



**UZBEKISTAN:  
PRESIDENT'S  
BROKEN PROMISES  
PUTS JOURNALISTS  
AND BLOGGERS  
AT RISK**



**UZBEK FORUM**  
FOR HUMAN RIGHTS

## About

Uzbek Forum for Human Rights (formerly Uzbek-German Forum for Human Rights) is a Berlin-based NGO dedicated to protecting human rights and strengthening and promoting civil society in Uzbekistan. Uzbek Forum has special expertise on labor rights and regularly conducts research in the field of business and human rights.

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*This report is dedicated to all the victims of arbitrary detention, mistreatment and retaliation for exercising their right to freedom of expression in Uzbekistan.*

Cover Photo: **Otabek Sattoriy at Muzrabad district court**, Surkhandarya, March 11, 2021.

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## I. Executive Summary

This report aims to shed light on the situation for bloggers and journalists in Uzbekistan which, in spite of ongoing reforms in the country since 2016, remains concerning. When President Shavkat Mirziyoyev came to power in 2016, the overall human rights situation in the country appeared to be improving. During this period, the government released some political prisoners, adopted legislative amendments regarding people's political participation and judicial independence, took measures to end forced labor, and lightened its grip on the operations of civil society organizations. In the last two years, however, the initial hope tied to President Mirziyoyev's reform agenda has dimmed as the situation for freedom of expression, assembly, and association has taken a turn for the worse.

In spite of the president's professed tolerance towards greater press freedom, the government has recently adopted a series of restrictive amendments that have had negative effects on bloggers and independent journalists. The government has also retained tight control over public information, with traditional news sources and much of social media dominated by pro-government journalists and bloggers. Additionally, the crime of "disseminating false information" in the media or online was added to the criminal code in 2020. A year later, new amendments also introduced a new criminal provision for "public calls to mass disturbances and violence against citizens," giving the authorities a broader grant to clamp down on freedom of expression. Other amendments introduced "public insult or defamation" against the president of Uzbekistan online as a criminal offense carrying a penalty of up to five years' imprisonment.

This report analyzes the cases of 10 bloggers, journalists and social media activists in Uzbekistan who have been subjected to pressure and prosecution by the government as a result of their work and/or exercising their rights of freedom of expression, assembly, or association. The bloggers faced retaliation, pressure, threats, and prosecution and some still remain in detention. In addition to the concerns posed to these fundamental rights, the report also identifies violations of these individuals' fair trials rights entailed in the judicial processes to which they were subjected as well as concerns over their right to be free from arbitrary detention.

The report provides recommendations urging the government of Uzbekistan to amend legislation that is currently being used to suppress the rights of bloggers and journalists, stop prosecuting the bloggers and journalists whose fundamental rights are protected by national and international law, and immediately release those whose rights were violated.

## 2. Background: Situation in Uzbekistan

Following the death of long-time leader Islam Karimov in 2016, the Republic of Uzbekistan has undergone a series of reforms ostensibly geared towards greater transparency, political openness, and respect for fundamental freedoms. Under the country's new president, Shavkat Mirziyoyev, the climate for journalists, activists, and government critics has improved somewhat due to the new regime's approach and certain concrete measures, including the release of many political prisoners. In spite of these positive developments, however, in the last two years the climate for freedom of expression, assembly, and association has seen significant backslide towards repression.

Under the banner of a "New Uzbekistan," President Mirziyoyev introduced sweeping reforms oriented towards greater transparency, political pluralism, and the protection of fundamental rights and freedoms. In 2017, Mr. Mirziyoyev declared before the UN that these reforms were designed "to build a democratic state and a just society, where the priority is implementation of a simple and clear principle – 'The human interests come first.'"<sup>1</sup>

Initial steps in this process included the release of many political and religious prisoners,<sup>2</sup> constitutional amendments relating to citizens' political participation and judicial independence,<sup>3</sup> measures to end forced labor,<sup>4</sup> and somewhat greater openness to the operations of civil society and international human rights organizations.<sup>5</sup> In addition, the president made several high-profile moves to rein in the National Security Service (SNB) – well-known for its repressive role during the Karimov era – by dismissing its chairman, signing a decree transferring much of its responsibilities to other government branches, and rebranding it as the State Security Service (SGB).<sup>6</sup>

In spite of these encouraging developments, hopes of any systematic and meaningful large-scale reform under the new president have quickly begun to fade. As assessed by Freedom House, Uzbekistan remains "an authoritarian state with few signs of democratization."<sup>7</sup> Mr. Mirziyoyev won re-election in October 2021 with over 80% of the vote in elections widely viewed as lacking in any meaningful competition for the incumbent<sup>8</sup> and opposition parties barred from participation.<sup>9</sup> In its 2022 world report, Freedom House assessed Uzbekistan as "not free," assigning it a score of 11/100 in political rights and civil liberties.<sup>10</sup>

Civil society remains marginalized and tightly controlled, and the registration process for new NGOs continues to be complex, cumbersome, and lengthy, with applications often rejected on formalistic grounds.<sup>11</sup> Furthermore, although many prisoners of conscience have been released under Mirziyoyev's rule, many face continual harassment. For example, Akzam Turgunov, an activist who was imprisoned for ten years, has stated that he is still surveilled and has been repeatedly denied permission to start a civil society organization.<sup>12</sup>

Abusive detention practices in Uzbekistan abound. The Human Rights Committee, among others, has raised concerns about a large number of individuals who remain in detention and the ongoing use of Article 221 of the Criminal Code to lengthen the prison sentences of individuals who cross the authorities, including human rights defenders, alleged religious extremists, and those who speak out against the government.<sup>13</sup> Article 221, which proscribes "violation of prison rules," does not delineate exactly what types of behavior are unlawful, allowing for very broad application by the authorities against those who may threaten the regime.<sup>14</sup>

### 3. Journalists and Bloggers

In Uzbekistan's current climate, independent journalists and bloggers find themselves in dangerous territory. Mirziyoyev took office promising a new era of freedom of expression and independent media, addressing international audiences with pledges to facilitate realization of these rights and the development of civil society.<sup>15</sup> At home, he reinforced this messaging before the Oliy Majlis, Uzbekistan's parliament, urging the country's legislative officials to accept the "fair criticism of objective journalists and bloggers" and spoke approvingly of the change that such reporting would bring about in "old-fashioned leaders."<sup>16</sup>

Among the public, the ostensibly reformist president became known for speaking directly to members of the media – even posing for selfies with bloggers and journalists<sup>17</sup> – and for encouraging reporters to uncover the difficult issues facing Uzbek society. In 2021, for example, the president urged a group of journalists:

**“Do not be afraid to convey [information] fairly. The President is behind you. Those days are gone. We will not deviate from this path. Justice, justice, justice! Only truth. The more truth we can convey, the greater the good.”<sup>18</sup>**

More recently, in February 2023, Mirziyoyev once again declared his support for the media. In a video released by his office, Mirziyoyev is heard saying that some people were urging him to “shut down the media,” but that he resisted.<sup>19</sup>

Initially, such exhortations seemed to be bolstered by a wave of measures during Mirziyoyev's first term, such as the release of many journalists and other prisoners of conscience who had been incarcerated under the previous regime. Among those released was journalist Muhammad Bekjanov, who had served 18 years in prison on trumped-up charges as a result of his reporting work.<sup>20</sup> In 2020, the president announced that his administration was taking steps to decriminalize defamation, a move welcomed by many including the Organization for Security and Cooperation in Europe (OSCE) Representative on Freedom of the Media.<sup>21</sup>

In an additional gesture of greater openness towards the press, the authorities removed longstanding blocks from a number of international media outlets.<sup>22</sup> International reporters and researchers – including those inquiring into sensitive subjects such as the challenges faced by investigative journalists looking into high-level corruption – were welcomed by the Uzbek authorities.<sup>23</sup>

Although such reforms under the “New Uzbekistan” have by most accounts led to a significant improvement in the media landscape, the climate for press freedom under Mirziyoyev's regime remains fraught, and has since 2021 begun to backslide.<sup>24</sup> In December 2019, ahead of the 2021 presidential elections, the Erk opposition party – which was banned from participating in the election – predicted a return to more familiar repressive practices during Mirziyoyev's second term.<sup>25</sup> This assessment seems to be materializing in the government's treatment of journalists and bloggers since that time.

The government retains tight control over public information, with traditional news sources and much of social media dominated by pro-government journalists and bloggers.<sup>26</sup> In addition, a wave of amendments to Uzbekistan's criminal code, administrative code, and information laws in recent years have had an outsized negative impact on bloggers and independent journalists. In late 2020, the crime of “disseminating false information” in the media or online was added to the criminal code.<sup>27</sup>

In early 2021, additional amendments to the codes introduced some positive changes but nonetheless harmed freedom of expression overall. Contrary to the President's 2020



promise, defamation and insult remain criminal offenses following the new amendments. While they are no longer punishable with prison terms, those convicted face up to three years of hard labor.<sup>28</sup> The 2021 amendments also introduced a new criminal provision for “public calls to mass disturbances and violence against citizens,” giving the authorities a broader grant to clamp down on freedom of expression.<sup>29</sup>

Perhaps most alarmingly, however, the 2021 amendments introduced “public insult or defamation” against the president of Uzbekistan online as a criminal offense carrying a penalty of up to five years’ imprisonment.<sup>30</sup> The adoption of this legislation followed just weeks after the publication of a report by Radio Free Europe/Radio Liberty that taxpayer money had funded the construction of an immense luxury resort for the president’s use.<sup>31</sup> The passage of the legislation was particularly ominous for bloggers, who – in spite of their importance in the Uzbek media landscape – lack the protections afforded to officially-registered journalists.

In the “New Uzbekistan,” investigative journalists and bloggers still face threat of bodily harm for their work. The “reformed” security services have regained their footing and have resumed surveilling, cajoling, intimidating, and threatening those working on topics that are embarrassing to the authorities or powerful business interests.<sup>32</sup> Some journalists have recently stated that the State Security Services (SSS) has forced them to delete, delay, or amend content of which the authorities disapprove.<sup>33</sup>

For example, one independent journalist recently reported that he has been continuously contacted by the SSS, who have pressured him with indirect threats such as:

**“ You don’t want your son or daughter to become crippled one day. You don’t want them crossing the street and something to happen to them.”<sup>34</sup>**

Other journalists report receiving death threats and pressure from “troll farms” controlled by unknown entities.<sup>35</sup> Some journalists also say SSS agents have offered them money to stop reporting on certain topics,<sup>36</sup> and those who speak to foreign reporters face interrogation by the service.<sup>37</sup>

Given this situation – and knowing the risks of covering sensitive stories that may lead to prosecution or harassment – bloggers report self-censoring, avoiding topics like high-level corruption even when such stories have already been reported by international news outlets.<sup>38</sup>

Even international journalists are not immune from harassment by the authorities. Journalists who cover uncomfortable topics – including the government’s treatment of independent journalists and bloggers – face stonewalling and intimidation. One Polish reporter had her accreditation canceled and reported experiencing harassment and threats from the authorities after covering an LGBT event in Tashkent.<sup>39</sup> Radio Ozodlik, the Uzbek branch of the international media outlet Radio Free Liberty/Radio Europe, remains blocked in the country.<sup>40</sup>

## 4. Suppression of Freedoms of Assembly and Expression in Karakalpakstan

The events of July 2022 in Karakalpakstan, an autonomous region in Uzbekistan's northwest, with a population composed largely of ethnic minorities, presented a litmus test for the authorities' professed tolerance and openness to dissent in "New Uzbekistan."

In late June 2022, protests erupted across the region in response to proposed constitutional amendments that would have affected Karakalpakstan's status, removing its existing right to secede from Uzbekistan.<sup>41</sup> The authorities came down on the protests with a brutal show of force, sending in the Uzbek National Guard to bolster the police presence. Eyewitnesses and footage from the events indicate that although the protests were not entirely peaceful, the violence used against the crowds was very likely disproportionate.<sup>42</sup>

On July 15, 2022, the Uzbek Parliament formed a commission to investigate the events in Karakalpakstan.<sup>43</sup> Although the commission claims it is independent, it is composed of government officials, politicians, and other prominent figures with close ties to the government as well as civil society representatives.<sup>44</sup> It is therefore unrealistic to expect the commission to present genuinely independent findings, especially in relation to the actions of police and security forces.<sup>45</sup> There are still open questions about the commission's work, mandate, and the investigation's intended outcome.<sup>46</sup> As of May 2023, the commission's report has not yet been released and no date has yet been given for its publication.

According to official figures, 21 people died during the events in Karakalpakstan, including four security officers.<sup>47</sup> The General Prosecutor's Office has stated that medical assistance was provided to 274 injured people.<sup>48</sup> An assessment performed by Vitalii Ponomarev, a leading Central Asia expert from the NGO Memorial, indicated that at least 34 people perished during the July 2022 events, including a detainee due to ill-treatment in detention.<sup>49</sup> Furthermore, the General Prosecutor's Office has stated that 141 officers and 16 citizens who suffered damage to health and property during the events were victims of "mass riots."<sup>50</sup>

On July 4, during and after the demonstrations, security forces arrested and proceeded to detain 516 people.<sup>51</sup>

One Karakalpak journalist who had posted photos and videos of the protests online was held incommunicado for days.<sup>52</sup> Another was charged with serious criminal offenses in relation to his reporting.<sup>53</sup> The authorities also briefly detained at least one international reporter, interrogating her and forcing her to delete the photos and video footage she took of the protests.<sup>54</sup>

In a further blow to freedom of expression, the authorities cut off internet access and limited mobile phone service to the area during the protests and for several days afterwards,<sup>55</sup> citing as justification the spread of "fake news" and the "involvement of citizens in anti-constitutional activities."<sup>56</sup>

In the first week of December 2022, the trial of 22 people accused of various crimes related to street protests in July in Karakalpakstan started in the region of Bukhara. The Prosecutor General's Office stated that 39 other defendants remained in pretrial detention but failed to provide any details of the charges brought against them<sup>57</sup>. The Prosecutor General's Office added that it is currently scrutinizing the legality of the authorities' use of force in a separate criminal case, opening a preliminary investigation into two cases of the total casualties.<sup>58</sup>

On January 31, 2023, an Uzbek court convicted all 22 defendants of the crimes for which they had been charged. The principal defendant was Dauletmurat Tazhimuratov, editorial staff lawyer of the newspaper "El hyzmetinde" ("At the service of the people") and former



editor-in-chief of the newspaper of the same name.<sup>59</sup> Tazhimuratov was charged with numerous crimes including complicity in intentional grievous bodily harm to two or more persons, conspiracy to seize power or overthrow the constitutional order of the Republic of Uzbekistan, larceny by large-scale embezzlement, legalization of revenue from criminal activity, and production and dissemination of materials containing threat to public security and public order.<sup>60</sup> The court in Bukhara convicted him to 16 years of imprisonment.<sup>61</sup>

The other fifteen defendants were sentenced to between three and eight and a half years in prison, while six received noncustodial sentences with some restrictions on their activities.<sup>62</sup>

Tazhimuratov vehemently rejected all the charges and maintained his innocence. The other 21 defendants fully or partially confessed and expressed remorse during the trial.

Of the 22 convicted, 16 submitted appeals to the Supreme Court requesting that their sentences be commuted. In response, the prosecutor's office appealed to the court requesting tougher sentences for four defendants in the case, including journalist Lolagul Kallikhanova, who had received a suspended sentence and was released in the first instance.<sup>63</sup>

On Monday, 5 June 2023, the Supreme Court issued its verdict following the hearing of appeals on behalf of 16 people convicted in relation to the events of July 1-2, 2022. The prosecutor's office simultaneously considered the appeal of four people who had been given suspended sentences.

The Court rejected Tazhimuratov's appeal while the sentences of eight defendants were changed from incarceration to restriction of freedom and were released. The appeal of the prosecutor's office against Lolagul Kallikhanova, Azamat Turdanov, Ahmet Smetullaev and Azamat Nuratdinov, which demanded that restriction of freedom be replaced with imprisonment, was rejected by the court and their sentences left unchanged.<sup>64</sup>

It is essential to underline that Tazhimuratov filed complaints about his treatment, alleging torture by the Uzbek authorities during his detention.<sup>65</sup> On December 1, Tazhimuratov testified before the court that the officers subjected him to several beatings, including with a stun gun, and that some stood on his head, causing him to lose consciousness.<sup>66</sup> Uzbek authorities did not address or investigate his allegations of torture and ill-treatment during custody, in violation of multiple human rights norms.<sup>67</sup>

Concerns around the fairness and transparency of the court proceedings are closely related to restrictions on freedom of expression in Uzbekistan. In the lead-up to the Karakalpakstan events, Tazhimuratov and Kallikhanova repeatedly spoke out against the proposed constitutional changes and Tazhimuratov had called for a peaceful protest on July 5, 2022.

Analysis by Human Rights Watch found nothing in the statements of Tazhimuratov or Kallikhanova that would constitute criminal offenses under international human rights law since expressing a political opinion and calling for peaceful protests are protected speech.<sup>68</sup> The UN High Commissioner for Human Rights has also expressed concern about the reported violence and the possible suppression of the rights to freedom of assembly and expression.<sup>69</sup>

The heavy-handed reaction of the authorities to events in Karakalpakstan reflects the government's continued repression of public protest or criticism of the authorities. Between 2018 and 2022, 11,574 people faced administrative responsibility for defamation, and 28 individuals who allegedly committed this crime through mass media or the Internet were held criminally responsible during the same period.<sup>70</sup> Courts sentenced 16 persons in 2020, 31 persons in 2021, and 58 persons in 2022 for the crime of "insulting through mass media and the Internet."<sup>71</sup> In addition, between 2021 and 2022, 159 people faced administrative responsibility for disseminating false information leading to the degradation of a person's dignity or discredit.<sup>72</sup>

## 5. Cases

Against this backdrop, the treatment of bloggers in recent years demonstrates that President Mirziyoyev's professed openness to honest reporting and criticism of government actions is not actually borne out in the government's policies. During 2021 and 2022, numerous independent bloggers and activists have been prosecuted in relation to their reporting work or otherwise exercising their right to freedom of expression, assembly, or association.



**Olimjon Khaydarov,**  
December 2022, Fergana.  
© Olimjon Khaydarov

### a. Case of **Olimjon Khaydarov**

Olimjon Khaydarov is a blogger who was reporting on Uzbekistan's chronic energy shortages during the severe winter in December 2022. He was accused of violating Articles 201, part 1 (violation of the order of organizing or holding meetings, rallies, street marches or demonstrations) and 202-2, part 2 (dissemination of false information in the media and the Internet that poses a threat to public order and safety) of the administrative code.<sup>73</sup>

The authorities alleged that on December 4, 2022, Khaydarov went to a gypsum factory owned by the Albus Cement Group, LLC in the Fergana region where he videotaped factory workers protesting against gas shortages. Khaydarov posted the video on his social media channels, thereby allegedly spreading false, provocative information which violates the established norms of public order in the country.

At his trial at the Administrative Court in the Uzbekistan district of Fergana region, Khaydarov denied the charges brought against him. He said that he had repeatedly received calls from workers at the factory who complained to him about the effect of gas shortages which had caused the factory to cease operations, leaving workers without work and pay. After unsuccessful appeals by the workers to various authorities, they had turned to Khaydarov to highlight these problems in the media in the hope of winning the attention of the president.

On December 4, Khaydarov went to the factory to meet the workers and videotaped interviews with 10-15 of them, each of whom spoke about the problems associated with the closure of the plant. Khaydarov denied that he called for demonstrations.

Khaydarov claimed that while he was filming, strangers approached him and demanded that he delete the videos, which he refused to do. On December 6, he published the videos on his YouTube, Facebook, and Telegram channels, sparking widespread discussion on social media. The posts were subsequently deleted.

Workers who organized and participated in the protests at the factory testified against Khaydarov in court, alleging that Khaydarov had provoked them into protesting. The court accepted the testimony of the witnesses, and although Khaydarov maintained his innocence, on December 13, 2022, the court found him guilty of spreading false information of a provocative nature and violating the established order in the country. Khaydarov was ordered to pay a hefty fine of 21 million UZS (approximately \$1,865 US).<sup>74</sup>

Elyorbek Mirzaev and Oybek Pirmatov, two of the factory workers who were among the organizers and active participants of the protest, were found guilty by the same court of violating Article 201, part 1 of the Administrative Code of Uzbekistan (violation of the order of organizing or holding meetings, rallies, street marches or demonstrations) and sentenced to five days of detention.

## **b. Case of Fozilhuji Arifkhodjaev**

Fozilhuji Arifkhodjaev, a prominent Muslim blogger known for his public criticism of the Uzbek government and pro-government journalists, was arrested on June 28, 2021, in connection with a dispute with a Tashkent cleric and religious blogger, Abror Abduazimov. Two days earlier, Arifkhodjaev had confronted Abduazimov at a mosque where he was preaching, calling him a “hypocrite.” For this incident, the authorities charged Arifkhodjaev with “petty hooliganism,”<sup>75</sup> an administrative offense for which a court sentenced him to the statutory maximum of 15 days detention on the same day he was charged.<sup>76</sup>

Yet Arifkhodjaev was never released. On the day he was due to complete his sentence, the authorities charged him with the criminal offense of “distributing or displaying materials containing a threat to public security and public order using mass media or telecommunication, or the internet,” carrying a sentence of up to eight years’ imprisonment.<sup>77</sup> His alleged offense was a March 6, 2021 Facebook post in which he criticized Abduazimov for congratulating non-Muslims on their religious holidays.<sup>78</sup>

Arifkhodjaev was remanded directly to pre-trial detention on July 13, 2021, where he remained for the following seven months. His lawyer reported that during Arifkhodjaev’s detention, he was repeatedly denied access to his lawyer, subjected to ill-treatment and abuse amounting to torture, and denied adequate medical care.<sup>79</sup>

On January 26, 2022, the Criminal Court of the Olmazar district of Tashkent handed down a verdict finding Arifkhodjaev guilty as charged and sentencing him to seven years and six months of imprisonment.<sup>80</sup> According to several “expert opinions” presented by the prosecution and reviewed in the judgment, the Facebook posts were assessed as containing “insulting circumstances”<sup>81</sup> and were “saturated with fundamentalist ideas.”<sup>82</sup> On the basis of such “expertise,” the court found that Arifkhodjaev’s guilt had been “fully proven,” sentenced him, and ordered that the physical evidence in the case – Arifkhodjaev’s cellular phone – be destroyed.<sup>83</sup>

Arifkhodjaev’s lawyer stated that the trial was not fair, and the court had admitted illegally obtained evidence and categorically refused defense evidence and requests for independent

expertise, despite the questionable nature of the prosecution's expert witnesses.<sup>84</sup> In spite of this, on March 10, 2022, Tashkent's Criminal Court of Appeal upheld his conviction and sentence.<sup>85</sup> He is currently serving out his sentence in a penal colony in the Navoi region of Uzbekistan.

### c. **Case of Sobirjon Babaniyazov**

Sobirjon Babaniyazov, a 31-year-old blogger and father of three, was among the first to be charged under Uzbekistan's new criminal provision for "insulting" the president on social media. On April 18, 2021, Babaniyazov was arrested and charged under Article 158, part 3 of the Criminal Code in relation to two short videos and two audio messages he had posted on another person's Telegram channel that had 20 followers. According to the authorities, these messages contained language that was insulting to the president and his daughter.

Babaniyazov was immediately remanded to pretrial detention, where he remained until the conclusion of the proceedings. During his trial, the blogger stated that he was intoxicated when he posted the messages, that he was sincerely remorseful, and that the statements were borne simply of frustration with the situation in the region where he lives, where the gas supply was cut off, the roads were in disrepair, and unemployment is high.<sup>86</sup>

On February 3, 2022, the Hazarasp District Criminal Court in Khorezm region found Babaniyazov guilty of insulting the president. The court in its judgment found that Babaniyazov's messages to other bloggers were "insulting and belittling the dignity of [former] President Karimov and President Mirziyoyev." As an example, the court cites one short video in which Babaniyazov is seen throwing one of his slippers, saying "this is Karimov," and then throwing the other slipper, saying "this is Mirziyoyev."<sup>87</sup>

For such "insulting" messages, the court sentenced Babaniyazov to three years in prison.<sup>88</sup> He is currently serving his sentence.<sup>89</sup>

### d. **Case of Miraziz Bazarov**

Miraziz Bazarov is a well-known Uzbek activist, blogger, and outspoken critic of the government. Through a very active social media presence, Bazarov has advocated for decriminalization of same-sex conduct in Uzbekistan and criticized the alleged corruption and lack of transparency of the country's government, including in relation to the use of international funding to address COVID-19.

After receiving hundreds of death threats for his advocacy work, on March 28, 2021 Bazarov was severely beaten at his home by a group of unknown assailants, one of whom had a baseball bat.<sup>90</sup> The attack took place several hours after an event he had organized in the capital for fans of Japanese anime and K-Pop was violently disrupted by a mob of aggressive men who beat several participants in the event.<sup>91</sup> The attack resulted in his hospitalization for over a month with traumatic brain injury, a compound leg fracture, and extensive bruising. While he was in hospital, the police conducted warrantless searches of Bazarov's and his mother's homes and seized laptops, video cameras, and mobile phones.<sup>92</sup>

Just as he was due to be released from the hospital, on April 29, 2021 Bazarov was taken into custody for interrogation under suspicion of the criminal offense of slander.<sup>93</sup> The investigation stemmed from an October 2020 TikTok post in which Bazarov stated that "school is a place where old slaves and losers teach children to be slaves and losers."<sup>94</sup> The Tashkent authorities claimed that between April 1 to April 20, 2021, the police had received 28 reports from citizens, in addition to a joint report from the teachers of a Tashkent school, complaining about Bazarov's comments, which they found offensive.<sup>95</sup> The same day, Bazarov was charged with

slander and placed by order of the Mirabad District Court under house arrest, prohibited from using the Internet or telephone or communicating with anyone outside.<sup>96</sup>

Bazarov was later charged with an additional count of slander in relation to complaints by three Islamic and pro-government bloggers, who Bazarov alleged had themselves slandered him and called for threats against him.<sup>97</sup>

On January 21, 2022, Bazarov was convicted following a two-day trial from which journalists had been excluded and in which video and audio recording were prohibited. Having found Bazarov guilty of slander, the court sentenced him to three years of restricted liberty, the conditions of which include prohibitions on leaving Tashkent, leaving his house during hours set by police, using the Internet, and working as a psychologist, which is his profession.<sup>98</sup>

On March 4, 2022, the Tashkent City Court rejected Bazarov's appeal, leaving his verdict and sentence unchanged.<sup>99</sup>



**Vazira Egamberdieva  
in front of Mirzo Ulugbek  
district administrative court,  
Tashkent, February 24, 2022.**  
© Ozodlik

#### **e. Case of Vazira Egamberdieva**

Vazira Egamberdieva is a 74-year-old human rights activist and a retired teacher.<sup>100</sup> On February 20, 2022, she was charged with the administrative offense of “creating conditions for unauthorized gatherings, rallies, street marches and demonstrations”<sup>101</sup> and summoned to the Mirzo District Criminal Court for a trial the following day.<sup>102</sup>

The authorities alleged that Egamberdieva committed the offense by holding an unauthorized meeting of the opposition political party “Truth, Development, and Unity.” At trial, Egamberdieva maintained her innocence. She admitted that about 10 members of the party met in her house, but insisted that the discussion revolved around the events in



Kazakhstan, not the affairs of the party, and that holding such a discussion does not require government authorization. She also stated that she would demand that the President of Uzbekistan pay her fine, since she had relied upon his public statements that an opposition party should be created in the country.<sup>103</sup>

She was found guilty and ordered to pay a “mild” fine of 1.35 million UZS (approximately \$123 US) due to mitigating circumstances relating to her age and personal situation.<sup>104</sup> Egamberdieva’s lawyer complained that the court would not grant his requests to question the alleged victims and witnesses of the offense.<sup>105</sup>

On March 16, 2022, the Tashkent City Court upheld the verdict and sentence of the lower court.<sup>106</sup>



**Valijon Kalonov**  
**in a psychiatric**  
**clinic**, Samarkand,  
February 3, 2022.  
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#### f. **Case of Valijon Kalonov**

Valijon Kalonov is a social media activist, blogger, and a harsh critic of the Uzbek government, including its president.<sup>107</sup> On October 21, 2021, Kalonov was arrested following his posting of a video address in which he criticized Mirziyoyev’s handling of relations with China and Putin and involvement in corruption. He urged Mirziyoyev not to run for re-election; and called for a citizens’ boycott of the upcoming elections.<sup>108</sup> For these remarks, Kalonov was the first person to be charged with the newly introduced criminal offense of “insulting the president,”<sup>109</sup> as well as “making, storing, distributing and displaying materials that threaten public safety and public order using social media.”



**“We demand the release of Valijon Kalonov from Jizzakh psychiatric clinic.”**

Elena Urlaeva and fellow rights activists picketed outside the psychiatric clinic in Jizzakh where Valijon Kalonov was transferred from Samarkand, January 4, 2022.  
© Elena Urlaeva



The prosecution argued that Kalonov’s appeal to the Uzbek voters to rally against the president in the lead-up to the elections and to remove him from power, constituted “extremist ideas.”<sup>110</sup>

A court-appointed expert witness testified that Kalonov was mentally ill, had no understanding of his criminal actions at the time they were committed, and was therefore unfit to stand trial. The expert further stated that Kalonov’s “mental state and illness could be dangerous to society” and he should therefore “be sent for compulsory treatment in a special department of a psychiatric clinic.”<sup>111</sup>

The court’s order did not specify the term or procedure for eventual review of this compulsory “treatment.” Kalonov therefore remains detained indefinitely in the regional psychoneurological dispensary in Jizzakh, a closed, maximum security psychiatric facility.<sup>112</sup>

#### **g. Case of Ruslan Khairnurov**

Ruslan Khairnurov is a blogger, ecologist, and environmental activist associated with the non-governmental group “Save Samarkand.” The organization has been active in efforts to preserve Zarafshan National Natural Park, which they allege has been subject to illegal logging by governmental authorities under the pretext of “cleaning.”<sup>113</sup> Khairnurov has also conducted investigations of alleged corruption among high level Uzbek authorities.<sup>114</sup>

On December 17, 2021, Khairnurov was charged with the criminal offense of slander<sup>115</sup> for sharing a Facebook post that accused a public official of obtaining his post through a bribe. Khairnurov was arrested ten days later, and, on appeal, his pretrial detention was amended to house arrest.<sup>116</sup>

The authorities alleged that Khairnurov knowingly shared false information. Reportedly neither the original author of the post, nor any of the other individuals who shared it, were charged.<sup>117</sup>



**Ruslan Khairurov**, Samarkand,  
January 2022. © Ezgulik

The Samarkand City Criminal Court in its verdict found that Khairurov “deliberately defamed” the public official by spreading false news about him, although Khairurov testified at his trial that he deleted the post immediately when he learned that it was not true.<sup>118</sup> In spite of this, the court held that he “knowingly posted a large amount of fabricated information that would embarrass” the official and found him guilty of slander. The offense carries a maximum of up to three years’ restraint of liberty, but the court commuted his sentence, in part because the alleged victim stated in court that he did not want to pursue any claim against Khairurov.<sup>119</sup>

#### **h. Case of Doniyor Mavlonov**

Doniyor Mavlonov is a blogger, activist, and the administrator of a Facebook group called “Civil control in Jizzakh,” which deals with social issues in his city. In service to this group, Mavlonov posts content that is critical of the local authorities, including asking them to improve services in certain areas or visit the residents of the area to hear their concerns.

On July 5, 2021, Mavlonov posted on the group: “On June 30, 2021, a 6-year-old pupil died suddenly in one of the kindergartens in Yangiabad district. In order to eliminate misunderstandings in this regard, we would like to request an official comment from the press service of Yangiabad district administration as soon as possible.”

For this post, the authorities charged Mavlonov with the administrative offense of “privacy violation,”<sup>120</sup> claiming that Mavlonov had revealed the “secret information” of the family who had lost their child. During his trial on August 10, 2021, Mavlonov defended the post on public interest grounds, pointing out that he did not identify the child, parents, or even the school name in the post, and that the demand for information was legitimate since the authorities had failed to explain the accident for five days after it occurred.<sup>121</sup> The regional head of preschool education herself made a public statement that the post prompted her to personally open an investigation and that she did not see any evidence of ill-will on Mavlonov’s part.<sup>122</sup>

Nevertheless, the Yangiabad District Administrative Court found Mavlonov guilty of a “privacy violation” and fined him 2.45 million UZS (approximately \$225).<sup>123</sup> On appeal, the Jizzakh Regional Court upheld the verdict and sentence.<sup>124</sup>

At the third instance, however, the Uzbekistan Supreme Court vacated the verdict and remanded the case for reconsideration. Its April 6, 2022 decision held that the lower courts failed to consider relevant factors in determining Mavlonov’s guilt, including that he made the Facebook post at issue pursuant to his civil activities, his message did not contain information of a personal nature, and that the death of a person is not classified information.<sup>125</sup>

Mavlonov stated to the press that he believes the case was motivated by his blogging that is critical of the local authority.<sup>126</sup> Following retrial, on April 21, 2022, Jizzakh Regional Administrative Court heard the case and ruled that Doniyor Mavlonov did not violate the law.<sup>127</sup>

**Prisoner transport van with Otabek Sattoriy entering Muzrabad district criminal court, Surkhandarya, April 2, 2021.**  
© Effect.uz



#### **i. Case of Otabek Sattoriy**

Otabek Sattoriy is a well-known activist, blogger, and investigative journalist. Through his Telegram, YouTube, and Facebook channels, Sattoriy frequently reported on allegations of corruption and human rights violations by government authorities in the Surkhandarya region, including the governor.<sup>128</sup> His hands-on reporting style often featured videos of him touring relevant sites to show the government’s failure in addressing urgent issues such as unpaved roads, government construction projects, gas and electricity shortages, and food prices.<sup>129</sup>

On January 30, 2021, Sattoriy was arrested on suspicion of extortion. The authorities alleged that Sattoriy had threatened the head of a local bazaar with publishing unfavorable information unless the man bought him a new mobile phone.<sup>130</sup> The following day, the Termez city Criminal Court remanded Sattoriy to pretrial detention in a closed session. On February 5, the court denied his lawyer’s request to release him on bail.<sup>131</sup>

Sattoriy’s lawyer called the case “fabricated,” stating that Sattoriy had arrived at the bazaar to film one of his videos showing that the local authorities were not complying with governmental regulations on food prices.<sup>132</sup> When he arrived at the bazaar, security guards





**“Freedom to Otabek Sattoriy”**

Supporters of Otabek Sattoriy gather outside Muzrabad court, Surkhandarya, May 4, 2021.  
© Effect.uz

prevented him from entering, then took away and broke his mobile phone before returning it. Following this incident, the head of the bazaar contacted Sattoriy on the phone and offered to replace the phone that the security guards broke. The man met Sattoriy in front of his house with the new phone. As soon as Sattoriy accepted it, plainclothes police officers appeared and arrested him.<sup>133</sup>

Less than a week later, Sattoriy was charged with the additional administrative offenses of slander, insult, and dissemination of false information in connection with his publication of materials accusing local government officials of embezzlement and other crimes in January 2021.<sup>134</sup> In a closed session on February 11, the Termez City Criminal Court found him guilty of all the charges and fined him 9.8 million UZS (approximately US \$897).<sup>135</sup>

On February 24, 2021, Sattoriy was charged a slew of crimes including extortion, criminal slander, and criminal insult, stemming from his critical reporting on local issues between 2018 and 2020.<sup>136</sup> On May 10, 2021, the Muzrabot District Court of Surkhandarya region found Sattoriy guilty of four counts of extortion and one count of slander and sentenced him to six-and-a-half years in prison.<sup>137</sup> The Samarkand Regional Criminal Court<sup>138</sup> and Uzbekistan’s Supreme Court upheld the verdict and sentence on appeal.<sup>139</sup>

Sattoriy’s case garnered extensive local and international media attention, to which the Uzbek authorities responded with threats of criminal liability for journalists and activists commenting on the case.<sup>140</sup> Sattoriy is currently serving his sentence in the maximum-security prison colony in Navoi.<sup>141</sup> On March 16, 2023, the UN Working Group on Arbitrary Detentions found that Sattoriy had been unlawfully imprisoned and recommended his immediate release, compensation, and rehabilitation.<sup>142</sup>

**j. Case of Akmal Sharopov**

Akmal Sharopov is a human rights defender, and activist who has spoken out against torture in Uzbekistan’s state penitentiary facilities.<sup>143</sup> Sharopov personally experienced torture and other ill-treatment at the hands of the Uzbekistan State Security Service (SSS) while imprisoned for nearly a decade for charges related to his human rights work that were decried by observers as politically motivated.<sup>144</sup>

Sharopov, who was a sharp critic of the Bukhara authorities and fought for the rights of farmers in the region, spent 10 years in detention following his arrest in 2010 and subsequent conviction for “violation of the constitutional system”<sup>145</sup> and “preparation, storage, distribution or display of materials that threaten public safety and public order.”<sup>146</sup> While serving his initial seven-year prison term, his sentence was extended for “disobedience of



**Akmal Sharopov,**  
Bukhara,  
August 12, 2022.  
© Akmal Sharopov

prison rules,” a provision of Uzbekistan’s Criminal Code that has been used to keep political prisoners in detention indefinitely.<sup>147</sup>

Following Sharopov’s release in 2019, he was charged with committing several new crimes in relation to a song from a “terrorist organization” that had allegedly been discovered on his mobile phone. Sharopov firmly denied the allegations, posting a video on Facebook in January 2021 stating that he had been targeted for his human rights work, along with several other lawyers, and that they had all been brutally tortured in prison.<sup>148</sup> In the video, he denounced the most recent charges as fabricated and punishment for his human rights work.<sup>149</sup>

On January 14, 2021, the Bukhara District Court found Sharopov guilty of “preparing, storing, distributing or exhibiting materials that threaten public safety and public order” and sentenced him to three years’ imprisonment.<sup>150</sup> The Navoi Regional Criminal Court upheld the verdict and sentence.<sup>151</sup> On January 25, 2022, the Supreme Court of Uzbekistan rejected Sharopov’s appeal, dismissing his lawyer’s extensive grounds for appeal in vague terms.<sup>152</sup>

The cassation panel of the Supreme Court of Uzbekistan on August 11, 2022, reversed the decision of the Bukhara District Court of First Instance and released Akmal Sharopov in the courtroom.<sup>153</sup>

## 6. Analysis

The cases against bloggers and activists in Uzbekistan described above demonstrate a pattern of repression by the Uzbek authorities in recent years that is inconsistent with its obligations under international human rights law. Contrary to President Mirziyoyev's professed commitment to ensuring that journalists and bloggers can report openly and honestly on the situation in the country, many such individuals are currently facing – or have already been subjected to – severe penalties merely for doing their jobs or expressing their personal opinions in the public sphere.

Uzbekistan signed and ratified the International Covenant for Civil and Political Rights (ICCPR or the Convention) in 1995.<sup>154</sup> The treaty guarantees certain fundamental rights to persons under the control of state parties, including the rights to freedom of expression, assembly, and association, the right to be free from arbitrary detention, and the right to a fair trial. The sections below analyze each of these rights under international and domestic law in Uzbekistan in relation to the current situation for bloggers and activists.

### Freedom of Expression

Article 19(2) of the ICCPR provides that “[e]veryone shall have the right to freedom of expression,” including “freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.” This right extends specifically to political discourse, journalism, and religious expression, among others. Furthermore, it encompasses expression that may be considered “deeply offensive.”<sup>155</sup> Under the Convention, this right may be limited only under extremely narrow circumstances: in order to ensure respect for the rights or reputations of others, to protect national security or public order, or to protect public health or morals.<sup>156</sup>

The Constitution of the Republic of Uzbekistan also guarantees “freedom of thought, speech and convictions,” but allows for restriction of the right under vaguely defined circumstances, such as “that which is directed against the existing constitutional system and in some other instances specified by law” or where state secrets are involved.<sup>157</sup>

The United Nations Human Rights Committee (the Committee), the body that interprets and monitors compliance with the ICCPR, has clarified that any restrictions on the freedom of expression: 1) must be provided by law; 2) may be imposed only for an aim that is expressly mentioned in Article 19; and 3) must be strictly necessary to achieve one of those permissible aims and proportionate.<sup>158</sup> The Committee has expressly stated that it is incompatible with Article 19 for a state party to adopt laws “to suppress or withhold from the public information of legitimate public interest that does not harm national security”; in addition, it is impermissible “to prosecute journalists, researchers, environmental activists, human rights defenders, or others, for having disseminated such information.”<sup>159</sup>

“[U]nrestricted expression” is of paramount importance to democratic discourse with regards to information of public interest “concerning figures in the public and political domain.”<sup>160</sup> The Committee has unequivocally stated that penalization of journalists “solely for being critical of government” or the existing political system “can never be considered to be a necessary restriction of freedom of expression.”<sup>161</sup> For purposes of the Convention, bloggers and other informal media actors qualify as journalists who are to be accorded this freedom.<sup>162</sup>

The Human Rights Committee has previously found Uzbekistan in violation of Article 19 in relation to its treatment of activists and journalists.<sup>163</sup> In *M.T. v. Uzbekistan*, for example, the Committee determined that the Uzbek authorities had violated the freedom of expression of



the applicant, an independent journalist, when it arrested, tortured, charged, and imprisoned her for her work, including holding a picket to protest human rights violations by the government.<sup>164</sup>

The situation for independent journalists in Uzbekistan continues to violate the Article 19 right to freedom of expression, as recognized by the Human Rights Committee itself in its recent reporting.<sup>165</sup> Although the cases described above involve restriction of this right by law, certain provisions of the law itself constitute violations of this fundamental right. Compounding this wrong, such provisions are applied discriminately to silence and intimidate dissenting voices.

Of particular concern is the latest amendment to the Criminal Code of Uzbekistan proscribing online speech that “insults or defames” the president.<sup>166</sup> In line with the comments of the Human Rights Committee, “uninhibited expression” in relation to matters of public interest – specifically with regards to “figures in the public and political domain” – represents a critical component of the rights guaranteed by the ICCPR.<sup>167</sup> Such public figures must perforce include those occupying the highest positions of any national government – up to and including the president. By attempting to restrict legitimate public discourse about the quality and integrity of government through criminalization of speech that is “insulting” to the president, the Uzbek authorities have violated their Article 19 obligations.

Taking into consideration the requirements of the ICCPR, each of the case studies described above appears to demonstrate a violation of the right to freedom of expression by the Uzbek authorities that targets journalists, bloggers, and activists. Some of the cases described above indicate a *prima facie* violation of Article 19 since they involve the prosecution of individuals merely for expressing their viewpoints about government or other authority figures, while others appear to have been targeted with spurious charges as punishment for their exercise of this right.

The prosecutions of individuals including Sobirjon Babaniyazov, Miraziz Bazarov, Valijon Kalonov, and Ruslan Khairnurov under criminal provisions such as “insulting the president,” “public insult,” “defamation,” and “privacy violation” constitute *per se* violations of the right to freedom of expression, since the opinions or information they expressed could in no way harm national security.

Similarly, the government is violating the rights of the above-mentioned bloggers and activists who have been prosecuted for the creation or distribution of “materials that threaten public safety and public order,” including Fozilhuji Arifkhodjaev, Valijon Kalonov, and Akmal Sharopov, since the application of such restriction in their specific cases does not serve a legitimate interest permitted by the ICCPR. Under no circumstances can the statements they made or materials they allegedly possessed be considered a threat to national security, public order, or public morals. In certain cases, the Uzbek authorities have asserted other grounds for restriction of the right – that the prosecutions serve to protect the rights or reputations of others – but even these justifications fall far short of what is required by the Convention.

Finally, in some cases it appears that the Uzbek government is indirectly suppressing the right to freedom of expression by imprisoning outspoken bloggers on fabricated charges. Otabek Sattoriy, who was prosecuted for extortion under highly dubious circumstances, appears to have been targeted in retaliation for his critical viewpoints, suggesting an underlying violation of his freedom of expression. This was confirmed by the opinion of the UN Working Group on Arbitrary Detentions of February 10, 2023.<sup>168</sup>

Perhaps most alarmingly, such discriminatory and targeted prosecutions are coming on the heels of wide-scale reform ostensibly aimed at greater openness and freedom for journalists

and civil society, including President Mirziyoyev's personal assurances that such activities would be tolerated. As one human rights group, the Uzbek Forum for Human Rights, has stated in the context of prosecution of journalists: "[p]ublic commitments made by the President on human rights create a false sense of security and can have drastic consequences when they are taken at face value and then randomly reneged upon."<sup>169</sup> Many of the bloggers and activists described in the preceding section have begun or enhanced their activities since 2016 and the president's public urging for such individuals to report honestly and fairly what they see. In light of the wave of prosecutions – and lengthy prison sentences – that many of these individuals have faced, the president's previous words not only ring hollow, but may even have laid a trap for many journalists and bloggers who believed them to be true.

## Right to Freedom of Assembly

Article 21 of the ICCPR provides for the right of peaceful assembly and proscribes any restrictions on this right "other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others."

Participation in an assembly generally involves "organizing or taking part in a gathering of persons for a purpose such as expressing oneself, conveying a position on a particular issue or exchanging ideas" or for other purposes such as "to assert or affirm group solidarity or identity."<sup>170</sup> As such, freedom of peaceful assembly implicates other important rights, such as freedom of expression, association, and political participation.<sup>171</sup>

States parties to the ICCPR have an affirmative duty to facilitate peaceful assemblies<sup>172</sup> and must also protect participants in such assemblies from discriminatory attacks.<sup>173</sup> Similarly to the freedom of expression, the freedom of peaceful assembly may only be restricted subject to the principles of legality, necessity, and proportionality.<sup>174</sup>

The Human Rights Committee emphasizes that, given their important role in protecting this right, journalists and others who monitor or report on assemblies should not be restricted or prevented from performing their duties and must not face harassment or reprisals.<sup>175</sup> Furthermore, the Committee has pointed out that limiting telecommunications access may interfere with the right to peaceful assembly.<sup>176</sup> In the context of Uzbekistan, the Committee has previously found that the authorities violated the Convention rights to peaceful public assembly and expression by arresting, prosecuting, and fining peaceful protestors who publicly objected to government practices.<sup>177</sup>

As demonstrated by the context and case studies above, there are several clear indications that the Uzbek authorities continue to unduly restrict the right to peaceful public assembly and are punishing journalists, bloggers, and activists for their roles in such assemblies. In Miraziz Bazarov's case, for example, the facts suggest that his right to freedom of assembly was violated by the government's failure to protect him and other participants from violent and discriminatory violence by a mob of aggressive men. In addition, the timing of his prosecution for slander and insult – relating to a social media post more than five months prior – suggests retaliation for his organization of the assembly, which would itself constitute a severe violation of his right to public assembly.

The events in Karakalpakstan, particularly the restriction of Internet and mobile services and the detention and threatening of journalists during the protests, also suggest a limitation on freedom of assembly that runs afoul of the Convention's requirements.

## Freedom of Association

The Uzbek government also appears to be impinging upon freedom of association through its actions against some journalists and bloggers. Article 22(1) of the ICCPR provides that “[e]veryone shall have the right to freedom of association with others...” This right may only be restricted by a state party if such restriction is established by law and necessary and proportionate to a legitimate aim.<sup>178</sup> In *M.T. v. Uzbekistan*, the Human Rights Committee found that the authorities violated the complainant’s right to freedom of association because it charged and imprisoned her for the establishment of an unregistered public organization.<sup>179</sup>

Several of the cases described above appear to involve a violation of the Article 22 right. For example, Vazira Egamberdieva was charged, convicted, and fined merely for hosting a meeting of a political party at her house – a clear violation of the right to freedom of association. In Ruslan Khairnurov’s case, the circumstances of his prosecution for defamation – in particular the fact that he alone was prosecuted for reposting an allegedly defamatory message, when even the post’s author was not charged – suggests that the process may actually have been initiated in retaliation for his association with an NGO that has been critical of the government.

## Right to be Free from Arbitrary Detention

The ICCPR proscribes deprivation of liberty that is unlawful or arbitrary.<sup>180</sup> Detention is “unlawful” when it is not in accordance with a procedure established by domestic and applicable international law.<sup>181</sup> To determine whether detention is arbitrary, it is necessary to consider “elements of inappropriateness, injustice, lack of predictability and due process of law, as well as elements of reasonableness, necessity and proportionality.”<sup>182</sup> For this reason, pretrial detention “must be reasonable and necessary in all the circumstances,”<sup>183</sup> based on an individualized determination of such, and only for narrow circumstances such as to prevent flight, evidence tampering, or recurrence of the crime.<sup>184</sup> Furthermore, any arrest or detention that is imposed to punish an individual for exercising their legitimate rights under the ICCPR – including the rights to freedom of expression and association – is *per se* arbitrary.<sup>185</sup>

It appears from the circumstances that many of the journalists and bloggers whose cases are described in this report have been – and continue to be – subjected to arbitrary detention by the Uzbek government. The imposition of pretrial detention on all of the individuals who faced charges punishable by imprisonment does not suggest that the use of this measure was constrained only to situations where it was “reasonable and necessary,” particularly since none of the journalists and bloggers described above was accused of a violent crime.

Furthermore, the pretrial detention and prison sentences of Fozilhuji Arifkhodjaev, Sobirjon Babaniyazov, Miraziz Bazarov, and Akmal Sharopov are *per se* arbitrary detention since their arrests and prosecutions were in direct violation of their right to freedom of expression. The pretrial detention and imprisonment of Otabek Sattoriy also likely constitutes arbitrary detention since, as noted above, the circumstances of their prosecutions suggest they were being punished for exercising their legitimate right to freedom of expression.

In the case of individuals with mental disabilities, the Convention also strictly proscribes any kind of deprivation of liberty unless it is “necessary and proportionate, for the purpose of protecting the individual in question from serious harm or preventing injury to others.” Furthermore, such detention must be considered “only as a last resort” and “for the shortest appropriate period of time.”<sup>186</sup> Even in such circumstances, the deprivation of liberty of an individual with mental disabilities must take place only in the presence of adequate legal safeguards and must be reviewed periodically to assess its ongoing necessity, taking into account the best interests of the individual.<sup>187</sup>

In light of these standards, the indefinite commitment of Valijon Kalonov to a psychiatric institution plainly violates the Convention's guarantees. The court that ordered the detention made no effort to justify his deprivation of liberty as "necessary and proportionate", and the facts of the case do not support the proposition that he could have been dangerous to himself or others. He was accused of no violent crime, but rather – in a pattern consistent with the other cases described in this report – targeted for his criticism of the president and Uzbek government. Even more egregiously, the court failed to put into place any procedure for review or revision of his mandatory treatment in the facility, clearly demonstrating the arbitrariness of his detention.

### **Fair Trial Rights**

The circumstances reported in the arrest, investigation, and trials of several of the journalists and bloggers described above suggest that their rights to a fair trial – which include the right to call witnesses, to present evidence in one's favor, and to be presumed innocent<sup>188</sup> – may also have been violated by the proceedings against them.

For example, Vazira Egamberdieva's lawyer has publicly complained that he was not permitted to call and examine witnesses in his client's defense at her trial. Similarly, the attorney of Fozilhuji Arifkhodjaev stated that his client was convicted on the basis of illegally obtained evidence and that the defense was not allowed to present evidence or call witnesses. These circumstances, if established, would constitute violations of the right to a fair trial under the ICCPR.

## 7. Recommendations

- The Uzbek government should decriminalize insult, defamation, and insulting the president online, as the existence of these offenses in Uzbek law has a chilling effect on the exercise of free speech and risks violating the right to freedom of expression guaranteed by Article 19 of the ICCPR.
- The Uzbek authorities should stop prosecuting journalists, bloggers, and activists for their legitimate work, which violates the right to freedom of expression and may violate other fundamental rights such as freedom of peaceful assembly and association.
- The Uzbek presidency should immediately grant pardons to all journalists, bloggers, and activists – including the individuals whose cases are described in this report – and ensure that those who are currently imprisoned are swiftly released and rehabilitated.
- The Uzbek government should take measures to guarantee the right to peaceful public assembly for all individuals under its jurisdiction and refrain from prosecuting journalists and bloggers who cover such assemblies.
- The Uzbek government and judiciary should ensure that all trials in the country are carried out with full respect for defendants' right to a fair trial and right to presumption of innocence under Article 14 of the ICCPR.

## Endnotes

- 1 H.E. Mr. Shavkat Mirziyoyev, the President of the Republic of Uzbekistan, Address at the U.N. G.A.-72 (Sep. 19, 2017), [https://www.un.int/uzbekistan/fr/statements\\_speeches/address-he-mr-shavkat-mirziyoyev-president-republic-uzbekistan-unga-72](https://www.un.int/uzbekistan/fr/statements_speeches/address-he-mr-shavkat-mirziyoyev-president-republic-uzbekistan-unga-72).
- 2 See, e.g., Farangis Najibullah, *In Unprecedented Lawsuits, Former Uzbek Political Prisoners Seek Compensation From Tashkent*, RADIO FREE EUR. RADIO LIBERTY [HEREINAFTER RFE/RL] (OCT. 9, 2020), [HTTPS://WWW.RFERL.ORG/A/IN-UNPRECEDENTED-LAWSUITS-FORMER-UZBEK-POLITICAL-PRISONERS-SEEK-COMPENSATION-FROM-TASHKENT/30884276.HTML](https://www.rferl.org/a/in-unprecedented-lawsuits-former-uzbek-political-prisoners-seek-compensation-from-tashkent/30884276.html); SEE ALSO *UZBEKISTAN: FREEDOM HOUSE WELCOMES RELEASE OF POLITICAL PRISONERS*, FREEDOM HOUSE (AUGUST 31, 2020), [HTTPS://FREEDOMHOUSE.ORG/ARTICLE/UZBEKISTAN-FREEDOM-HOUSE-WELCOMES-RELEASE-POLITICAL-PRISONERS](https://freedomhouse.org/article/uzbekistan-freedom-house-welcomes-release-political-prisoners).
- 3 See National Report Submitted in Accordance With Paragraph 5 of the Annex to Human Rights Council Resolution 16/21, paras. 10-11, U.N. Doc. A/HRC/WG.6/30/UZB/1 (Feb. 26, 2018).
- 4 See *World Report 2019: Uzbekistan*, HUM. RTS. WATCH (HRW) (2019), [HTTPS://WWW.HRW.ORG/WORLD-REPORT/2019/COUNTRY-CHAPTERS/UZBEKISTAN](https://www.hrw.org/world-report/2019/country-chapters/uzbekistan) [HEREINAFTER HRW, *UZBEKISTAN 2019*].
- 5 See *Freedom in the World 2018: Uzbekistan*, FREEDOM HOUSE, PART E.2, [HTTPS://FREEDOMHOUSE.ORG/COUNTRY/UZBEKISTAN/FREEDOM-WORLD/2018](https://freedomhouse.org/country/uzbekistan/freedom-world/2018) (LAST VISITED JUN. 1, 2023).
- 6 See HRW, *Uzbekistan 2019*, *supra* note 4.
- 7 See *Freedom in the World 2022: Uzbekistan*, FREEDOM HOUSE (2022), OVERVIEW, [HTTPS://FREEDOMHOUSE.ORG/COUNTRY/UZBEKISTAN/FREEDOM-WORLD/2022](https://freedomhouse.org/country/uzbekistan/freedom-world/2022) (LAST VISITED JUN. 1, 2023) [HEREINAFTER FREEDOM HOUSE, *UZBEKISTAN 2022*]; SEE ALSO *WORLD REPORT 2022: UZBEKISTAN*, HRW 726 (2022), [HTTPS://WWW.HRW.ORG/SITES/DEFAULT/FILES/MEDIA\\_2022/01/WORLD\\_REPORT\\_2022\\_WEB\\_PDF\\_0.PDF](https://www.hrw.org/sites/default/files/media_2022/01/World_Report_2022_Web_PDF_0.pdf) [HEREINAFTER HRW, *UZBEKISTAN 2022*] (“UZBEKISTAN’S POLITICAL SYSTEM REMAINS DEEPLY AUTHORITARIAN.”).
- 8 See *O.D.I.H.R. Election Observation Mission Final Report: Republic of Uzbekistan Presidential Election October 24, 2021*, ORG. FOR SEC. AND COOP. IN EUR. (OSCE) OFF. FOR DEMOCRATIC INST. AND HUM. RTS.(ODIHR) (APR. 22, 2022), [HTTPS://WWW.OSCE.ORG/FILES/F/DOCUMENTS/9/E/516435\\_0.PDF](https://www.osce.org/files/f/documents/9/e/516435_0.pdf); SEE ALSO FREEDOM HOUSE, *UZBEKISTAN 2022*, *supra* note 7, at A.1.
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- 10 See FREEDOM HOUSE, *UZBEKISTAN 2022*, *supra* note 7.
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- 16 See “Slozhno, No My Uchim’sia.” Prezident — O Rabote v Atmosfere Svobody Slova («Сложно, но мы учимся». Президент — о работе в атмосфере свободы слова) [“It’s Difficult, But We’re Learning.” The President on Working in an Atmosphere of Freedom of Speech], GAZETA.UZ (DEC. 29, 2020) (Russ.), [HTTPS://WWW.GAZETA.UZ/RU/2020/12/29/PRESS/](https://www.gazeta.uz/ru/2020/12/29/press/) (“OF COURSE, SHARP AND CRITICAL MATERIALS ARE NOT LIKED BY MANY LOCAL OFFICIALS, THEY VIOLATE THEIR CALM AND CAREFREE EXISTENCE. BUT PUBLICITY AND FREEDOM OF SPEECH IS THE REQUIREMENT OF THE TIME, THE REQUIREMENT OF REFORMS IN UZBEKISTAN.... OVER THE PAST FOUR YEARS, WE HAVE BEEN LEARNING TO LIVE AND WORK IN THE ATMOSPHERE OF PUBLICITY AND OPENNESS, FREEDOM OF SPEECH CREATED IN OUR SOCIETY. IT’S HARD, BUT WE’RE LEARNING. FAIR CRITICISM OF OBJECTIVE JOURNALISTS AND BLOGGERS POINTS TO THE MISTAKES AND SHORTCOMINGS OF THE OLD-FASHIONED LEADERS, FORCING THEM TO CHANGE THEIR WORK STYLE AND INCREASE THEIR RESPONSIBILITY.”).
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- 26 *Uzbekistan*, REPORTERS WITHOUT BORDERS (RSF), [HTTPS://RSF.ORG/EN/COUNTRY/UZBEKISTAN](https://rsf.org/en/country/uzbekistan) (LAST VISITED JUN. 1, 2023); FREEDOM HOUSE, *UZBEKISTAN 2022*, SUPRA NOTE 7, AT D.1.
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- 88 *Id.*, at 5; *see also* *Bloger Osuzhdën Na Tri Goda Za Oskorblenie Prezidentov (Блогер осуждён на три года за оскорбление президентов)* [Blogger sentenced to three years for insulting the presidents], GAZETA.UZ (FEB. 8, 2022) (RUSS.), [HTTPS://WWW.GAZETA.UZ/RU/2022/02/08/PRESIDENTS/](https://www.gazeta.uz/ru/2022/02/08/presidents/).
- 89 *Id.*
- 90 *Khurmat Bazarov, Blogera Bazarova, Kritikovavshego Mirzijaeva I Trebovavshego Otmeny Uголовnoj Stat'i Za Muzhelozhestvo, Osudili Na 3 Goda Ogranichenija Svobody (Блогера Базарова, критиковавшего Мирзияева и требовавшего отмены уголовной статьи за мужеложество, осудили на 3 года ограничения свободы)*[A Blogger Who Criticized Mirziyev and Demanded the Abolition of the Criminal Article for Sodomy, Was Sentenced to 3 Years of Detention], RADIO OZODLIK [RFE/RL], (JAN. 21, 2022) (RUSS.), [HTTPS://RUS.OZODLIK.ORG/A/31665340.HTML](https://rus.ozodlik.org/a/31665340.html).
- 91 *Severely Beaten Uzbek Blogger Under House Arrest After Release From Hospital*, RFE/RL (APR. 30, 2021), [HTTPS://WWW.RFERL.ORG/A/UZBEKISTAN-BEATEN-BLOGGER-BAZAROV-HOUSE-ARREST-HOSPITAL-RELEASE/31231913.HTML](https://www.rferl.org/a/uzbekistan-beaten-blogger-bazarov-house-arrest-hospital-release/31231913.html); *SEE ALSO* V DELO MIRAZIZA BAZAROVA DOBAVILI OBNVINEŅIA TREKH BLOGEROV (В ДЕЛО МИРАЗИЗА БАЗАРОВА ДОБАВИЛИ ОБВИНЕНИЯ ТРЕХ БЛОГЕРОВ)[ACCUSATIONS OF THREE BLOGGERS ADDED TO MIRAZIZ BAZAROV'S CASE], RADIO OZODLIK [RFE/RL] (MAY 14, 2021), [HTTPS://RUS.OZODLIK.ORG/A/31254361.HTML](https://rus.ozodlik.org/a/31254361.html); V TSENTRĖ TASHKENTA SOTNI MUZHCHIN NAPALI NA POKLONNIKOV JAPONSKOGO ANIME I KOREĖSKOĖ POP-MUZYKI (В ЦЕНТРЕ ТАШКЕНТА СОТНИ МУЖЧИН НАПАЛИ НА ПОКЛОННИКОВ ЯПОНСКОГО АНИМЕ И КОРЕЙСКОЙ ПОП-МУЗЫКИ) [HUNDREDS OF MEN ATTACK FANS OF JAPANESE ANIME AND KOREAN POP MUSIC IN THE CENTER OF TASHKENT], RADIO OZODLIK [RFE/RL] (MAR. 29, 2021) (RUSS.), [HTTPS://RUS.OZODLIK.ORG/A/31174584.HTML](https://rus.ozodlik.org/a/31174584.html).
- 92 *Uzbekistan: Sentencing of blogger Miraziz Bazarov*, INT'L FED'N FOR HUM. RTS., (JANUARY 26, 2022), [HTTPS://WWW.FIDH.ORG/EN/ISSUES/HUMAN-RIGHTS-DEFENDERS/UZBEKISTAN-SENTENCING-OF-BLOGGER-MIRAZIZ-BAZAROV](https://www.fidh.org/en/issues/human-rights-defenders/uzbekistan-sentencing-of-blogger-miraziz-bazarov).
- 93 Bazarov was charged under Criminal Code of the Republic of Uzbekistan art. 139, part 3, para. d, which states: "Slander... from sordid or other base motives shall be punishable by a fine of three hundred to five hundred minimum monthly wages, or compulsory community service from three hundred and sixty to four hundred hours, or restraint of liberty from one to three years."
- 94 RFE/RL, *SUPRA* NOTE 91.
- 95 *Blogera Bazarova, Kritikovavshego Mirzijaeva I Trebovavshego Otmeny Uголовnoj Stat'i Za Muzhelozhestvo, Osudili Na 3 Goda Ogranichenija Svobody (Блогера Базарова, критиковавшего Мирзияева и требовавшего отмены уголовной статьи за мужеложество, осудили на 3 года ограничения свободы)* [Bazarov, a Blogger Who Criticized Mirziyev and Demanded the Abolition of the Criminal Article For Sodomy, Was Sentenced to 3 Years of Detention], RADIO OZODLIK [RFE/RL] (JAN. 21, 2022) (RUSS.), [HTTPS://RUS.OZODLIK.ORG/A/31665340.HTML](https://rus.ozodlik.org/a/31665340.html).
- 96 *Blogera Miraziza Bazarova Otppravili Pod Domashnii Arest. Emu Zapretili Obshchatsya S Kem By To Ni Bylo – Advokat (Блогера Миразиза Базарова отправили под домашний арест. Ему запретили общаться с кем бы то ни было – адвокат)* [Blogger Miraziz Bazarov was Placed Under House Arrest. He was Forbidden to Communicate With Anyone – Lawyer], RADIO OZODLIK [RFE/RL] (APR. 30, 2021) (RUSS.), [HTTPS://RUS.OZODLIK.ORG/A/31230317.HTML](https://rus.ozodlik.org/a/31230317.html).
- 97 *V Delo Miraziza Bazarova Dobavili ObvineŅia Trekh Bloggerov (В дело Миразиза Базарова добавили обвинения трех блогеров)* [Accusations of Three Bloggers Added to Miraziz Bazarov's Case], RADIO OZODLIK [RFE/RL] (MAY 14, 2021) (RUSS.), [HTTPS://RUS.OZODLIK.ORG/A/31254361.HTML](https://rus.ozodlik.org/a/31254361.html).
- 98 INT'L FED'N FOR HUM. RTS., *SUPRA* NOTE 92.
- 99 *See Sud Apelljatsionnoj Instantsii Ostavil V Sile Prigovor Blogeru Mirazizu Bazarovu – Za «Klevetu» Na Provlastnykh Bloggerov I Nenazvannykh Lits (Суд Апелляционной Инстанции Оставил В Силе Приговор Блогеру Миразизу Базарову – За «Клевету» На Провластных Блогеров И Неназванных Лиц)* [The court of appeal upheld the sentence of blogger Miraziz Bazarov for "slandering" pro-government bloggers and unnamed persons], ASIATERRA (MAR. 5, 2022) (RUSS.), [HTTP://M.ASIATERRA.INFO/PROTSESTRY/SUD-APELLYATSIONNOJ-INSTANTSII-OSTAVIL-V-SILE-PRIGOVOR-BLOGERU-MIRAZIZU-BAZAROVU-ZA-KLEVETU-NA-PROVLASTNYKH-BLOGEROV-I-NENAZVANNYKH-LITS](http://m.asiaterra.info/protsestry/sud-apellyatsionnoj-instantsii-ostavil-v-sile-prigovor-blogeru-mirazizu-bazarovu-za-klevetu-na-provlastnykh-bloggerov-i-nenazvannykh-lits).
- 100 *See V Tashkente Sud Oshtrafoval 75-Letnjuju Oppozicionerku Na \$125 Za Predostavlenie Svoego Doma Dlja Sobraniya Oppozicii (В Ташкенте суд оштрафовал 75-летнюю оппозиционерку на \$125 за предоставление своего дома для собрания оппозиции)* [In Tashkent, a Court Fined A 75-Year-Old Oppositionist \$125 for Providing Her House for an Opposition Meeting], RADIO OZODLIK [RFE/RL] (FEB. 26, 2022) (RUSS.), [HTTPS://RUS.OZODLIK.ORG/A/31723804.HTML](https://rus.ozodlik.org/a/31723804.html).
- 101 Code of Administrative Liability, art. 202 ("Provision of premises or other property (means of communication, copying and other technology, equipment, transport) to participants in unauthorized meetings, rallies, street marches and demonstrations or creation of other conditions for holding such events entails the imposition of a fine on citizens from fifty to one hundred... basic settlement values.").

- 102 See *Ўзбекистон: Сиёсӣ Йифин Ўтказишга Уйдан Жої Берган 74 Ўшар Онахон Судга Тортилди - O‘zbekiston, Yangilik (Ўзбекистон: Сиёсий Йифин Ўтказишга Уйдан Жої Берган 74 Яшар Онахон Судга Тортилди - O‘zbekiston, Yangilik) [A 74-Year-Old Mother Who Hosted a Political Meeting From Her Home was Brought to Court]*, BBC O‘ZBEK (FEB. 21, 2022) (Uzb.), [HTTPS://WWW.BBC.COM/UZBEK/UZBEKISTAN-60416028](https://www.bbc.com/uzbek/uzbekistan-60416028).
- 103 See RADIO OZODLIK [RFE/RL], *SUPRA* NOTE 100.
- 104 Decision in the case of Vazira Egamberdieva, Mirzo-Ulugbek District Criminal Court, February 24, 2022 (Uzb).
- 105 See RADIO OZODLIK [RFE/RL], *SUPRA* NOTE 100.
- 106 Decision in the case of Vazira Egamberdieva, Tashkent City Court Appellate Division, Mar. 16, 2022 (Uzb.).
- 107 See EURASIANET, *SUPRA* NOTE 31.
- 108 *Uzbek Bloggers and Activists Under Attack – The Cases Mount*, UZBEK FORUM FOR HUM. RTS. (JAN. 18, 2022), [HTTPS://WWW.UZBEKFORUM.ORG/UZBEK-BLOGGERS-AND-ACTIVISTS-UNDER-ATTACK-THE-CASES-MOUNT/](https://www.uzbekforum.org/uzbek-bloggers-and-activists-under-attack-the-cases-mount/).
- 109 See *Prezidentni Ximōia Qiluvchi Qonun Ishga Tushdi. Zhizzakhlik Tarmoқ Faoli Jhavoьgarlikka Tortilmoқda (Президентни Химоя Қилувчи Қонун Ишга Тушди. Жиззахлик Тармоқ Фаоли Жавобгарликка Тортилмоқда)[The Law Protecting the President Came Into Force. A Network Activist from Jizzakh is Being Prosecuted]*, RADIO OZODLIK [RFE/RL] (APR. 20, 2021) (Russ.), [HTTPS://WWW.OZODLIK.ORG/A/ПРЕЗИДЕНТНИ-ХИМОЯ-ҚИЛУВЧИ-ҚОНУН-ИШГА-ТУШДИ-ЖИЗЗАХЛИК-ТАРМОҚ-ФАОЛИ-ЖАВОБГАРЛИККА-ТОРТИЛМОҚДА/31213567.HTML](https://www.ozodlik.org/a/президентни-химоя-қилувчи-қонун-ишга-тушди-жиззахлик-тармоқ-фаоли-жавобгарликка-тортилмоқда/31213567.html).
- 110 Decision in the case of Valijon Kalonov, Criminal Jizzakh City Court, Dec., 23, 2021 (Uzb.).
- 111 *Id.*
- 112 E-mail from Elena Urlaeva, Human Rights Activist., to Umida Niyazova. (Jan. 6, 2023) (on file with author).
- 113 See *Tragediа Zarafshanskogo Natsional'nogo Prirodnogo Parka: Ekologi Prizyvayut Vernut' Emu Status "Zapovednika" (Трагедия Зарафшанского Национального Природного Парка: Экологи Призывают Вернуть Ему Статус «Заповедника»)[The Tragedy of the Zarafshan National Natural Park: Ecologists Call for the Return of the Status of a "Reserve"]*, RADIO OZODLIK [RFE/RL] (DEC. 8, 2021) (Russ.), [HTTPS://RUS.OZODLIK.ORG/A/31598236.HTML](https://rus.ozodlik.org/a/31598236.html).
- 114 See *Samarkandskogo Aktivista I Blogera Arestovali Za Repost V Soцсети. Ego Obvinяiut V Klevete (Самаркандского Активиста И Блогера Арестовали За Репост В Соцсети. Его Обвиняют В Клевете) [A Samarkand Activist and Blogger was Arrested for Reposting on a Social Network. He is Accused of Libel]*, RADIO OZODLIK [RFE/RL] (DEC. 30, 2021) (Russ.), [HTTPS://RUS.OZODLIK.ORG/A/31632499.HTML](https://rus.ozodlik.org/a/31632499.html).
- 115 Criminal Code of the Republic of Uzbekistan, art. 139, part 3, paras. a and d (“Slander which is a) accompanied by an accusation of committing a grave or especially grave crime... d) out of sordid or other base motives shall be punishable by a fine of three hundred to five hundred minimum monthly wages, or compulsory community service from three hundred and sixty to four hundred hours, or restraint of liberty from one to three years.”).
- 116 See *Aktivist Ruslan Khairnurov Osvobozhdēn Iz-Pod Strazhi (Активист Руслан Хаирнуров Освобождён Из-Под Стражи) [Activist Ruslan Khairnurov released from custody]*, GAZETA.UZ (JAN. 1, 2022) (Russ.), [HTTPS://WWW.GAZETA.UZ/RU/2022/01/01/SAMARKAND/](https://www.gazeta.uz/ru/2022/01/01/samarkand/).
- 117 See RADIO OZODLIK [RFE/RL], *SUPRA* NOTE 114.
- 118 Judgment in the case of Ruslan Khairnurov, Samarkand City Criminal Court, Apr. 22, 2022 (Uzb.).
- 119 *Id.* (applying article 70 of the Criminal Code of the Republic of Uzbekistan, which provides that a person who committed a crime may be discharged from penalty if by the time of investigation or trial, due to changes of the situation, or the person’s irreproachable conduct, bona fide labor or study, has lost his socially dangerous nature.).
- 120 Code of Administrative Liability, art. 46-1, (“The unlawful collection or dissemination of information about a person’s private life, constituting his personal or family secret, without his consent entails the imposition of a fine from ten to forty basic settlement values.”).
- 121 *Bog‘Chadagi Bola O‘Limi Yuzasidan Xolis Axborot Berishni So‘Ragan Blogerning O‘Zi Jarimaga Tortildi (Боғчадаги Бола Ўлими Юзасидан Холис Ахборот Беришни Сўраган Блогернинг Ўзи Жаримага Тортилди) [The Blogger who Asked for Provision of Unbiased Information About the Death of a Child in Kindergarten was Fined]*, RADIO OZODLIK [RFE/RL] (AUG. 26, 2021)(Uzb.), [HTTPS://WWW.OZODLIK.ORG/A/BOГ%CA%BBCHADAGI-BOLA-O%CA%BBLIMI-YUZASIDAN-XOLIS-AXBOROT-BERISHNI-SO%CA%BBRAGAN-BLOGERNING-O%CA%BBZI-SUD-QILINDI/31429740.HTML](https://www.ozodlik.org/a/boг%CA%BBCHADAGI-BOLA-O%CA%BBLIMI-YUZASIDAN-XOLIS-AXBOROT-BERISHNI-SO%CA%BBRAGAN-BLOGERNING-O%CA%BBZI-SUD-QILINDI/31429740.html).
- 122 *Id.*
- 123 Decision in the case of Doniyor Mavlonov, Yangiobod District Administrative Court, Aug. 10, 2021(Uzb.) at 3.
- 124 Decision in the case of Doniyor Mavlonov, Jizzakh Regional Court, Aug. 25, 2021 (Uzb.)at 1–2.
- 125 Decision in the case of Doniyor Mavlonov, Supreme Court of the Republic of Uzbekistan, Cassation Case No. 3-1313-210130/6, Apr. 6, 2022, at 2–3.
- 126 RADIO OZODLIK [RFE/RL], *SUPRA* NOTE 121.
- 127 Decision of the Appeal Judicial Panel of the Criminal Court of Jizzakh region, Apr. 21, 2022 (Uzb.).
- 128 See *Uzbek Blogger Critical Of Government Gets Lengthy Prison Term*, RFE/RL (MAY 10, 2021), [HTTPS://WWW.RFERL.ORG/A/UZBEKISTAN-BLOGGER-LENGTHY-PRISON-TERM-CRITICAL-GOVERNMENT/31247970.HTML](https://www.rferl.org/a/uzbekistan-blogger-lengthy-prison-term-critical-government/31247970.html).
- 129 See *Otabek Sattoriy*, FREEDOM NOW, [HTTPS://WWW.FREEDOM-NOW.ORG/CASES/OTABEK-SATTORIY/](https://www.freedom-now.org/cases/OTABEK-SATTORIY/) (LAST VISITED JUL. 12, 2022).
- 130 *Sentence of Muzrabat District Criminal Court, May 10, 2021 (Uzb.)*.

- 131 *Uzbek blogger Otabek Sattoriy detained, charged with extortion*, COMM. TO PROTECT JOURNALISTS, (FEB. 8, 2021), [HTTPS://CPJ.ORG/2021/02/UZBEK-BLOGGER-OTABEK-SATTORIY-DETAI-NED-CHARGED-WITH-EXTORTION/](https://cpj.org/2021/02/uzbek-blogger-otabek-sattoriy-detained-charged-with-extortion/).
- 132 See V Surxandarye Zaderjan Bloger. Advokat Schitaet Delo Sfabrikovannym (B Surxandarye Zaderjan Bloger. Advokat Schitaet Delo Sfabrikovannym) [A Blogger Was Detained In Surkhandarya. His Lawyer Says The Case Is Fabricated], GAZETA.UZ (FEB. 8, 2021)(RUSS.), [HTTPS://WWW.GAZETA.UZ/RU/2021/02/08/SATTORIY/](https://www.gazeta.uz/ru/2021/02/08/sattoriy/) SEE ALSO *UZBEKISTAN: BLOGGER HELD ON DUBIOUS EXTORTION CHARGE*, HRW (FEB. 12, 2021), [HTTPS://WWW.HRW.ORG/NEWS/2021/02/12/UZBEKISTAN-BLOGGER-HELD-DUBIOUS-EXTORTION-CHARGE](https://www.hrw.org/news/2021/02/12/uzbekistan-blogger-held-dubious-extortion-charge).
- 133 GAZETA.UZ, SUPRA NOTE 132.
- 134 See FREEDOM NOW, SUPRA NOTE 129.
- 135 See *Otabek Sattoriy*, COMM. TO PROTECT JOURNALISTS, [HTTPS://CPJ.ORG/DATA/PEOPLE/OTABEK-SATTORIY/](https://cpj.org/data/people/otabek-sattoriy/) (LAST VISITED JUL. 12, 2022); SEE ALSO *BLOGERA IZ SURKHANDARI, ARESTOVANNOGO ZA «VYMOGATEL'STVO» MOBIL'NOGO TELEFONA, PRIZNALI VINOVNYM V «KLEVETE» I «OSKORBLENIИ»* (БЛОГЕРА ИЗ СУРХАНДАРЬИ, АРЕСТОВАННОГО ЗА «ВЫМОГАТЕЛЬСТВО» МОБИЛЬНОГО ТЕЛЕФОНА, ПРИЗНАЛИ ВИНОВНЫМ В «КЛЕВЕТЕ» И «ОСКОРБЛЕНИИ»)[BLOGGER FROM SURKHANDARYA, WHO WAS ARRESTED FOR “EXTORTING” A MOBILE PHONE, WAS FOUND GUILTY OF “SLANDER” AND “INSULT”], ASIATERRA (FEB. 13, 2021), [HTTP://WWW.ASIATERRA.INFO/NEWS/BLOGERA-IZ-SURKHANDARI-ARESTOVANNOGO-ZA-VYMOGATELSTVO-MOBILNOGO-TELEFONA-PRIZNALI-VINOVNYM-V-KLEVETE-I-OSKORBLENIИ](http://www.asiaterra.info/news/blogera-iz-surkhandari-arestovannogo-za-vymogatelstvo-mobilnogo-telefona-priznali-vinovnym-v-klevete-i-oskorblenii).
- 136 See FREEDOM NOW, SUPRA NOTE 129.
- 137 See *Blogger Jailed for 6.5 Years on Dubious Charges in Uzbekistan*, HRW (MAY 11, 2021), [HTTPS://WWW.HRW.ORG/NEWS/2021/05/11/BLOGGER-JAILED-65-YEARS-DUBIOUS-CHARGES-UZBEKISTAN](https://www.hrw.org/news/2021/05/11/blogger-jailed-65-years-dubious-charges-uzbekistan).
- 138 *Delo Otabeka Sattoriy: Sud Ostavil Bez Izmeneniia Srok Nakazaniia* (Дело Отабека Сатториё: Суд Оставил Без Изменения Срок Наказания) [The Case of Otabek Sattoriy: The Court Upheld the Term of Punishment], GAZETA.UZ (JUL.15, 2021) (RUSS.), [HTTPS://WWW.GAZETA.UZ/RU/2021/07/15/SATTORIY/](https://www.gazeta.uz/ru/2021/07/15/sattoriy/).
- 139 See *Verkhovnyй Sud Ostavil Bez Izmeneniй Prigovor Blogeru Otabeku Sattoriy* (Верховный Суд Оставил Без Изменений Приговор Блогеру Отабеку Сатториё) [Supreme Court upholds sentence for blogger Otabek Sattoriy], GAZETA.UZ (APR. 5, 2022), [HTTPS://WWW.GAZETA.UZ/RU/2022/04/05/SATTORIY/](https://www.gazeta.uz/ru/2022/04/05/sattoriy/).
- 140 See *Official Statement*, Ministry of Internal Affairs of the Republic of Uzbekistan, (Feb. 10, 2021)(Uzb.), <https://iiv.uz/ru/news/rasmiy-murojaat> (“An attempt by social network activists to achieve any goal by disseminating unverified information related to a criminal case among the public, artificially forming a negative attitude towards the activities of the investigative and judicial authorities, is regarded as interference in the investigation or resolution of court cases and entails criminal liability.”)
- 141 *Qamoqdagi Blogerlar Sattoriy Va Orifxo'Jayev Aybsizliklarini Ta'kidlashmoqda* [Jailed Bloggers Sattori And Orifkhoyayev Emphasize Their Innocence], RADIO OZODLIK [RFE/RL] (MAY 21, 2022)(Uzb.), [HTTPS://WWW.OZODLIK.ORG/A/QAMOQDAGI-BLOGERLAR-SATTORIY-VA-ORIFXO-JAYEV-AYBSIZLIKLARINI-TA-KIDLASHMOQDA/31861340.HTML](https://www.ozodlik.org/a/qamoqdagi-blogerlar-sattoriy-va-orifxo-jayev-aybsizliklarini-ta-kidlashmoqda/31861340.html).
- 142 See *Hum. Rts. Council Working Group on Arbitrary Detention, Opinion dated Mar. 16, 2023, Concerning Otabek Sattoriy (Uzbekistan)*, A/HRC/WGAD/2022/83, <https://www.ohchr.org/sites/default/files/documents/issues/detention-wg/opinions/session95/A-HRC-WGAD-2022-83-AEV.pdf>
- 143 *Yurist Akmal Sharopov Ishi: DXX, «Soxta» Ayblov Va Guvohlar Da'vosi – O'zbekiston, Buxoro O'zbekiston* (Юрист Акмал Шаропов Иши: ДХХ, «сохта» айблов ва гувоҳлар даъвоси – Ўзбекистон, Бухоро О'zbekiston)[Case of Lawyer Akmal Sharopov: DXX (State Security Service), “False” Accusation and Witnesses’ Claim] BBC O'ZBEK (FEB. 18, 2021) (Uzb.) [HTTPS://WWW.BBC.COM/UZBEK/UZBEKISTAN-56114202](https://www.bbc.com/uzbek/uzbekistan-56114202).
- 144 See *Vitaliy Ponomarev (Виталий Пономарев), Politicheskie Repressii v Uzbekistane v 2009-2010 Godah* (Политические Репрессии В Узбекистане В 2009-2010 Годах) [Political Repression in Uzbekistan 2009-2010], МЕМОРИАЛ [MEMORIAL] (MARCH 2011) (RUSS.), [HTTPS://WWW.NHC.NO/CONTENT/UPLOADS/2018/10/REPRESSION\\_IN\\_Uz\\_RUS.PDF](https://www.nhc.no/content/uploads/2018/10/REPRESSION_IN_Uz_RUS.PDF).
- 145 Criminal Code of the Republic of Uzbekistan, art. 159, part 3 “b” (“Public calls for an unconstitutional change in the existing state system, the seizure of power or removal from power of legally elected or appointed representatives of power, or for an unconstitutional violation of the unity of the territory of the Republic of Uzbekistan, as well as the production, storage for the purpose of distribution or dissemination of materials of the same content ... by an organized group or in its interests...shall be punished by imprisonment from five to ten years.”).
- 146 Criminal Code of the Republic of Uzbekistan, art. 244-1, part 3 “a” (“Production or storage for the purpose of distribution of materials containing ideas of religious extremism, separatism and fundamentalism, calls for pogroms or forced eviction of citizens or aimed at creating panic among the population, as well as production, storage for the purpose of distribution or demonstration of paraphernalia or symbols of religious extremist, terrorist organizations... by prior agreement or by a group of persons... shall be punished by imprisonment from five to eight years.”). See also  
Yurist Akmal Sharopov Ishi: DXX, «Soxta» Ayblov Va Guvohlar Da'vosi – O'zbekiston, Buxoro O'zbekiston (Юрист Акмал Шаропов иши: ДХХ, «сохта» айблов ва гувоҳлар даъвоси – Ўзбекистон, Бухоро О'zbekiston)[Lawyer Akmal Sharopov’s Case: SSS, “False” Accusations and Witness Claims], BBC O'ZBEK (FEB. 18, 2021)(Uzb.), [HTTPS://WWW.BBC.COM/UZBEK/UZBEKISTAN-56114202](https://www.bbc.com/uzbek/uzbekistan-56114202).
- 147 See *Hum. Rts. Comm. Fourth Periodic Report of Uzbekistan* [hereinafter *4th Periodic Report of Uzb.*], U.N. Doc. CCPR/C/USB/CO/4 (2015), para. 17, [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CCPR%2fC%2fUZB%2fCO%2f4&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CCPR%2fC%2fUZB%2fCO%2f4&Lang=en); see also *Uzbekistan: Effective Reforms Need To Address Accountability For Past Abuses* AMNESTY INT’L (MAY 2018) 11, [HTTPS://WWW.AMNESTY.ORG/EN/WP-CONTENT/UPLOADS/2021/05/EUR6278372018ENGLISH.PDF](https://www.amnesty.org/en/wp-content/uploads/2021/05/EUR6278372018ENGLISH.pdf);  
OSCE Human Dimension Implementation Meeting NGO submission: Human Rights in Uzbekistan after Karimov, Doc. No. HDIM. NGO/0338/16/EN at 5–6, <https://www.osce.org/files/f/documents/c/6/269171.pdf>.
- 148 BBC O'ZBEK, SUPRA NOTE 143.
- 149 *Id.*
- 150 Decision of Bukhara District Criminal Court, January 14, 2021, (finding Sharopov guilty of violating Article 244 criminal code).



- 151 Decision of Navoi Region Criminal Court, November 17, 2021 (finding Sharopov guilty and upholding the verdict of the first Bukhara district court decision.)
- 152 Decision of the Plenum of the Supreme Court of Uzbekistan of Criminal Cases, Jan. 25, 2022.
- 153 See Ҳуқуқ Фаоли Акмал Шароповга Нисбатан Суд Ҳукми Бекор Қилинди (Ҳуқуқ Фаоли Акмал Шароповга Нисбатан Суд Ҳукми Бекор Қилинди) [The Court Verdict Against the Human Rights Activist Akmal Sharopov was Annulled], RADIO OZODLIK [RFE/RL] (Aug. 11, 2021)(Uzb.), [HTTPS://WWW.OZODLIK.ORG/A/HUQUQ-FAOLI-AKMAL-SHARPOVGA-NISBATAN-SUD-HUKMI-BEKOR-QILINDI/31404627.HTML](https://www.ozodlik.org/a/HUQUQ-FAOLI-AKMAL-SHARPOVGA-NISBATAN-SUD-HUKMI-BEKOR-QILINDI/31404627.HTML).
- 154 United Nations Treaty Body Database, Ratification Status for Uzbekistan, U.N. O.H.C.H.R., [https://tbinternet.ohchr.org/\\_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=189&Lang=EN](https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=189&Lang=EN) (last visited July 23, 2022).
- 155 Hum. Rts. Comm., General Comment 34 [hereinafter *Comment 34*], para. 11 (Sep. 12, 2011), U.N. Doc. CCPR/C/GC/34.
- 156 United Nations International Covenant on Economic, Social and Cultural Rights [ICCPR] art. 19(3).
- 157 Constitution of the Republic of Uzbekistan Dec. 8, 1992, art. 29.
- 158 *Comment 34*, *supra* note 155 at para. 22.
- 159 *Id.*, at para. 30.
- 160 *Id.*, at para. 34.
- 161 *Id.*, at para. 42.
- 162 *Id.*, at para. 44.
- 163 See, e.g., Hum. Rts. Comm., *Kungurov v. Uzbekistan*, U.N. Doc. CCPR/C/102/D/1478/2006 (2011), paras. 8.9–9; Hum. Rts. Comm., *M.T. v. Uzbekistan*, U.N. Doc. CCPR/C/114/D/2234/2013 (2015), para. 7.8.
- 164 See *M.T. v. Uzbekistan*, *supra* note 163 at paras. 2.1–2.12, 7.8.
- 165 See *4th Periodic Report of Uzb.*, *supra* note 147 at para. 44. (“The Committee also remains concerned about the ongoing imprisonment of individuals on extremism-related and other politically motivated charges, including independent journalists, human rights defenders and bloggers, for the peaceful expression of critical views (arts. 7, 9, 10, 14 and 19).”).
- 166 See COMM. TO PROTECT JOURNALISTS, *SUPRA* NOTE 29 AND ACCOMPANYING TEXT.
- 167 See *Comment 34*, *supra* note 155 at para. 34.
- 168 See Hum. Rts. Council Working Group on Arbitrary Detention, *Opinion concerning Otabek Sattoriy (Uzbekistan) dated March 16, 2023*, <https://www.ohchr.org/sites/default/files/documents/issues/detention-wg/opinions/session95/A-HRC-WGAD-2022-83-AEV.pdf>.
- 169 *The Shrinking Space for Freedom of Speech in Uzbekistan Puts Journalists and Activists at Risk*, UZBEK FORUM FOR HUM. RTS. (MAY 13, 2021), [HTTPS://WWW.UZBEKFORUM.ORG/THE-SHRINKING-SPACE-FOR-FREEDOM-OF-SPEECH-IN-UZBEKISTAN-PUTS-JOURNALISTS-AND-ACTIVISTS-AT-RISK/](https://www.uzbekforum.org/the-shrinking-space-for-freedom-of-speech-in-uzbekistan-puts-journalists-and-activists-at-risk/) (COMMENTING ON THE SATTORIY AND BAZAROV CASES).
- 170 See Hum. Rts. Comm., General Comment No. 37 [hereinafter *Comment 37*], para. 12 (Sep. 17, 2020), U.N. Doc. CCPR/C/GC/37.
- 171 See *Id.*, at para. 9.
- 172 *Id.*, at para. 24.
- 173 *Id.*, at para. 25.
- 174 See *Id.*, at para. 36; see also OSCE, *Guidelines on Freedom of Peaceful Assembly*, 15, paras 2.3–2.4; 38–40, paras. 35–45.
- 175 *Comment 37*, *supra* note 170 at para. 30.
- 176 *Id.*, at para. 10.
- 177 See Hum. Rts. Comm., *Kim v. Uzbekistan*, U.N. Doc. CCPR/C/122/D/2175/2012 (2018), paras. 2.1, 2.2, 2.4, 13.7–13.8.
- 178 ICCPR., *supra* note 156 at art. 22(2).
- 179 See *M.T. v. Uzbekistan*, *supra* note 163 at paras. 7.7–7.8.
- 180 ICCPR, *supra* note 156 at article 9(1).
- 181 Hum. Rts. Comm., General Comment No. 35 [hereinafter *Comment 35*], U.N. Doc. CCPR/C/GC/35, (2014) para. 44.
- 182 *Id.*, at para. 12.
- 183 *Id.*
- 184 *Id.*, at para. 38.
- 185 *Id.*, at para 17.
- 186 *Id.*, at para. 19.
- 187 *Id.*
- 188 See ICCPR., *supra* note 156 at article 14.



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