UZBEKISTAN

OVERVIEW OF RECENT RESTRICTIONS TO CIVIC FREEDOMS

PHOTO BY: MUKHAMMADSHARIF MAMATKULOV/REUTERS/VIA GALLO IMAGES

CIVICUS

NOVEMBER 2022 | A COUNTRY RESEARCH BRIEF FROM THE CIVICUS MONITOR

INTRODUCTION

Despite much-publicised steps by President Shavkat Mirziyoyev to improve Uzbekistan's image in the eyes of the international community, civic freedoms in the country remain severely restricted.

On 24 October 2021, incumbent President Mirziyoyev won the presidential election with more than 80 per cent of the vote. However, international observers raised concerns that the elections were characterised by a lack of meaningful competition. While only officially registered political parties were allowed to put forward presidential candidates, no genuine opposition parties succeeded in obtaining registration and were therefore unable to nominate candidates. Opposition activists were harassed and intimidated in the run-up to the election. During the post-election period, restrictions on civic freedoms continued.

On 20 June 2022, President Mirziyoyev outlined draft amendments to 64 articles of Uzbekistan's constitution, including provisions affecting the rights and freedoms of individuals, and proposed holding a nationwide referendum on them. According to the president, over 48,500 proposals for constitutional amendments were submitted online by citizens during a public consultation on the amendments. The bill was thereafter due to be debated by the five registered political parties before being submitted to the plenary session of the Legislative Chamber for a first reading. Observers and civil society activists voiced concerns that the proposed amendments do not envisage any limitation of the president's scope of power, and would allow President Mirziyoyev to potentially remain in power for two more seven-year terms, until 2040.

The proposed amendments triggered an outcry and mass protests in the state of Karakalpakstan in western Uzbekistan since they included amendments removing Karakalpakstan's autonomous status and its constitutional right to secede from Uzbekistan. Protests were met with excessive and lethal force and detentions. While official figures indicate that 21 people died, including 17 citizens and four law enforcement officials, media reports state that at least 77 bodies were received at the Republican Scientific Centre for Emergency Medical Care. The authorities have since detained journalists, bloggers and activists whom they suspect of playing leading roles in the protests.

Despite some seemingly positive steps by the authorities to promote an enabling environment for civil society, such as the adoption of the Concept on Development of Civil Society in 2021-2025, in practice, civil society organisations (CSOs) continue to face serious challenges, particularly when it comes to obtaining compulsory state registration, although in a welcome move a new human rights organisation, Democracy and Law, was registered in September 2022. Additionally, new regulations passed in June 2022 provide for obligatory state oversight of projects funded by foreign donors, threatening to further restrict the opportunities for human rights organisations to work in Uzbekistan.

This research brief provides an overview of recent civic space restrictions in Uzbekistan. It was prepared in collaboration with the International Partnership for Human Rights (IPHR) and the Association for Human Rights in Central Asia (AHRCA).

ABOUT THE CIVICUS MONITOR

The CIVICUS Monitor, an online platform that tracks threats to civil society in countries across the globe, rates civic space – the space for civil society – in Uzbekistan as "**Closed**".

The data provides the basis for civic space ratings, which are based on up-to-date information and indicators on the state of freedom of association, peaceful assembly and expression. Countries can be rated as:

CLOSED	REPRESSED	OBSTRUCTED	NARROWED	OPEN

FREEDOM OF PEACEFUL ASSEMBLY

Mass protests in Karakalpakstan

Mass protests rarely take place in Uzbekistan, reflecting the restrictive environment for the exercise of freedoms of peaceful assembly and expression.

However, the presidential announcement of proposed constitutional amendments that affected the autonomous status of Karakalpakstan led to mass protests in the republic on 20 June 2022 and on 1 and 2 July 2022, when thousands of people gathered in Karakalpakstan's capital Nukus and other cities to peacefully express their discontent with the proposed amendments. On the evening of 1 July 2022, the authorities reportedly dispersed protesters with rubber bullets, stun grenades, smoke bombs and water cannon. There were also unconfirmed reports that some people were killed by law enforcement officers during the dispersal. On 2 July, the authorities again dispersed people who had gathered for protests in Nukus. Videos circulating on social media from the protests in Nukus showed numerous people lying on the pavement who appeared to be dead or severely injured.

On the same day, the authorities announced that an 'attempt to seize power' had taken place in Nukus. President Mirziyoyev, who flew to Nukus and addressed the regional parliament, promised to take the views of the local population into consideration and affirmed the right of Karakalpakstan to secede from Uzbekistan. However, the next day he issued a warning stating that calls for separatism and unrest would not be tolerated and those responsible would be punished. He introduced a state of emergency in Karakalpakstan until 2 August 2022, which permitted the authorities to impose curfews and other restrictions such as restricted entry and exit from Karakalpakstan.

On 4 July 2022, during a joint briefing of the Prosecutor General's Office and the National Guard, which took place at the Agency for Information and Mass Communications, it was announced that 21 people had been killed and 243 injured in connection with the protests, including 38 law enforcement officers. Other sources reported higher numbers of injuries. At the time of writing the authorities have not yet made public the names of those killed. According to non-state sources, among those who were killed during the dispersal of demonstrations on 1 and 2 July were protesters Sabir Bakirov, Bayram Kalimbetov, Azamat Kurbanov, Muratbek Pirnazarov and Sultan Yesemuratov.

As of 4 July 2022, official figures indicate that 516 people had been detained in connection with the protests. According to Davron Zhumanazarov, the head of the National Guard Press Service, detainees were 'under investigation, with most of them subjected to administrative penalties and they were released from custody'. At the same briefing, he urged residents of Karakalpakstan to respect the state of emergency and not to go out 'without reason' or believe information disseminated by various non-governmental sources.

On 8th July 2022, the Prosecutor General's Office issued a public statement saying that an investigation had been opened into the events in Karakalpakstan under article 159, part 4 of the Criminal Code, which penalises ''infringing on the constitutional order''.

On 5 August 2022, a list of detainees appeared on the internet that included the names of 331 people. However, to date there has been no official data on those detained. On 31 August 2022, it was reported that 34 protesters remained under house arrest and 14 detainees faced charges of 'infringement on the constitutional order' (under article 159 of the Criminal Code), including Dauletmurat Tazhimuratov, a well-known lawyer and journalist, and Azamat Turdanov, a well-known athlete and regional vice-president of the Sambo Association of Uzbekistan. Lolagul Kallykhanova, journalist and editor of the popular Karakalpak news site makan.uz, was also detained as a suspect on charges of infringing on public safety. Her whereabouts remain unknown at the time of writing.

After repressing the mass protests, the authorities allegedly continued to target and detain people they suspected of playing leading roles in the protests. Unconfirmed reports indicate that some of those detained were extrajudicially killed and that officials removed dead bodies from the houses of people believed to have

been killed in order to hide evidence of crimes. On 4 July, there were unconfirmed reports that in the town of Chimbay to the north of Nukus, security forces shot six people. Non-governmental sources from Karakalpakstan reported on 6 July 2022 that at least 64 people remained unaccounted for, with their whereabouts unknown. Most of the individuals in question came from the cities of Chimbay, Khodzheyli and Nukus. Other reports stated that on 2 July 2022, the authorities detained dozens of people as they were travelling to Nukus to prevent them joining the demonstrations.

Other protests

There are few other cases where protests have taken place. Those attempting to protest have faced harassment. For example, on 1 March 2022, Lenur Isaev planned to hold a picket near the Russian embassy in Uzbekistan's capital Tashkent to protest against Russia's military aggression in Ukraine. He prepared posters with slogans such as 'May Allah punish Russia – Stop Russian Aggression' and 'Uzbekistan and Crimea are Turkish lands'. He informed the authorities about his plans, but did not eventually go through with the protest. On 2 March 2022, Isaev was forcibly admitted to Tashkent Regional Psychiatric Hospital for several hours on the orders of the head of the Chirchik police department. These orders were reportedly issued because of his planned protest outside the embassy and the posters he had prepared. Following this, Isaev engaged in a legal struggle to defend his right to freedoms of peaceful assembly and expression and to prove that he is mentally sound. However, he was unable to find a defence lawyer to agree to represent him.

In another example, on 9 May 2022, activists Maazam Ibragimova and Anvar Nazir held a Day of Remembrance for child victims of the war in Ukraine in a suburb of Tashkent. They were supported by other activists and Ukrainians living in Uzbekistan. In an act believed to constitute retaliation for the event, on 15 May 2022 officers of the Mirzo-Ulugbeksky District Police Department detained Anvar Nazir and held him for several hours before releasing him. Human rights defenders report that pressure on Nazir continues at the time of the writing, although no pressure was reported against Ibragimova following the event.

FREEDOM OF EXPRESSION

Bloggers and journalists targeted

Individuals have faced retaliation for blogging on corruption and other issues considered sensitive by the authorities. In accordance with amendments to the Law on Informatisation adopted in March 2021, the owners of online resources, including bloggers, are required to ensure that their resources are not used for the dissemination of 'knowingly false' information, 'defamatory' information, or other information defined as impermissible through vaguely worded language. The failure to promptly remove such information, if detected, might result in restrictions in accessing the online resources in question.

Our monitoring indicates that over the past two years more than 20 leading bloggers have come under pressure from the authorities because of their criticism of state bodies and officials. Outspoken bloggers have been targeted for prosecution in several recent cases.

On 21 January 2022 Mirabad Criminal Court found Miraziz Bazarov guilty of slander under article 139 of the Criminal Code and sentenced him to three years' restriction of liberty. During the trial, which took place on 20 January 2022, journalists were not allowed to enter the courtroom after the court made an additional, unannounced requirement of a negative COVID-19 test. In addition, according to the Bazarov's lawyer, video and audio recordings were not allowed. As an active and well-known blogger, Bazarov has repeatedly criticised the authorities, including for the lack of transparency and public control over the government's use of COVID-19 related loans and double standards amongst officials in relation to LGBTQI+ people. Prior to facing investigation for slander, on 28 March 2021, Bazarov was physically attacked by masked men as he was walking in Tashkent, sustaining injuries for which he required hospital treatment. The police opened an investigation into the attack, but there are concerns about its impartiality and effectiveness. Bazarov had previously received violent online threats for which no one has been held to account.

Another worrying case is that of religious blogger Fazilhoja Arifhojaev. In January 2022, the Almazar District Court of Tashkent found the blogger guilty of 'preparation, storage, distribution or display of materials that threaten public security and public order' under article 244-1 of the Criminal Code and sentenced him to seven years and six months in prison for a Facebook post related to whether it was appropriate for a Muslim to congratulate non-Muslims on their religious holidays. Arifhojaev was initially detained in June 2021 on charges of petty hooliganism under article 183 of the Code of Administrative Offences after an altercation with a pro-government blogger. However, he was not released after serving his 15-day detention term and instead a new criminal case was initiated against him. The police allege that they found 'phone material of dubious religious nature' intended for distribution. Human Rights Watch reported that Arifhojaev has suffered ill-treatment and lack of medical treatment in detention. The organisation stated that the criminal case against Arifhojaev appears unfounded and demanded his release.

Criticism or perceived criticism on social media of the authorities, especially of the president, remain dangerous activities for bloggers. On 3 February 2022, blogger Sobirjon Babaniyazov was sentenced to three years' imprisonment for allegedly insulting President Mirziyoyev on social media. Similarly, blogger Valijon Kalonov was imprisoned after allegedly insulting President Mirziyoyev in the press, and on 23 December 2021, Jizzakh Criminal Court ruled to detain him in a psychiatric hospital for compulsory psychiatric treatment. People who know Kalonov claim to be unaware of him having any mental health illness and say there is no credible evidence to suggest this, which indicates that Kalonov has been placed in the psychiatric hospital in retaliation for exercising his right to freedom of expression.

Earlier, on 8 October 2021, human rights defender Klara Sakarova was summoned by police for a discussion, during which she was accused of 'being a government critic', 'provoking people' and 'inciting people to unrest'. She was also threatened with administrative charges of non-compliance with the legal demands of a police officer, an offence punishable by up to 15 days' administrative detention. Sakarova is the sister of the late political prisoner Andrey Kubatin, and since his death in October 2020 she has been engaged in efforts to ensure that those responsible for his death and his imprisonment on trumped-up charges are brought to justice.

A further case illustrating the pattern of harassment of bloggers in Uzbekistan is that of human rights defender and blogger Nargiza Abdiyeva. Abdiyeva, from the Surxondaryo Region, told Radio Ozodlik in December 2021 that she had been repeatedly harassed and that security forces were putting pressure on her and people around her. Abdiyeva posts YouTube videos in which she discusses social issues and problems facing local residents, such as problems with supplies of drinking water, electricity and gas. These acts of harassment came after Abdiyeva filed a complaint against her superior for harassment, in response to which a criminal case was initiated against her, while no action was taken against her supervisor. Since then she has been subjected to harassment several times by law enforcement and security forces, who have searched her house and threatened her. Abdiyeva's appeals to the prosecutor's office and the presidential office have received no response and she remains under serious pressure for her criticism of the local authorities.

On 2 March 2022, civil society activists, together with the well-known economist and blogger Yuliy Yusupov and political scientist Anvar Nazir, as well as some members of the Uzbek parliament, visited the Ukrainian embassy in Tashkent. On 15 March 2022, Nazir was summoned to a police station for questioning. Subsequently, his house was searched and his laptop and mobile phone were confiscated. Some officers allegedly threatened to kill him. After Nazir appealed to the European Union (EU) delegation and the US Embassy in Tashkent for support, pressure against him decreased, but his seized property has still not been returned to him.

On 30 March 2022 the Supreme Court of Uzbekistan upheld the 2021 court verdict sentencing blogger Otabek Sattoriy to six and a half years in prison on charges of 'slander' and 'extortion' under articles 139 and 165 of the Criminal Code. There are credible allegations that the charges against Sattoriy were fabricated to punish him for peacefully exercising his right to freedom of expression after he repeatedly accused representatives of local authorities of corruption on his Telegram and YouTube channels. The initial charges against Sattoriy relate to a reported act of provocation in December 2020 which resulted in his detention on accusations of extortion.

Subsequently, additional charges were brought against him on the basis of complaints from people he had accused of corruption. Sattoriy was convicted following an unfair trial during which no evidence of his guilt was presented and the court failed to take into account statements made by the defence. Sattoriy claimed that he

had been tortured and ill-treated in pretrial detention, that the conditions of his detention had a detrimental effect on his health and that his family were not allowed to hand him the medicines necessary to treat his bladder and kidney infections. His family has reportedly been kept under police surveillance since his arrest. Since 28 July 2021, Sattoriy has been serving his sentence in a penal colony. He is in poor health. AHRCA, IPHR and partners have called on the authorities to immediately and unconditionally release Sattoriy and swiftly provide him with appropriate medical treatment.

On 2 May 2022, Freedom Now filed a petition with the United Nations (UN) Working Group on Arbitrary Detention on Sattoriy's behalf, arguing that his detention is related to the legitimate exercise of his right to freedom of expression and is in direct violation of his rights under national and international law.

Restricting media freedom: journalists under attack

Since the beginning of 2022, at least 20 attacks on journalists have been recorded. The cases described below illustrate this problematic pattern.

On 3 November 2021, the press service of the Supreme Court reported on Telegram that three Effect.uz journalists – Khamidjon Akhmedov, Akbar Nurimbetov and Elyorbek Tadzhibaev – had been found guilty by the Kashkadarya Regional Court of interfering in an investigation. The journalists were prosecuted after a video of the trial of businessperson Ikrom Khudoyarov, who was facing fraud charges, was published on the outlet's YouTube channel in January 2021. The video showed a conflict between the judge, defendants and journalists, which resulted in the judge ruling to remove journalists from the courtroom. The three journalists were accused of 'insulting the judge and bailiffs, disobeying an official order to leave the courtroom, and spreading untruthful information about the authorities' through the publication of the video. Elyorbek Tadzgivaev was reportedly sentenced to three years in a prison colony, while Akbar Nurimbetov and Khamidjon Akhmedov were sentenced to parole-like sentences of three years and two years and six months respectively.

In January 2022, Anastasia Pavlenko, deputy editor-in-chief of the Samarkand newspaper Vestnik (Herald) and administrator of the Save Samarkand social media group, was prosecuted for publishing an article about the demolition of the house of Pavel Benkov, the founder of easel painting in Uzbekistan, which is listed as a cultural heritage site. Charges were brought against Pavlenko under four articles of the Administrative Code: article 41 on 'insult', 45 on 'violation of the inviolability of citizens' homes', 46 on 'disclosure of information that could cause moral or material damage to a citizen' and 202-2 on 'dissemination of false information'.

On 18 January 2022, the City Criminal Court of Samarkand convicted Pavlenko of slander and imposed a fine of US$530. According to Pavlenko, the judicial process was marred by due process violations, which included denial of the right to mount an effective defence as the court rejected all her motions. Further the trial was held in the Uzbek language, which Pavlenko does not understand, and the court did not provide interpretation. In February 2022, the decision was upheld on appeal, after which Pavlenko filed a cassation appeal. In a welcome development, in April 2022, the Supreme Court cancelled all previous decisions, pointing out the lack of proper judicial investigation of the alleged offences, and sent the case for further investigation.

Anora Sadikova, editor-in-chief of the news outlet Rost24, claimed that she was forced to remove an article about businessperson Jakhongir Usmanov due to threats and pressure. The article alleged that several of Usmanov's companies were guilty of financial crimes. The name of Jakhongir Usmanov, son of the former deputy prime minister, also appears in the Pandora Papers, a large leak of financial documents about hidden wealth.

Sergei Yezhkov, an expatriate journalist and founder of Uzmetronom, faces a heavy fine, compulsory public works or restriction of freedom for three years after publishing an article about the illegal import of jewellery allegedly facilitated by Komil Allamjonov, the head of the Board of Trustees of the Public Fund for the Support and Development of National Mass Media. After a complaint was lodged by Allamjonov, a case was opened against Yezhkov for libel, under article 139 of the Criminal Code. The 68-year-old journalist, who is in poor health, is currently under house arrest.

On 1 July 2022, Dauletmurat Tazhimuratov, a well-known Karakalpakstani lawyer, journalist and former editor of the El hyzmetinde (In the service of the people) newspaper, spoke to supporters after attending prayers at a

Nukus mosque. He announced that he had gone to the Parliament of Karakalpakstan and requested permission to hold a rally in front of parliament on 5 July 2022 to draw attention to the constitutional rights of Karakalpakstanis. According to civil society activists, the Karakalpakstan authorities granted him permission, but later that day Tazhimuratov was arrested. The news of Tazhimuratov's arrest brought people out onto the streets.

Tazhimuratov was released from detention a few hours later and, according to media sources, reappeared on the evening of 1 July 2022 at the protest in Nukus where he and Murat Kamalov, Chairman of the Parliament of Karakalpakstan, addressed protesters. Local eyewitnesses stated that the demonstration was peaceful and special forces troops were present but did not intervene. Tazhimuratov and Kamalov then entered the Jokargy Kenes, the Republic of Karakalpakstan's supreme representative and legislative body, while the protesters waited outside.

That evening, when Tazhimuratov returned to his home, dozens of supporters had gathered near his house. Early the next day, at around 3 a.m., security forces reportedly stormed Tazhimuratov's house and rearrested him. The whereabouts of Tazhimuratov's wife and children are currently unknown. According to non-governmental sources, around 35 Nukus residents who stood near Tazhimuratov's house were killed during the operation. No further details are known about the circumstances of their deaths. One of the people who died has been named as Dauletmurat Zhiemuratov, while the names of the others are currently unknown.

According to non-governmental sources, Tazhimuratov was subsequently charged with 'infringing on the constitutional order' under article 159 part 4 of the Criminal Code. There are allegations that he has been subjected to physical abuse in custody. According to unconfirmed reports, he has been transferred to a medical facility in the neighbouring Khorezm region for treatment for his injuries and is in intensive care in a critical condition. On 8 July, the Prosecutor General's Office confirmed that a criminal investigation had been opened against Tazhimuratov.

INTERNET RESTRICTIONS

The practice of blocking websites is widespread. An international election observation mission, which monitored the presidential election held in October 2021 under the leadership of the Organization for Security and Co-operation in Europe (OSCE) Office of Democratic Institutions and Human Rights (ODIHR), identified over 60 websites of local and international media outlets, services and human rights organisations that were inaccessible during the election campaign.

In early November 2021, the state agency in charge of oversight of telecommunications restricted access to Facebook, Instagram, Telegram, YouTube and other social media and messenger platforms, accusing them of failing to store user data on servers located in Uzbekistan, a requirement introduced in a legislative amendment adopted in January 2021.

This sparked an outcry, resulting in the head of the agency being dismissed and access to the platforms being restored. However, TikTok, Twitter and some other platforms, to which access had previously been restricted on the same grounds, reportedly remained unavailable.

From 27 June 2022, internet services were disrupted and only worked intermittently in the region of Karakalpakstan after bloggers, journalists and activists expressed their discontent with the proposed constitutional amendments. This made it difficult to obtain and verify any information in relation to the events.

Independent online media outlet Gazeta.uz was reportedly subjected to a troll attack after criticising the proposed extension of presidential terms that was included among the proposed constitutional amendments on 25 June 2022. As a result, it was forced to remove two articles from its website. On 5 July 2022, several important articles concerning the events in Karakalpakstan were taken down for some time from the outlet's site. At the time of writing access to these articles had been restored.

FREEDOM OF ASSOCIATION

The operating space for civil society remains seriously restricted in Uzbekistan, despite the adoption in March 2021 of the Concept on Development of Civil Society in 2021-2025 and a road map for its implementation, which set out actions to improve the legal framework and provide support for CSOs. These documents were adopted without meaningful input from or consultation with civil society and failed to address issues of key importance, including obstacles facing new CSOs trying to register as legal entities, excessively complex reporting requirements and the need for CSOs to notify and obtain prior state approval before receiving foreign grants or conducting events. In June 2022, further legislation was passed which legitimises and extends the existing practice of state control over civil society activities (see below).

CSOs denied registration

Although the government publicly claims that there are over 10,000 CSOs now operating in Uzbekistan, closer examination reveals that the majority of these organisations are in fact government-organised non-governmental organisations (GONGOs). The Uzbekistan Independent Institute for Formation of Civil Society reported that 66 per cent of groups are GONGOs, with almost half of them established by government decree. In comparison, the process of registering genuine new CSOs remains fraught with difficulties, particularly when they focus on human rights. Although human rights defender Nikolay Kungurov successfully registered his organisation in September 2022 (see below), several independent CSOs have repeatedly been denied registration on grounds that appear to be politically motivated.

For example, human rights defender and former political prisoner Agzam Turgunov has repeatedly attempted to register his human rights CSO, Human Rights House, without success. Since 2019 he has received 10 registration rejections by the Ministry of Justice on the grounds of alleged minor technical mistakes in the application. However, Turgunov and his lawyer maintain that they prepared the necessary documents in accordance with the advice provided during meetings with representatives of the Ministry of Justice and in keeping with the written procedural guidelines. The situation has not improved, even after EU representatives expressed serious concern about the obstacles faced by CSOs in obtaining registration during the annual EU-Uzbekistan Human Rights Dialogue in June 2021.

In March 2022, based on a presidential decree, Human Rights House, an information centre, was established under the National Centre for Human Rights (NCHR). Thus, this state-run entity was given the same name as the CSO that Turgunov is in the process of trying to register, a development viewed with concern by the human rights community. The state-run Human Rights House was tasked with systematisation of the academic and legal human rights framework and the publication of educational and other information in Uzbek.

Human rights defender Nikolay Kungurov initiated a court complaint against Akmal Saidov, the head of the NCHR, in October 2021 on the grounds of procedural inaction in relation to a decision by a UN human rights body on the failure of the authorities to grant his CSO registration. Kungurov had tried to register the Democracy and Law CSO since June 2003 without success. After national remedies had been exhausted, a complaint was sent to the UN Human Rights Committee in 2006. The Human Rights Committee issued its views in September 2011, concluding that the refusal by the Uzbekistani authorities to register Democracy and Law violated Kungurov's rights to freedoms of association and expression. In September 2022, Kungurov's application to register Democracy and Law was finally approved.

Foreign funding law

On 13 June 2022, resolution 328 was passed by the Cabinet of Ministers of Uzbekistan, significantly increasing state control over projects run by CSOs that are funded from foreign sources. The resolution constitutes another national legal mechanism that essentially makes already existing practice official and further strengthens state control over human rights activities. As a survey of Uzbek human rights activists and independent journalists shows, over the past five years, all CSOs that apply for foreign funding are obliged to inform the Ministry of Justice and the State Security Services.

The new resolution states that CSOs that receive foreign funding must inform the Ministry of Justice, after which an opinion from the Ministry of Foreign Affairs may or may not approve funding and appoint a state agency as national partner. This constitutes direct state interference in CSO activities. The grounds on which the Ministry of Justice can decide to deny funding are not listed, meaning it can make decisions at its discretion.

Additionally, CSOs are now required to work in partnership with designated state-appointed partners who will oversee the planning and implementation of their projects, make recommendations and devise a planning roadmap. CSOs will be required to have a memorandum of cooperation with the national partner, who is a designated state representative. The Cabinet of Ministers resolution contradicts article 4 on 'relations between non-state, non-profit organisations with state bodies' of the law on non-state non-profit organisations, which clearly states that:

> *'The state ensures the observance of the rights and legitimate interests of non-governmental non-profit organisations and creates equal legal opportunities for them to participate in public life. The state may provide support to individual socially useful programmes of non-governmental non-profit organisations. Interventions by state bodies and their officials in the activities of a non-state non-profit organisations is not allowed, just as the interference of a non-state non-profit organisation in the activities of state bodies and their officials is not allowed.'*

This is another example of government decisions that are in conflict with previously adopted laws. State interference in the activities of CSOs, especially through national legal mechanisms, leads to excessive state control over CSO projects and activities. The resolution further states that both the Ministry of Justice and the Cabinet of Ministers must approve the road map for projects whose budgets exceed the equivalent of approx. US$55,000.

This development has the potential to further undermine the independence of civil society in Uzbekistan and prevent any genuinely independent human rights organisations carrying out the important functions of monitoring and critical dialogue with the authorities.

Targeting of human rights defenders

On 27 September 2022, independent journalist and former political prisoner Aziz Yusupov was arrested in the city of Ferghana in eastern Uzbekistan, shortly before he was due to attend the Human Dimension Conference in Warsaw, Poland, organised by the Polish OSCE Chairmanship with support from ODIHR. His arrest appeared to be aimed at preventing him attending this major human rights event. Yusupov was detained after being summoned to the police station in Ferghana in eastern Uzbekistan on 25 September 2022 after he applied for a Polish visa in order to travel to the conference. Yusupov had submitted a visa application at the Polish embassy on 23 September, using an invitation issued to him by ODIHR. Two days after his detention, the Ferghana Criminal Court sanctioned his pretrial detention for three months on charges of possession of drugs, an offence punishable by up to five years' imprisonment under article 276(1) of the Criminal Code. Yusupov denies the charges and many human rights observers believe that these were fabricated in order to penalise him for his human rights activities, especially as the charges are similar to earlier charges initiated against him on politically motivated grounds.

In 2016 Yusupov was arrested and unfairly sentenced to eight years' imprisonment for allegedly possessing drugs, in a case believed to have been initiated by the authorities to put pressure on his brother, independent journalist Farrukh Yusupov, known as Yusufiy, who works for Radio Free Europe/Radio Liberty and has repeatedly spoken out against the authorities in Uzbekistan. Yusupov was tortured in detention and the only evidence against him was his written admission of guilt, which he signed under pressure. He was widely recognised as a political prisoner by human rights groups. Following international pressure, he was released from prison on parole early in February 2019 due to poor health. He had to follow several courses of medical treatment after his release. More recently, Yusupov has been involved in monitoring the situation of prisoners in Uzbekistan.

Recommendations to the Uzbekistani authorities:

- Ensure that journalists, writers and bloggers can work freely without fear of retribution for expressing critical opinions or covering topics that the government deems sensitive.
- Open impartial investigations into all reported acts of persecution of independent journalists, bloggers, civil society activists and other government critics, as well as their family members, make the findings public and bring perpetrators to justice
- Cease the surveillance and harassment of independent journalists, human rights defenders and civil society activists and ensure that no one is imprisoned on politically motivated grounds.
- Guarantee in practice unrestricted access to online information resources, national and international news sites, social networks and CSO websites.
- Cease imposing censorship or excessive control over media, social networks and literature.
- Review the sentence passed on blogger Otabek Sattoriy and ensure he is moved to a prison that does not cause damage to his health.
- Reveal the whereabouts of all activists, protesters, bloggers and others who have been detained in retaliation for their legitimate exercise of fundamental freedoms in connection with the recent events in Karakalpakstan, including journalist Lolagul Kallykhanova who has disappeared following her detention, and ensure that they are released and any charges against them dropped.
- Immediately and unconditionally release human rights activist Aziz Yusupov from pretrial detention and drop the charges against him.
- Bring legislation, regulations and practice on the registration, operation and funding of CSOs into line with international human rights standards and allow CSOs to register in a simple, transparent procedure and carry out their activities without undue state interference.
- Ensure that no further obstacles are put in the path of the registration of the human rights CSOs being established by human rights activists, including by Agzam Turgunov.
- Initiate a thorough, impartial and effective investigation, with the participation of civil society representatives and international experts, into reports of excessive use of force during protests and arrests, as well as torture and ill-treatment in detention in the Republic of Karakalpakstan.
- Disclose information about the whereabouts and state of health of protesters, activists and their family members detained in relation to events in Karakalpakstan in July 2022.
- Adopt best practices on freedom of peaceful assembly, ensure that legislation in this area corresponds to international standards and guarantee that peaceful protests can be conducted without interference from the authorities.

To the European Union and the international community

- Ensure that in all official engagements, the government of President Shavkat Mirziyoyev is reminded about Uzbekistan's obligations under international law to respect the rule of law and fundamental freedoms and desist from targeting protesters, human rights defenders, journalists
- Call on the Uzbek authorities to implement the recommendations listed above in order to create an enabling environment for civil society, bloggers, journalists and human rights defenders so that they are able to carry out their activities without fear of retribution from the authorities.