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**JUBILEE CAMPAIGN**

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**The Republic of Uzbekistan**

Submission by

Jubilee Campaign

**A Vital Voice for Those Suffering in Silence**

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Jubilee Campaign is a non-profit, tax exempt, charitable organization in the United States

1. ***Introduction***

Jubilee Campaign is a non-profit organization that focuses on promoting human rights and religious liberty in nations across the world. We assist individuals and families seeking asylum in the West from religious based persecution as well as promoting the care and well-being of larger groups of refugees fleeing religious and ethnic persecution. Another main focus of our work is exalting the stories of victims of religious persecution, and vulnerable women and children. In addition to having special consultative status with ECOSOC, Jubilee Campaign is a member of the International Religious Freedom Roundtable and co-chairs the Religious Prisoners of Conscience Working Group of the IRF Roundtable, through which we meet with congressional staffers and recommend that their representatives adopt and advocate on behalf of a religious prisoner of conscience. Often times, advocacy on a congressman’s or congresswoman’s part leads to alleviation of prison conditions and sometimes even acquittals from unjust sentences.

1. ***International Covenant on Civil and Political Rights***

*Article 3*

The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all civil and political rights set forth in the present Covenant.

*Article 18*

1. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.
2. No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice.
3. Freedom to manifest one’s religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others.
4. The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to ensure the religious and moral education of their children in conformity with their own convictions.
5. ***Legislation and Policies Related to Religious Practice***

In September 1995, Uzbekistan ratified the International Covenant on Civil and Political Rights. In May 1998, Uzbekistan drafted and passed their Law on Freedom of Conscience and Religious Organizations, which outlines freedom to choose, practice, and change religion, equality for all regardless of religious conviction, and separation of church and state affairs. Furthermore, it outlines the legal status of religious organizations. Article 145 of the Criminal Code of Uzbekistan criminalizes violations of the 1998 Law on Freedom of Conscience and Religious Organizations, including restricting religious practice and forcing religious education on any individual.

As of 2018, in accordance with UN Special Rapporteur Ahmed Shaheed’s recommendations, Uzbekistan lowered the requirements for registering as an official religious organization and created the Council of Faith which would serve as a meeting and dialogue grounds for all of Uzbekistan’s religions.[[1]](#footnote-1) Initially, religious organizations seeking legal recognition by the government were required to apply to both the Ministry of Justice and the Committee on Religious Affairs, which further depends on the Cabinet of Ministers for approval.[[2]](#footnote-2) Additionally, nearly 200 religious prisoners of conscience were acquitted of their sentences and released from detention facilities and Jehovah’s Witnesses reported less harassment at the hands of Uzbek police forces.[[3]](#footnote-3)

Article 156 of the Criminal Code criminalizes “incitement of ethnic, racial or religious hatred,” but also criminalizes anything deemed illegal religious activity, such as evangelism, holding events without being a registered organization, etc. The Constitution of Uzbekistan provides religious freedom to the extent that it does not impose upon the rights of other citizens, and the Criminal Code includes a provision that allows religious practice to be revoked or restricted in favor of protecting “national security, the social order, or morality” in accordance with Section 3 of Article 18 of the ICCPR.[[4]](#footnote-4) The Criminal Code law that prohibits religious activity from an unaccredited religious organization is often used to prosecute individuals whose organizations have been repeatedly denied legal status due to the Uzbek government classifying them as “extremist.”[[5]](#footnote-5) Under the new Uzbek project On Countering Extremism, officials have been able to haphazardly classify unregistered religious organizations as extremist and place affiliated individuals in prison for up to two decades. Such above laws requiring the registration of religious groups to receive legal status and calling for restrictions on faith in order to preserve national security have been the main justification for the following violations of the ICCPR.

1. ***Violations of Article 18 of the ICCPR***

Open Doors Analytical reports that “state persecution comes in the form of police, secret services and local authorities monitoring religious activities by various means (bugging homes, tapping phones, infiltrating groups etc.) and attending church services.”[[6]](#footnote-6) Such acts of espionage and surveillance violates Article 18 Section 1 of the ICCPR that states that individuals should have the freedom to practice their faith privately. Moreover, such violation of private worship occurred on November 19, 2017, when police ambushed a church worship service at a private home, arresting 9 individuals, including the homeowner Stanislav Kim, all of whom were subject to lengthy questioning and harassment.[[7]](#footnote-7)

Following USCIRF’s visit, in August 2019, the government of Uzbekistan required that approximately 100 Muslim men shave their facial hair in response to “security concerns.”[[8]](#footnote-8) This was reportedly in order to ensure that the appearances of these men identically matched their passport photos “for identification purposes by smart cameras,” once again violating one’s right to privacy regarding their faith as outlined in Article 18 Section 1.[[9]](#footnote-9)

The 2018 school dress code approved by the Ministry of Education which prohibits wearing religious clothing or symbols, including crosses and headdresses, which violates Article 18 Section 1 of the ICCPR which states that all individuals are allowed to practice their faith in public without interference from the State. This violation is further seen in the capital Tashkent, where the Department of Public Education required teachers to restrict their students from attending prayers.[[10]](#footnote-10) Moreover, in September 2019, government officials convened all imams in Uzbekistan to a meeting where they were required to “avoid overtly religious issues;” they were told to not hold any religious activities outside of the mosques, not allow Muslim men to grow facial hair, and restrict women from wearing traditional headscarves, all of which violate an individual’s right to public practice of their faith.[[11]](#footnote-11)

While Article 18 Section 2 of the ICCPR mainly states that forceful conversion is illegal, it can be argued that restrictions on peaceful and non-forceful evangelism as well as attempts to curb conversion impose upon a person’s right to willfully adopt a religion of choice through coercive efforts.

Uzbekistan’s commitment to remain a secular state has not only encroached upon the rights of Christians, but many Muslims as well face restrictions on teaching and religious study. Under the guise that it is imperative to protect the nation from all forms of radical terrorism, the Uzbek government repeatedly “targets nonviolent believers who preach or study Islam outside the official institutions and guidelines,” notably the group Hizb ut-Tahrir, which mainly focuses on promoting establishing an Islamic state through nonviolent means.[[12]](#footnote-12) Such restrictions on gathering and teaching inherently violate Article 18 Section 1 of the International Covenant on Civil and Political Rights. One individual, Ahmadjon Madumarov, told USCIRF commissioners that his son Habibullah Madumarov and nephew Abdulahad Madumarov, had been accused of being involved in Hizb ut-Tahrir, which he claims his family has no ties to.[[13]](#footnote-13)

***V. Other Violations of International Religious Freedom***

According to Open Doors Analytical, Christians are repeatedly detained for their attempts at evangelism and converting their Muslim peers to Christianity. USCIRF released a report in January 2020 in which they reveal that “as many as 5,000 individuals remain incarcerated for the peaceful practice of their religion or beliefs, in a prison system that still generates credible allegations of torture.”[[14]](#footnote-14)

During USCIRF’s visit to Uzbekistan in September 2019, commissioners met with Armenian Christian Aramais Avakian, who was detained for “attempting to overthrow the constitutional order and participating in an illegal religious organization,” which turned out to be a plan organized by the government to confiscate his fish farms which had been extremely lucrative.[[15]](#footnote-15) He remains in prison because he refuses to meet requests of officials that he falsely admits to the crime in exchange for his release.[[16]](#footnote-16)

The government of Uzbekistan has unjustly applied the 1998 Law on Freedom of Conscience and Religious Organizations, refusing to process and accept applications of religious groups for legal status, such as Jehovah’s Witness.[[17]](#footnote-17)

1. <https://uz.usembassy.gov/2018-report-on-international-religious-freedom-uzbekistan/> [↑](#footnote-ref-1)
2. <https://uz.usembassy.gov/2018-report-on-international-religious-freedom-uzbekistan/> [↑](#footnote-ref-2)
3. <https://uz.usembassy.gov/2018-report-on-international-religious-freedom-uzbekistan/> [↑](#footnote-ref-3)
4. <http://opendoorsanalytical.org/wp-content/uploads/2019/01/Uzbekistan-WWR-COUNTRY-DOSSIER-January-2019-update.pdf> [↑](#footnote-ref-4)
5. <http://opendoorsanalytical.org/wp-content/uploads/2019/01/Uzbekistan-WWR-COUNTRY-DOSSIER-January-2019-update.pdf> [↑](#footnote-ref-5)
6. <http://opendoorsanalytical.org/wp-content/uploads/2019/01/Uzbekistan-WWR-COUNTRY-DOSSIER-January-2019-update.pdf> [↑](#footnote-ref-6)
7. <http://opendoorsanalytical.org/wp-content/uploads/2019/01/Uzbekistan-WWR-COUNTRY-DOSSIER-January-2019-update.pdf> [↑](#footnote-ref-7)
8. <https://www.uscirf.gov/sites/default/files/2020%20Uzbekistan%20Country%20Update.pdf> [↑](#footnote-ref-8)
9. <https://www.uscirf.gov/sites/default/files/2020%20Uzbekistan%20Country%20Update.pdf> [↑](#footnote-ref-9)
10. <https://uz.usembassy.gov/2018-report-on-international-religious-freedom-uzbekistan/> [↑](#footnote-ref-10)
11. <https://www.uscirf.gov/sites/default/files/2020%20Uzbekistan%20Country%20Update.pdf> [↑](#footnote-ref-11)
12. <https://www.hrw.org/report/2004/03/29/creating-enemies-state/religious-persecution-uzbekistan> [↑](#footnote-ref-12)
13. <https://www.uscirf.gov/sites/default/files/2020%20Uzbekistan%20Country%20Update.pdf> [↑](#footnote-ref-13)
14. <https://www.uscirf.gov/sites/default/files/2020%20Uzbekistan%20Country%20Update.pdf> [↑](#footnote-ref-14)
15. <https://www.uscirf.gov/sites/default/files/2020%20Uzbekistan%20Country%20Update.pdf> [↑](#footnote-ref-15)
16. <https://www.uscirf.gov/sites/default/files/2020%20Uzbekistan%20Country%20Update.pdf> [↑](#footnote-ref-16)
17. <https://www.uscirf.gov/sites/default/files/2020%20Uzbekistan%20Country%20Update.pdf> [↑](#footnote-ref-17)