



Human Rights Council
Working Group on the Universal Periodic Review
Forty-fourth session
6–17 November 2023

Summary of stakeholders' submissions on Uzbekistan*

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review and the outcome of the previous review.¹ It is a summary of 25 stakeholders' submissions² for the universal periodic review, presented in a summarized manner owing to word-limit constraints.

II. Information provided by stakeholders

A. Scope of international obligations and cooperation with human rights mechanisms

2. The Human Rights Foundation (HRF) and Human Rights Watch (HRW) recommended that Uzbekistan ratify the Optional Protocol to the Convention against Torture and other Cruel Inhuman or Degrading Treatment or Punishment.³

3. The Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights (Ombudsman) recommended that Uzbekistan study the issue of accession to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.⁴

4. JS5 recommended that Uzbekistan ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.⁵

5. HRW urged Uzbekistan to ratify the Rome Statute of the International Criminal Court and implement it in national legislation.⁶

6. HRW urged Uzbekistan to sign and ratify the 1951 Refugee Convention.⁷

7. The International Campaign to Abolish Nuclear Weapons (ICAN) urged Uzbekistan to sign and ratify the Treaty on the Prohibition of Nuclear Weapons, as a matter of international urgency.⁸

* The present document is being issued without formal editing.



8. Justice for Journalists Foundation (JFJF) recommended that Uzbekistan issue a standing invitation to the United Nations special procedures of the Human Rights Council.⁹

B. National human rights framework

1. Constitutional and legislative framework

9. Anti-Discrimination Centre Memorial (ADC Memorial) recommended that Uzbekistan adopt comprehensive antidiscrimination legislation.¹⁰

10. HRW urged Uzbekistan to ensure that the new Criminal Code met international human rights standards and addressed various recommendations of United Nations treaty bodies by amending articles 159, 216, 244-1, and 244-2 related to offenses against the state and extremism and article 157 on treason, repealing article 221 allowing for arbitrary extension of sentences of political prisoners, decriminalizing “defamation” (art. 138) and “insult” (art. 139), amending the definition of torture contained in article 235 to comply with article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and with article 7 of the International Covenant on Civil and Political Rights, repealing article 120, which criminalized consensual same-sex sexual relations between men, and amending other restrictive provisions in the criminal code.¹¹

2. Institutional infrastructure and policy measures

11. JFJF recommended that Uzbekistan establish an effective system of independent, unannounced inspections of all detention facilities by independent and impartial bodies.¹²

12. JS3 recommended that Uzbekistan set up a genuinely independent mechanism which was appropriately resourced and authorized to receive complaints and investigate allegations of torture and ill-treatment.¹³

C. Promotion and protection of human rights

1. Implementation of international human rights obligations, taking into account applicable international humanitarian law

Equality and non-discrimination

13. JS1 urged Uzbekistan to develop and adopt antidiscrimination, hate crime legislation that included protection and victim support services for LGBT+ persons explicitly among other vulnerable groups.¹⁴

14. Eurasian Coalition on Health, Rights, Gender and Sexual Diversity (ECOM) recommended that Uzbekistan enact legislation on hate crimes based on sexual orientation or gender identity and thoroughly investigate and prosecute all acts of violence against vulnerable groups, including lesbian, gay, bisexual, transgender and intersex persons.¹⁵

15. The Office for Democratic Institutions and Human Rights of the Organization for Security and Co-operation in Europe (OSCE/ODIHR) stated that it had recommended that Uzbekistan re-establish a National Point of Contact on hate crime and that it raise awareness and build the capacity of criminal justice officials in relation to hate crimes.¹⁶

Right to life, liberty and security of person, and freedom from torture

16. Justice for All International (J4A International) stated that domestic legislation regarding the disclosure of information about the burial sites of executed prisoners had not been amended adequately. Relatives had been trying in vain to obtain information about the burial place before the death penalty had been abolished. In addition, criminal files relating to such cases were not accessible to the relatives and their lawyers.¹⁷

17. JS3 stated that torture still occurred and was typically not properly investigated by the authorities. Moreover, detainees often refrained from lodging complaints for fear of reprisals

or because they did not believe that they could attain justice through the criminal justice system.¹⁸

18. JS3 stated that prisoners convicted of espionage, other anti-state offences or affiliation with banned religious groups were at particular risk of torture and ill-treatment in prisons. Former prisoners and prisoners' relatives reported frequent beatings and sexual and other abuse by prison guards and other prisoners.¹⁹

19. JS1 stated that law enforcement officers had been found to use physical and psychological violence, including beatings, threats, and bribes, when detaining LGBT+ individuals.²⁰

20. JS1 recommended that Uzbekistan end the practice of anal examinations, and in accordance with the ruling of the Supreme Court of the Republic of Uzbekistan on the inadmissibility of evidence obtained under torture, put an end to the use of the results of anal examinations as evidence of homosexual behaviour.²¹

21. HRW urged Uzbekistan to publicly acknowledge the scope and gravity of the torture problem in the country and meaningfully investigate all allegations of torture, holding perpetrators accountable.²²

22. HRF recommended that Uzbekistan immediately cease the torture and ill-treatment of detainees, effectively investigate claims of torture and ill-treatment, and ensure that perpetrators of torture and ill-treatment were held accountable.²³

23. OSCE/ODIHR stated that on the Law on Combatting Terrorism of Uzbekistan it had recommended that Uzbekistan specify, in the Law or other legislation, that information obtained by unlawful means, including torture or other inhuman or degrading treatment or punishment, were not admissible as evidence in court.²⁴

24. HRF recommended that Uzbekistan continue to release political and political prisoners and anyone else who was arbitrarily detained.²⁵

25. HRW urged Uzbekistan to provide persons formally imprisoned on politically motivated charges with legal rehabilitation, including vacating wrongful convictions, and to ensure that those released had access to adequate and appropriate medical care to treat all health problems linked to their imprisonment.²⁶

26. JS3 recommended that Uzbekistan ensure that pregnant women and young mothers serving prison sentences received appropriate and free food and medical care in sanitary conditions, were granted maternity leave from work, did not have to carry out inappropriate heavy work, and were encouraged to breast feed their babies with appropriate conditions to do so.²⁷

27. Forum 18 stated that detained persons suffered bans on praying the namaz and reading the Koran, torture for praying the namaz or fasting during Ramadan, denials of medical care, failure to carry out medical treatment families had paid for, and inadequate and insanitary conditions of detention.²⁸

28. The Global Partnership to End Violence Against Children (GPEVAC) stated that the prohibition of corporal punishment of children was still to be achieved in the home, alternative care settings, day care and schools. It recommended that Uzbekistan intensify its efforts to enact a law to clearly prohibit all corporal punishment of children, however light, in every setting of their lives, as a matter of urgency.²⁹

Human rights and counter-terrorism

29. HRW urged Uzbekistan to amend definitions of terrorism and extremism and ensure that fair trial standards were upheld and that courts did not rely solely on so-called expert analyses to convict persons tried for terrorism and extremism-related offenses, in accordance with the conclusions and recommendations of the UN Special Rapporteur for protecting human rights while countering terrorism.³⁰

30. OSCE/ODIHR stated that on the Law on Combatting Terrorism of Uzbekistan it had concluded that the Law raised serious concerns with regard to its compatibility with international human rights standards and had the potential to unduly restrict the rights to life,

liberty and security of person, privacy, freedoms of expression, association and peaceful assembly, freedom of thought, conscience and religion or belief and equality. It had recommended that Uzbekistan revise the overbroad definition of terrorism and other related terms in the Law, and in the Criminal Code.³¹

Administration of justice, including impunity, and the rule of law

31. HRW stated that law enforcement officers had used excessive or unnecessary lethal force in response to the largely peaceful demonstrations in Karakalpakstan in July 2022, leading to serious injuries and unlawful deaths of a number of participants.³²

32. JS3 stated that nobody had been charged specifically with responsibility for the killings and that the investigation into the Karakalpakstan events had been shrouded in secrecy.³³

33. JS3 stated that while many detainees had been released after having been subjected to administrative penalties, several dozen had faced criminal charges for allegedly committing anti-constitutional crimes. Among those detained and charged were well-known journalists, bloggers and activists from the region, who had publicly criticised the proposed constitutional amendments and were accused of playing leading roles in the protests.³⁴

34. HRW urged Uzbekistan to set up a genuinely independent, impartial, and effective investigation into the Karakalpakstan events, including into the deaths and severe injuries that had occurred and the actions taken by the security forces, including the weapons they had used, with a view to ensuring accountability for human rights violations.³⁵

Fundamental freedoms and the right to participate in public and political life

35. Forum 18 stated that freedom of religion and belief, along with the interlinked freedoms of expression, association, and assembly, remained severely restricted in Uzbekistan.³⁶

36. ADF International stated that Christians and other religious minorities in the country continued to face social hostility and violence.³⁷

37. ADF International stated that in addition to legal barriers to church registration, unregistered religious groups had reported facing discrimination and harassment by local authorities, as well as the threat of criminal penalties for participating in “illegal” religious activities.³⁸

38. European Centre for Law and Justice (ECLJ) stated that the current laws and policies, which included spying on churches, banning proselytizing, denying church registration, and preventing religious minorities from possessing religious literature and texts, clearly restricted the ability of religious minorities to practice their faith. It recommended that Uzbekistan allow for minority religions to peacefully practice their religion according to the dictates of their faith.³⁹

39. Forum 18 stated that the Law on Freedom of Conscience and Religious Organizations of 2021 continued the wide-ranging ban on the illegal exercise of freedom of religion and belief, banned the exercise of freedom of religion or belief in venues without state permission, banned religious teaching without state permission, banned sharing beliefs with others and other undefined other activities, continued compulsory state censorship of all religious materials, including on the internet, continued burdensome and arbitrary registration procedures for a religious community to apply to be allowed by the state to exist, and continued possible enforced state liquidation of any religious community.⁴⁰

40. The Ralph Bunche Institute/City University of New York and the University of Essex (RBI-Essex) stated that the Law on Freedom of Conscience and Religious Organizations of 2021 continued to limit and, in some instances, criminalized various manifestations of freedom of religion or belief. It continued to ban proselytism and missionary activity and the registration of religious or belief communities was still compulsory.⁴¹

41. HRW urged Uzbekistan to amend the Law on Freedom of Conscience and Religious Organizations of 2021 so that the recommendations of international human rights bodies,

including the recommendations of the UN Special Rapporteur on freedom of religion or belief, were reflected in full.⁴²

42. ADF International recommended that Uzbekistan amend the Law on Freedom of Conscience and Religious Organizations of 2021 to remove the prohibition on unregistered religious activities and any undue restrictions on religious education and the production, import or distribution of religious materials.⁴³

43. RBI-Essex stated that sources had highlighted that Uzbekistan had continued to place individuals who were suspected or accused of extremism, including former religious prisoners, on “supervision lists” and had surveilled them. Some might be subsequently subject to interrogation, warnings, and even detention, and fearing further prosecution, some had reportedly tried to flee the country.⁴⁴

44. Conscience and Peace Tax International (CPTI) recommended that Uzbekistan abolish the requirement for all religious worship groups to be officially registered, or, failing that, simplify and expedite the procedures for registration so that only in very exceptional circumstances registration was delayed or refused.⁴⁵

45. JS7 recommended that Uzbekistan provide realistic opportunities for Jehovah’s Witnesses to register local religious organizations throughout the country and ensure that police and other officials did not interfere with the peaceful manifestation of beliefs by Jehovah’s Witnesses.⁴⁶

46. ADF International recommended that Uzbekistan decriminalize the organization and participation in activities of unregistered religious associations, as well as religious proselytism and missionary activities.⁴⁷

47. HRW urged Uzbekistan to protect the right to freedom of religion by ending arbitrary persecution of Muslims who practiced their faith outside state controls.⁴⁸

48. ADF International recommended that Uzbekistan release all prisoners of conscience incarcerated or arbitrarily detained on account of their faith, and ensure the right to a fair and public hearing for all without discrimination.⁴⁹

49. JS7 recommended that Uzbekistan end the censorship of religious literature.⁵⁰

50. CPTI recommended that Uzbekistan recognise the right of conscientious objection and make a civilian alternative to military service available to all conscientious objectors, irrespective of the basis of their objections. It stated that such a service should be completely independent of military control, and neither punitive nor discriminatory by comparison with military service.⁵¹

51. HRW stated that Uzbekistan had prosecuted and imprisoned bloggers on spurious charges, leading to a notable decline in speech and media freedoms in the last two years. Defamation and insult, including insulting the president, remained criminal offenses.⁵²

52. JS3 stated that dozens of journalists and bloggers had come under pressure from the authorities due to their criticism of the authorities in recent years. Several bloggers had been convicted on criminal charges initiated in apparent retaliation for their posts on issues considered sensitive by the authorities.⁵³

53. JFJF stated that attacks on media workers were rarely effectively investigated and recommended that it take measures to ensure the safety of journalists.⁵⁴

54. JS3 recommended that Uzbekistan cease intimidating and harassing media, bloggers and journalists.⁵⁵

55. HRW urged Uzbekistan to respect freedom of expression, including a free press, by ending pressure on and any undue prosecution of media workers and bloggers.⁵⁶

56. JFJF recommended that Uzbekistan ensure that journalists and writers could work freely without fear of reprisal for expressing critical opinions or reporting on issues that the government deemed sensitive, and adopt a framework for protecting journalists from persecution, intimidation, and harassment.⁵⁷

57. HRF recommended that Uzbekistan cease the harassment and repression of journalists and media, especially the legal harassment.⁵⁸
58. JFJF recommended that Uzbekistan adopt a framework for protecting journalists from persecution, intimidation, and harassment.⁵⁹
59. JS3 stated that Uzbekistan used internet shutdowns, blocking and disabling websites, social media platforms and internet messengers in order to silence critical voices. Many sites of international human rights organisations were not accessible, especially the Russian or Uzbek pages.⁶⁰
60. JS3 recommended that Uzbekistan refrain from imposing Internet shutdowns and cease the arbitrary blocking and disabling of websites, social media platforms and mobile phone messengers.⁶¹
61. JFJF recommended that Uzbekistan refrain from censorship or excessive control of social networks, media, and literature.⁶²
62. JFJF recommended that Uzbekistan ensure unhindered access to online information sources, including national and international news sites, social networks, and websites of civil society organisations.⁶³
63. OSCE/ODIHR stated that it had recommended that websites only be blocked based on objective and transparent criteria defined in the law and that general bans of whole websites be avoided.⁶⁴
64. JFJF stated that criminal and administrative law provided for heavy fines for libel and slander. Uzbekistan used charges of libel, slander, and defamation to punish journalists, human rights activists, and others who criticized the President or the government.⁶⁵
65. OSCE/ODIHR stated that it had recommended that Uzbekistan clearly define defamation and libel in the law, and that it repeal criminal provisions for defamation in favour of civil remedies designed to restore the reputation harmed. It had recommended that any fines should be proportionate and should not infringe on freedoms of speech and opinion.⁶⁶
66. JS3 recommended that Uzbekistan abolish criminal punishment for slander and insult as in articles 139, 140 and 158, part 3 of the Criminal Code.⁶⁷
67. JFJF recommended that Uzbekistan immediately and unconditionally release all journalists detained for peacefully exercising their professional duties.⁶⁸
68. Just Atonement Inc. (JAI) encouraged Uzbekistan to consider media liberalization to report on issues such as climate change and gender inequality.⁶⁹
69. ADC Memorial stated that the situation of freedom of speech and association in Karakalpakstan was alarming.⁷⁰
70. OSCE/ODIHR stated that it had recommended that Uzbekistan expressively include the right to freedom of peaceful assembly in legislation, introduce a simpler legal definition of assemblies in line with international standards and good practices, introduce a system of notification of assemblies, not authorization, and allow non-registered associations to organize assemblies.⁷¹
71. HRF recommended that Uzbekistan stop the excessive and disproportionate use of force against protesters in violation of their right to free assembly.⁷²
72. JS4 stated that Uzbekistan continued to require the registration of NGOs, prohibit those operating without registration, harshly penalize individuals allegedly involved in unregistered NGOs, and require that those seeking to register an NGO satisfy numerous arbitrary and burdensome requirements which, for many, were insurmountable.⁷³
73. JS3 stated that the process of registering new NGOs remained fraught with difficulties, and the groups that managed to get registered were mainly those which worked in humanitarian fields. Several independent human rights NGOs had repeatedly been denied registration on grounds that appeared politically motivated.⁷⁴
74. JS3 stated that NGOs were subject to excessive reporting requirements and restrictions on their activities and access to funding. A government resolution adopted in June

2022 had further increased state interference into NGO activities by introducing a new mechanism for state approval of foreign grants received by NGOs and compulsory partnership with state agencies on the implementation of foreign funded projects.⁷⁵

75. HRW urged Uzbekistan to respect freedom of association by allowing independent human rights organizations, including international human rights groups, to register in the country, especially those that had been repeatedly denied registration.⁷⁶

76. JS1 urged Uzbekistan to ensure the right of NGOs working on issues of sexual rights, including reproductive health and LGBT+ rights, to freely carry out activities, in particular, this includes the removal of all unjustified state restrictions.⁷⁷

77. ECOM stated that there was no possibility for civil society organizations to conduct advocacy work on combating homophobic stereotypes and stigmatization of LGBT people due to heavy restrictions on freedom of associations and speech in Uzbekistan.⁷⁸

78. OSCE/ODIHR stated that it had recommended that Uzbekistan revise legislative and administrative requirements and procedures for the registration of political parties to respect and encourage pluralism and freedom of association.⁷⁹

Right to privacy

79. JS3 stated that under the pretext of protecting personal data, Uzbekistan exercised close control over Internet users.⁸⁰

80. JS1 stated that law enforcement officers used personal correspondence as evidence of the homosexuality of LGBT+ individuals when filing charges under article 120 of the Criminal Code.⁸¹

81. JS1 urged Uzbekistan to adopt legislation to ensure that AIDS centres, STI clinics and other healthcare institutions treated patients' sexual orientation, gender identity, and health information as strictly confidential, and expressly prohibit the sharing of this information with law enforcement agencies.⁸²

Right to marriage and family life

82. JS5 recommended that Uzbekistan amend the Family Code to provide for a provision on the dissolution of marriage without providing a period for reconciliation of spouses in the case of systematic domestic violence.⁸³

Prohibition of all forms of slavery, including trafficking in persons

83. ECLJ recommended that Uzbekistan take immediate measures to address the growing trend of the sale of children and put an end to the practice.⁸⁴

Right to work and to just and favourable conditions of work

84. JS6 stated that a lack of construction control and occupational safety led to accidents and deaths of workers. Often those workers or their families did not receive compensation unless the company had taken out insurance.⁸⁵

85. JS6 recommended that Uzbekistan ensure comprehensive registration of construction workers and strict compliance with labour laws and occupational health and safety.⁸⁶

86. JS6 stated that farmers were required in practice to meet the quota for cotton production, which was set by the local authorities who strictly controlled the implementation of the quota and the contractual obligations of farmers to clusters. Many cases were known of local officials forcing farmers to write an advance open-dated voluntary termination of their land lease, in case of failure to meet cotton quotas or plant produce.⁸⁷

87. JS6 stated that there were dozens of examples of coercive and illegal practices relating to the transfer of land to the state reserve for the benefit of cotton clusters taking place throughout the country. In the absence of independent associations that represented farmers' interests, farmers were left destitute with little or no redress.⁸⁸

88. JS6 recommended that Uzbekistan establish an independent commission to investigate claims of illegal land confiscations and provide remedy for farmers whose land leases had been illegally terminated.⁸⁹

Right to an adequate standard of living

89. JS3 stated that dozens of cases of forced evictions had been documented. Homeowners had been forcibly evicted from their properties in recent years, not under exceptional circumstances but for private investment and so-called embellishment projects. In many cases the private enterprises and investors involved had reportedly been supported by local authorities.⁹⁰

90. JS3 stated that often no genuine consultations had been held and those at risk of eviction had not been given appropriate advance notice about the timing of the eviction. Typically, those affected had no access to free legal aid. In many cases courts had held proceedings without notifying those affected and had issued decisions without their participation in the proceedings. Court rulings had sometimes disregarded existing legal safeguards against forced evictions. Many victims had stated that they had not received fair and adequate compensation and had been unable to buy equivalent standard premises in the same area for the compensation offered. Non-material values had not been considered, such as children's schools and family ties.⁹¹

91. JS2 stated that legal assistance from lawyers remained very expensive for most evicted residents, as demolitions and evictions primarily affected low-income families. In addition, few lawyers took on eviction cases, as they were known to be losing.⁹²

92. JS2 recommended that Uzbekistan prohibit forced evictions, in principle, especially for families with minors.⁹³

93. JS2 recommended that Uzbekistan ensure the availability and accessibility of low-cost legal assistance for residents affected by demolitions, as well as the participation of their voluntary representatives.⁹⁴

94. JS3 recommended that Uzbekistan carry out evictions only as a last resort, once all other feasible alternatives had been explored in compliance with international standards.⁹⁵

Right to health

95. The Pact stated that access to sexual and reproductive health services for young people before the age of 18, including HIV/STI testing, treatment and care, was limited, requiring written parental consent and parental presence.⁹⁶

96. JS1 stated that services related to HIV were monitored closely by the state, which was a risk factor for homosexual and bisexual men, due to the existence of discriminatory legislation. As a result, some did not have access to medical services and information about the prevention and treatment of HIV and STIs.⁹⁷

Right to education

97. Broken Chalk (BC) stated that many students in Uzbekistan dropped out of school before completing their education, including due to poverty. This had hindered efforts to improve overall literacy rates and access to education.⁹⁸

Development, the environment, and business and human rights

98. JS6 stated that Tashkent had recently been listed among the cities with the most polluted air in the world. Citizens and the media consistently reported that numerous construction projects, tree felling, drainage of water reservoirs and lack of watering of streets had contributed to increased dust levels in Tashkent. Authorities regularly gave assurances that the air quality in the city was satisfactory.⁹⁹

2. Rights of specific persons or groups

Women

99. HRW stated that domestic violence remained a serious problem in Uzbekistan. Discriminatory attitudes, stereotypes about gender roles and pressure to address domestic abuse as a private family matter contributed to perpetuation of victim-blaming and normalization of violence against women and girls, including by authorities, as well as a lack of accountability for perpetrators.¹⁰⁰

100. JS5 stated that the lack of appropriate legal and policy measures left women and girls in Uzbekistan vulnerable to gender-based violence, including domestic and sexual violence. The reasons were the absence of comprehensive legislation protecting survivors of sexual and domestic violence and ensuring survivors' access to justice; stereotyping and victim blaming of survivors by all actors in the justice system; and a lack of effective awareness-raising programmes that promoted an understanding of gender-based violence against women as unacceptable and harmful, provided information about available legal recourses against it and encouraged the reporting of such violence.¹⁰¹

101. JS3 stated that most victims of domestic violence were unable to access legal support as they were financially dependent on their spouses. Victims of domestic violence also suffered from inadequate emergency assistance, insufficient numbers of shelters and funding for hotlines, as well as a lack of trained social workers and psychologists.¹⁰²

102. JS5 recommended that Uzbekistan ensure the timely and effective issuance, enforcement and monitoring of protection orders.¹⁰³

103. JS5 recommended that Uzbekistan ensure that victims of violence had access to justice through accessible and, if necessary, free legal assistance. It also recommended that Uzbekistan strengthen the provision of State-funded victim support services and protection, including 24 / 7 hotlines, adequate shelters, medical treatment, psychosocial counselling and economic support throughout the country.¹⁰⁴

104. JS5 recommended that Uzbekistan carry out awareness-raising work to eliminate gender stereotypes and create an atmosphere of zero tolerance towards violence against women and children.¹⁰⁵

105. ADC Memorial stated that there were still few women in leadership positions, especially in local authorities.¹⁰⁶

106. ADC Memorial stated that traditional gender norms that provoked discrimination in the labour sphere prevailed in society.¹⁰⁷

107. ADC Memorial recommended that Uzbekistan repeal all professional bans for women and open education and job opportunities for women who want to be employed on previously forbidden jobs through wide information campaigns.¹⁰⁸

Children

108. BC stated that children living in impoverished, rural areas faced a lack of access to primary education and healthcare services.¹⁰⁹

Persons with disabilities

109. BC stated that special needs students faced a lack of education opportunities. There was a lack of special education facilities, materials, and curriculum to accommodate students with diverse learning needs.¹¹⁰

Minorities

110. ADC Memorial stated that the Roma-like group Mugat/Luli faced structural discrimination. They often resided in unregistered homes at the constant risk of demolition and eviction. In cases of demolition and eviction they did not receive any compensation and had to pay the costs of the demolition. Due to extreme poverty, many of them could not pay

for electricity and heating. Poor nutrition and living conditions lead to health problems, while Mugat/Luli often could not receive free medical care.¹¹¹

111. ADC Memorial stated that many Mugat/Luli children did not get school education.¹¹²

112. ADC Memorial stated that Mugat/Luli were engaged in low-paid and low-skilled areas, such as waste collection, and often had to earn money by begging.¹¹³

113. ADC Memorial stated that Mugat/Luli women and girls faced multiple discrimination, based on both gender and ethnicity. Predominantly women were not educated and had problems with personal documents. They were often discriminated against in receiving medical treatment and realization of social guarantees. Women and girls were suffering from harmful traditional practices, such as early and forced marriages and polygamy. While they frequently became victims of domestic violence, the authorities did not take enough protective measures. Strict police control over the location of Mugat/Luli at the place of registration lead to the situation that women suffering from domestic violence could not leave a dangerous home. At the same time, women who managed to escape often could not prove their parental rights due to the lack of personal documents for themselves and their children.¹¹⁴

114. ADC Memorial recommended that Uzbekistan adopt and implement an action plan on the comprehensive improvement of the situation of Mugat/Luli, with a special focus on women and girls. It stated that the measures should solve the problem of personal documents and housing, provide access to high-quality school education and medical and social assistance, and guarantee protection for women and children from multiple discrimination and harmful traditional practices.¹¹⁵

Lesbian, gay, bisexual, transgender and intersex persons

115. HRW stated that men in Uzbekistan who engaged in consensual same-sex sexual conduct faced arbitrary detention, prosecution, and imprisonment under article 120 of the criminal code, which carried a maximum sentence of three years in prison. Gay men also faced homophobia, threats, and extortion by both police and non-state actors.¹¹⁶

116. ADC Memorial stated that LGBTI+ persons in Uzbekistan regularly endured numerous violations of their rights, homophobia, and discrimination in all areas of life, including in employment, education, family life, personal interactions, and commercial and state services. The authorities ignored recommendations of international bodies concerning the situation of LGBTI+ persons. Article 120 of the Criminal Code criminalizing consensual same-sex sexual relations between adult men had not yet been abolished. NGOs protecting LGBTI+ rights did not have opportunity to register and work openly.¹¹⁷

117. ECOM stated that the access of LGBT persons to healthcare, safe and non-discriminatory education and employment was exacerbated if their sexuality was disclosed.¹¹⁸

118. JS1 stated that article 120 of the Criminal Code, imposing imprisonment for consensual same sex relations between men, contributed to the perpetuation of homophobic attitudes in society, leading to violations of the rights of LGBT+ persons in various settings such as the family, work, and everyday life.¹¹⁹

119. JS1 stated that article 120 of the Criminal Code made it difficult for homosexual and bisexual men to seek justice or report discrimination or rights violations based on their sexual orientation, as they risked facing charges under this article themselves. As a result, many offenses and crimes went unreported and unpunished. Article 120 also deterred lesbians and bisexual women from reporting discrimination or rights violations.¹²⁰

120. HRW urged Uzbekistan to decriminalize consensual same-sex conduct between men.¹²¹

121. ECOM recommended that Uzbekistan carry out planned preventive work to eradicate discrimination against LGBT people in law enforcement agencies.¹²²

122. JS1 urged Uzbekistan to condemn and prohibit hate speech by state authorities against LGBT+ persons.¹²³

123. ADC Memorial recommended that Uzbekistan prosecute officials, public figures, and authors of publications in the media and online for calls to violence and the use of hate speech.¹²⁴

124. The Pact stated that people living with HIV in Uzbekistan faced a number of challenges connected to discrimination, social stigmatization in many areas of their everyday life and sometimes in obtaining access to services. They also faced legal obstacles such as the criminalization of even potential risk of HIV transmission.¹²⁵

125. The Pact recommended that Uzbekistan decriminalize HIV transmission and ensure that HIV testing was strictly voluntary, in all circumstances.¹²⁶

126. ECOM recommended that Uzbekistan guarantee safe access to HIV/AIDS prevention programs and health care services without any discrimination based on sexual orientation or gender identity.¹²⁷

Notes

¹ A/HRC/39/7, A/HRC/39/7/Add.1, and A/HRC/39/2.

² The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org.

Civil society

Individual submissions:

ADC Memorial	Anti-Discrimination Centre Memorial, Brussels (Belgium);
ADF International	ADF International, Geneva (Switzerland);
The Pact	The Pact, Bangkok (Thailand);
BC	Broken Chalk, Amsterdam (the Netherlands);
CPTI	Conscience and Peace Tax International, Grand Lancy (Switzerland);
ECLJ	European Centre for Law and Justice, Strasbourg (France);
ECOM	Eurasian Coalition on Health, Rights, Gender and Sexual Diversity, Tallinn (Estonia);
GPEVAC	The Global Partnership to End Violence Against Children, New York (United States of America);
Forum 18	Forum 18, Oslo (Norway);
HRF	The Human Rights Foundation, New York (United States of America);
HRW	Human Rights Watch, Geneva (Switzerland);
ICAN	The International Campaign to Abolish Nuclear Weapons, Geneva (Switzerland);
J4A International	Justice for All International, Geneva (Switzerland);
JAI	Just Atonement Inc., New York (United States of America);
JFJF	Justice for Journalists Foundation, London (United Kingdom);
RBI-Essex	The Ralph Bunche Institute/City University of New York and the University of Essex, New York (United States of America).

Joint submissions:

JS1	Joint submission 1 submitted by: Central Asian Gender and Sexuality Advocacy Network, Tashkent (Uzbekistan); ILGA-Europe, Brussels (Belgium);
JS2	Joint submission 2 submitted by: Blacklist of Developers in Uzbekistan; CEE Bankwatch Network, Prague (Czechia); The Human Rights Society of Uzbekistan “Ezgulik”, Tashkent (Uzbekistan); The Tashkent SNOS activist group, Tashkent (Uzbekistan);
JS3	Joint submission 3 submitted by: Association for Human Rights in Central Asia, Le Mans (France); International Partnership for Human Rights, Brussels (Belgium);
JS4	Joint submission 4 submitted by: Freedom Now Washington, D.C. (United States of America); Uzbek Forum for Human Rights, Berlin (Germany); the Human Rights Society of Uzbekistan “Ezgulik”, Tashkent (Uzbekistan);
JS5	Joint submission 5 submitted by: Equality Now, Dartford

(United Kingdom); “NIHOL” Initiative’s Development and Supporting Center, Tashkent (Uzbekistan); NGO Civic Initiatives Support Center, Tashkent (Uzbekistan); Centre for Scientific, Social and Humanitarian Initiatives Oila, Tashkent (Uzbekistan); The Institute for Democracy and Human Rights, Tashkent (Uzbekistan); NGO “Millennium”, Tashkent (Uzbekistan); NGO “Istiqbolli Avlod”, Tashkent (Uzbekistan); Public Unity “Yuksak Salohiyat”, Tashkent (Uzbekistan);

JS6 **Joint submission 6 submitted by:** Uzbek Forum for Human Rights, Berlin (Germany); The Tashkent SNOS activist group, Tashkent (Uzbekistan);

JS7 **Joint submission 7 submitted by:** The European Association of Jehovah’s Witnesses, Selters (Germany); Asia-Pacific Association of Jehovah’s Witnesses, Tokyo (Japan).

National human rights institution:

Ombudsman

The Authorized Person of the Oliy Majlis of the Republic of Uzbekistan for Human Rights, Tashkent (Uzbekistan).

Regional intergovernmental organization(s):

OSCE/ODIHR

The Office for Democratic Institutions and Human Rights of the Organization for Security and Co-operation in Europe, Warsaw (Poland).

³ HRF, para. 29(a); HRW, para. 12.

⁴ Ombudsman, p. 6.

⁵ JS5, p. 11.

⁶ HRW, para. 12.

⁷ Ibid., para. 43

⁸ ICAN, p. 1.

⁹ JFJF, p. 8.

¹⁰ ADC Memorial, p. 6.

¹¹ HRW, para. 12.

¹² JFJF, p. 8.

¹³ JS3, para. 53.

¹⁴ JS1, para. 27.

¹⁵ ECOM, para. 35.

¹⁶ OSCE/ODIHR, para. 17.

¹⁷ J4A International, p. 1.

¹⁸ JS3, para. 25.

¹⁹ Ibid., para. 26.

²⁰ JS1, para. 21.

²¹ Ibid., para. 23.

²² HRW, para. 12.

²³ HRF, para. 29(a).

²⁴ OSCE/ODIHR, para. 8.

²⁵ HRF, para. 29(c).

²⁶ HRW, para. 25.

²⁷ JS3, para. 53.

²⁸ Forum 18, para. 21.

²⁹ GPEVAC, p. 2.

³⁰ HRW, para. 31.

³¹ OSCE/ODIHR, para. 8.

³² HRW, para. 4.

³³ JS3, para. 5.

³⁴ Ibid., para. 8.

³⁵ HRW, para. 6.

³⁶ Forum 18, para. 1.

³⁷ ADF International, para. 30.

³⁸ Ibid., para. 20.

³⁹ ECLJ, para. 30.

⁴⁰ Forum 18, para. 3.

⁴¹ RBI-Essex, pp. 3–4.

⁴² HRW, para. 28.

- 43 ADF International, para. 40(a).
44 RBI-Essex, pp. 7–8.
45 CPTI, para. 32.
46 JS7, para. 33.
47 ADF International, para. 40(b).
48 HRW, para. 28.
49 ADF International, para. 40(f).
50 JS7, para. 33.
51 CPTI, para. 31.
52 HRW, para. 14.
53 JS3, para. 16.
54 JFJF, pp. 4–5.
55 JS3, para. 51.
56 HRW, para. 20.
57 JFJF, p. 9.
58 HRF, para. 29(b).
59 JFJF, p. 10.
60 JS3, para. 24.
61 Ibid., para. 51.
62 JFJF, p. 9.
63 Ibid., p. 9.
64 OSCE/ODIHR, para. 15.
65 JFJF, p. 10.
66 OSCE/ODIHR, para. 15.
67 JS3, para. 51.
68 JFJF, p. 8.
69 JAI, para. 14.
70 ADC Memorial, para. 12.
71 OSCE/ODIHR, para. 12.
72 HRF, para. 29(d).
73 JS4, para. 5.
74 JS3, para. 27.
75 Ibid., para. 30.
76 HRW, para. 25.
77 JS1, para. 12.
78 ECOM, para. 23.
79 OSCE/ODIHR, para. 15.
80 JS3, para. 26.
81 JS1, para. 21.
82 Ibid., para. 37.
83 JS5, p. 12.
84 ECLJ, para. 31.
85 JS6, para. 9.
86 Ibid., p. 9.
87 Ibid., p. 8.
88 Ibid., p. 9.
89 Ibid., p. 9.
90 JS3, para. 45.
91 Ibid., para. 46.
92 JS2, para. 23.
93 Ibid., p. 13.
94 JS2, p. 13.
95 JS3, para. 56.
96 The Pact, para. 13.
97 JS1, para. 33.
98 BC, para. 15.
99 JS6, para. 10.
100 HRW, paras. 37–38.
101 JS5, para. 10.
102 JS3, para. 35.
103 JS5, p. 11.
104 Ibid., p. 11.

- ¹⁰⁵ Ibid., p. 12.
¹⁰⁶ ADC Memorial, para. 20.
¹⁰⁷ Ibid., para. 22.
¹⁰⁸ Ibid., p. 6.
¹⁰⁹ BC, para. 5.
¹¹⁰ Ibid., para. 14.
¹¹¹ ADC Memorial, paras. 13–14.
¹¹² Ibid., para. 16.
¹¹³ Ibid., para. 17.
¹¹⁴ Ibid., para. 18.
¹¹⁵ Ibid., p. 6.
¹¹⁶ HRW, para. 32.
¹¹⁷ ADC Memorial, para. 26.
¹¹⁸ ECOM, para. 30.
¹¹⁹ JS1, paras. 13–14.
¹²⁰ Ibid., paras. 17–18.
¹²¹ HRW, para. 36.
¹²² ECOM, para. 32.
¹²³ JS1, para. 47.
¹²⁴ ADC Memorial, p. 6.
¹²⁵ The Pact, para. 11.
¹²⁶ Ibid., p. 8.
¹²⁷ ECOM, para. 33.
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