



# **Punished for their opinions – bloggers and social media commentators in Uzbekistan**

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## Introduction

International Partnership for Human Rights (IPHR) and Association for Human Rights in Central Asia (AHRCA) have closely monitored civil and political rights in Uzbekistan for many years. After a period of increased openness, the authorities have backslided with regard to freedom of expression in recent years, despite the fact that, as a State party to the International Covenant on Civil and Political Rights (ICCPR) since 1995, the government has undertaken to guarantee free speech.

After Uzbekistan had been in the grip of authoritarian leader Islam Karimov for 25 years and after coming to power in December 2016, President Shavkat Mirziyoyev announced a transformation programme named “New Uzbekistan” which included stated commitments to a range of reforms and the rule of law. President Mirziyoyev repeatedly and publicly expressed his support for freedom of speech and encouraged more critical reporting. In 2019, eager to demonstrate his commitment to reform, the President was photographed with bloggers at the opening of the Sharq Taronalari Music Festival in Samarkand.<sup>1</sup>

On 29 December 2020, the President told parliament: *“Of course, many local officials don't like challenging and critical materials, they disturb their calm and carefree existence. But transparency and freedom of speech – that is what is called for today, it's what is needed for reform in Uzbekistan [...] Fair criticism by objective journalists and bloggers points out the mistakes and shortcomings of old-fashioned leaders, forcing them to change their working style and increase their responsibility.”*<sup>2</sup>

Independent journalism, online commentary and debates began to flourish. Bloggers and social media users initiated discussions on a wide range of social, economic, and political topics including the authorities' use of foreign loans; government corruption on the national and local level; temporary water, gas and electricity cuts; as well as the plight of victims of domestic violence. Many spoke out boldly, criticising senior government officials and demanding respect for the rule of law and human rights principles. These developments, alongside the release from prison of several human rights activists and journalists who had been sentenced to long prison terms on politically-motivated charges,<sup>3</sup> raised hopes for reform and free speech and many experts in Uzbekistan and abroad regarded them as indicators of a political thaw.

As this period coincided with growing internet access across Uzbekistan, bloggers were able to grow extensive followings and communicate to large audiences.<sup>4</sup> Many of the issues raised by

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<sup>1</sup><https://kun.uz/en/news/2019/08/28/shavkat-mirziyoyev-meets-with-bloggers-and-journalists-in-samarkand-video>

<sup>2</sup><https://kun.uz/ru/news/2020/12/29/prezident-zaveril-cto-pravovyye-osnovy-obespecheniya-svobody-slova-budut-yeshche-bolshe-ukrepleny>

<sup>3</sup> Including Muhammad Bekzhan and Yusuf Ruzimuradov who spent 18 and 19 years in prison respectively.

<sup>4</sup> According to the web portal Kepios (<https://datareportal.com/reports/digital-2023-uzbekistan>), the number of internet users in Uzbekistan increased by 421 000 (+1.6 percent) from 2022 to 2023. In January 2023, there were 26.74 million internet users in Uzbekistan meaning that over 75 per cent of the population had access to the internet.

influential bloggers and initially disseminated via social media and internet messengers, have subsequently been picked up and referred to by media outlets and government press services.

The President continues to speak out in favour of free speech. Most recently, on 26 June 2024, he congratulated press and media workers, saying that *"[c]ritical and analytical materials, in particular, on shortcomings in the field of construction, ecology and environmental protection, road safety, as well as in the social and economic spheres help to 'wake up' some 'dormant' leaders and officials at the local level, make them work in a new way, live with the concerns of people [...] our caring and noble journalists, active bloggers with their firm positions and impartial words make a worthy contribution to solving acute life problems, increasing the effectiveness of reforms, expanding the views and worldview of compatriots"*.<sup>5</sup>

However, our ongoing monitoring of the human rights situation shows that the year 2020 saw significant growth in the number of cases of pressure, harassment and administrative detention of those who criticised the authorities and their relatives, and from 2021 onwards, law enforcement bodies, often with the involvement of local and neighbourhood committees, increasingly clamped down on critical bloggers and social media commentators. Demands to remove publications were frequent as well as internet trolling which often led to criminal prosecutions. Courts typically failed to protect bloggers' rights to freedom of expression and opinion.

It appears that the Uzbekistani authorities have backtracked on their reform agenda as they moved to regain control over information and public opinion and resumed targeting critical voices.

When it comes to the legislative framework, some laws adopted as part of the government's reform programme improved the legal framework for freedom of expression and the rule of law, but other newly introduced legislation poses threats to freedom of expression and criminal punishment for defamation remains in place.

The authorities' attention to bloggers and social media commentators appears to be linked to the increased importance and influence of social media, which offers the potential to reach and unite users across Uzbekistan around political and socio-economic concerns and grievances.<sup>6</sup>

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<sup>5</sup> <https://president.uz/ru/lists/view/7346>

<sup>6</sup> According to Digital 2024: Uzbekistan, the annual report of the online resource Datareportal, Uzbekistan had an internet penetration rate of 83.3 per cent of the population and 24.6 per cent of the population uses social media. Internet and social media use have been growing steadily over the past few years.

## **Targeting bloggers and social media commentators**

Today, those who speak out on issues which the authorities deem to be politically sensitive or potentially disruptive, be they journalists, bloggers,<sup>7</sup> social media commentators, human rights defenders or others, could potentially be at risk of detention, imprisonment, intimidation, harassment, other types of limitations of freedom, as well as torture and ill-treatment. Politically sensitive issues include corruption, nepotism, criticism of the President and other senior government officials, the President's family and key government policies.

This paper focuses specifically on individuals who are not professional journalists but who have expressed their personal opinions in blogs, social media commentaries or media interviews.<sup>8</sup> In many cases these individuals did not have large followings. According to monitoring carried out by AHRCA and IPHR, over the past four years, numerous bloggers and social media commentators have been targeted on politically-motivated grounds in order to silence them. Subsequent reporting about these cases has demonstrated to people in Uzbekistan that freedom of expression is not guaranteed and many critical bloggers, social media commentators, human rights activists and other dissidents have turned to self-censorship.

### **Draft Information Code**

On 14 December 2022, the draft Information Code was published, which had been developed by the Agency for Information and Mass Communications. The period for public discussion already ended two weeks later, on 29 December 2022. The status of the document is currently unknown. AHRCA and IPHR are concerned that, if adopted, the right to freedom of expression would be further curtailed and bloggers, social media commentators, human rights defenders and other critics would be even more vulnerable to persecution. The draft Code proposes to limit information that is "insulting" or "shows disrespect for society, the state, state symbols, including obscenities". It also introduces further mechanisms that could be used to silence criticism and prohibits "propaganda of non-traditional sexual relations", which would likely lead to further discrimination of lesbian and gay people.

### **Limiting access to information**

In addition to government attempts to silence critical bloggers and social media commentators, the authorities have repeatedly restricted public access to information that they deem to be politically sensitive. Authorities have on several occasions imposed internet shutdowns, blocked and disabled websites, social media platforms and internet messengers, and forced several media outlets to close down. These measures have typically been imposed arbitrarily during times of heightened security concern, e.g. the internet was shut down during the Presidential elections

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<sup>7</sup> Article 3 of the Law on Informatisation of Uzbekistan defines a blogger as "an individual who posts on his website and (or) website page in the world information network Internet publicly available information of socio-political, socio-economic and other nature, including for its discussion by information users."

<sup>8</sup> For further information about violations of the right to freedom of expression of people who are not bloggers, refer to IPHR's updates for Civicus Monitor: <https://monitor.civicus.org/country/uzbekistan/>

in October 2021 and from 2 June to the end of July 2022 in connection with the unrest in Karakalpakstan, with the exception of a few hours on 19 June 2022.<sup>9</sup>

## **Pressure on owners of online resources**

The organisations issuing this report are additionally concerned about amendments to the Law on Informatisation that were adopted in March 2021, introducing additional tools with which the authorities can clamp down on bloggers and other government critics.<sup>10</sup>

Article 12, part 1 of the Law on Informatisation provides a list of prohibited public content which website or information resource owners must not allow to be posted on their sites and platforms. This includes, among others, calls for violent change of the constitutional order, mass disorder, violence against citizens and participation in unlawful meetings, rallies, street processions and demonstrations. It also prohibits “dissemination of knowingly false information” containing a threat to public order or security; and of information “demonstrating disrespect for society, the state and state symbols”. Failure to remove such information in a timely manner may result in restrictions being imposed on the online resources concerned. The broad wording of some of the provisions can allow them to be used against critics or perceived critics.

In fact, since the Law has come into force, several Russian- and Uzbek-language media outlets and numerous telegram channels have been shut down by security agencies for allegedly not complying with Article 12, part 1 of the Law on Informatisation. Some were shut down by security agencies without a court decision.

The authorities of Uzbekistan have also attempted to control online resources and social media platforms based outside the country. In May 2021, media sources reported the Director of the State Personalisation Centre in Uzbekistan as saying that the authorities oversee the collection and storage of personal data and check that social networks operating abroad have been notified of the need to comply with legal requirements, with penalties for those who fail to do so.<sup>11</sup>

## **Critical bloggers and social media commentators at risk of pressure from other bloggers**

Critical bloggers and social media commentators are also at risk of pressure from other bloggers who do not share their views. This is particularly worrying as dissident bloggers cannot rely on protection from the authorities even when they face threats of violence. There are allegations

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<sup>9</sup>The authorities invited people in Uzbekistan to make recommendations on the draft amendments to the Constitution. However, because of the internet shutdown the residents of Karakalpakstan were deprived of this opportunity in practice.

<sup>10</sup> See the Law on informatisation (<https://lex.uz/acts/82956>) and the March 2021 law introducing amendments: <https://lex.uz/acts/5348848?ONDATE=30.03.2021%2000#5349172>.

<sup>11</sup> The Law “On Personal Data” which entered into force in April 2021 provides that social networks and internet companies shall ensure collection and storage of personal data in databases in Uzbekistan and recorded on the State Register of personal data when processing personal data of Uzbekistan citizens using the internet. A similar policy in the Russian Federation led to the US company Meta Platforms Inc. being declared an extremist organisation and banned for not cooperating with Russian state agencies.

that in some cases law enforcement agents collaborated with influential and notorious bloggers in order to fabricate criminal cases and call for reprisals against critical bloggers. The cases of internet calls for violence against liberal blogger Miraziz Bazarov and those for reprisals against Ottabek Sattoriy's lawyer Umidbek Davlatov illustrate this (see below).

In the past few years, several bloggers have emerged who have gained large audiences by drawing negative attention to highly sensitive topics, such as LGBT issues.<sup>12</sup> Some have attacked critics of the regime in their blogs, including human rights defenders, lawyers and dissidents in exile.

For example, in 2021, the blogger Abu Solih Foh, who has over 240 000 followers on his YouTube channel alone, accused blogger Miraziz Bazarov of pro-LGBTIQ views, published his home address and called on his followers to punish Bazarov and his mother. Bazarov appealed to the authorities to protect him, but nothing was done to punish Abu Solih Foh for inciting his followers to violence.

AHRCA and IPHR are also aware of cases when bloggers have lodged complaints with the authorities against bloggers known for criticising the authorities. For example, in the case of Miraziz Bazarov, complaints submitted to the authorities by Abu Solih Foh and fellow bloggers Shukhrat Musaev (over 1 million followers on YouTube) and Abror Mukhtor Ali (over 700 000 followers on YouTube; also known as Abror Abruazimov) contributed to the criminal case that was brought against the blogger Miraziz Bazarov (see below).

In 2022, Abu Solih Foh and fellow bloggers attacked the lawyer Sergey Mayorov on social media, accused him of supporting LGBTIQ concerns and called on their followers to intimidate him. They targeted Mayorov because of his role as Miraziz Bazarov's lawyer.

In 2022, Abror Mukhtor Ali also lodged a complaint against the dissident blogger Shahida Salomova (see below), which contributed to criminal charges that were brought against her.

## **Uzbekistan violates international human rights obligations for free speech**

As a state party to the ICCPR, Uzbekistan has committed itself to guarantee that "(e)veryone shall have the right to freedom of expression; this right shall include 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" (Article 19, part 2).

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<sup>12</sup> Other so-called "scandalous bloggers" are, for example, Nasim Kholov, who runs a YouTube channel with over 1.5 subscribers, and Ismat Khushev, the founder of the YouTube channel "Dunyo Uzbeklari" that has over 30 000 subscribers.

Article 33 of the Constitution of Uzbekistan also stipulates that “everyone has the right to freedom of thought, speech and belief. Everyone shall have the right to seek, receive and disseminate any information. The State shall create conditions to ensure access to the world information network Internet.” The Constitution further stipulates that these rights can be limited by other legislation “to the extent necessary to protect the constitutional order, public health, public morals, the rights and freedoms of others, to ensure public security and public order, and to prevent the disclosure of state secrets or other secrets protected by law.”

Article 19, part 3 of the ICCPR also allows for limitations of the right to freedom of expression, but only when strictly necessary and provided by law for “respect of the rights or reputations of others” and for “the protection of national security or of public order (ordre public), or of public health and morals.”

Uzbekistani legislation clearly restricts freedom of expression beyond the provisions contained in Article 19, part 3 of the ICCPR and violates the country’s obligations under the ICCPR and other international human rights laws and standards. In addition, the executive branch of power and its representatives have frequently overstepped these limits in practice.<sup>13</sup>

## **Uzbekistan’s criminal defamation legislation**

On 26 December 2020, President Mirziyoyev signed into force legal amendments decreasing punishments for “defamation” (Article 139 of the Criminal Code) and “insult” (Art. 140), but both remain criminal offences and are punishable by restrictions of freedom, corrective labour and fines. On 30 March 2021, criminal punishment for “publicly insulting or slandering the President of Uzbekistan” was even expanded when online dissemination (via telecommunication networks and the internet) was added to already punishable forms of dissemination such as via print or other mass media (Art. 158, part 3).

Under the current Criminal Code, statements that are deemed to constitute “defamation” or “insult” and that are disseminated in print or on the internet carry maximum penalties of up to one year of restricted freedom (Art. 139) and up to two years’ corrective labour (Art. 140). Up to three years’ or up to one year’s limitations of freedom can be imposed on a “repeat offender” under parts 3 of Article 139 and Article 140 respectively. Publicly insulting or slandering the president under Article 158, part 3 of the Criminal Code is punishable by corrective labour, limitations to freedom or up to five years’ imprisonment.

International human rights standards clearly stipulate that imprisonment is never an appropriate penalty for defamation, and that public officials should be prepared to tolerate more, rather than less, criticism, given the importance of allowing effective public scrutiny of government actions.<sup>14</sup>

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<sup>13</sup> Legislation that regulates free speech in Uzbekistan includes the Law on Guarantees and Freedom of Access to Information, the Law on Freedom of Information Principles and Guarantees, the Law on Protection of State Secrets, the Law on Mass Media, the Law on Protection of the Professional Activities of Journalists and the Law on Informatisation.

<sup>14</sup> Human Rights Committee’s [General Comment No. 34](#) and [resources made available by the NGO Article 19](#).

Defamation should be decriminalised - as criminalisation runs counter to international human rights standards - and replaced with civil liability and reasonable and proportional civil sanctions, following procedures which respect due process. Remedies must be proportionate such as the right of reply or correction (instead of fines, for example) which should be prioritised according to international standards.

In a 2011 report, Frank La Rue, then United Nations (UN) Special Rapporteur for Freedom of Opinion and Expression clarified that the only types of expression that states are required to prohibit under international law are child pornography, direct and public incitement to commit genocide, hate speech and incitement to terrorism. He stressed that all other types of expression should not be criminalised.<sup>15</sup>

Uzbekistan's criminal and administrative codes contain over two dozen other articles, many of them vaguely worded, that can be applied in an arbitrary manner to punish the legitimate exercise of the right to freedom of expression. Among them are punishments for "incitement to national, racial, ethnic or religious hatred" (Article 156 of the Criminal Code), "desecration of state symbols" (Art. 215), "illegal production, possession, importation or distribution of religious materials" (Art. 244-3) or "dissemination of false information" (Art. 244-6).

In addition, Uzbekistani legislation fails to set out procedural norms and processes governing the authorities' monitoring of public statements on the internet and social media, and criteria which are used to prove crimes related to public speech online.

Legislative amendments are reportedly being introduced in Uzbekistan<sup>16</sup> which would increase monitoring of online activity, including through the establishment of a Unified Register of Digital Evidence to collect and store digital materials related to criminal investigations. A new Research Institute on Digital Forensics within the Law enforcement academy is to be established, and law enforcement officials will thus actively monitor people's activity on the internet, collecting data including IP addresses.<sup>17</sup>

## Cases of bloggers and social media commentators

*"In recent years, Uzbekistan has been opening up to the world and wants to tell the truth to the international community. Most importantly, you can discuss, criticise. Know that the President will always support you."* President Mirziyoyev in a speech to local and international bloggers shortly after the launch of the first-ever World Influencers Congress (WIC) in Tashkent, August 2019

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<sup>15</sup> Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Frank La Rue\*, 16 March 2011:

[https://www2.ohchr.org/english/bodies/hrcouncil/docs/17session/a.hrc.17.27\\_en.pdf](https://www2.ohchr.org/english/bodies/hrcouncil/docs/17session/a.hrc.17.27_en.pdf)

<sup>16</sup> <https://www.gazeta.uz/ru/2024/07/03/digital-evidence/>

<sup>17</sup> [https://www.norma.uz/novoe\\_v\\_zakonodatelstve/obrazovan\\_nii\\_cifrovoy\\_kriminalistiki](https://www.norma.uz/novoe_v_zakonodatelstve/obrazovan_nii_cifrovoy_kriminalistiki)

*“A free media and open digital space can provide an enabling environment for all to participate fully in the country’s development and growth. This includes further action on the protection of journalists and the media, as well as freedom of expression.”* Volker Türk, UN High Commissioner for Human Rights, at the press conference concluding his visit to Uzbekistan, 15 March 2023

In recent years increasing numbers of bloggers and social media commentators have been tried on criminal charges of “publicly insulting or slandering the president” (Article 158, part 3 of the Criminal Code), “defamation” (Art. 139), “insult” (Art. 140) and “dissemination of false or prohibited information” (Art. 244-6).

Social media commentator Valijon Kalonov and blogger Shahida Salomova were brought to trial on criminal defamation charges in 2021 and 2023 respectively, declared “insane”, found not guilty, and subsequently forcibly confined in psychiatric hospitals in order to silence them.

In addition, fabricated criminal charges have allegedly been brought against many bloggers and social media commentators. They were reportedly initially targeted for peacefully exercising their right to freedom of expression and expressing dissident views, after which authorities started to fabricate criminal cases against them on charges such as "extortion" (Article 165 of the Criminal Code), “embezzlement” (Art. 167), "fraud" (Art. 168) or "organization of a criminal association" (Art. 242).

In other cases, bloggers and social media commentators have been convicted for administrative offences and subjected to house arrest, fines or other penalties. There are concerns that some of these cases have been opened explicitly to punish the authors for peacefully exercising their right to freedom of expression.

There are also credible reports that authorities have subjected numerous bloggers and social media commentators and/or members of their families to harassment, intimidation and threats of reprisals in order to stop them from speaking out. Often, individuals who have been persecuted by law enforcement officials are reluctant to talk about their situations for fear of reprisals towards themselves and their relatives.

The bloggers and social media commentators whose cases are featured in this report were targeted for expressing their opinions on a wide range of issues, including criticism of President Mirziyoyev and government policies, social issues affecting the general public, allegations of corruption and human rights violations. They include individuals from very different walks of life. For example, Fazilhoja Arifhojaev is a religious blogger, some of whose posts the authorities regard as fundamentalist, while Miraziz Bazarov comes from the liberal spectrum and has publicly called for the decriminalisation of consensual same-sex relations between adult men.

The ongoing arrests and other persecution of bloggers and social media commentators and their relatives serve as a clear warning to others about what could happen to them if they do not toe the government line. On 30 March 2023, over 40 journalists, bloggers and activists published an open letter to President Mirziyoyev expressing concern about “hidden but strict censorship” and

stating that “editorial offices, journalists, bloggers, people who express any opinion in society, still face serious obstacles, pressure and intimidation.”<sup>18</sup> The state-backed Union of Journalists rejected the criticism, claiming that “nobody, not a single state organisation ever tells the media: ‘Don’t write this, write that.’”<sup>19</sup> Many media outlets, bloggers and social media commentators exercise self-censorship in order to avoid reprisals.

## Criminal punishment for insulting the President

*“(In the past) we did not hear the real voice of the people because we were a closed country and didn’t support the media. We didn’t hear it. Do you like the spirit of freedom? I like it. Yes, it can be more difficult for me to work in these conditions. They tell me: ‘Shut them down.’ But I am not shutting anything down.”* President Mirziyoyev during a visit to the newly established school in Kashkadarya region in February 2023

This chapter contains several examples of bloggers and social media commentators who have been sentenced to prison terms for “publicly insulting or slandering the president” under Article 158, part 3 of the Criminal Code in recent years.<sup>20</sup> The exact number of people charged with and found guilty under this article is not known. In May 2024, the news outlet UzNews reported that at least ten people had been sentenced to prison terms in the past 12 months, citing information from the Supreme Court of Uzbekistan.<sup>21</sup> As described above, Article 158, part 3 clearly violates Uzbekistan’s commitment as a state party to the ICCPR to guarantee freedom of expression.

**Sobirjon Babaniyozov** was arrested on 18 April 2021 and remanded in pre-trial detention shortly afterwards. According to media reports, on 3 February 2022, Hazarasp District Court in Khorezm region sentenced him to three years’ imprisonment for insulting the president on social media.<sup>22</sup> As an example, the court reportedly cited a short video in which Babaniyozov is seen throwing one of his slippers, saying “this is Karimov,” and then throwing the other slipper, saying “this is Mirziyoyev.” The news outlet Gazeta.uz reported in February 2022 that the court punished Babaniyozov for posting a video in an online bloggers’ group “insulting and discrediting the activities of former President Islam Karimov and the incumbent President

<sup>18</sup> <https://t.me/haqiqatdallyos/1115> and <https://rus.ozodlik.org/a/32298943.html>

<sup>19</sup> <https://www.gazeta.uz/ru/2023/03/06/journalists/>

<sup>20</sup> Media reports highlight further cases of social media commentators who were found guilty of “publicly insulting or slandering the president” under Article 158, part 3 of the Criminal Code. While in some cases this was the only charge (e.g. **Sobir Normamatov**, aged 28, **Akhrorbek Kochkarov**, aged 30); others were additionally convicted of other charges, such as “illegally exiting Uzbekistan”, “attempting to overthrow the Constitutional order of Uzbekistan”, and “mass riots” (e.g. **Sitora Bozorova**, aged 24; **Utkirbek Sobirov**, aged 27; **D. Tursunov** or **Bakhodir Kurbanov**, aged 27 or 28). For further information, refer to: <https://www.hrw.org/news/2024/05/30/uzbekistan-imprisoned-insulting-president-online>, <https://thediplomat.com/2024/05/1-amendment-dozens-of-arrests-how-uzbekistan-is-hounding-citizens-who-criticize-the-president/>, <https://www.rferl.org/a/uzbeistan-bloggers-psychiatric-care-criticizing-president-mirziyoev/32771398.html>, <https://rus.ozodlik.org/a/32679317.html>, <https://www.gazeta.uz/ru/2024/04/30/insult/>, <https://nova24.uz/uzbekistan/zhitelya-namangana-posadili-za-oskorbleniya-prezidenta-v-socsetyah/>.

<sup>21</sup> <https://uznews.uz/posts/73309>

<sup>22</sup> <https://www.gazeta.uz/ru/2022/02/08/presidents/>

Mirzoyoyev.” According to media reports, Babaniyozov apologised in court and explained that he had acted out of despair over the lack of heating gas in his village and the high rate of unemployment. Reportedly, Babaniyozov served his sentence in a strict prison colony.

In another case, **Otabek Kadyrov**, **Rustam Oripov** and **Mirzakhid Khasanov** were sentenced to long terms of imprisonment for “insulting the president” and other charges that relate to statements they made online.

The authorities arrested Kadyrov on 16 May 2023, and Oripov and Khasanov a few days later. The three men were charged with “publicly insulting or slandering the president” (Art. 158, part 3), “terrorism” (Art. 155), “attacking the constitutional order of the Republic of Uzbekistan” (Art. 159) and “establishment, leadership, participation in religious extremist, separatist, fundamentalist or other prohibited organizations” (Art. 244-2). Kadyrov was additionally charged with “inciting national, racial, ethnic or religious enmity” (Art. 156, part 3, a and e) and “abuse of state symbols” (Art. 215). Two other men who are also linked to the case, Bekzod Allamuradov and Otabek Zokirov, are reportedly “wanted” for “attacking the constitutional order of Uzbekistan” (Art. 159) and believed to be outside the country.

The charges relate to opinions the defendants expressed in a non-public Telegram chatroom. Reportedly, some of the posts from the chatroom were subsequently posted on YouTube and in an open Telegram space without the authors’ knowledge, let alone their permission. The charges against Otabek Kadyrov additionally relate to statements he made on his Facebook page<sup>23</sup> as well as on YouTube, under the alias “Khalid Kadir”.

During the trial, Karshi City Criminal Court referred to several of Kadyrov’s posts where he commented on the ongoing legal reforms in Uzbekistan, on key political events such as the presidential elections or on amendments to the Constitution of Uzbekistan. For example, in the verdict the judge drew attention to a post by Kadyrov from February 2022, where he stated that “Mirziyoyev's politics are primitive politics [...] Mirziyoyev has no understanding of political science. Uzbekistan will never develop under Mirziyoyev's rule.” In another statement issued in February 2022, Kadyrov claimed that “Mirziyoyev is not turning the government into a state based on the rule of law. Therefore, we all need to switch to a parliamentary system. Dear brothers, if we move to the parliamentary system, there will be religious freedoms and the rule of law. We have to set up opposition parties and opposition politicians.”

During the investigation, the co-defendants’ posts were sent to experts for a comprehensive political and linguistic examination on 24 January 2023, and additionally examined by the expert commission on information and mass communication on 2 February 2023. Both sets of experts concluded that the materials did not contain calls for unconstitutional changes of the current state system, the removal of legally elected or appointed representatives of power, or unconstitutional violations of the territorial integrity of Uzbekistan, and that they did not

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<sup>23</sup> <https://www.facebook.com/profile.php?id=100023604367163>

constitute insults of the president. Despite these expert findings, Karshi Criminal Court sentenced Oripov, Khasanov and Kadyrov to 11, 12 and 13 years' imprisonment, respectively, on 12 February 2024.

In 2023, Kadyrov had also been targeted and temporarily detained in relation to his social media commentaries and interviews to Radio Ozodlik.

On 19 October 2023, Kattakurgan District Court in the Samarkand region sentenced 38-year-old **Bunyodjon Boboniyozov**, a father of two, to five years and one month in prison for “publicly insulting or slandering the president” (Article 158, part 3 of the Criminal Code) and “attacking the constitutional order of the Republic of Uzbekistan” (Art. 159). The court cited several social media posts. In one of them Boboniyozov accused President Mirziyoyev of “selling out to Putin”, in another he accused President Mirziyoyev of supporting President Putin in the war against Ukraine. Forensic experts of the Ministry of Justice reportedly concluded that his posts contained elements of insult and slander. The accusations under Article 159 reportedly referred to Boboniyozov’s alleged membership of the former secular opposition party “Erk”, which was banned in Uzbekistan in 1993.<sup>24</sup>

On 26 October 2023, 19-year-old **Dilshod Samandar ugli Iskandarov** was sentenced to two and a half years in prison for insulting the President and his family in an Instagram post, RFE/RL’s Radio Ozodlik reported.<sup>25</sup> Although the young man deleted the post after friends warned him of the risks, he was still prosecuted. Forensic experts from the Ministry of Justice reviewed the post and concluded that it contained insulting and discrediting content about the president. Iskandarov had reportedly returned from Russia, where he was working, to attend the trial at the Kattakorgan District Court in the Samarkand region. During the trial, he expressed regret for his actions and asked for forgiveness, but the court found him guilty under Article 158, part 3 of the Criminal Code.

## **Criminal punishment for “defamation” and “insult”**

In recent years several bloggers and social media commentators have been convicted for “defamation” or “insult” under Criminal Code articles 139 and 140, respectively. As outlined above, criminal defamation charges contradict Uzbekistan’s obligations under international human rights law. Some defendants faced additional criminal charges.

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<sup>24</sup> <https://rus.azathabar.com/amp/podderzhivaet-putinizm-v-uzbekistane-polzovatelya-sotssetey-kritikovavshego-mirziyaeva-v-internete-prigovorili-k-5-godam-tyurmy/32759529.html>

<sup>25</sup> <https://www.rferl.org/a/uzbekistan-teenager-jailed-insulting-president-mirziyoev-instagram/32681371.html> and <https://rus.ozodlik.org/a/32679317.html>

For example, on 21 January 2022, Mirabad District Court found blogger **Miraziz Bazarov** guilty of “defamation for selfish or other base motives” under Article 139, part 3g of the Criminal Code, allegedly for making slanderous comments about teachers and other bloggers. AHRCA and IPHR believe that Miraziz Bazarov was targeted to punish him for peacefully exercising his right to freedom of expression. The court sentenced him to three years’ restriction of liberty, prohibited him to use the internet; to express himself publicly through the media or the internet; to participate in mass meetings or events; to leave the Tashkent region; and to continue his freelance work of psychological counselling and personal development. On 4 March 2022, Tashkent City Court turned down his appeal against the sentence.

Miraziz Bazarov became known for his statements about the lack of transparency and public scrutiny of the spending of international loans related to COVID-19, remarks about the poor quality of education he alleged to have received at school, gender equality, as well as social media posts calling for the decriminalisation of same-sex relationships between adult men, and allegations of double standards among officials towards LGBT people.<sup>26</sup>

On 28 March 2021, before the case against him had been opened, Miraziz Bazarov was attacked by masked men as he was walking in Tashkent with his girlfriend, and suffered serious injuries for which he required hospital treatment.

The police opened an investigation into the attack, but the attackers were not officially identified and there are concerns that the police investigation was not conducted thoroughly, impartially and effectively.<sup>27</sup> During the time when Bazarov was actively blogging, many Uzbekistani supporters of so-called traditional values had issued threats of violence, including death threats, against the blogger. To our knowledge, no one has been held accountable for any of these threats.

Instead, a criminal case was opened against Bazarov, and he was placed under house arrest as soon as he was discharged from hospital in late April 2021. There were credible allegations that the authorities used the following months to fabricate charges against Bazarov by urging individuals to submit complaints against him.

Five months later, on 27 September 2021, Bazarov was officially charged with defamation. Police reported that they had received complaints about his social media posts, including a complaint from several school teachers from school No. 110 in Tashkent’s Mirabad District. The teachers complained that Bazarov had “denigrated their honour and dignity” in connection with a TikTok video that he had posted in 2020 where he was standing in front of school No. 110 and said that “school is the place where elderly female slaves and losers teach

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<sup>26</sup> Further information on the case: <https://www.iphronline.org/uzbekistan-miraziz-bazarov-slander.html>

<sup>27</sup> While Bazarov claims to know the names of the attackers and forwarded them to the authorities in his formal complaint, the Main Department of Internal Affairs of Tashkent announced that the criminal case into the unknown persons had been closed.

children to be slaves and losers". The charge against him was formally based on a state-ordered expert assessment of this video. Bazarov maintains that he was merely expressing his personal opinion. Bazarov did not mention the names of any teachers in the video.

The charge against Bazarov also related to a second complaint received by the police from three bloggers who complained that in a YouTube video Bazarov had accused them of cooperating with the National Security Service, and of using closed social media groups and resources of the Islamic State of Iraq and Syria (ISIS) group in order to call on their followers to kill Bazarov.

In his cassation complaint of 21 June 2023, Bazarov's lawyer pointed out that his client's case file did not contain any information indicating that investigators had actually examined Bazarov's claim of the three bloggers having called on their followers to kill him. The lawyer added that the complainants' videos indeed contained attributes of ISIS and excerpts of the movement's videos. In addition, neither Mirabad District Court nor the appeal court provided any evidence why Bazarov was found guilty of defamation under aggravating circumstances, i.e. "defamation for selfish or other base motives" (part 3g of Article 139 of the Criminal Code). Instead, according to the lawyer, the investigation found evidence that Bazarov had derived no financial benefits from his blogging.

While under house arrest, the authorities have continued to closely monitor Bazarov's activities and harassed him on several occasions. On 19 May 2023, over two years after he was initially placed under house arrest, two or three people in civilian clothes approached Bazarov as he was taking out rubbish from his house in the evening, grabbed him, and tried to push him into their car, while another car was waiting nearby. Three more men in civilian clothes prevented neighbours from rushing to Bazarov's aide. As Bazarov did not know who the people who grabbed him were, he resisted being put into the car, and in the struggle lost both his shoes and glasses. Eventually, a local police officer clarified that the men were police officers from Tashkent police.

He was taken to the police station, but his family was not notified of his whereabouts for several hours. While held at the police station, officers reportedly beat him, stood on his injured leg, and one in particular threatened to cut his throat and pinched his waist with a carpenter's tool. AHRCA and IPHR have seen photo evidence of the injuries. The next day, Bazarov's lawyer filed a complaint about the alleged ill-treatment. The authorities replied that all steps taken were lawful and part of a preventive conversation.

On 1 July 2024, Bazarov's term of restricted liberty ended. According to civil society sources, he has resolved not to resume his activities as a blogger in order to avoid further persecution.

Many defendants who were convicted for criminal defamation charges were additionally found guilty of other criminal charges. In some cases, the additional charges were fabricated to silence critical voices.

For example, in January 2021, the blogger **Otabek Sattoriy** was detained and in May 2021 he was sentenced to six and a half years' imprisonment on charges of "defamation" (Article 139 of the Criminal Code) and "extortion" (Art. 165). The circumstances of the case clearly suggest that it was fabricated in connection with Sattoriy's independent blogging on corruption related issues. In November 2022, the UN Working Group on Arbitrary Detention concluded that "the basis for the arrest and subsequent detention of Mr. Sattoriy was in fact his exercise of freedom of expression" and called for his immediate release.<sup>28</sup>

Prior to his arrest, Sattoriy had repeatedly criticised and accused representatives of local authorities in the Surkhandarya region of corruption, including the former mayor (Hokim) and other officials, both on social media and in YouTube videos under the pseudonym of "Halk Fikri" – "People's Opinion".<sup>29</sup> As his posts drew the attention of the general public, he began to receive death threats from unknown people warning him to stop blogging.

On 30 January 2021, plainclothes police officers detained Sattoriy near his house and on 1 February 2021, Termez City Criminal Court remanded him in custody. He was accused of extorting a new mobile phone from the director of the local Sherabad bazaar in December 2020 by threatening him to publish information about shortcomings at the bazaar unless he gave him the phone.

During the trial Sattoriy stated that he had gone to the bazaar in December 2020 together with a journalist of the media outlet *effekt.uz* to report about food prices after President Mirziyoyev had promised that there would be no price hike ahead of the New Year festivities. Two men who introduced themselves as employees of the bazaar reportedly told Sattoriy that it was not allowed to take photos at the bazaar. After an argument the men reportedly grabbed Sattoriy's mobile phone and damaged his jacket.

According to one of Sattoriy's former lawyers Umidbek Davlatov, the blogger then filed a complaint with the district authorities. Sattoriy's lawyer and a fellow journalist both stated that the director of the bazaar subsequently offered to compensate Sattoriy by replacing the damaged phone with a new one.

Prior to his detention, the director of the bazaar reportedly called Sattoriy, and they agreed to meet near the blogger's house. However, as soon as the director gave him the new phone and Sattoriy was walking away, plainclothes police officers approached, detained him at the gate of the house and took him to Termez Police Station.

Sattoriy was charged with "extortion" in connection with the phone and shortly afterwards additional charges of "defamation" and "extortion" were brought against him based on complaints filed by individuals whom Sattoriy had accused of corruption in his blogs. All

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<sup>28</sup> <https://www.ohchr.org/sites/default/files/documents/issues/detention-wg/opinions/session95/A-HRC-WGAD-2022-83-AEV.pdf>

<sup>29</sup> <https://www.youtube.com/channel/UCpgE1ePcdCDhEe10p4Zb3yA>

complaints were submitted after his arrest and there were strong allegations that police actively approached people to fabricate a case against Sattoriy. Later, one man admitted that he was put under pressure to incriminate Sattoriy.

There are also concerns that Sattoriy was subjected to ill-treatment during pre-trial detention from 30 January to 11 March 2021 at Termez Police Station. In addition, the head of Termez City Police department reportedly threatened Sattoriy during questioning, telling him that he would remain “behind bars for the rest of your life”. The first state-appointed lawyer who represented Sattoriy from 31 January to 1 March 2021 was reportedly close to the police investigators and failed to take action to protect Sattoriy’s interests. Sattoriy was not allowed a lawyer of his own choosing at this point. Neither was he allowed family visits, or to receive parcels of food, clothes or medicines. He suffered from headaches, cystitis, kidney infections, high fever and convulsions, exacerbating his asthma and allergies. He caught Covid-19 but his relatives were not allowed to give him medicines.

On 10 May 2021, Muzrabad District Court in the Sukhodarya region sentenced Sattoriy to six and half years in prison. He appealed the ruling but on 15 July 2021 Samarkand Regional Criminal Court dismissed it. The Supreme Court of Uzbekistan subsequently rejected Sattoriy’s cassation complaint and upheld his sentence on 5 April 2022. His lawyers tried to appeal against the Supreme Court’s decision, but without success.

Sattoriy first served his sentence in prison colony No.4 near the city of Navoi. In December 2023, he was transferred to a settlement colony near his home town of Termez.

On 5 February 2024, Karshi District Court considered Sattoriy’s request for mitigation of punishment and granted it. Based on Article 74, part 3 of the Criminal Code, the remaining time of imprisonment was replaced by corrective labour and payment to the state of 20 per cent of his earnings. Sattoriy was released from the courtroom.<sup>30</sup>

In other cases, AHRCA and IPHR did not have sufficient information to ascertain whether additional charges were fabricated, but are calling on the authorities to drop the criminal defamation charges, which contradict international human rights law, and review the cases in fair proceedings to ensure that no one is punished for peacefully exercising their right to freedom of expression.<sup>31</sup>

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<sup>30</sup> <https://www.gazeta.uz/ru/2024/02/05/otabek-sattoriy>

<sup>31</sup> Further cases: In 2022, Tashkent’s Yunusabad District Court sentenced the blogger **Aleksey Garshin** to a large fine under Article 140 of the Criminal Code.

On 9 August 2023, the Ministry of Internal Affairs reportedly added the blogger **Sherali Komilov** to the wanted list on charges of “insult” (Article 140, part 3 of the Criminal Code) and “extortion” (Art. 168). He runs a YouTube channel with some 17 000 followers and a Facebook account with some 8000 followers.

<https://www.gazeta.uz/ru/2023/08/10/wanted/>

On 1 December 2023, Fergana District Court sentenced the blogger **Olimjon Khaidarov** from Kokand to eight years’ imprisonment under Article 139, parts 2, 3, Article 140, part 3a and Article 165, part 2b. The latter charge punishes large-scale extortion. (Source: <https://www.gazeta.uz/ru/2023/12/01/olimjon-haydarov/>).

For example, in January 2023, the authorities detained several individuals whom they suspected of having established and contributed to the Telegram channel Kompromat.uzb, which, at some point, had over 130 000 subscribers. Kompromat.uzb disseminated information about illegal activities of government representatives. The channel was set up in August 2021 by individuals who wished to remain anonymous.

In 2023, several journalists, (former) officials and press secretaries of government institutions as well as spokespeople of businesses were reportedly arrested in connection with Kompromat.uzb, on charges including “defamation” under Article 139, part 2 of the Criminal Code and financial crimes including “extortion” (Art. 165), “tax evasion” (Art. 184), “money laundering” (Art. 243). The contributors to the Telegram channel were accused of extorting money by threatening to publish critical articles. The prosecution case related to complaints from 19 persons, ten of whom were civil plaintiffs.

Among those detained were Khurshid Daliyev, director of the human.uz website; Muslim Mizajonov, the website’s editor-in-chief; Siyavush Khoshimov<sup>32</sup>, former press secretary of the Uzbekneftegaz Corporation, Mavzhuda Mirzayeva<sup>33</sup>, former spokesperson for the Ministry of Employment and Poverty Reduction; Akhmaddulo Akhmadzhonov; the former Minister of Employment and Labour Relations; Nozim Khusanov, former First Deputy Minister of Employment and Poverty Reduction<sup>34</sup>; Afzal Irmatov, former Director of the Agency for External Labour Migration<sup>35</sup>; Bakhtiyor Atamuradov, Director General of the Uzbekchorvanasl Agency under the State Veterinary and Livestock Committee<sup>36</sup>; Manuchehr Mirzayev, spokesman for the mayor (hokim) of Samarkand Region<sup>37</sup>; Mirzo Sharipov, deputy director of the Bukhara Institute of Engineering and Technology for Scientific Affairs and Innovations<sup>38</sup>; and Uygun Tursunkhodjayev, director of the CIBGROUP company<sup>39</sup>.

Among those who were convicted on criminal defamation (“slander” under of the Criminal Code 139) and other charges were **Khurshid Daliyev, Siyavush Khoshimov and Akhmaddulo Akhmadzhonov.**

In another case, 47-year-old blogger **Lemara Mirzaakhmedova** was arrested in March 2023. On 12 October 2023, Zangiatsinsk District Court in Tashkent sentenced her to seven-and-a-half-years in prison for “defamation” (Articles 139, part 3a and g), “insult” (Art. 140, part 2),

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On 17 March 2024, according to information received by AHRCA, a criminal case was opened against the blogger **Sanjar Askarov** from Samarkand region. The case was brought under Article 139, part 3g and another article of the Criminal Code, which is not currently known.

<sup>32</sup> <https://www.ung.uz/>

<sup>33</sup> <https://mehnat.uz/>

<sup>34</sup> <https://www.gazeta.uz/ru/2023/04/11/nozim-husanov/>

<sup>35</sup> <https://www.gazeta.uz/ru/2023/03/25/agency/>

<sup>36</sup> <https://vetgov.uz/ru/o-nas/rukovodstvo/atamuradov-bakhtiyer-tuymurodovich?print=y>

<sup>37</sup> <https://samarkand.uz/mirzaev-manuchehr-boborahimovich>

<sup>38</sup> <https://bmti.uz/>

<sup>39</sup> <https://cio.uz/community/uygun-tursunhodzhaev-nigmanhodzhaev/>

“extortion” (Art. 168, part 3a) and “production, forgery of documents, stamps, seals, letterheads, their sale or use” (Art. 228). Tashkent Regional Court turned down her appeal in December 2023 and left the sentence unchanged.<sup>40</sup> Lemara Mirzaahmedova is known for her social media posts where she frequently criticized local officials under the pseudonym of Emina Karamanova. The extortion charge relates to her role as the head of a business that she owns.<sup>41</sup>

## **Other criminal charges brought to punish peaceful exercise of right to freedom of expression**

The authors of this document also received credible allegations that authorities opened cases against critical bloggers and social media commentators under other articles of the Criminal Code in order to silence them. Before the arrest, they had raised issues deemed sensitive by those in power including corruption and human rights violations.

For example, the religious blogger **Fazilhoja Arifhojaev** was sentenced to seven and a half years’ restricted freedom in relation to a Facebook post of 6 March 2021, where he reflected on whether it was appropriate for a Muslim to congratulate non-Muslims on their religious holidays. Arifhojaev is known for posts criticising the Uzbekistani authorities for their religious policies.

Arifhojaev was initially detained in June 2021 for 15-days administrative detention after being found guilty of petty hooliganism (under Article 183 of the Administrative Code) in connection to an altercation with another blogger and cleric who Arifhojaev accused of being a “hypocrite”. However, Arifhojaev was not released after serving the 15-day detention term but instead a criminal case was initiated against him in relation to the Facebook post. The police alleged that they found “material of dubious religious nature” on his phone intended for distribution. Reportedly, government experts concluded that the post could “trigger panic among the population” and is deemed to constitute “religious fundamentalism”.

On 26 January 2022, the Almazar District Court of Tashkent found Arifhojaev guilty of “preparation, storage, distribution or display of materials that threaten public security and public order” (Art. 244-1, part 3 of the Criminal Code) and sentenced him to seven and a half years in prison. According to Human Rights Watch (HRW), Arifhojaev suffered ill-treatment and lack of medical treatment in detention. The organization concluded that the allegations against him were unfounded.<sup>42</sup>

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<sup>40</sup> <https://www.rferl.org/a/uzbekistan-blogger-prison-defamation/32730507.html>

<sup>41</sup> <https://www.rferl.org/a/uzbekistan-blogger-prison-defamation/32730507.html>

<sup>42</sup> <https://www.hrw.org/news/2022/01/28/uzbek-blogger-jailed-facebook-post>

Arifhojaev was conditionally released on 7 December 2023; he has to regularly report to the Probation Service, contribute part of his salary to the state, and is not allowed to use the internet.

## **Bloggers forcibly confined in psychiatric institutions**

It is believed that the social media commentator Valijon Kalonov and the blogger Shahida Salomova are confined in psychiatric hospitals to punish them for harsh criticism of government policies and actions of officials on social media. There are allegations that they are being administered psychotropic drugs against their will. In the case of Shahida Salomova, AHRCA was able to analyse the court proceedings, document significant procedural violations and draw the conclusion that her confinement violates the blogger's human right not to be deprived of liberty arbitrarily. This right is enshrined in Article 9 of the ICCPR.

In 2021, **Valijon Kalonov**, a 54-year-old father of four, was charged with “publicly insulting or slandering the president” under Article 158, part 3 of the Criminal Code. The charges were subsequently dropped, but he continues to be held in a psychiatric hospital in what appears to be punishment for peacefully exercising his right to freedom of expression. Kalonov alleged that he is administered psychotropic medication against his will.

In April 2021, the Dzhizak Regional Prosecutor's Office reported that Kalonov was accused of “misinterpreting the reforms carried out under the leadership of the President to the general public, for insulting the President and disseminating information that degrades and discredits the image of the head of state, thereby slandering him” on Youtube and Facebook. Later it became known that the case was led by the regional National Security Service.<sup>43</sup> Valijon Kalonov reports that he was additionally charged with “production, storage, distribution or demonstration of materials containing a threat to public security and public order” (Art. 244-1).

Before the October 2021 Presidential elections, Kalonov had criticized the President in a video posted on YouTube and called for a boycott of the elections. In recent years Kalonov's posts additionally included criticism of China's clampdown on the Uighur minority in Xinjiang and of Uzbekistan's cooperation with China.

According to a letter by Kalonov that the authors of this report received in March 2024, the Dzhizak Criminal Court ruled in a closed court hearing on 28 December 2021 that he was not guilty of the charges and they were dropped. Kalonov was not released but was reportedly subjected to compulsory treatment in the Psychiatric Hospital No.1 in the city of Samarkand. This move was reportedly based on the results of a forensic medical examination that had been conducted in the course of the investigation, which found that Kalonov was “mentally

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<sup>43</sup> <https://www.gazeta.uz/ru/2021/04/19/bakhmal-insult/>

unhealthy”.<sup>44</sup> According to Kalonov, the examination was conducted without a lawyer of his choice.

According to Kalonov, the following year he was transferred to Dzhizak regional psychiatric hospital following a 22 September 2022 ruling by the Court of Urgut district in Samarkand. Kalonov continued to be forcibly held there at the time of writing. In his letter he claimed that medical doctors regularly send medical reports about him to the court and in turn, the court regularly extends his compulsory treatment. Kalonov claims that by the time the administration of the psychiatric hospitals gives him the court decision it is too late for him to appeal against the decision.

In a video appeal recorded by another blogger that was posted on YouTube in February 2022, Kalonov called on the international community for help and claimed that he was forcibly treated with psychotropic medication.<sup>45</sup>

Prior to her detention in December 2022, 60-year-old blogger **Shahida Salomova** frequently posted criticism of government officials on social media and her telegram channel. Her YouTube channel under the name “Shahinya Koroleva” had some 5660 subscribers. She also provided free legal advice to victims of illegal evictions.

On 18 December 2022, Salomova published a photo of the President and his relatives on her Telegram account, accusing them of corruption and nepotism. The next day, she posted a picture of the President’s son-in-law Otabek Umarov with a woman she described as his second (unofficial) wife. Two hours later she published an audio recording, saying that the electricity and phone were cut off in her home and that four unknown men were at the door demanding that she open it. Then she stopped posting.

Later it became known that some seven officers from Tashkent City Police had come to her house, searched it, and took Salomova with them to the police station. Shortly after her arrest, law enforcement agents closed her Telegram account without a court decision.

Salomova was charged with “defamation” (Article 139 of the Criminal Code), “insult” (Art. 140) and “production, storage, distribution or demonstration of materials containing a threat to public security and public order” (Art. 244-1).<sup>46</sup>

Formally, her arrest was based on a complaint lodged by blogger Alexei Garshin in May 2022 who previously had a dispute with Salomova over comments she had allegedly made about him on social networks. A second complaint against her was lodged by well-known blogger Abror Abruazimov (also known as Abror Mukhtor Ali). Civil society sources believe that the

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<sup>44</sup> <https://www.gazeta.uz/ru/2022/02/08/presidents/>

<sup>45</sup> <https://www.youtube.com/watch?v=ICGGJSRjIvc>

<sup>46</sup> The exact charges were: Art. 139, para. 3 g, Art. 140, para. 2, Art. 244, Art. 244-1, para. 3 g.

authorities used the complaints as a way to silence her. During the first days in the detention facility of the Tashkent Department of Internal Affairs, Salimova's lawyers were not allowed to see her and she was reportedly given a state-appointed lawyer.

On 8 February 2023, Mirabad District Court in Tashkent found Salomova to be of unsound mind and "not guilty" of the charges brought against her. She continued to be held in the investigation-isolation facility of the Ministry of Internal Affairs in Mirabad district.

On 13 April 2023, Mirabad District Court in Tashkent stated that Salomova had committed socially dangerous acts in relation to the above-mentioned complainants and other individuals and that she had disseminated materials of religious fundamentalist content. Based on this, the court extended her forcible commitment to the psychiatric hospital.

She was forcibly confined to the Tashkent Clinical Psychiatric Hospital until early January 2023. While in this hospital, her lawyer and her relatives were regularly able to visit her.

In early January 2024, Mirabad District Court ruled to transfer her to the Republican Psychiatric Hospital of Intensive Observation in Tashkent, which operates under much stricter rules than the one where she was confined before. In this facility Salomova is not permitted any visits and the authors of this report are concerned that she is being administered inappropriate psychotropic medication against her will. Salomova suffers from diabetes, asthma, a chronic lung condition, and a disease affecting brain function.

Mirabad District Court based its decision on two forensic psychiatric examinations. However, the conclusions did not contain any evidence to suggest that Salomova presented a serious risk to others or to herself. No evidence was presented in court that Salomova's posts were aimed at disseminating religious fundamentalist ideas. As Salomova is an atheist, it seems unlikely. In addition, Salomova's right to defence was violated by the way the examinations were conducted. For example, her lawyer was not informed of the date of the examinations in advance, so he was not able to attend. Also, petitions from her and her lawyer and written statements arguing why the conclusions were faulty were not considered by the court.

## **Administrative charges brought to stifle freedom of expression**

Not all cases against bloggers and social media commentators have been opened under the Criminal Code, but many have faced administrative charges. In some of these cases, individuals were apparently targeted solely to punish them for peacefully exercising their right to freedom of expression.

For example, **Alim Nishan** describes himself as an atheist and used to frequently make fun of religious practices and beliefs on his Facebook page and in a non-public Facebook group named "Alternativ fikr/chergarasiz tafakkur" (Alternative thoughts/ Unlimited thinking), which he set up and administered until police forced him to shut it down in 2023.

Reportedly, in 2023 and 2024, police have repeatedly targeted him in connection with his social media posts.

Most recently, on 5 January 2024, police officers visited Nishan's house in Tashkent. As Nishan was working abroad he was not in Uzbekistan at the time, but the officers told his wife that an administrative case had been opened against him under Article 184 of the Administrative Code in connection with two Facebook posts. Reportedly, they did not specify, whether he was charged under Article 184-2 of the Code, which punishes "illegal production, storage, importation or distribution of religious materials" or under Article 184-3, which punishes "production, storage or distribution of materials propagandising national, racial, ethnic or religious hatred". Both articles carry hefty fines or, in the case of Article 184-3, administrative detention.

Nishan's relatives immediately called him by phone and a police officer reportedly told him that the charge related to two posts in which he ridiculed religious believers and beliefs. The officer told him to return home and report to the police station, although they did not present a written, official summons. Nishan removed the two posts in question from his Facebook account.

## **Bloggers and their families pressurized and threatened by the security services**

In recent years, the authors of this report received reports of cases where critical bloggers and social media commentators and their families have been put under pressure by officers of the National Security Service.

For example, journalist and blogger **Jannat Rakhimova** faced persecution because of her publications as a blogger and a journalist of the Uzbek edition of the Karakalpakstani online publication KAR24.uz. She noticed surveillance from the security services after officers of the National Security Service discovered that she was acquainted with Lolagul Kallykhanova, a Karakalpak journalist and editor of the online media outlet Makan.Uz, who was detained and sentenced to eight years in prison in January 2023 for reporting on the July 2022 events in Karakalpakstan. Rakhimova and Kallykhanova first met at a journalism training session. Later, during the July 2022 events, Rakhimova called Kallykhanova and urged her to behave with restraint to avoid harassment.

In October 2023, following pressure by security services, Rakhimova decided to temporarily leave the country, but security services have reportedly continued to put pressure on her through her family and online messages.

Jannat Rakhimova has a track record of writing about social issues and publicly criticising government officials. She built up a large audience in recent years and her following grew even

further in connection with an argument with a former colleague, whom Rakhimova accused of slander.

In October 2023, Rakhimova reported surveillance and pressure from the National Security Service that she attributed to her publications and her contact with Lolagul Kallykhanova. On 15 October, she noticed a car following her to her home in the town of Yangiyul in Tashkent region. The same evening four neighbours told her that a man who introduced himself to them under different names had offered them money in exchange for information about her.

On 19 October, Rakhimova posted information about these incidents on her Instagram account. Later that day she reportedly received a call from a member of parliament, whom she knew from a previous job. He reportedly criticised her posts, and urged her to delete them, telling her that he had given her phone number to an officer of the National Security Service.

Subsequently, Rakhimova was informally summoned to the Tashkent Department of the National Security Service, where three officers questioned her for four hours on 20 October 2023 about her Instagram posts and articles she had written for KAR24.Uz covering social concerns. The questioning took place without a lawyer and Rakhimova did not receive an official record of the meeting.

Reportedly, the next day, National Security Service officers went to her home and seized her computer. In violation of procedural regulations, the officers conducted the seizure without witnesses and failed to hand her a record of the confiscated items.

On 23 October 2023, Rakhimova left Uzbekistan after National Security Service officers reportedly gave her the choice of either cooperating with them and refraining from criticising government officials in her publications, or facing criminal charges.

On 30 October 2023, a local politician, whom Rakhimova suspects of cooperating with the National Security Service, called Rakhimova's colleague from KAZ24.Uz, inquired about her and why he continued to work with her.

Since Rakhimova left Uzbekistan, authorities have put pressure on her relatives, questioned them about her whereabouts, and they have urged Rakhimova to stop publishing critical articles and to return to Uzbekistan. For example, on 14 November 2023, several officers of Yangiyul City Department of Internal Affairs went to the house where Rakhimova used to live with her parents and told her mother to persuade her not to publish articles defaming the image of Uzbekistan on the internet. When an officer asked if her daughter was looking for trouble, the mother was reportedly so scared that she collapsed and had to be taken to hospital by ambulance.

Rakhimova continued to write for Kar24.Uz from abroad. On 7 February 2024, after the publication of one of her articles about the beating of children in a kindergarten, the

Karakalpakstan Security Service reportedly renewed pressure on the online outlet. Officers of the National Security Service from Turtkul District reportedly demanded the removal of the article and insisted that all KAR24.uz publications be coordinated with them.

In May 2024, an employee of the Yangiyul City Administration contacted Rakhimova by phone and asked for her passport. Reportedly, when asked under what law she was required to hand over her passport, he could not answer.

In another example, on 28 June 2024, officers of the Mirishkor District Department of Internal Affairs in Kashkadarya region visited the house of former political prisoner and the author of the "Dunyo va Siyosat" blog,<sup>47</sup> **Yusuf Ruzimuradov** showed **his two brothers** a Radio Ozodlik programme made for International Refugee Day, in which Ruzimuradov took part. Ruzimuradov's brothers were forced to testify against him. Ruzimuradov currently lives outside Uzbekistan. Officers of the National Security Service reportedly instructed Ruzimurodov's brothers to call Yusuf and threaten him into keeping quiet.

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<sup>47</sup> <https://www.youtube.com/@yusufmuzimurod978>

## Recommendations to the Uzbekistani authorities

- Bring domestic legislation in line with Uzbekistan's commitments as a party to the International Covenant on Civil and Political Rights. In particular, decriminalize defamation by abolishing articles 139 ("defamation"), 140 ("insult") and 158, part 3 ("publicly insulting or slandering the president") and ensure that defamation carries reasonable and proportional civil sanctions, following procedures which respect due process; and that remedies are proportionate such as the right of reply or correction (instead of fines, for example) which should be prioritised.
- Review the cases of anyone charged with or convicted for "publicly insulting or slandering the president" (Article 158, part 3 of the Criminal Code) including the cases of **Otabek Kadyrov**, **Rustam Oripov** and **Mirzakhid Khasanov**; **Bunyodjon Boboniyozov**; **Sitora Bozorova**; **Dilshod Samandar ugli Iskandarov**; **Ahrorbek Kochkarov**; **Sobir Normatov** **Ukirbek Sobirov**, **D. Turunov** (or **Bakhodir Kurbanov**); swiftly drop this and any other charges that were brought to punish them for peacefully exercising their right to freedom of expression.
- Review the cases of people charged with or convicted of criminal defamation charges under articles 139 or 140 including the cases of **Akhmaddulo Akhmadzhonov**, **Khurshid Daliyev** and **Siyavush Khoshimov**; **Sanjar Askarov**; **Aleksey Garshin**; **Olimon Khaidarov**; **Lemara Mirzaahmadova**; and swiftly drop these charges, in line with international human rights law that prohibits criminal defamation charges.
- Promptly and unconditionally discharge **Valijon Kalonov** and **Shahida Salomova** from forcible psychiatric confinement which has been imposed arbitrarily by the courts to punish them for peacefully exercising their right to freedom of expression.
- Take swift steps to provide compensation and reparations to released blogger **Otabek Sattoriy** in line with Opinion 83/2022 of the United Nations Working Group on Arbitrary Detention.
- Ensure that **Jannat Rakhimova** and her family are not subjected to threats and harassment.
- Ensure that bloggers and social media commentators can go about the peaceful exercise of their right to freedom of expression without interference.
- Amend the Law on Informatisation and introduce legal safeguards to ensure that it is not used to curtail freedom of expression.
- Refrain from imposing Internet shutdowns and cease the arbitrary blocking and disabling of websites, social media platforms and mobile phone messengers.