority adhering to the Hanafi school of thought. Approximately 0.03% are followers of the Shia Jafari school, concentrated mainly in the Bukhara and Samarkand regions. About 1.9% of the population consists of Russian Orthodox Christians.



According to unofficial information, the remaining 1.5% of the population includes Roman Catholics, ethnic Korean Christians, Baptists, Evangelical Christians, Lutherans, Seventh-day Adventists, Jehovah's Witnesses, Buddhists, Bahá'ís, Krishna followers, and atheists, organized into various small communities.

According to the Committee on Religious Affairs, there is a Jewish community in Uzbekistan consisting of Ashkenazi and Sephardic (Bukharan) Jews, totaling 5,420 people, with approximately 3,500 Ashkenazi and fewer than 2,000 Bukharan Jews. They primarily reside in Bukhara, Samarkand, and Fergana Valley. In 2023, a Catholic church in Angren city was officially registered.

Representatives of various religious denominations, numbering more than 50, actively participate in national and international events. The government provides practical assistance to them, supporting the organization of 14 religious festivals.

During the Hajj pilgrimage season in 2023, over 15,150 individuals performed Hajj and Umrah, with more than 43,000 pilgrims successfully completing the pilgrimage rituals.

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### Uzbekistan was not included in the "black list" regarding religious freedom

According to the official statement published on January 4, 2023 on the official website of the US State Department, according to the results of 2023, Uzbekistan was not included in the list of "Countries under special surveillance". Uzbekistan was removed from this list in 2020.



Every year, the US State Department monitors the extent to which the countries of the world are complying with the International Religious Freedom Act. Countries that have not made positive changes in terms of religious freedom are included in the list of "Countries under special surveillance".

"Since the passage and implementation of the International Religious Freedom Act in 1998, securing freedom of religion or belief has been a central goal of US foreign policy.

Based on this goal, countries such as Burma, the People's Republic of China, Cuba, the DPRK, Eritrea, Iran, Nicaragua, Pakistan, Russia, Saudi Arabia, Tajikistan, and Turkmenistan have been assessed as countries of special concern because they allow serious violations of religious freedom.

In addition, Algeria, Azerbaijan, Central Africa, the Gambian Islands and Vietnam have been put on a special watch list for their involvement in serious violations of religious freedom", said US Secretary of State Anthony Blinken.

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### Visit of the UN official to Uzbekistan

Ahmed Shahid, whose mandate of the UN special rapporteur on religious freedom is ending, has been in Uzbekistan for 3 days. During his visit, Ahmad Shahid met with representatives of civil society, lawyers and bloggers at the office of "Ezgulik" society.



He also published a report on the state of religious freedom in our country at the US Embassy. The report covers a 5-year period and highlights the achievements and shortcomings of the field.

The official came to Uzbekistan in 2018 and recommended closing the Jasliq camp. The government of Uzbekistan implemented this recommendation. Some recommendations have already been implemented, some of them are in the process of being implemented.

Ahmed Shahid, who is a citizen of Maldives, handed over his mandate to the UN on August 1 of last year and is currently working in one of the human rights organizations in Britain.

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### The evolution of religious freedoms

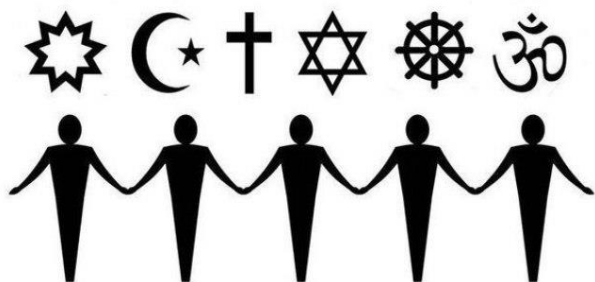
Uzbekistan is the largest Muslim society not only in Central Asia, but also in the entire post-Soviet region. In 1991, when the former USSR collapsed, the population of Uzbekistan reached 20 million. Today, the population of Uzbekistan exceeds 36.5 million, according to the data of the State Statistics Committee, which relies on continuous monitoring.

According to many representative sociological studies, approximately 98-98% of the population of Uzbekistan say that they believe in God, that is, they are believers. It is also said that approximately 89-92% of the population believes in the Sunni sect of Islam.

According to the observations of international organizations, the total population of Muslims in the world is about 1.8 billion and it is reported that it will go up to about 2 billion. Uzbekistan ranks among the top twenty countries in the Muslim world in terms of population.

Islam is the most widely spread and, at the same time, a profoundly independent factor in Uzbekistan's society. It holds a unique position as a defining element of individual identity for many Uzbeks. In response to questions like "Who do you consider yourself first: a representative of your nation or a representative of your religion?" posed in various sociological surveys, the majority of respondents, often more than 60%, express a preference for identifying themselves primarily as Muslims. Another significant portion, approximately more than 20%, views the dual identity of both nationality and religion as inseparable.

Uzbekistan has experienced a unique historical trajectory, evolving from a post-atheistic society that endured 70 years of aggressive atheism during the Soviet era. However, with the attainment of independence, the society underwent a remarkable transformation, displaying a fervent enthusiasm for reclaiming religious identity and revitalizing religious institutions and practices.



For comparison: some part of the society did not organize any protest actions or resistance movements, demanding "social equality", "social protection" and other important values achieved during the former USSR. Nonetheless, in a relatively short period, there has been a surge in activities that align with religious motives, and incidents, sometimes involving terrorist acts, have been associated with religious motivations.

In every country, there are unique tensions and conflicts, with dualities between different segments. For instance, in developed Western countries, conflicts can be observed between political ideologies – conservatives and liberals, political parties, ethnic identities, and other factors. In neighboring Afghanistan, the most prominent and fundamental conflict in Afghan society is perceived as the "ethnic Pashtuns and others" duality. In other words, researchers have often said that the "religious and secular factor" in Afghanistan is a relatively secondary and superficial factor. In contrast, in Kyrgyzstan, there is a "north and south" duality: the political elite of this state cannot remain indifferent to shaping their political strategies in relation to this aspect.

Now, let's consider the most significant conflict duality that has unfolded in recent history in Uzbekistan. The answer to this question is relatively straightforward. In Uzbekistan, the most fundamental conflict duality from 1991 to 2016 was between the state, namely the government's worldly aspirations, and the religious needs of society. The administration of Islam Karimov aimed to make Uzbekistan a "worldly, modern" state. However, the challenge was that Islam Karimov and his administration often emphasized that "worldliness" should be kept at a distance from "religion."

To illustrate this idea, let's present some supporting facts without embellishment.

Firstly, in the post-Soviet region, the term "politically motivated" (political prisoners) used by international human rights organizations resonated most accurately with the situation of detainees in Uzbekistan. According to annual reports of many international human rights organizations, in the 1990s and 2000s, there were approximately 15-16 thousand "political prisoners" in Uzbekistan. Thus, around 95% of detainees were identified as "religious-political prisoners."



Secondly, the share devoted to "religious extremism" and "terrorism" in the state's official information policy and ideology policy was so large that, strangely enough, the country of Uzbekistan itself was preparing for a civil war.

Thirdly, the state saw strict control over religious institutions and activities as its most crucial task, aligning with the idea of rigorous, total surveillance, a characteristic often associated with more totalitarian states.

Fourthly, the state invested substantial energy and resources in combating "religious extremism and terrorism," which, in turn, led to a significant deterioration of Uzbekistan's global reputation.

In 2016, there was a change of power in Uzbekistan, and the radical and destructive policy of the previous administration regarding freedom of religion and conscience came under serious criticism. President Mirziyoyev emphasized that the "policy of imprisoning the stable" was wrong, said that "black lists" were abandoned.

In Uzbekistan, as soon as the government changed, the repressive policy carried out by the state stopped. But at the same time, the previous repressive policy was not replaced by a new policy that was meaningfully understood and explained to society. Against the background of the suspension of the old policy of repressions, the public opinion, especially in the state officials and institutions, has not yet formed the thinking about the philosophy, mechanisms, and standards of freedom of conscience and religion.

It is for this reason that certain conflicts and problems are often highlighted between the state and society of Uzbekistan regarding "secularism", although it is not as intense and aggressive as during the previous administration.

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### State policy on religion: goals and objectives

Every country has a historical-political evolution in relation to rights and freedoms. Uzbekistan is a post-totalitarian state. Until the last decade of the 20th century, we were part of the largest ideological totalitarian state in the world, the USSR. Until then, the current Uzbek society has experienced three khanate periods, and this period also left only a negative name in terms of rights and freedoms.

After independence, Uzbekistan, as a post-totalitarian state, could not get out of strict authoritarianism. Democratic, legal values were very weak in the thinking of the newly independent state and its first elite. Therefore, independent Uzbekistan, in the implementation of the state policy, according to the post-totalitarian inertia, led the society not through free persuasion, but through repressive methods of deprivation and coercion.

In particular, the state's policy on freedom of conscience and religion has been subject to constant international criticism. In fact, the state's religious policy from 1991 to 2024 can be divided into several periods. These periods are distinguished by the extent of freedom of conscience and religious freedom of the state and society.



In the years 1991-98, the religious environment in the newly independent Uzbekistan was relatively free and tolerant. During this period, Uzbekistan's society experienced a phase of active revival of its historical religious values and needs, living with enthusiasm for shaping its lifestyle based on Islamic identity. In the early years of independence, the government made efforts to be as cooperative as possible with society, granting religious freedom to the public.

However, as the second half of this period unfolded, the higher authorities became closer to the idea that "the strategic consequences of promoting religiosity in society could be alarming." In 1992, the events in Namangan and the official registration of over 8,000 mosques, along with many unofficial and unregistered prayer spaces by 1997-98, marked this shift. During this period, societal tensions and serious conflicts between certain groups and the state escalated, leading the government to conclude that "freedom - the condition of Uzbekistan's society, religiosity - radicalization, radicalization - regression, and the dismantling of modern and global statehood."

In the subsequent period from 1998 to 2005, Uzbekistan experienced a tightening of control, with no room for discussion on "freedom of conscience and religion" in the discourse of Uzbek statehood. During this time, the Uzbek government fully committed itself to combating what it labeled as "religious extremism and terrorism associated with it."

In reality, however, the state, under the pretext of "religious extremism and terrorism," adopted a policy that significantly restricted the level of religious tolerance within society. In other words, the comprehensive policy of the government did not aim to ensure people's spiritual and religious freedoms; on the contrary, it intensified by excessively violating international and national legal norms and standards, suppressing the possibility of religious thought and activity within society. For this purpose, Uzbekistan's main legal framework was tightened, the number of religious organizations was sharply reduced, and the policy of arrest with religious and political motives was sharply strengthened.

In a nutshell, the state's policy on religion has been repressive over the years, influenced in part by certain global events taking place in the external arena. For example, the global "war on terror" policy following the events of September 11 and implemented by Western countries was partially aligned with Uzbekistan's national policy, as perceived by the first leadership after those events.

The third period, spanning from 2005 to 2016, witnessed its own dynamics. During this time, the state's discourse on "religious extremism and terrorism" decreased somewhat, but the level of "Islamophobia" in the state's thinking crystallizes to an unprecedented level.

The Andijan events in May 2005 played a significant role in shaping this period. After these events, there was a noticeable shift in the state's approach, emphasizing the need to reduce the rhetoric of "extremism and terrorism" while suggesting the importance of moderating surveillance.

In 2016, the change in Uzbekistan's top leadership led to a significant transformation in the state's policy towards freedom of conscience and religion. The new leadership opened avenues for a new political and legal consensus. Since 2016, there has been a gradual departure from the previously repressive policies in the religious sphere in Uzbekistan.

At the same time, the period from 2016 to 2024 can be considered as the most recent and, conditionally, divided into two phases. From 2016 to 2020, Uzbekistan experienced a dynamic and widespread transformation in the field of freedom of conscience and religion. State institutions and officials sharply criticized the repressive policies that had been implemented until 2016 and expressed an interest in distancing themselves from those policies. During this time, Uzbek society began to express its religious needs more freely, engaging in activities such as Quranic lessons, religious guidance sessions, relatively open sermons in mosques, the independent establishment and activities of religious educational centers, and other manifestations.

However, in the next three years, state institutions and officials, during the period of the first administration, observed a deviation and a tendency towards the "policy of reducing the level of religiosity of the society".

In the midst of 2021, a new amendment to the Law "On Freedom of Conscience and Religious Organizations" was adopted. This amendment, compared to the 1998 version that had been in effect until then, is praised in some aspects as a normative document that tends to align more closely with liberal and international standards. However, in practice, the real implementation of this law is yet to be seen. The deeply rooted political mindset and the strict authoritarianism that characterized the Soviet era and persisted until 2016 still seem to influence the practical execution of the law.

Today, the government is paying separate attention to two distinct points in its policies. On the one hand, resorting to a repressive policy will severely affect the strategic interests of New Uzbekistan. On the other hand, due to the fact that the state does not yet have conceptual thinking and experience in terms of the real provision of freedom of conscience and religion, it cannot move away from the task of "keeping the level of religiosity low" even with softer means.

Starting from 2021, many of the Quranic courses and religious education centers operating throughout Uzbekistan gradually stopped their activities. These processes were not carried out through mass arrests and campaigns of public intimidation, as in the first administration. Perhaps, there was a lot of political gentleness and gradualism. However, the result is that in the following years, the need for religious knowledge of the 36 million-strong Uzbek community was not met in the country itself, and this need began to go abroad.

For example, according to observations, it is observed that young Muslims from Uzbekistan go to two foreign countries mainly to learn Arabic and acquire Islamic knowledge. These are the Republic of Turkey and the Arab Republic of Egypt. According to approximate calculations, the total number of Uzbeks who went to these two countries to learn Islamic knowledge may increase by five thousand and be less than ten thousand.

Today, in Cairo, the capital of Egypt, there are hundreds of rooms and two dozen courses specializing in the education of young Muslims from Uzbekistan. These courses are taught by teachers from Uzbekistan. It is said that these teachers try hard to keep young people away from extremist ideas and beliefs. However, the problematic side of the issue is that the strict policy of the state on religion in Uzbekistan forces citizens to study in the outside world.

With this, it shows that obtaining religious knowledge in Uzbekistan, spreading religious knowledge, free calling outside the territory of religious institutions, introduction of institutions capable of imparting religious knowledge are still facing serious obstacles.

### Religious Freedom Legislation

The legislation governing Uzbekistan's religious sphere is primarily regulated by the Constitution and the fundamental law, the Law "On Freedom of Conscience and Religious Organizations," along with several additional laws and regulatory documents.

Over the years, the fundamental law governing Uzbekistan's religious sphere, the Law "On Freedom of Conscience and Religious Organizations," has undergone two amendments.

This law was initially adopted in 1992, coinciding with the transition from the Soviet legal system and international legal norms. The first version of this law has been considered the most liberal and progressive compared to subsequent amendments.

It is important to note that the legal and normative documents, including laws, derive their legal significance from the political consensus established by the government. In this sense, the legislation regulating the religious sphere in Uzbekistan reveals very well the views of the authorities regarding freedom of religion and conscience.

Therefore, the Law "On Freedom of Conscience and Religious Organizations" adopted in 1992 was revised again in May 1998. According to this revision, opening of religious organizations, that is, mosques, has

become several times more difficult. Proselytism was prohibited by law. And illegal requirements such as "prohibition of walking in public places in religious dress/appearance" were introduced, which caused the most trouble to the believers and completely negated the international standards.



This version of the law, which was adopted in 1998 and helped to legalize the unprecedented crackdown, is in effect until mid-2021. And by 2021, a new version of this law was adopted. According to the latest revision, the Law with a

more legal and liberal interpretation was adopted compared to the 1998 law.

For example, according to the Law of 1998, for the establishment of a religious organization, at least 100 citizens' signatures and substantial state fees were required. However, as of 2021, the required number of citizens' signatures was reduced to 50, and the amount of state fees payable to the state budget was significantly lowered.

In the mid-2023, after the latest amendment was adopted, two years have passed. Analyzing the situation over the past two years in the context of this new amendment, the following conclusions can be made:

— Although the new version of the Law "On Freedom of Conscience and Religious Organizations" is relatively more liberalized. In reality, neither the number of religious organizations increased significantly, nor the institutionalized liberalization of religious needs compared to the previous period.

— In the version of the new Law, "no proselytism" that does not meet international standards, mechanisms for opening religious institutions are still far from international standards, and other conditions have been preserved.

— Throughout Uzbekistan, especially in the regions, there are many, if not thousands, projects of mosques and other religious institutions that are planned to be built by the Muslim population. Society activists had hopes that the adoption of a new version of the Law in 2021 would lead to a real change and serious liberalization of the state's policy on freedom of religion and conscience. However, even after two years since the adoption of the recent amendment, caution and the strict policy of the state in this area persist.

— In 2023, in many regions of Uzbekistan, including the capital city of Tashkent, certain problems were observed in two restaurants, which were opened with Islamic motifs and served the religious layers of the society based on "halal" standards. It is known from the flow of information covered by independent mass media that, under the unofficial pressure of law enforcement agencies, it was demanded to change the names of Islamic-Arabic restaurants. As a result, many food establishments and restaurants had to change their names. Just one example, the Islamic restaurant "Al-Fajr" located in the Chilanzor district of Tashkent, which is well known to many, changed its name to "Fakhr" after such pressures. Also, it was demanded to sell alcohol in food outlets operating on the basis of Islamic standards. Naturally, these requirements do not correspond to the national legislation of Uzbekistan and international standards. Such practices are reminiscent of the "policy of dealing with the level of religiosity of the society", recalling the experience formed during the first administration.

— In 2023, one of the most controversial issues was the "nasheeds" phenomenon. Throughout the year, severe penalties, mainly depriving young people of freedom for 3-5 years, were imposed for "listening to nasheeds." This policy has led to widespread discontent within the community. For example, the case of Jahongir Ulugmuradov, a 21-year-old, gained significant resonance. He was charged for sharing "jihadi" nasheeds via Telegram on his registered phone.

Lawyers paid attention to several points of this case. 1) Jahangir did not know Arabic, but this message was in Arabic. 2) Listening to nasheeds is seen as a "meritorious religious act" in Uzbek society, and almost all ignore the deep meaning of nasheeds. 3) Even if one understands the dangerous calls in a nasheed, if these calls do not lead to any aggressive real behavior on the part of the person, in international experience, listening to such nasheeds is not considered a "crime".

Throughout the year, a couple of cases have been observed in Uzbekistan where listening to nasheeds has been perceived as a "fault." According to Uzbekistan's legislation, hearing and spreading any religious-extremist propaganda form the basis for criminal and legal responsibility. However, the legislation and judicial system of Uzbekistan analyze such cases in depth and ask "to what extent was the person's mind involved in committing a potential crime?", and "what was the person's intention?" does not pay serious

attention to simple situations. The cases in Uzbekistan, especially those charged with religious motives, in the absolute majority of cases end with an indictment and a verdict.

Disputes about emotional and religious freedoms and borders in Uzbekistan and its surroundings are not legal, they are completely political in nature! That is, religious circles, state officials, journalists, activists express opinions mainly from a political position. For them, there is only a way to express and defend their inclinations, spiritual and political views.

In particular, the Ministry of Justice and the Religious Affairs Committee are not able to interpret the values of "freedom of conscience and religion" above the political position, dispassionately, objectively, and understandably at the legal level.

The reason is that the level of understanding of freedom of conscience, logic, philosophy, and principles of religious freedom is still not high in Uzbekistan. The statehood of Uzbekistan has been in the position of "secular extremism" in the past period. The state interpreted secularism as a "requirement for society". In fact, according to international standards, the principles of secularism are very well formed, and "secularism is the neutrality of power, administration, state bodies and officials in matters of conscience and religion."

According to the principles of secularism, people are guaranteed the free exercise of their conscience/religious beliefs. And the state protects these freedoms, and only when one side begins to attack another side, it reacts legally to the aggression. Uzbekistan carried out unprecedented repressions to keep the society away from religion. Today, because of the relative religious freedoms, there is strong unrest in certain sections of society. This is psychological discomfort, but not a real problem.

The fact that there are debates on conscientious and religious issues in Uzbekistan shows that the political environment in society has changed, and freedom has begun to enter social thinking. From now on, institutions like the Ministry of Justice, the Committee on Religious Affairs, and other state entities involved in these issues need to provide comprehensive legal explanations rather than avoiding questions from the public. The politicization of such matters fosters division in society, contributing to a confrontational stance toward the state from various factions.

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According to the amendments made to the Code of Administrative Responsibility of the Republic of Uzbekistan, covering the face in public places in Uzbekistan to the extent that it does not allow identification of the person is a cause of responsibility. It is reported that there are also circumstances that exclude liability for wearing a face covering, which include:

Individuals who cover their faces based on medical recommendations, those engaged in labor and service activities, people wearing special clothing for road safety, participants in sports and cultural events, as well as individuals authorized by law to cover their faces in specific situations, are exempt from the legal responsibility for face covering.

According to the Law on Amendments to the Codes of Criminal and Administrative Responsibility in Uzbekistan, administrative responsibility has been established for promoting cohabitation with two or more wives in Uzbekistan.

According to him, there is administrative responsibility for promoting cohabitation with two or more wives in the country, for openly denying the equal rights of women and men.

Such a change in the current laws is explained by the recent increase in the number of marriages concluded only according to religious rituals and polygamy in the republic.

"Ezgulik" on the path of religious freedom: enhancing the knowledge of activists

In November-December 2023, Ezgulik in collaboration with Kamoliddin Rabbimov, a political analyst and member of Ezgulik, conducted a one-day seminar-training for activists in Namangan city for the southern regions, in Samarkand city for activists in the Samarkand region, and in Tashkent city for activists in Tashkent province and the capital.

The central theme of the seminar-training was "Consciousness and Religious Freedom." Throughout the seminar series, various topics and issues were addressed, organized into several blocks, fostering intellectual discussions with the participants.



First block – Freedom of thought and religion: addressed issues such as perceptions, international and Uzbekistan's national perspectives, international standards, and the logical philosophy of consciousness and religious freedom.

Second block – Evolution of perceptions regarding ensuring consciousness and religious freedom in Uzbekistan, the notion of "secularism" developed in the country, and the compatibility of these notions with international standards.

Third block – Discussed discrepancies between social ideas in Uzbekistan, national legislation, and international standards in terms of social, national legal, and international standards' perspectives on consciousness and religious freedom.

During the seminar, discussions were actively conducted on the philosophy of freedom of thought, the essence of secularism, and international standards regarding religious freedom. Participants examined examples of clashes in the legal-democratic systems of states where there has been an established judicial system, highlighting the complexities related to ensuring and protecting freedom of thought and religious freedom.

Members of the "Ezgulik" Society actively participated in the seminar. The life experience of each society member, emphasizing the importance of ensuring human rights in Uzbekistan, became a crucial and weighty aspect of the discussions, leading to heated debates and diverse opinions.

The initial part of the seminar featured a presentation titled "Tolerance and Secularism," prepared by the political scientist. This PowerPoint presentation consisted of 11 slides and served as a visual aid for the seminar, facilitating lively discussions and the exploration of various topics.

### **Knowledge and skills acquired in training sessions**



Uzbekistan's human rights defenders, including lawyers and legal professionals, have not been sufficiently familiarized with the international standards of freedom of thought and religious freedom, despite their significant expertise and active roles in the field. The reason for this is that the activity of the state in this direction is almost invisible.

In Uzbekistan, the fundamental condition for establishing a legal and democratic state is the formation of a global governance system in accordance with international standards. This means that in Uzbekistan, where the majority of the population is Muslim, and in the context of global changes and the transition to legal governance, an important condition for preparing for political improvements is the society's ability to freely practice its religious needs and to respect individuals of other religions. This is considered a manifestation of civic and cultural maturity.

In the governance of Uzbekistan, both in the state and society, there is a marginal and somewhat narrow perception of the concept of "secular state". The majority of the population, and foremost the state officials and institutions, tend to interpret the concept of "s" not as the "neutrality of government institutions, governance, and the state," but rather as a demand for the "neutrality, independence from religion as much as possible" of individuals.

During the discussion, the legal and political evolution taking place in the society of Uzbekistan, including the formation of the phenomenon of religious tolerance in the society, was also reported. In other words, there is a certain harmony in the society of Uzbekistan, in the religious sphere, and the pursuit of such harmony is observed. However. This harmony is expressed not only by legal thinking and legal relations between society and the state, but also by the existing depth of understanding and appreciation of religious tolerance in society.

At the same time, in the society of Uzbekistan, the potential for conflict related to religious views is always present. It was said that the reason for this is that in the society of Uzbekistan, where the majority of the population is made up of Muslims, the religion of Islam is seen as an "ideology of social justice", a system regulating social relations as a complex of two rules. In other words, in the society of Uzbekistan, a certain part of the population thinks within the framework of the legal paradigm, while the other part is based on the religious paradigm and is represented by the existence of a layer that denies the rights and freedoms of others.

The seminar held in different major cities of Uzbekistan showed that the activists of "Ezgulik" society, as the most advanced layer in understanding and ensuring the freedom of conscience and religion of the society, further enriched their theoretical knowledge and experience. The reason was that the activists approached each issue with great enthusiasm.

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### **Religious fanaticism: is there no cure other than surgery?**

A 19-year-old football player of the "Zafar" club in Uchkoprik district of Fergana region, Komiljon Yoldoshaliev, was arrested on April 14 of this year. According to the indictment drawn up in connection with the criminal case No. 304051/2023-362, documents related to religious extremism were found on Komiljon's phone.

Komiljon is accused of spreading the attributes or symbols of terrorist organizations and committing the crimes provided for in paragraph "g" of Article 244/1, Part 3 of the Criminal Code of the Republic of Uzbekistan. During our study of the materials of the criminal case, we were convinced that many more young people could be imprisoned within the framework of this criminal case.

Is there no alternative to protecting young people from the influence of extremist materials and radicalization other than isolating them in prison? The life of young people who may or may not have understood the meaning of living in seclusion from society does not benefit society in any way. It is necessary to analyze the radicalization processes among young people. Understanding the situation and effective preventive measures within the framework of laws and regulations are essential.

However, until now, there has been no TV program or programs addressing the growth of religious extremism among young people. There have been no significant discussions or initiatives during conferences and events. The efforts of youth organizations and national institutions, including the activities of Youth Affairs Agency and the "Yuksalish" national movement, have not been effective. What will happen in the future?... We need to think about it. If the government continues to isolate individuals by imprisoning those involved, it may not bring a complete solution. Alternative measures should be considered. It is essential to develop a strategy for combating extremism.

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### Paradox in legal prosecution



On August 30 of this year, the MIA of Namangan region fined a young man who wore Arab clothes at a wedding. He was accused of having an Islamic wedding, of giving a religious touch to the wedding, and of propaganda. It was criticized that the young man dressed in Arabic and brought the bride in an Arab dress.

A few days ago, the famous singer Munisa Rizaeva was getting married and had an Indian wedding. According to social media, even the wedding guests were required to wear Indian attire. Indian customs were imitated in the wedding. However, despite her Hindi wedding being promoted all over the media, she was not punished.

There is one law and constitutional system in the country. Legal prosecutions are the same. No one will be allowed to start a religious or racial conflict. Everyone knows this: but why is a citizen punished if he chooses an Arab dress and glorified if he wears an Indian dress?! What's the difference?

If the court of Namangan region punished a citizen for wearing the clothes of another nationality, why did not the courts of Tashkent city punish Munisa Rizaeva? Let the experts of the Ministry of Justice explain the difference.



On the contrary, as a defender of human rights, I have no doubt that the Namangan courts are trying to provoke an inter-ethnic conflict and threaten people's freedom of belief.

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### Be careful when handing over your phone to MIA!

The teacher of the Islamic Academy of Uzbekistan M.Q., who asked help from the "Ezgulik" society on October 4 of this year, was fined 20 times minimum amount for count (6,600,000 soums) in accordance with the first part of Article 184 of the Code of Administrative Responsibility of the Republic of Uzbekistan in the Almazor district court on criminal cases, and it was decided to destroy the offender's SAMSUNG S 23 Ultra phone.

The mentioned article of the Code specifically addresses the storage of non-legal religious materials. M.Q.'s violation was related to the discovery of religious content on his phone, which underwent expert examination conducted by the Committee on Religious Affairs under the Cabinet of Ministers of the Republic of Uzbekistan. The experts concluded that the materials were not in violation of constitutional norms.

However, in the conclusion, it is recognized that the materials are prohibited religious literature, and that the offender subscribed to the channel of radical currents through the social network. The court used this offense as a basis for sentencing.

M.Q.'s involvement in the mentioned channels on September 9th is noted in the expert conclusion. From a technical standpoint, this is not an additional issue for the experts to clarify. However, the law enforcement agency accused M.Q. of participating in these channels based on information obtained from his phone on September 6th, i.e., three days before he officially joined the channels. In other words, the phone apparatus was in the possession of the law enforcement agency while the individual was joining the illicit channels.

Our caregivers seem to have helped the criminal to join the radical channels. To rectify this, the involvement of the judiciary is crucial. If justice prevails, such cases may be dismissed in higher instances of the court. However, recent incidents emphasize the need for human rights activists to remain vigilant in the face of such legal abuses.

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### Recommendations of Ezgulik:

- 1. Alignment of the Law of the Republic of Uzbekistan "On Freedom of Conscience and Religious Organizations" with international conventions and legal norms;**
- 2. Introduction of an independent expertise institute in criminal and administrative cases related to the fight against terrorism and extremism;**
- 3. Based on the requirements of the newly revised Constitution of the Republic of Uzbekistan, cancel the old regulations on religious freedoms;**

JUSTICE IN UZBEKISTAN

The judiciary is the main state institution in ensuring and protecting human rights. After President Shavkat Mirziyoyev came to power in 2016, a number of systemic changes were made in the judiciary, but their effectiveness can be questioned.

Especially, the procedure to appeal cases that have not been considered through the appellate process in courts has been canceled. The sharp increase in the workload of the judicial proceedings and the fact that this operation has been abandoned by 2024 can be seen as a clear example of this.

In 2023, Uzbekistan took 78th place among 142 countries in the ranking of the Rule of Law conducted by the international non-governmental organization "World Justice Project" (WJP). Uzbekistan took only 109th place out of 142 countries in the "Ensuring basic human rights" indicator of the rating.

At the same time, it is necessary to note that in the ranking of 2019, Uzbekistan was only 93 out of 113 countries and steps are being taken to change the situation to the positive side, albeit gradually.

In the report of UN Special Rapporteur Diego García-Sayán at the end of his official visit to Uzbekistan in September 2019, he stated that the interference of the executive power with respect to the judicial power has a negative impact on justice. Even today, the judicial power cannot be considered fully independent from the executive power.

In his report, the UN special rapporteur made proposals to limit the excessive powers of prosecutors and, on the contrary, to involve representatives of independent civil society institutions in judicial processes.

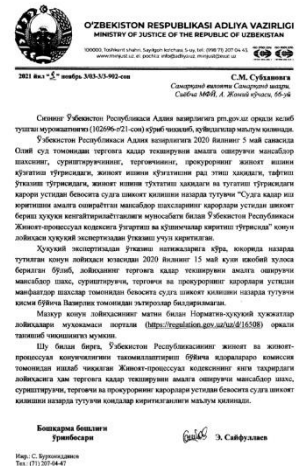
Even today, the powers of prosecutors, the most important part of the justice system, are too broad, and there is no possibility to appeal to the court regarding the actions (inactions) of prosecutors.

Some time after the UN special rapporteur's report, the relevant draft law was developed by the Supreme Court on the establishment of judicial control during the preliminary investigation of the criminal case and thereby limiting the power of the prosecutor, and it was put to public discussion in April 2020. However, this most important reform has not been implemented until today.

According to Article 55 of the Constitution of the Republic of Uzbekistan, "Everyone has the right to appeal to the court for the protection of their rights and freedoms against decisions, actions, and inactions of state bodies and other organizations, as well as officials accountable under the law." However, the inability to appeal to the court against the decisions of an investigator or prosecutor during the preliminary investigation confirms the limitation of the constitutional rights and freedoms to fully utilize them in practice.

On February 16, 2023, the Presidential Decree of the Republic of Uzbekistan on "Additional Measures to Further Expand Access to Justice and Enhance the Efficiency of Judicial Activities" was adopted.

This Decree outlines a short-term strategy for bringing the judicial system to a new stage during the years 2023-2026. The strategy focuses on fully digitizing judicial activities, introducing artificial intelligence



technologies, improving inter-agency electronic information exchange, and enhancing opportunities for remote participation in court sessions are defined as one of the tasks of ensuring justice.

According to the Decree, one of the main tasks is to develop effective mechanisms to prevent disrespect to the court and strengthen administrative accountability measures for such offenses. It also emphasizes the need to enhance administrative responsibility to address cases of disrespect to the court effectively.

In order to support the implementation of the comprehensive judicial reforms, a specialized Prosecutor's Corps has been established to assist in advancing the goals of the Odil (Fair) Judiciary. This corps will oversee the provision of prosecutor representation in the spheres of social, civil, economic, and administrative judicial activities at the central offices of the General Prosecutor's Office. Corresponding departments and branches for social, civil, economic, and administrative judicial activities have also been organized within the prosecutor's offices of the Republic of Karakalpakstan, regions, and the city of Tashkent. Moreover, within the prosecutor's offices at the district (city) level, positions and support systems have been established to coordinate activities in line with the specified directions.

The Department for Analyzing Legislation in the Field of the Odil Judiciary has been established under the Ministry of Justice to conduct legal analysis in the field of the Odil Judiciary. Additionally, a conceptual framework for the information policy of the judicial system for the years 2023-2026 is being developed.

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Without paying attention, according to the Prosecutor General of the Republic of Uzbekistan, Svetlana Ortikova, currently, the fair judiciary is not provided for in Uzbekistan.

"In the concept of the fair judiciary, we are talking about traders, prosecutors, lawyers, and judges. If they have these four professions with professional education and are free from corruption, we can provide the fair judiciary. Unfortunately, in Uzbekistan, the fair judiciary is not currently provided," said Ortikova during a press club meeting.

However, the recent announcement of this news on the official Telegram channel of the Prosecutor General has been removed due to unknown reasons.

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### The ranking of Uzbekistan in terms of crime rates

Uzbekistan ranks 99th among countries with average crime rates worldwide. In Uzbekistan, there are approximately 33.42 crimes per 100,000 people on average. This information is based on the 2023 country rankings for crime rates reported by the World Population Review.

Similarly, among the Central Asian countries, Kyrgyzstan holds the 31st position, and Kazakhstan is ranked 40th in terms of crime rates. Information regarding Tajikistan and Turkmenistan has not been provided.

Venezuela (83 crimes per 100,000 people), Papua New Guinea (80), South Africa (76), Afghanistan (76), and Honduras (74) are among the countries with the highest crime rates. Following them in the rankings are Trinidad and Tobago, Guyana, El Salvador, Brazil, and Jamaica.

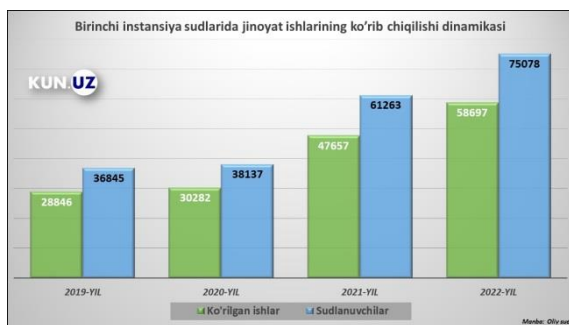
On the other end of the spectrum, Qatar, the United Arab Emirates, Taiwan, the Isle of Man, and Oman are identified as the least crime-prone and safest countries to live. Following them in the rankings are Switzerland, Hong Kong, Japan, Slovenia, and Armenia.

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### The scale of crime is growing

According to the Supreme Court of the Republic of Uzbekistan, the number of convicted criminals and the number of people who have committed serious crimes in the country is increasing sharply from year to year.

The statistical data released by the Supreme Court covers the number of criminal cases and the number of defendants, the types of criminal and administrative punishments for the years 2019-2022 and the first quarter of 2023.



According to information provided on the Kun.uz website, the most important indicators are illustrated in the following diagram:

The number of cases and defendants considered in the first-instance courts by the Republic is increasing year by year (Table 1). For example, in 2019, more than 28,846 cases were considered in the courts, involving over 36,000 defendants. By 2022, these numbers have doubled, with

over 58,000 cases considered in the courts involving 75,000 defendants.

Furthermore, the growth of court cases related to criminal matters corresponds to an increase in the number of individuals brought to trial during this period (Table 2). In 2019, 27,603 individuals faced trial, while in the year 2022, it was revealed that over 56,000 individuals faced trial in one year.



From 2019 to 2022, the number of criminal cases concluded with a positive resolution, according to the attitude of the parties, has approximately doubled, both in terms of the number of completed criminal cases and the number of participants. According to Article 66-1 of the Criminal Code, individuals engaged in entrepreneurial activities who have completed their sentences for committed crimes, as well as the number of participants, have increased nearly two-fold. According to the Supreme Court, since 2019, more than 20,000 people each year are released from probation ahead of schedule, while the penalties for around 10,000 convicted individuals have been mitigated.

Data presented by the Supreme Court indicates that in Uzbekistan, individuals involved in certain severe and extremely severe crimes are also on the rise (Table 5). For instance, in this period, the number of



individuals involved in intentional homicides increased from 376 to 422 in one year, and annual crimes related to drug trafficking increased from 154 to 170.

Cases related to administrative offenses are actually several times more. Because the traffic rules and some public order administrative matters are formalized by the law enforcement agencies by writing a report.

In 2023, 762,000 violations of traffic rules were recorded.

### **Uzbekistan is on the "dangerous line" of the liberalization of punishment**

According to the information of the Ministry of Justice of the Republic of Uzbekistan, the liberalization of criminal punishments in Uzbekistan and the ease of parole have an effect on the growth of crime in the country.

The Ministry of Justice raised the question of how the reduction of criminal responsibility will affect the crime situation. The press service of the ministry published the analytical material in this regard in February 2023.

It is noted that over the past 20 years, the policy of liberalizing criminal punishments has been carried out in Uzbekistan - with this, the severity of most articles of the Criminal Code has been reduced, the use of imprisonment has been prohibited in case of damages in a number of crimes, the possibility of escaping criminal liability has been introduced in case of reconciliation with the victim, as well as , amnesty and, in the last 5 years, parole were widely used.

According to the statistics published by the judiciary, the number of crimes is increasing year by year. In 2019, 46.09 thousand crimes were committed, in 2020, their number increased by 34.6% to 62.08 thousand, and in 2021, a jump of 60.8% was recorded (111.08 thousand crimes). During the past 2022, the situation has eased a little — 105,200 crimes were committed.

In particular, the number of crimes such as invasion and robbery (152%), theft (142%), fraud (134%), hooliganism (93%) increased at a high rate.

According to the data of the Supreme Court of the Republic of Uzbekistan, 26.1% of criminal cases in 9 months of 2022 and 47.9% of criminal cases in 2021 were not brought to court. It is noted that this does not include cases where victims have reached reconciliation.

After trial and conviction, many convicts are granted parole or commuted to a lighter sentence. For example, in 2022, 56,500 citizens were convicted, while 26,750 people (47.3%) were released on parole, and 10,200 people had their sentences reduced (18.04%). According to the indicators of 2023, this amount has increased by almost 1.2 times.

As Articles 73 and 74 of the Criminal Code stipulate that a person must serve a certain part of the sentence, persons convicted in previous years will be released on parole or the sentence will be replaced by a lighter sentence. Depending on the severity of the crime, they must have served 1/3 to 2/3 of the sentence, have not violated the regime and have a conscientious attitude to work.

"However, in general, it is clear that the possibility of early release from criminal punishment or actually reducing it is very high. The current situation causes serious dissatisfaction among the victims of crime: the damage caused to them is not recovered, and the criminals are free", the Ministry of Justice says.

This, in turn, leads to an increase in the number of recidivists. For example, in 2022, 11.4 thousand (12.6 percent) of crimes committed were committed by people with previous convictions, in 2021, this figure was 8.7 thousand (10.8 percent). At the same time, in 2022, it was found that fraud, theft, drug-related crimes, robbery and robbery were committed in 184 cases (168 in 2021) among recidivists who were deprived of conditional freedom.

"It is especially tragic that on January 31, 2023, the person who raped and killed a 12-year-old girl in Yangihayot district of Tashkent will be released before the term of his sentence. This situation clearly showed the need for correctional guidelines for convicts. As you can see, it's time to reconsider the ongoing reforms, because we are approaching a dangerous line where crime can get out of control, become organized and professional in nature", the article reads.

However, the Justice Department does not find it necessary to emphasize that this crime was committed by the responsible employees of the Ministry of Justice - the head of the Justice Department of Khorezm region had been raping the girls of the orphanage for many years.

The Ministry of Justice gives an example of foreign experience in this regard, and in Russia, for example, crimes related to sexual assault against minors, persons who illegally possess drugs can apply for early parole after serving 3/4 of the sentence. The same is shown in Kazakhstan.

"These issues, in our opinion, require serious professional and public discussion", concluded the Ministry of Justice.

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### **Victims of repression were acquitted**

On August 24, 2023, the Supreme Court of the Republic of Uzbekistan acquitted the persons who were shot and exiled according to the decisions of the special meeting of the Special troika during the period of repression.

In 1929-1931, 5 criminal cases were considered against 240 persons accused of forming an armed gang and carrying out armed rebellion against the Soviet government or counter-revolutionary actions in the territories of the present Republic of Karakalpakstan, Surkhandarya, Navoi, Samarkand and Kashkadarya regions.

The Deputy Prosecutor General submitted petitions to renew the deadline for submitting an appeal protest to the Supreme Court's Criminal Trial Panel in connection with these criminal cases, as well as protests in the appeal procedure.

These petitions and protests were considered and satisfied at the open hearings held in the Supreme Court. Pursuant to Article 83 of the Criminal Procedure Code, the appellate court of the Supreme Court Criminal Trial Panel issued an acquittal against 240 persons in a total of 5 criminal cases.

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### Reverse reform

From 2024, the administrative courts, which are unable to fully realize their competence, were additionally empowered to hear tax disputes. The new authority opens up the problems of entrepreneurs in connection with justice.

As of January 1, 2024, the cases considered by the economic courts with the participation of tax authorities were transferred to the jurisdiction of the administrative courts by the decision No. 292 of 04.09.2023 on measures to implement the tasks set in the open dialogue of the President of the Republic of Uzbekistan with entrepreneurs in 2023.

"Ezgulik" society believes that the main reason for this sudden change is the lawsuits filed by state agencies and organizations against entrepreneurs in economic courts during the last 6 years after the establishment of administrative courts.

In this context, the legal evaluation of state actions in the process of property disputes with entrepreneurs, and the possibility for entrepreneurial entities to file counterclaims against state organizations, are subject to economic courts rather than administrative courts, specifically emphasizing "not to the economic court but to the administrative court" in the rejection of counterclaims.

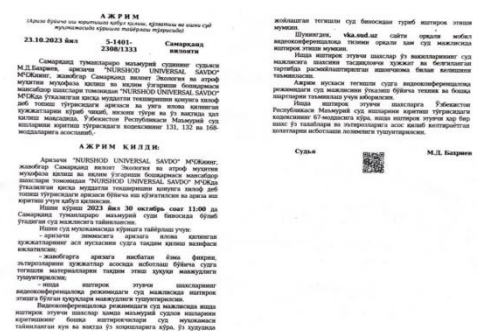
This has been done on the basis of principles such as the "equality of parties and equal rights" in any court proceedings.

In practice, according to the existing regulations in Uzbekistan, state organizations have a 3-year period to file property claims against entrepreneurs, while entrepreneurs have a shorter 6-month period (until 2023, this period was only 3 months) to file counterclaims, and these counterclaims are considered by the administrative court rather than the economic court.

The fact that the claim periods of the parties are different and that the claims of the business entity and state agencies against each other belong to different courts (one to the economic and one to the administrative courts) and are not considered in one general court process indicate that the business entity does not have equal rights and opportunities in relation to the state organization.

The transfer of tax disputes to the jurisdiction of the administrative court by the presidential decision is also aimed at promoting the principle of "dispute and equal rights of the parties", which indirectly confirms that since the establishment of the Administrative Court in 2018, during the discussion of economic court cases, the rights and freedoms of business entities guaranteed by law have been fully ensured during court proceedings. .

As of January 1, 2024, the Code of Conduct of Administrative Court Proceedings has not been supplemented and amended regarding the procedure and requirements for discussing cases related to tax disputes by the court, and the procedure and requirements for hearing tax disputes.



At the same time, it is necessary to emphasize that other types of property claims of state offices and organizations against business entities, except for tax disputes, continue to be considered in economic courts without fully ensuring the rights and freedoms of entrepreneurs.

According to Article 27 of the Code of Administrative Responsibility on Administrative Offenses, administrative courts shall exercise the rights of local state authorities, state management bodies, other bodies authorized to carry out administrative and legal activities, citizens' self-government bodies and their officials, which do not comply with the law, and the rights of citizens or legal entities. and it is envisaged to review the cases of disputes regarding their decisions, actions (inaction) that violate their interests protected by law.

In practice, we also observe cases where judges of administrative courts are still unable to fully understand their powers.

As an example, the lawsuit filed by the same business entity "Nurshod Universal Savdo" LLC against the Samarkand Regional Department of Ecology and Environmental Protection and Climate Change regarding the evaluation of the legality of the short-term inspection conducted in the LLC was filed by the judge of the Samarkand Inter-district Administrative Court A. Suyarov on

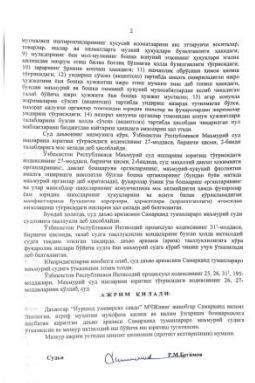
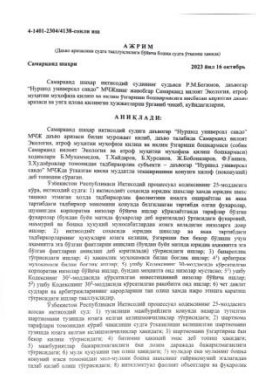
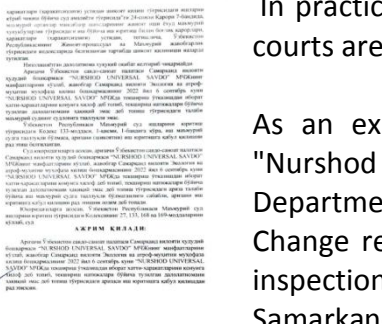
December 12, 2023. In May, a decision was made to return the application with the reason that it "does not apply to the proceedings of the administrative court" (5-1401-2206/517), on October 23, 2023, another judge of the Samarkand inter-district court, M. Bakhriev, found that the application in this context belongs to the administrative court, initiated an administrative case on the application and decided to consider the case in substance (5-1401-2308/1333):

Judge M. Bakhriev accepted the lawsuit of "Nurshod Universal Savdo" LLC for the second time. This was also based on the Decision (4-1401-2304/4138) of judge R. Begimov of the economic court of Samarkand city of October 16, 2023 to transfer the lawsuit to another court:

Among the two conflicting decisions of the judges Supreme Court's Committee on Administrative regarding the acceptance of this application on the cassation instance, supporting the decision of judge Suyarov on May 12, 2023, "it does not apply to the the administrative court" (5-1401-2206/ 517), ultimately decided to deprive the entrepreneur of right to appeal to the court.

According to Article 55 of the Constitution of Uzbekistan: "Everyone is guaranteed the right to their rights and freedoms through the courts, to appeal to the court against illegal decisions, actions and inactions of state bodies and other organizations, their officials" and according to the current legislation, state bodies actions can be appealed only to administrative courts.

Nevertheless, we observe that the administrative courts are trying to avoid disputes within their jurisdiction, and this is supported by the judges of the Administrative Court of the Supreme Court.



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If the above example means that the activity of the administrative court, which has been established for 6 years, is still not fully established, the transfer of tax disputes to the jurisdiction of the administrative court means that the activity of the court has not yet been fully formed and, most likely, new changes will be made in the system in the future.

Such "unexpected" changes in the system, in turn, will have a negative impact on the stability of the administrative court in the administration of justice.

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### Corruption in courts

On February 17, 2023, it was allowed to prosecute a judge who was caught with a bribe in Tashkent. He was caught with a bribe of 4,000 US dollars

Earlier, it was reported that the judge of Yashnabad district court of Tashkent city was arrested while accepting 4 thousand dollars as a bribe. The Supreme Council of Judges allowed criminal prosecution of a judge who was caught with a bribe in accordance with the presentation of the Prosecutor General.

At the extraordinary meeting of the Supreme Council of Judges, which was held on February 17, the presentation of the chief prosecutor on the prosecution of the judge of Yashnabad District Court I.B. under Article 210 (taking bribes) of the Criminal Code was discussed.

At the meeting, with the conclusion of the council, it was agreed to bring I.B. to criminal responsibility and his judicial authority was suspended. It was also noted that, based on the requirements of the secrecy of the investigation and the presumption of innocence, other details would not be disclosed.

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A person who worked as a judge of the Sergeli District Court on criminal cases until December 5, 2023 is in the process of considering the criminal case regarding the charge of the head of the construction company and others under Article 168, Part 4, Clause "a" of the Criminal Code. He committed crimes such as inaction, falsification of evidence, unfair sentencing, and extortion.

On the basis of the materials collected in connection with this situation, the General Prosecutor's Office of the Republic of Uzbekistan initiated a criminal case against the former judge of the Sergeli district court on criminal cases under articles 165, 208, 230 and 231 of the Criminal Code.

Currently, the preliminary investigation of this criminal case is being carried out by the Investigative Department of the State Security Services.

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In Tashkent, the senior consultant of the Criminal Trial Panel of the Supreme Court was arrested while receiving 10,000 US dollars from a citizen.



This official, who was arrested during a quick operation conducted by the State Security Service, promised to help in the acquittal of 2 previously convicted persons by transferring the criminal case, which is under cassation procedure, to the Fergana Regional Court.

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The senior assistant judge of the Economic Affairs Judicial Panel of the Regional Court was caught by the employees of the Surkhandarya Region Department of the State Security Service when he gained the trust of a local businessman and received 6,000 US dollars in exchange for the positive decision of his appeals through the judges.

During the quick investigation, it was also revealed that the senior assistant judge demanded 2,000 US dollars and received 600 US dollars in exchange for a positive decision on the claim submitted by the former businessman to the Termiz inter-district economic court.

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Ravshanov, the judge of Chirchik inter-district court of Tashkent region on civil cases, fined Abdukarim Mannonov, who passed away 4 years ago, without questioning him and imposed obligations on him.

The irresponsible judge forgot the most important procedural obligation in judicial practice — to identify the defendant. In this case, the Supreme Council of Judges of the Republic of Uzbekistan appointed a service inspection.

According to Ezgulik, in order for the Supreme Court to expand the database of courts of general jurisdiction, it is appropriate to download the database of at least the Ministry of Internal Affairs or the State Services Agency.

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A criminal case against Husan Ravshanov, a former employee of the Public Relations Department of the Ministry of Justice of the Republic of Uzbekistan, was heard on December 19, 2023, in the Appeals Chamber of the Tashkent City Court. Ravshanov was accused under Article 139 of the Criminal Code of the Republic of Uzbekistan (Slander) for allegedly making false accusations against the employees of the Ministry of Justice through the Facebook social network on the "Sanjar Karimov" page.

According to Abdurakhmon Tashanov, a public defender in the court, linguistic expertise, lexicological expertise, and, in particular, one of the examinations did not provide a definitive conclusion that the writings on the "Sanjar Karimov" profile specifically belong to Ravshanov.

Secondly, is the "Sanjar Karimov" profile genuinely related to Husan Ravshanov? Why did Ravshanov create a profile when he was still working? He has created it even now. If there is another user besides Ravshanov using the profile during a certain period, why hasn't the investigation clarified this?

Thirdly, is the detention center of the MIA a caravanserai? Why did the head of the Anti-Corruption Department of the Ministry of Justice, J. Uzokov, and the head of the Personnel Department, Sh. Kochkarov, who are not a procedural participant in the criminal case, intervene in? Is receiving

explanations and applications from the accused person? How does the Ministry of Justice, which is responsible for legislation in the country, interpret this situation? says Tashanov.

The Court of Appeal upheld the original sentence. Currently, Ravshanov has filed a complaint to the cassation instance of the Supreme Court.

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In psychology, I recently heard the phrase "Spanish shame" from one of my fellow teachers. But I have felt this feeling many times. That is, I felt uneasy because of someone's wrongdoing. The inappropriate behavior of my friend, relative, colleague sometimes embarrasses me, writes the head of Ezgulik A. Tashanov on his social network page.

According to him, the society received the decision of the court of the Republic of Karakalpakstan regarding Zafar Atakhanov on November 7 of this year. The administrative decision of the Turtkul District Court regarding the detention of the blogger-educator on October 6 was overturned. However, this decision of the Tortkol court should make every judge working in the field feel ashamed.

For example, the court document defamed the teacher-blogger and turned him into a rapist without relying on any expertise or expert's conclusion. The single young man in the explanatory part of the court decision has turned into a man with six children in the explanatory part of the court. The judge did not even look at the "special case" filed by the MIA. The court decision was written on top of another court decision and the two decisions were mixed up. Such indifference to human fate!

"I accused President Mirziyoyev of rudeness when he spoke about how the courts have turned into a garbage system. But, unfortunately, this is the most accurate definition and phrase. Read the court decision, you will be afraid that our fate is in the hands of such judges!" writes Tashanov.

The Supreme Council of Judges of the Republic of Uzbekistan ordered a service check against the judge of the Tortkol district court and the court verdict was annulled.

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The Supreme Court of the Republic of Uzbekistan acquitted hundreds of our ancestors who served for the development of the nation, who were repressed by the Soviet regime in the recent past. Well done! The significance of this for our national pride, freedom and enlightenment is incomparable. We human rights activists welcome such a triumphant march of the judicial system.

But if the judicial system does not guarantee the rights and interests of those who are still alive, in prison, and unjustly victimized, what is the effect of such reforms? Or will they be acquitted after 100 years?.. Then why is such an acquittal necessary?..

The case of our client Sardar Miraliev is being considered by the cassation panel of the Supreme Court. This case is well known to the public - businessman Gafur Rahimov filed an application to the General Prosecutor's Office of the Republic of Uzbekistan regarding the looting of his property in December 2019. On this basis, the brothers Oybek and Sardor Miraliev were imprisoned.

Oybek and Sardar are serving their sentences, but Sardar Miraliev's only crime is that he got a power of attorney from his brother and became a family member. There is no counter-indictment or victim against

Sardar Miraliev, accused of fraud. The famous Rakhimov family also emphasized this several times in court, saying that they did not even know this young man.

The courts of the lower instance were so overwhelmed that the pleas and demands of the lawyers were not accepted. An innocent man was sentenced to 8 years in prison.

In many cases, courts return petitions to citizens under the pretext that "you missed the deadline for filing a complaint - 5 days have passed, 10 days have passed." However, the terms of appeal, cassation... etc. of Ibrahim Lakaj, Abdulla Qadiri, who were acquitted by the Supreme Court, will not pass! So, the court also depends on politics!

Let us acquit the innocent while he is alive, so that he may live in the bosom of his family and children. Let us build the foundation of politics on justice and truth, while the court serves politics to some extent. A person's posthumous vindication may be useful to us, but useless to him.

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According to the presentation of the General Prosecutor's Office of the Republic of Uzbekistan, 40 students with a bachelor's degree from institutes such as agriculture, irrigation and oriental studies were admitted to the master's department of the Tashkent State University of Law.

They become "mature" legal specialists in two years and become judges, prosecutors, justice officials who decide the fate of citizens.

At the time when these crimes were committed, the famous lawyer Esemurat Kanyazov was the rector of the University. Among the lucky students who had obtained the status of master of law, there was also a child of the rector who graduated from the Institute of Oriental Studies.

The submission of the prosecutor's office to the Ministry of Justice was also included in this matter. A criminal case was opened against some persons and the tracks were buried. But Esemurat continued to rise. He heads the High Attestation Commission under the Ministry of Justice of the Republic of Uzbekistan.

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For example, if there is no letter "b" in the alphabet, the word "bakhtiyar" (meaning "happy") cannot be written. The letter "i" is needed to write the surname Islamov. So, the leading factor that gives birth to the word is the alphabet.

The same is true in other areas. The alphabet of seafaring is water, and mountains are needed for mountaineering. The basis of justice is provided by instructions and their statement. You don't need to be a lawyer or be overly brainy to understand this.

However, the court says that the person, who in reality did not come to the court, had come. If the court makes a person, who really did not speak in court, spoke, will his verdict be fair? Even if it is fair, can such a decision be considered to have a full legal basis? No, of course! That is why our laws have a strict norm in this regard: everything must be in accordance with the law!

Recently, I participated in one of the sessions of the cassation panel of the Supreme Court of the Republic of Uzbekistan. Judge M. in the capital's Almazor district criminal court. Abidov's criminal case was discussed. According to the 240-volume criminal case submitted by the Prosecutor General's Office, the suspects were acquitted. Cheers, but the court ruled that the lawyer of the victims, who did not appear in court, R. He "brought" Rafikov to the court and ensured his "participation".

Lawyer Rafikov, who was in Moscow in those days, did not even know that he attended the trial. The court documents are incompletely signed, so the criminal case is a mess. However, this case passed the city court at the appeal stage and the Supreme Court at the cassation stage.

The courts did not even give a legal assessment of the falsification of the records. In this departure, the work passes through the higher authorities without obstruction.

See that Supreme Court Judge I. Rahmonkulov, who left the decision of the lower instance court unchanged, was awarded with a state award on the eve of the independence celebrations. Would such an award be blessed?

According to the Supreme Court of the Republic of Uzbekistan, which gave an official response to this situation, such a situation cannot be a basis for reconsideration of the court verdict. Such defects do not compromise the fairness of the court's verdicts.

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According to jurists, judges in courts of general jurisdiction have the right to issue a verdict once in a particular case. That is, the judge hearing a case announces the sentence against the defendant, the offender, that's it. No matter how emotional a judge is, he cannot change his decision, whether it is fair or unfair. This is clearly defined.

However, our judges in our glorious judicial system, stepping into new horizons, change their announced decisions within 2 minutes and go to the path of increasing the punishment depending on their mood.

For example, the judge of Boka district court of Tashkent region Sh. Abdukadirov punished the delinquent pedagogue Nigora Abdutolipova, who was accused of resisting the internal affairs officer, with a fine of one times the minimum amount for count. The judge, angry with the offender who challenged the decision and said he would appeal to the prosecutor, increased the fine by 10 times.

There is only one thing that justifies the judge's emotionally charged illegal actions: he did not know that the court hearing was being recorded on audio tape... If you listen to the audio recording of the court hearing in the attachment, you will be convinced for yourself that our judicial system is taking a "triumphant" step.

After the statement of "Ezgulik", the verdict was canceled and the Supreme Council of Judges appointed a service check against the judge.

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"We cannot afford a lawyer, defend us in court" appeals come to our organization. Of course, not everyone can afford a lawyer now. That's why sometimes there are people who need our protection.

We have been working closely with the Ministry of Justice for almost a year, and in our new Charter we have determined our authority regarding our participation in courts of general jurisdiction according to the law. Now, the only bar before us is some judges.

Zarif Rahimov, chairman of the Jalakuduq district court of Andijan region on criminal cases, rejected the participation of the "Ezgulik" activist as a public defender in the court. The reason is that if everyone is allowed, the protection will increase.

However, Article 42 of the Criminal Code of the Republic of Uzbekistan states: "Public associations and communities may send their representatives to participate in court proceedings as public prosecutors or public defenders."

There is no wording that a defendant must be a member of a public association to have such protection. Or am I wrong? Or what is written in Criminal Procedural Code is different and there are still things unknown to us? Or is the language of the law so stupid, a piece of gum that can be pulled either way?

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Ali Mamadaliev, who came from Russia as an immigrant, received a letter from the Andijan inter-district court, in which his name was included in a court decision related to a civil case in Andijan region.

The Nishan District Division of the Enforcement Bureau under the General Prosecutor's Office of the Republic of Uzbekistan imposed a compulsory recovery of 94 million soums on Ali by a court decision.



After the statement of "Ezgulik", the Supreme Council of Judges stated that there was an error in the writing of the court decision and its implementation, the execution actions against the citizen were stopped, and the judge was assigned a service check.



## TORTURES

In accordance with the information from the Department of Execution of Punishments under the Ministry of Internal Affairs of the Republic of Uzbekistan, as of January 24, 2024, there are 54 correctional facilities in the country. Out of these, 18 are open-type correctional colonies, 25 are settlement colonies, and 11 are penal colonies.

The 18 open-type correctional colonies are specialized institutions with specific regulations, and the entry-exit procedure for them is determined by the Department of Execution of Punishments under the Ministry of Internal Affairs of the Republic of Uzbekistan.



Simultaneously, within the correctional system, there are a total of 29,135 individuals, with over 7,000 in settlement colonies and more than 22,000 in other types of colonies, serving their respective sentences.

In accordance with the Criminal Execution Code, correctional institutions include correctional colonies, including medical correctional colonies, rehabilitation colonies, camps, and specialized hospitals for prisoners.

Pre-trial detention centers serve as institutions for the execution of sentences for persons sentenced to deprivation of liberty and left to perform work related to economic service.

Each correctional facility, including settlement colonies, general, strict, and special order colonies. These colonies are intended for keeping adult convicts.

Educational colonies, on the other hand, are designed to keep juvenile convicts.

In settlement colonies, prisoners are kept without fences but under supervision. They have the right to move freely within the territory of the colony until late at night, utilizing the right to free movement within the limits of the colony.

Prisoners in settlement colonies have the right to an unlimited number of meetings. Appointments are usually given during non-working hours. At the request of the prisoner, the meeting can be held outside the territory of the colony.



Such prisoners live in separate dormitories in settlement colonies. If they have not violated the regime and have family members, the head of the institution may allow them to live separately within the territory of the settlement colony or outside it with their families, based on the decision of the institution's leadership. These individuals must adhere to the internal rules and regulations set by the institution and meet the specified conditions to be eligible for relocation. Representatives of the settlement colony administration can enter the place where these individuals live during the agreed-upon hours.

They are even allowed to study at high and secondary specialized educational institutions located outside the institution.

However, the order of punishment in strict order colonies is very different from this. Such prisoners live in general-purpose places. They have the right to short-term and long-term work five times, communication by telephone eight times, receiving parcels or packages eight times, and receiving parcels by mail eight times.



In special order colonies, persons deprived of liberty for life, as well as persons whose sentence of deprivation of liberty has been replaced by deprivation of liberty under the amnesty procedure, are kept. They live in cells or shared housing. The rights of such convicts are relatively less. Prisoners kept in cells are not allowed to watch movies and TV shows.

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Disobeying the legal requirements of the administration of the penal institution is a cause of criminal liability according to the Criminal Code.

Specifically, failure to comply with the legal requirements of the penitentiary administration in the place where a person deprived of freedom is serving time in a penal colony or engaging in activities contrary to the lawful activities of the administration may result in a criminal responsibility. For instance, if a person who has exceeded the term of imprisonment in a penal colony where they were serving their sentence engages in dangerous misconduct, resistance, assault, or other actions that violate the order of serving the sentence within one year after the expiration of the term or after transfer to a disciplinary unit for violating the order, they may be sentenced to deprivation of liberty for up to three years.

Those acts are punishable by three to five years of imprisonment if they are committed by a person convicted of a serious or extremely serious recidivist crime.

Escape from prison or custody is punishable by up to five years in prison. Escape with slight or moderate bodily injury; by a high-risk recidivist; if committed by a group of persons, shall be punished by deprivation of liberty from five to eight years.

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In the last five years, 5 laws, 7 Presidential decrees, 11 Government decrees and orders, and 19 other regulatory legal documents aimed at further expanding the scope of rights and legal interests of persons serving a sentence have been adopted. According to the Department of Execution of Punishments under the Ministry of Internal Affairs of the Republic of Uzbekistan, the following conditions have been created for prisoners in recent years.

- the right to vote for the first time was given to the persons who committed a crime with a low social risk and not very serious;

— "Rules of minimum standards of treatment of prisoners" adopted by the UN General Assembly were implemented into legislation;

- the number of telephone conversations, meetings and receiving shipments with close relatives of persons kept in closed type institutions was almost doubled;
- it is guaranteed that disciplinary measures will not be applied for disorder committed by persons sentenced to deprivation of liberty when their mental state is disturbed;
- placement of persons in need of urgent medical assistance in regional institutions of the Ministry of Health was determined;
- the right to pay pension and social insurance was given to convicts serving their sentences in settlement colonies;
- a special procedure for applying incentive measures to convicts based on fair criteria was established. In this regard, special commissions consisting of public representatives, Ombudsman, special Commissions of local deputies have been established in penal institutions.
- in Uzbekistan, the work done by convicts during their sentence is added to the length of service when assigning a pension

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According to the Department of Execution of Punishments of the Ministry of Internal Affairs of the Republic of Uzbekistan, the criteria for determining whether the convicts are on the road to recovery have been included in the "Criminal-Executive Code".

According to the Presidential Decree published by the "Khalk Sozi" newspaper on February 16, 2023, measures aimed at reliable protection of the rights and legal interests of prisoners were determined.

The commission determines whether the convicts are on the road to recovery on the basis of one of the following criteria:

conscientious attitude of the prisoner to work, fulfillment of established labor norms, formation of conscious independent work skills, interest in education and vocational training;

the prisoner's participation in the cultural and educational events organized in the penal institutions, his initiative, his desire to be an example to other prisoners;

compliance of the prisoner with the internal procedures established in the penal institution, incentive measures have been applied to the prisoner, no disciplinary punishment has been applied to him.

The conclusion on whether or not the prisoner is on the road to recovery is formalized by the commission and added to the personal folder of the prisoner.

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In Uzbekistan, starting from October 1, 2023, subsidies will be given to employers who hire persons released from penal institutions. The appropriate decision of the government was adopted.

It is known that employing organizations will receive a one-time subsidy in the amount of three times the amount of the basic calculation for each person after continuing his work for more than three months. It was also mentioned that this decision is an exception for a number of organizations.

Including:

- budget organizations,
- state enterprises,
- legal entities with a state share of 50 percent or more in the charter (fund) capital will not be allocated a subsidy.

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In the session of the Legislative Chamber of the Oliy Majlis on December 29, 2022, amendments to the law were adopted regarding the refinement of the procedure for compensation for damage caused to citizens as a result of actions committed by offenders under the Civil Code of the Republic of Uzbekistan.

Specifically, changes were made concerning the enforcement of liability for damage caused as a result of unlawful actions, including deprivation of liberty, expropriation, illegal actions resulting in material or moral harm, by law enforcement, prosecutorial, and judicial authorities as stipulated in Article 991 of the Civil Code.

Furthermore, it was stipulated to amend Part 2 of Article 1021 of the Civil Code to specify the procedure for compensating for moral damage caused as a result of actions such as deprivation of liberty and other unlawful or infringing actions.

According to official sources, mechanisms for protecting and restoring the rights of individuals affected by actions involving deprivation of liberty and other infringements, as well as for compensating for material, moral, and other damages, have been refined.

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### The Ombudsman's response regarding the situation of torture:



Recently, a number of messages about physical, mental pressure and torture of citizens during the inquiry and investigation processes or in the penal institutions have been spread through social networks, causing widespread public objections.

Reports of torture are being investigated by the Ombudsman. However, the situation that happened in Buka yesterday confirms that the so-called torture is still allowed in court investigation processes.

Upon the death of a citizen in Buka district, according to the results of the appointed primary forensic examination, the Prosecutor's Office of the Tashkent region immediately initiated a criminal case and arrested 2 operatives involved in the incident.

In fact, it is very sad that among the law enforcement officers who we know as the protectors of our rights, as in the case of Buka, there are officers who are doing illegal work. We are far from the opinion that all employees working in the system are like this, we must acknowledge the reforms in the fight against torture in recent years. However, as long as there are "employees" who oppose the state policy and allow mental and physical torture in the course of their service, citizens distrust the law enforcement agencies.

At this point, it should be said that torture is a disease in the body of society. To treat it, transparency must first be ensured. Because transparency is one of the effective means of early prevention of torture. Due to the policy of openness in the country, such painful cases are mentioned and public attention is drawn to it.

Torture is one of the global problems of even many developed countries. Torture is a violation of fundamental human rights. According to experts, torture is considered as a behavior aimed at destroying a person, which has a long-term psychological effect on a person. Uzbekistan, where the principle of human dignity is a priority, has its own strong and strict position on the fight against torture. In recent years, punishments for employees who have committed torture have been increased, and amnesties have even been strictly prohibited.

In addition, in order to hold officials responsible for illegal actions, a separate article has been included in the legislation and it is established that aggravating norms will be applied to the person who used torture. Article 235 of the Criminal Code provides for criminal liability for torture and other cruel, inhuman or degrading treatment and punishment.

Our updated Constitution also stipulates that a person cannot be found guilty or punished if his confession is the only evidence against him. With this, the root causes of torture are cut off.

Monitoring visits to penitentiary institutions are carried out with public groups under the leadership of the National Preventive Mechanism for the detection and elimination of torture cases, and the conditions there are systematically studied. Anonymous surveys are being conducted among the detainees there. When complaints of torture are received, the situation is immediately brought under control by interviewing prisoners and detainees. In addition, messages about the use of torture spread on social networks are investigated on the spot, and in cases where there are signs of torture, the case is sent to the prosecutor's office for consideration. The situation in Buka will also be under the supervision of the Ombudsman.

The suspect or the accused cannot be beaten and die during the investigation and investigation process. It is necessary to identify the employees who used the method of using force and take strict measures against them, to analyze the qualifications and activities of the employees in the system one by one, and to abandon the bullies and slackers. After all, today's state policy is aimed at glorifying human dignity. From this point of view, the steps in this regard should be consistent. We call for strict punishment of those responsible.

**Human Rights Representative of the Oliy Majlis (Ombudsman)  
Information service**

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**Cases of torture identified in 2023:**



On June 4, 2023, according to the information received by the Duty Department of the Ministry of Internal Affairs (MIA), the alleged perpetrator was suspected of committing a number of theft crimes in Boka district of Tashkent region, and was involved in the investigation on June 3 as part of the criminal case initiated by part 3 of Article 169 of the Criminal Code. U.S., born in 1987, living in Yukorichirchik district, was interrogated in the investigation room of Buka district MIA in the presence of his defense lawyer H. Yuldasheva, with full video recording.

Suspect U.S. at 7:00 p.m., he was detained in accordance with Article 227 of the Criminal Procedure Code and placed in the "Citizens' Temporary Detention Room" at the Boka district MIA.

On the same day, at 11:30 p.m., the suspect U.S.'s health deteriorated, and emergency medical services were called, and he died in the hospital despite the treatment provided by doctors.

A criminal case was initiated under Article 235 of the Criminal Code (Torture and other cruel, inhuman or degrading treatment and punishment) in connection with the death of the suspect. 2 operatives involved in the incident were arrested.

Two employees of the Buka district MIA were accused by the criminal court of the Tashkent region under Article 235 of the Criminal Code of the Republic of Uzbekistan (Torture and other cruel, inhuman or degrading treatment and punishment) and were sentenced to 6 years in prison.

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The second part of the report released by Ezgulik highlights the suspicion of committing a crime under Article 251 of the Criminal Code of the Republic of Uzbekistan in relation to the incident that occurred in Toshturma, involving 29-year-old Hasanboy Abdunabiev.

As it is known, Hasanboy Abdunabiev was subjected to torture in connection with the recent incident, and he sustained injuries, including electric shock, as depicted in the images you have seen. The wounds on his tortured body have not yet healed.

It has been documented within Ezgulik initiative that Abdunabiev suffered injuries to his body, including hematoma and signs of electric shock. There is medical evidence supporting this claim. He received prompt medical assistance, including pain relief injections, from healthcare professionals who provided treatment both on-site and at the hospital.

Commenting on these events, the head of the press service of the Ministry of Internal Affairs of the Republic of Uzbekistan, Shokhruh Giosov said: "the citizen H.A. was detained on April 6th of the current year in Customs as part of the operations conducted by the Anti-Smuggling Department and the Tashkent city administration to combat smuggling. He resisted strongly during the arrest, and as a result, physical force was used by the special services to detain him."

According to Giosov, currently, the suspect is charged under Article 251-1, Part 3 of the Criminal Code, and his involvement in other serious crimes is being investigated. The suspect is provided with legal protection and assistance in accordance with the procedural requirements.

"Along with this, it is mentioned in the statement that some of the suspects have regularly engaged in sports and physical activities in various neighborhoods, and currently, there is information indicating their involvement in crimes through the recruitment of third parties. The statement expresses concern about the disruptive and unhealthy trends aimed at undermining confidence in law enforcement agencies in social networks" the statement said.

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A 22-year-old man killed himself in the detention center of Chirchik, Tashkent region. As far as it is known, in the case of the crime committed under Article 169-3 "b" (theft, in large quantities) and Article 168-3 "b" (fraud, committed repeatedly or by a dangerous recidivist) of the Criminal Code, the person born in 2001, A.U., who had previously been prosecuted under Article 164-2 "a" (hooliganism, using other items as weapons) of the Criminal Code, was considered, and a precautionary measure in the form of imprisonment was applied to him.

On December 1 of this year at 02:30 AM, A.U., who is being held in the detention center as part of the criminal case. He committed suicide by making a cover from the bed sheet in the cell and tying it to the iron bars of the cell window.

According to the preliminary conclusion of the appointed forensic medical examination, it was determined that the death of the deceased was caused by "mechanical asphyxiation caused by compression of the neck with a bandage".

According to the press service of the Ombudsman, the situation is under control, information related to the case has been requested and is being studied.

It is known that Chirchik city prosecutor's office is conducting an investigation into the situation, and a forensic examination has been assigned to the deceased.

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Daniyor Torakhojhaev, a resident of Chodak village, Pop district, Namangan province, who appealed to Ezgulik, claimed that his 40-year-old brother Dilshodjon, who was suspected of invasion, was brutally tortured, his mouth and hands were tied with tape, and subjected to inhumane torture on April 12-15 in the investigative department of the MIA of Tashkent city. .



After the investigation, interviews with lawyers and witnesses, it became clear that Dilshodjon Torakhojaev was really tortured by the officers of the criminal investigation department in civilian clothes, "angels of death" in black special uniforms, and investigators in order to obtain mandatory testimony.

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29-year-old Hasanboy Abdunabiev, who was detained in Tashturma on suspicion of committing a crime under Article 251 of the Criminal Code of the Republic of Uzbekistan, became quite disabled as a result of the torture.

According to the lawyers, the damage caused to his body by the electroshock device is also reflected in the pictures you are viewing. The wounds on his mother's body have not yet healed.

According to the General Prosecutor's Office of the Republic of Uzbekistan, a criminal case was initiated against the operational representatives of the MIA of Tashkent city who tortured Dilshod Torakho'jaev under Articles 206 and 235 of the Criminal Code of the Republic of Uzbekistan.

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According to the reference No. 07/14-2533-101 issued to our society on 01.03.2023 by the press service of the Supreme Court of the Republic of Uzbekistan, it was said that during 2022 no person was held responsible under Article 235 (Torture) of the Criminal Code of the Republic of Uzbekistan.

Also, the report of the human rights representative of the Oliy Majlis of the Republic of Uzbekistan, the Ombudsman on the situation in 2022 at the plenary session of the Senate, does not mention the facts of torture.



However, on March 31, 2022, in relation to Hilaliddin Asomitdinov, my client, who is being tried at the appeal stage of the Tashkent regional court on criminal cases under Article 273 of the Criminal Code of the Republic of Uzbekistan (Illegal preparation, acquisition, storage and other actions with the aim of transferring narcotic drugs, their analogues or psychotropic substances). It became known that torture was committed on him

According to the conclusion of the forensic examination, according to the nature of the physical injury inflicted on the prisoner, it is a MINOR physical injury. However, the appellate court did not order a service investigation on the fact of torture against the employees of the defense side.

This behavior seems to be the fulfillment of an assignment from above. Because in 2022, despite the fact that there were so many facts of torture, the courts did not hear a single criminal case in this regard. The report of the Ombudsman does not contain any facts about torture.

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On the night of August 13, 2023, body of a 33-year-old D.U. was released from the pre-trial detention center of the MIA in Tashkent city, having been accused of committing crimes under Article 137, Part 2, Clause "v" ("Kidnapping") of the Criminal Code of the Republic of Uzbekistan, Article 165, Part 3, Clause "a" ("Extortion") and 277- 33-year-old D., who is suspected of having committed the crimes provided for in Article 2, Clause "b" ("Hooliganism").

According to information obtained from the video footage where the incidents involving D.U. unfolded in social networks, it became apparent that there were visible signs of injuries and bruises on his body. D.U.'s body exhibited marks and injuries in various locations, suggesting that he had undergone a challenging and distressing experience.

According to relatives, D.U. was taken from his residence by the personnel of the Criminal Search Department of the Tashkent city MIA on the evening of August 12 at around 21:30. Subsequently, his lifeless body was handed over to the Tashkent city morgue on the night of August 14.

According to information provided by the press service of the Prosecutor General's Office of the Republic of Uzbekistan, D.U., who passed away on the night of August 13 at the Tashkent city MIA building, was subjected to various actions indicating the necessity for urgent measures during the investigation. Due to the circumstances, criminal proceedings have been initiated against the actions under Article 206 (Leaving the territory without the permission of authorities or supervisors) and Article 235 (Engaging in or tolerating inhuman treatment, as well as other cruel or degrading treatment) of the Criminal Code.

Currently, preliminary investigation is being conducted by the Tashkent City Prosecutor's Office.

According to Ozodlik's (Radio Liberty) sources in the Tashkent city prosecutor's office, M.M., a senior operational representative of the criminal investigation department of the Tashkent MIA, and two other persons were arrested in connection with the case.

### Officials have been denying the allegations of torture

"Today, the Uzbek model of systematic and step-by-step implementation of international human rights standards into national legislation and law enforcement practice has been formed in our country.

Currently, Uzbekistan has joined more than 80 international documents in the field of human rights, including 7 basic UN treaties and 4 optional protocols.

National reports on the implementation of these international documents are constantly being submitted to the UN Human Rights Council and treaty committees," says Akmal Saidov, director of the National Center for Human Rights.

In the Decree of President Shavkat Mirziyoyev, signed on June 26, 2021, in connection with the International Day against Torture, a strategy to fight against torture was developed.

Within the framework of the specified measures, the group under the leadership of the Ombudsman, which implements the National Preventive Mechanism, is conducting monitoring in closed institutions, penal colonies and pretrial detention centers.

According to the Presidential Decree, the Office of the Ombudsman is obliged to report to the Parliament and the public on the cases of torture in the past year by March 15. But the Office of the Commissioner for Human Rights is not fulfilling this obligation.

The human rights representative (Ombudsman) of the Oliy Majlis, who reported at the plenary session of the Senate of the Oliy Majlis of the Republic of Uzbekistan on April 7 of this year, rejected torture.

The Republic of Uzbekistan recognized the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment on August 31, 1995. Nevertheless, the problems related to torture, which I told you about above, have not been solved in the country.

By the decision of the President of the Republic of Uzbekistan dated 26.06.2021, national preventive mechanisms aimed at identifying and preventing cases of torture were introduced. In order to implement this work, a commission was formed under the Ombudsman and "Ezgulik" was also involved in it. However, until we left, the "Ezgulik" society, which began to provide accurate information and facts on the facts of torture in the mass media, was removed from the Commission.

This group, organized by the president, adapted to the situation and even started trying to hide the facts of torture. In their reports, they began to give conclusions that everything is OK in this regard. This leads to the escalation of torture.

In the President's decision, together with the Ombudsman and the Ministry of Foreign Affairs, Uzbekistan's accession to the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (New York, December 18, 2002) for a period of two months was raised on the issue.

But two years later, there is no progress in this matter. Since torture is a political concept for Uzbekistan, as Uzbekistan is accountable to the UN in this matter, concealing cases of torture, opening cases against police officers for torture, or holding them accountable with other articles.

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"Ezgulik" made recommendations on improving the professional qualifications of employees of penitentiary institutions in Uzbekistan:

Improving the professional and psychological training of prison staff is an important process.

There is a need to improve measures for the formation, development and activation of qualities necessary for the educational impact on prisoners.

Currently, penitentiary scientists all over the world are paying more attention to the pedagogical and psychological training of the staff of the penitentiary institution. Pedagogical and psychological training of the staff of the penal institution is directly related to the characteristics of their activities.

Therefore, the content of pedagogical-psychological training must have a clear professional orientation. Pedagogical-psychological training of employees of penal institutions can be divided into the following directions:

- a) increasing the psychological resistance of employees to the effects of stress factors inherent in the work of the penal institution;
- b) development of pedagogical-psychological and professional qualities in employees, formation of skills and competence to make the right decision in any complex situations.

Pedagogical-psychological training of the employees of penal institutions improves their professional skills. Therefore, it is necessary to introduce methods, technique and forms of goal-oriented improvement of psychological training into the system of professional training of the employees of the penal institution.

The activity of penal institutions has its own characteristics. These features are as follows: the activities of the employees of the penal institutions are related to the behavior that violates the law and deviates from the accepted norms of the society, anti-social views, people with different psychological characteristics and worldview, and the activities of the employees are carried out in various complex and stressful situations.

Based on the nature of the work of the employee of the penal institution, the employee is required to have in-depth knowledge, skills and qualifications as well as important professional and psychological qualities.

The following can be included in these qualities: professional-psychological orientation of personal qualities; development of psychological cognitive processes: perception, attention, memory, thinking, imagination, observation: ability to make quick decisions in complex situations; the development of emotional and volitional qualities, patience; mental stability; openness to communication, the ability to instill confidence in people.

A correctional officer should be an example to the inmates in obeying the law and every action should be within the law and be fair.

The specific characteristics of prisoners require the employee to be patient and to control his emotions. It is necessary for the employee to be psychologically resistant to various stressful situations, to be psychologically prepared for any extreme situation that may arise in the penal institution.



Since the employee is engaged in the moral correction and education of prisoners, he must have deep knowledge in the field of pedagogy and psychology, and the skills and competence to effectively use various pedagogical and psychological influence methods and tools. The above-mentioned qualities may not be well developed in the employee. But every employee who aims to become a good specialist tries to develop the above-mentioned qualities during his practical work.

If the correctional officer is lacking in any aspect, the prisoners will notice it immediately, and this situation can have a negative impact on the work of the employee. Therefore, the employee should continuously work on himself and strive to develop all the above-mentioned qualities.

#### **Recommendations of Ezgulik:**

- 1. Involving the public in the implementation of National preventive mechanisms against torture;**
- 2. To strengthen the provisions of the Code of Administrative Responsibility and the Criminal Code of the Republic of Uzbekistan on torture and to introduce articles related to additional punishments;**
- 3. Unification of investigative bodies of law enforcement agencies into a body forming a single independent investigative system; Organization of the investigative committee under the General Prosecutor's Office of the Republic of Uzbekistan;**
- 4. Accelerate the accession of the Republic of Uzbekistan to the UN Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (New York, December 18, 2002);**
- 5. Transfer of medical departments in penitentiary institutions to the Ministry of Health.**
- 6. In accordance with the decision of the President of the Republic of Uzbekistan of April 2023 "On the approval of the National Education Program in the field of Human Rights in the Republic of Uzbekistan", create a special teaching methodology manual on torture.**

## DOMESTIC VIOLENCE AND GENDER EQUALITY

The incident of domestic violence, involving a newlywed bride, has become a trend on social media. Some of the activists are linking the issue to religious values. Some categories emphasize the social aspects of the event. There are those who blame the law enforcement agencies. From a broader perspective, all ideas seem to be partially right.

Pay attention to the chain of events. The mayor is cursing the prosecutor. Cases of torture are often heard. Assassinations, sexual violence increased. The husband insults the wife, the wife throws the baby into the bear cage or flushes it down the toilet.

According to the information from the Supreme Court of the Republic of Uzbekistan, the incidence of crimes involving murder and severe bodily harm has sharply increased in the last two years. According to the statistics committee, a significant portion of the causes of death is directly related to cardiovascular and blood vessel diseases. If we consider the connection of these diseases with the nervous system, it is possible to identify the relevance in the perspective of the Supreme Court and our statisticians.

So, the process of social tension is taking place in the society. The newlywed bride incident above is just one manifestation of this social tension.

In this regard, there is a need for social intelligence centers and institutions that can contribute to the balance of social relations in the state.

Unfortunately, we have not heard a comprehensive analysis from such institutions or representatives until now. Do these institutions exist? Can they provide solutions to break the chains of such reactions in society? Can they develop strategies to identify specific problems and eliminate them? We must admit that we cannot do this. The problem extends beyond religion, spirituality, or ignorance. Comprehensive research on a national scale is required in this field.

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In Uzbekistan in 2023, criminal cases were opened against 203 people due to family violence. 59 of them were sentenced to imprisonment, and 144 were sentenced to non-custodial sentences.

According to Article 59-2 of the Code of Administrative Responsibility, 8,928 persons were brought to administrative responsibility, 5,229 of them were fined, and 3,699 were sentenced to administrative imprisonment.

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### Will the new courts be able to address the issue of family disputes?

In Uzbekistan, specialized family courts are being established to address family disputes. As an experiment, Family Judges will be established in Samarkand city, Namangan inter-district and Mirzo Ulugbek inter-district courts for civil cases.

According to the presidential decree, the requirement to increase the representation of women in leadership positions to 30% by the year 2030 is also being implemented in the executive bodies of state enterprises, including the management boards and supervisory councils of directorates.

From February 1, 2024, as an experiment, 2 judges from Samarkand city, Namangan inter-district and Mirzo Ulug'bek inter-district courts will be established in these courts, specializing in family disputes.

However, Ezgulik considers the scale of the issue of family disputes to be significant and believes that it is necessary to adopt a special state program in the legal system to partially resolve the issues related to the judicial system. In this regard, active participation of national values, legal consciousness, and key institutions of society is essential.

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The activities of the Family and Women's Committee have been transferred to the Cabinet of Ministers. Additionally, the Institute of Family and Gender Studies has been established.

A Presidential Decree on "Additional Measures to Strengthen the Activities of the Family and Women's Committee" has been adopted. According to the decree, the functions of the Family and Women's Committee have been transferred from the Ministry of Social Development and Poverty Reduction to the Cabinet of Ministers.

In order to efficiently organize the committee's activities, the position of the Head of the Family and Women's Committee has been established as the Deputy Prime Minister in the Cabinet of Ministers.

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The newly appointed Children's Ombudsman suggests that educators and teachers should first undergo a special psychological examination. It is crucial to address those who pose a threat to the well-being of children, not only by removing them from employment but also by investigating their responsibilities within the framework of the law.

In recent times, individuals responsible for education in various educational institutions have been involved in varying degrees of abuse, ill-treatment, or emotional-psychological impact on children as a consequence of negative behavior or misconduct.

The Children's Ombudsman aims to handle such situations with an entirely impartial approach, ensuring that those who compromise the welfare of children are not only removed from their positions or duties but also held accountable within the legal framework. This includes closely monitoring the relevant legal responsibilities of those involved.

After all, any case of child abuse that goes unanswered leads to the continuation of such an undesirable practice.

"Similarly, it is crucial for educators and teachers to undergo a special psychological examination before being assigned to specific tasks or positions. Especially, their psychological and emotional preparedness for close interaction with children, as well as their overall health, should be systematically evaluated," stated the Children's Ombudsman.

The draft law "On the Representative for the Rights of the Child (Children's Ombudsman) of the Republic of Uzbekistan," which was accepted in the first reading by the Legislative Chamber of the Oliy Majlis, was developed.

This draft law reflects the provisions that serve to effectively organize the activities of the Children's Ombudsman. In particular, it is planned to hear the Children's Ombudsman's report at the parliamentary sessions every year. Through this authority, the Children's Ombudsman brings to the parliamentary arena

urgent problems that require attention in the field of protection of children's rights and makes proposals for their solution;

The children's ombudsman is given the right to issue warnings and submissions to officials to prevent violations of the law. Such a right increases the effectiveness of the activities of the Children's Ombudsman. In particular, it enables any official to be prosecuted for violating the interests of children;

The Children's Ombudsman's right to participate in the meetings of the Oliy Majlis, the Constitutional Court, the Supreme Court, and the Cabinet of Ministers is being strengthened. Through this right, the Children's Ombudsman protects children's rights in the parliament, executive bodies and courts, focusing the attention of these bodies on the primacy of the child's interest;

According to the project, inquiry, investigative bodies and the court must inform the Children's Ombudsman in writing about the decisions and verdicts (sentences) they have taken regarding crimes against the life, health or sexual freedom of minors. Such reporting results in the disclosure of facts of crimes against children, ensuring that these cases are addressed in accordance with the law, preventing their concealment, and avoiding their non-disclosure in court.

Also, according to the law, the Children's Ombudsman can get acquainted with the documents of the criminal case involving a minor and obtain copies of them;

Participation in legal proceedings in order to protect and restore the violated rights, freedoms and interests of the child;

After getting acquainted with the verdict, rights such as applying to the prosecutor's office to file a protest against the verdict, based on the child's interest, are given.

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Saida Mirziyoyeva, the gender activist and assistant to the President of the Republic of Uzbekistan, expressed her reaction to the adoption of the law by the Senate on the protection of women and children from violence. She noted that the efforts for these changes have been ongoing for a long time, and the initiation of these reforms underscores the recognition of the difficult and long journey that lies ahead.

During the thirty-ninth session of the Senate, the law "On Amendments and Additions to Certain Legislative Acts of the Republic of Uzbekistan on the Further Improvement of the System of Protecting the Rights, Freedoms, and Legal Interests of Women, Girls, and Children" was approved.

Saida Mirziyoyeva stated, "Today, the Senate has approved the draft law aimed at protecting the rights of children and women. The struggle has been very difficult for everyone."

Once these changes to the Criminal and Administrative Accountability Codes are signed into law by the President, we will finally be able to protect women from domestic violence by holding perpetrators accountable.

"Now contact with a minor has changed from a non-public danger crime to a serious crime", she said.

According to Saida Mirziyoyeva, loopholes will be closed for those who have sex with minors and want to avoid prison. "Now this act is punishable by long imprisonment. This is a clear signal to the criminals that the state is fighting against any kind of violence!

I would like to thank everyone who has been involved in the legal process and supported us. Efforts for this change have been going on for a long time and this is only the beginning of a long and difficult road.

We change social norms, we change ourselves as a society. In order to ensure the social security of the state, we must protect the weakest layers of all", according to the statement.

Former Children's Ombudsman Aliya Yunusova believes that "the most severe punishment should be applied to those who sexually abuse children." According to her, the Children's Ombudsman should not release them from punishment on the basis of an amnesty act or pardon.



"Among the appeals personally sent to me, there are cases of children regularly subjected to sexual violence by family members, stepbrothers, or stepfathers. Even children aged 4-9 and 10-14 have been victims of sexual violence. Of course, this is a very alarming situation. Reading such appeals is very difficult. Ultimately, children need protection. We take these cases under our control and officially submit appeals to the General Prosecutor's Office", - she wrote.

According to Yunusova, it is possible to address the situations mentioned above by strengthening the penalties for those who commit sexual offenses against children.

"In 1995, Uzbekistan acceded to the 'International Covenant on Civil and Political Rights' as an optional protocol to the Pact of 16 December 1966. This document forms the basis for the abolition of the death penalty in our country, considering it an international obligation of our state. Therefore, the Children's Ombudsman advocates for the most severe punishment for individuals who commit sexual offenses against children, and believes that there should be no amnesty or release from punishment based on amnesty, as well as opposes any liberalization of the punishment and reduction of the term for those who have exceeded their sentence", – Yunusova said.

The Children's Ombudsman has analyzed and processed the received complaints and, during the course of its activities, has prepared recommendations for the relevant organizations. In addition, the conditions created for children have been assessed, and recommendations have been provided for addressing identified shortcomings.

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"If we look at the statistics, the majority of those engaged in hard work on earth today are women. Gender equality is critical to sustainable, progressive and meaningful action in the fight against drought, hunger and land degradation. Our goal is to expand the powers of women to maintain a healthy life on earth", said Ksenia Sklenlon, executive secretary of the UN Convention on Combating Desertification, at the conference held in Samarkand.



During the event, emphasis was placed on addressing gender inequality, empowering women to utilize resources, and strengthening their knowledge and skills in this context.

Similarly, it was highlighted that globally, there is a lack of equal rights, and women face specific challenges in accessing resources, information,



technologies, and financial services, as well as participating in decision-making. Therefore, special attention is paid to gender-responsive and gender-transformative measures to combat dust and sandstorms and halt land degradation.

"Water conservation is very important in preventing desertification. Water is mostly saved by women. In addition, the number of women among scientists looking for solutions to environmental problems is increasing. Today, women conduct scientific research and offer appropriate solutions to problems such as drought, famine, and land degradation", said Adolat Orinova, head of the biological diversity preservation laboratory of the Research Institute of Environment and Nature Protection Technologies under the Ministry of Ecology.

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According to data from the Statistical Agency, 60.3% of divorces occurred in urban areas, while 39.7% occurred in rural areas. During the period from January to September 2023, the number of divorces in the Republic reached 37,700, showing an increase compared to the same period in 2020, which had 17,700 divorces.

Additionally, divorces with one child amounted to 10,229 cases, while divorces with two or more children reached 8,331 cases. Divorces without children were relatively higher, with 19,094 cases recorded.



The highest divorce rate is recorded in the regions of Khorezm, Andijon, Fergana, Jizzakh, and Namangan, while the lowest rate is observed in the regions of Samarkand, Syrdarya, Bukhara, Kashkadarya, and the Republic of Karakalpakstan. The average age of those getting divorced is 37 years for men and 32.9 years for women. The highest percentage, 62.3%, is for divorcing women aged 35 and below.

For your information, during the nine-month period, the highest number of divorces occurred in Tashkent city, with 4,626 cases reported. Additionally, Fergana and Andijon regions also showed relatively high divorce rates compared to other areas. On the other hand, the lowest number of divorces was observed in Navoiy region, with 1,109 cases reported.





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### Struggle in the Legal Field for Gender Equality

In Uzbekistan, administrative responsibility has been established to address the issue of polygamy. Additionally, changes and additions to the Criminal and Administrative Responsibility Codes related to crime and administrative responsibility were signed into law by the President.



According to the amendments to the Administrative Responsibility Code:

Persons who conduct a religious ceremony to formalize a marriage with an individual who has not reached the legal age for marriage may face a fine from 15 to 30 times the minimum amount for count (from 4,950,000 soums to 9,900,000 soums).

Encouraging cohabitation with two or more wives to increase the number of children and financial assistance may result in a fine of 15 to 30 times the minimum amount for count (from 4,950,000 soums to 9,900,000 soums) or compulsory public works for 15 to 30 days or administrative arrest for up to 15 days.

Persons who deliberately disguise their appearance in a way that prevents their identification in public places may face a fine from 10 to 15 times the minimum amount for count (from 3,300,000 soums to 4,950,000 soums).

Wearing special clothing designed for identification in medical services or ensuring security in road transport during public events, sports, and cultural events is prohibited, and violators may face a fine from 10 to 20 times the minimum amount for count (from 3,300,000 soums to 6,600,000 soums).

For information, in accordance with medical instructions or in a special headgear worn to ensure safety in traffic, or in cases related to labor and service activities, covering the face of the participants of these events during sports and cultural events, as well as directly in the legislation being covered in other permitted circumstances shall not result in a penalty.

Encouraging gender-based discrimination, restricting women's rights to equal access to resources, information, technology, and financial services, or making decisions may result in a fine from 10 to 20 times the minimum amount for count (from 3,300,000 soums to 6,600,000 soums).

### According to the amendments to the Criminal Code:

Persons who perform a religious ceremony to formalize a marriage with an individual who has not reached the legal age for marriage and is not subjected to administrative punishment for this offense may face a fine from 75 to 150 times the minimum amount for count (from 24,750,000 soums to 49,500,000 soums) or compulsory public works for 360 to 400 hours or forced community service for 2 to 3 years.

Creating, storing, or distributing materials aimed at inciting national, ethnic, or religious enmity after being subjected to administrative punishment for this offense may result in a fine from 300 to 600 times

the minimum amount for count (from 99,000,000 soums to 198,000,000 soums) or compulsory public works for 2 to 3 years or deprivation of freedom for up to 5 years.

Deliberate actions aimed at humiliating national honor and dignity, insulting the feelings of citizens based on their religious belief or loyalty, in order to cause enmity, intolerance or discord against population groups based on their national, racial, ethnic or religious affiliation, as well as national, promoting the superiority or inferiority of citizens based on their racial, ethnic or religious affiliation, as well as directly or indirectly restricting the rights of citizens or giving them direct or indirect advantages based on their national, racial, ethnic or religious affiliation, restricting freedom from 1 to 5 years, or shall be punished by imprisonment from 1 to 5 years.

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Women's peace and security index (Women Peace and Security Index) announced the ranking of countries according to the role of women in society. 177 countries participated in this rating. The ranking of countries according to the role of women in society was announced.

The countries listed in the Women Peace and Security Index are ranked according to the criteria of women's security, involvement in public affairs and justice towards them.

In this list, Uzbekistan ranked 94th, behind Tajikistan (90th place), Kazakhstan (80th place) and Turkmenistan (58th place) in terms of conditions created for women. Kyrgyzstan is ranked 95th.

According to the ranking, Denmark took the first place in terms of the best conditions for women. Switzerland is in second and Sweden in third place. Afghanistan (ranked 177) ranks last as the country where women suffer the most.

Also, Uzbekistan was ranked among the top 20 countries in the Open Gender Data Index. The index is based on the availability of 11 indicators in 35 statistical categories and assesses the availability and openness of gender data worldwide.

In the latest Open Data Watch report, Uzbekistan was among the top 20 countries in the world with a score of 69.7 points in the "Open Gender Data Index".



According to the methodology, it is based on the availability of 11 indicators in 35 statistical categories, relying on the presence and transparency of gender-related information worldwide.

In Uzbekistan, the State Statistics Committee serves as the responsible agency for managing gender statistics. Within the agency, a separate division is established to collect, review, and analyze gender statistics.

The gender statistics on the gender.stat.uz website, managed by the agency, are updated daily, providing more than 180 indicators related to gender statistics. The information is presented in three languages and five different formats across all sections of the website.

### Crimes of domestic violence and pedophilia

According to the press service of the Supreme Court of the Republic of Uzbekistan, it became known that a man raped a 13-year-old foster child of an orphanage in Chirakchi district of Kashkadarya region and made her pregnant.

K.T., who is accused of having committed the crimes referred to in Article 129, Part 2 (engaging in immoral or indecent acts against a person under sixteen) and Article 118, Part 3 ("a") (abduction) of the Criminal Code, (born in 1971 in the Kashkadarya region, a preventive measure in the form of imprisonment was used) was imprisoned.

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The heads of the regional justice department and Yangariq district emergency department, who repeatedly had sex with children of the orphanage in Khorezm, were convicted under Article 128, Part 1 (engaging in sexual relations with a person under sixteen) and the old version of Article 128-1 (engaging in sexual relations with a person aged sixteen to eighteen by providing material benefits or taking advantage of their financial dependence) of the Criminal Code. Each of them was sentenced to restriction of freedom for 1 year and 6 months.

Following strong public condemnation and opposition from Ezgulik and civic activists, the appellate court sentenced the offenders to imprisonment. The convicted individuals were deprived of freedom for a period of 3 years.

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It was reported that a girl born in 2006 was raped by several men in Yangariq district of Khorezm. The investigation department of Khorezm region's Ministry of Internal Affairs Department is conducting preliminary investigations into the criminal case related to this situation.

During the investigation, 8 persons were involved in the case as suspects, 3 persons as accused. Precaution in the form of imprisonment was applied to 3 defendants.

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Parents brutally beat their 14-year-old daughter in Kashkadarya. It is noted that on April 16, 2023, at approximately 11:30 a.m., H.G., born in 2009, living in the "Qarabayir" neighborhood of Koson district, Kashkadarya region. She was beaten by her mother, M.M., born in 1982, and her father, T.R., born in 1978.

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In Kindergarten No. 122 in Yangihayat district, needles were stuck in children's legs because they did not sleep. It was reported that the student of Pedagogical College R.M. He was admitted to the 122nd state pre-school education organization located in Yangihayot District "Oriyat" MFY from May 11, 2023 to subgroup No. 4 to complete his internship.

On May 26, 2023, it was found that 2-3 of the students in this group were not sleeping. Currently a student at R.M. excluded from practice.

Investigations are being conducted by the internal affairs bodies regarding the case where a college student, who is doing internship in a kindergarten in Yangihayat district, stuck a needle in kindergarten students.



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In the Yashnobod district of Tashkent city, it has been identified that a man committed inappropriate and abusive actions towards an 11-year-old girl in the entrance hall of the "apartment block (dom)" where he lives. The man, born in 1969, has been suspected of committing inappropriate and abusive actions towards a person under the age of 16, specifically an 11-year-old girl, during the commission of a crime. This means that he engaged in inappropriate and abusive actions towards the girl, who was entering her home, by grabbing her with his hands, covering her face and mouth, and committing indecent and abusive acts against her.

In the ongoing investigation process, the man has been detained under Article 227 of the Criminal Procedure Code, and he is charged with violating Article 129, Part 2 (committing inappropriate and abusive actions towards a person under the age of sixteen).

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In the Chiroqchi district of the Kashkadarya region, a 52-year-old man who forcibly abducted and sexually assaulted a 13-year-old girl from a charitable home, impregnating her, was brought to court on June 6, 2023. The case is being considered under Article 118 (rape) Part 3 "a" and the previous version of Article 129 (inappropriate actions towards a person under the age of sixteen) of the Criminal Code, based on the crimes committed by the accused. The accused has been sentenced to 12 years of imprisonment according to Article 59 of the Criminal Code (imposing a penalty of deprivation of freedom for a period of up to 12 years for the commission of several crimes).

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In Andijan, a woman tortures her 5-month-old child to take revenge on her husband. It was found that on June 13, 2023, a 21-year-old woman living in Cholobod neighborhood, Ulug'nor district, Andijan region, sent videos of her crying 5-month-old child to her husband, who works in the Russian Federation, on June 13, 2023, through Telegram messenger.

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In Samarkand, a man killed his three children to take revenge on his wife. In Samarkand, a man stabbed his three children to take revenge on his wife who went to work in Israel. Then, to take revenge on his wife, he stabbed his three children aged 10, 12 and 13 (2 boys, 1 girl) with a kitchen knife. After that, trying to kill himself, he hit his chest with a knife and injured himself.

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A boy who raped a 12-year-old girl in Jizzakh was sentenced to 2 years of freedom restriction. In Jizzakh region, a young man raped a 6th grade student and was sentenced to 2 years of freedom restriction.

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A man who killed his wife with a sickle out of jealousy was arrested in Ferghana. As it turned out, due to constant discord in the family of the deceased, she lived in her maiden house. But even there, her husband did not give her peace, so she went to work in Turkey. After some time, she returns to Uzbekistan and is killed by her husband.

The criminal case related to the situation was heard in the Altiariq district court on criminal cases. According to it, the defendant was found guilty under Part 1 of Article 97 of the Criminal Code, and he was sentenced to 11 years of imprisonment. He was also found to be a very dangerous recidivist.

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A 31-year-old woman was raped by 4 men in Ferghana. A 31-year-old woman was raped by 4 men in Ferghana. A criminal case was opened against the men, and a preventive measure in the form of imprisonment was applied.

It happened in Beshariq district of Fergana region. Four men forced the woman and took her to an abandoned shed. They took a video of the woman having sex with one of the four men, threatened to share it on social networks, raped her against wish, and satisfied their sexual needs.

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In Tashkent, an older man who committed sexual harrasment against an 8-year-old girl was arrested. A man kissed a minor girl despite her resistance and committed an obscene act.

Mirzo Ulugbek district's Department of Internal Affairs and Public Safety under the Ministry of Internal Affairs addressed the situation by invoking Article 129 of the Criminal Code (indecent acts against a person under the age of sixteen). The case is being investigated according to legal procedures.

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A 13-year-old girl was raped by her neighbor in Karakalpakstan. The accused is said to be 44-45 years old. A criminal case has been initiated against him. It was said that a 13-year-old girl was threatened by her neighbor in Ellkala district of the Republic of Karakalpakstan and raped for two years.

The suspect was charged with a criminal case under Article 118 (rape), Part 4, Article 119 (satisfaction of sexual desire by force and unnatural means) of the Criminal Code, and was detained under the procedure of Article 221 of the Criminal Procedure Code.

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In Kashkadarya, a husband killed his wife with a chainsaw. The accused was imprisoned for 13 years for the crime he committed. A man who killed his wife with a chainsaw in Kashkadarya region was sentenced to 13 years in prison. This was reported by the "Don't Be Silent" project (Nemolchi.uz).

\*\*\*

In Kashkadarya, a woman gave an 8-month-old baby "vinegar" to drink. The baby's heart stopped once. In the Shahrizabz district of Kashkadarya region, a woman made an eight-month-old baby drink high-concentration acetic acid that was not dissolved in water due to carelessness and negligence.

It turned out that the baby was born on February 7, 2023. On September 9, 2023, at 15:32, he was brought to the intensive care unit of the Kashkadarya branch of the Republican Emergency Medical Research Center in a critical condition.

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At the patrol post service (PPS) employee who kicked a woman and put her in a car in Fergana was fired. A woman was begging on the road with her young child. On September 18, a video showing officers of PPS kicking a woman and putting her in a car was circulated on social networks.

It was reported that on September 18, 2023, the patrol post service staff asked a begging woman to leave the traffic section of the road in order to have a preventive conversation with a woman who was engaged in begging. The woman got angry and resisted the employees.

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A 55-year-old man who committed sexual harassment against a 7-year-old girl in Tashkent was sentenced to 18 years in prison. According to the "Don't Be Silent" project, the incident happened at the beginning of June 2023. The man followed the girl, threatened her with his fists and sexually harassed her.

It was reported that on September 20, 2023, X.A., who committed this crime. Mirzo Ulugbek was found guilty by the district court of criminal cases under Article 119 of the Criminal Code (satisfaction of sexual desire in an unnatural way using force) and was sentenced to 18 years in prison.



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On October 18, 2023, the trial of former National Guard officer, who worked as a leader in the security department of the Kibrai district of the Tashkent region, for raping a 13-year-old girl, was completed in the Bostonliq district court on criminal cases.

According to the court's verdict, Sh. Sharipov was found guilty of committing the crime provided for in Article 118 (rape), part 4 of the Criminal Code, and he was sentenced to 15 years in prison.

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In Tashkent, an incident occurred where a man harassed a 10-year-old girl in an elevator. On October 27, a male student who had just returned from school entered the elevator with the girl, and according to the words of the girl's close friend, the young man made inappropriate gestures towards her.

According to the friend's account, on October 27, Friday, around 4-5 pm, in the vicinity of the Uchtepa district of Tashkent city, the 10-year-old girl was returning from school to her home, which was close by. At that time, a man in his late 20s or early 30s entered the elevator of a multi-story building where the girl lived. As a result of this incident, the criminal offense under Article 129, Part 2 of the Criminal Code (engaging in indecent or inappropriate actions towards those who have not reached adulthood) has been registered.

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On November 4, 2023, a video showing an employee using force on children in need of protection at a charity home in Kurgantepa district of Andijan region was circulated on social networks.

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A woman brutally beat her 10-year-old son in Namangan. According to the information provided by the Children's Ombudsman, on November 4 of this year, in the "Yoshlik" district of Namanagan province on Islamobod Street, the child S.M. was beaten by a resident named K.X. who lives in the same house where the child's family resides.

After that, Namangan city New Namangan district Ministry of Internal Affairs rapid investigation team arrived at the scene.

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A "conductor" who harassed a girl passenger in Tashkent was imprisoned for five days. *He held the hands of a nine-year-old passenger and performed sexual acts.*

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A woman who forced a 14-year-old girl into prostitution was arrested. *This little girl, whose mother is in Russia and whose father is an alcoholic, was forced to have sex with different men for seven months.*

The prosecutor of Kitab District initiated a criminal case against citizen N.A under Article 135, Part 3, Clause "a" of the Criminal Code (trafficking in human beings against a minor), an investigative team was formed and investigative actions quickly started.

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In Tashkent, the owner of a cafe who did not let women in at night was fined. According to the internal rules of the cafe, women were not allowed to enter after 22:30.

According to the court's decision, they were found guilty under the article of promoting gender discrimination, denying the equal rights of women and men, spreading views, ideas or calls of this content, as well as publicly justifying and (or) encouraging such actions, and each was fined 20 times the minimum amount for count - 6,600,000 soums.

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According to the Children's Ombudsman, an incident occurred at the 23rd kindergarten located in the Chondirkyot village, Tadqiqotchilar neighborhood of the Urganch district. In this case, educators R.G. and assistant educator A.M. allegedly subjected students R.S., M.S., U.Z., S.T. to inappropriate actions such as verbal abuse, pushing, slapping, and hitting on the head.



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Teacher A.X. at the 40th general secondary school branch located in Pachkamar neighborhood, Guzor district, Kashkadarya region beat his 3rd grade pupil named E.S.

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Children's Ombudsman Surayyo Rakhmonova conducted studies in Kokdala, Kasbi and Koson districts of Kashkadarya region on December 22-23 of this year regarding negative situations such as early marriages and engagement ceremonies for school-aged girls.

### **Recommendations of Ezgulik:**

- 1. Strict adherence to UN international conventions on gender equality and children's rights ratified by the Republic of Uzbekistan;**
- 2. Alignment of national legislation with international conventions and legal norms;**
- 3. Disclose to the public the results of research on crimes of domestic violence and pedophilia;**
- 4. Improvement of programs to increase the role of women in public administration.**