



HUMAN RIGHTS IMPACT ASSESSMENT OF THE COVID-19 RESPONSE IN UZBEKISTAN

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This paper has been prepared within the framework of an initiative of International Partnership for Human Rights (IPHR) and its partners from Central Asia to monitor and document the human rights impact of governments' responses to the COVID-19 pandemic in this region. The primary focus of this initiative is the protection of the fundamental freedoms of expression, association and assembly; the rights to liberty and security and access to justice; as well as the rights of vulnerable groups. The Central Asian papers, planned to be compiled into a common, regional report when they have all been finalised, are also part of a broader IPHR initiative to assess governments' responses to the COVID-19 pandemic across the Former Soviet Union (FSU). All country reports prepared in this context are based on information and data provided by national focal points – local researchers working with IPHR – and local civil society organisations with which IPHR has been collaborating for many years, as well as on information obtained through additional research conducted by IPHR. While collecting the data we paid particular attention to rights violations that occurred exclusively in the context of restrictive measures and policies that were introduced by the local authorities in relation to the COVID-19 pandemic. However, we also documented developments related to pre-existing trends of concern that were reinforced during the pandemic.



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Introduction

Soon after the first cases of COVID-19 were registered in Uzbekistan in March 2020, the government introduced restrictive measures amounting to a lockdown but stopped short of declaring a state of emergency. In May, the authorities introduced a colour-coded system of zones, which was in effect until October, and reflected the degree to which an area of the country was affected by the pandemic. Each colour was associated with different sets of measures.

The pandemic and measures to contain it have severely affected Uzbekistan; the economy has suffered and hundreds of thousands of people have seen their socio-economic situation worsen. It has also highlighted the underlying weaknesses of the Uzbekistani healthcare system - medical officials sounded the alarm as early as in July when some 8000 cases had been registered, warning that the healthcare system was reaching full capacity and since then the number of cases has increased significantly.

Freedom of expression in Uzbekistan, already tightly controlled before the pandemic, has come under even more pressure as the authorities have cracked down on independent, non-official information relating to this public health crisis, arguing that it might cause panic amongst the population as well as on those voicing criticisms about the government's COVID-19 policy. Medical doctors who have questioned the COVID-19 response have faced pressure and, in at least one case, criminal prosecution.

Civil society sources have disputed the official COVID-19 statistics and compiled and shared lists on social media of cases of deaths which are likely associated with the virus; these numbers significantly exceed the official statistics.¹

Legislation introduced earlier this year penalising the dissemination of false information about infectious diseases with up to three years' imprisonment has made people even more cautious about exercising their right to freedom of expression.

As in other countries, prisoners and detainees in Uzbekistan are at heightened risk of contracting COVID-19. However, the authorities have not published any information about measures taken to protect this category of people from the virus, and reports by prisoners and their relatives indicate that the measures taken have been far from sufficient. No efforts have been made to review pre-trial detention cases to determine whether it was possible to apply non-custodial measures of restraint to all but the most serious offenders. Some measures have been taken to ensure access to justice in the exceptional circumstances of the pandemic, such as allowing submission of complaints to courts online. The right to have access to justice has nevertheless been severely affected by the restrictive measures in place.

Restrictions on the freedom of movement in areas of the country categorised as red and yellow zones have severely limited detainees' and prisoners' access to lawyers. In many cases lawyers were not able to see their clients in detention, even when the latter alleged having been subjected to torture or ill-treatment.

1 For further information, refer to: https://yumh.uz/ru/news_detail/244 and <https://www.gazeta.uz/ru/2020/11/27/aimk/>

Several local civil society groups report an increase in domestic violence in Uzbekistan during the COVID-19 pandemic and the state-imposed lockdown. The five shelters which remained open during the initial lockdown had to turn away victims for lack of capacity.

Compared to other groups of Uzbekistani society, LGBTI individuals -- already vulnerable due to the criminalization of consensual same-sex relations between men and widespread homophobia -- have faced an increased risk of homelessness and poverty during the pandemic, and of being subjected to extortion and blackmail.

Coronavirus in Uzbekistan: statistics and government measures

Statistics

The first case of coronavirus was declared in Uzbekistan on 15 March 2020, and on 23 March the Special Commission put in place measures to prevent the virus from spreading in the country,² including by adopting a resolution on the timely identification of patients or persons with suspected COVID-19.³ By May there were officially over 2200 cases including 10 deaths. As of 15 December the Ministry of Health of Uzbekistan had registered 75 094 confirmed cases, and in 612 cases the patients contracting COVID-19 had died.⁴

On 16 November, AHRCA contacted the Office of the Human Rights Ombudsperson of Uzbekistan with a request to clarify whether the published statistics included information about sick prisoners; with what regularity testing of prisoners was carried out; why the national statistics reflect only those who have attested positive for coronavirus, and not people with pneumonia or other COVID-like symptoms who have not been tested. The Ombudsperson's Office has not replied at the time of writing.

Information published by the Ministry of Health on 17 November indicated that 2123 patients were receiving treatment for COVID-19. However, later on the same day, the Ministry issued further information indicating that the number of people treated in medical facilities for patients with COVID-19 is 6,570, including "patients with acute respiratory diseases, with suspected coronavirus and severe cases of pneumonia, as well as patients who have unconfirmed diagnoses of coronavirus." The media outlet Gazeta.uz and several bloggers raised questions about the accuracy of official statistics and drew attention to the rapid rise in the numbers. The Ministry of Health subsequently explained the discrepancy by saying that the figure of 2123 referred to people diagnosed with COVID-19, whereas the higher figure included patients who had not been tested for coronavirus but suffered from acute respiratory symptoms, including severe cases of pneumonia, and were being treated in specialized medical institutions in a number of regions across the country.⁵ The Ministry explained that once patients test positive for coronavirus they are included in the official coronavirus statistics, (meaning the figure of 2123).

2 The Commission was established on 29 January 2020 and is headed by the Prime Minister.

3 https://www.norma.uz/nashi_obzori/s_23_marta_vvoditsya_ryad_ogranicheniy_i_trebovaniy

4 <https://coronavirus.uz/ru>

5 <https://www.gazeta.uz/ru/2020/11/17/mz/>

Many non-governmental sources claim that the authorities pursue a policy of intentional under-reporting.⁶ In late November, the Government Agency for Information and Mass Media (AIMKA) warned media outlets which published concerns about discrepancies in official coronavirus statistics that they could face “serious legal consequences”.⁷ Unofficial reports on social media and other platforms indicate that there have been at least 520 COVID-19 related deaths only among doctors and medical workers, throwing into doubt the accuracy of the official death toll.⁸

Until 20 November, information on deaths of health workers was publicly available on the Telegram channel https://t.me/fido_uz, but the unofficial site is no longer accessible. (Refer to the chapter on freedom of expression).

Legislation and government measures

Legal provisions for periods of sanitary and epidemiological crises in the country are set out in the Constitution, as well as in the March 2020 Law “On the sanitary and epidemiological well-being of the population.” The 2020 law states in Article 31 that in the event of a threat of infectious and parasitic diseases, the Cabinet of Ministers and regional administrations (hokimiyats) are authorised to introduce restrictive measures.⁹

On 29 January 2020, a Special Republican Commission (further - Special Commission) under the Prime Minister was established by Presidential Order, and tasked with setting out a “Programme of Measures to Prevent the Importation and Spread of the Coronavirus in Uzbekistan”.¹⁰ The Special Commission is responsible for tracking the pandemic and instigating preventive measures to reduce the mortality rate and ensure qualified medical care for patients.¹¹

There is no publicly available information about the composition of the Special Commission, how often it meets or the agenda of its meetings. It does not have a dedicated website or a specialised online resource with information about government measures against COVID-19, financial assistance programmes and other issues. Instead official decisions and relevant information are disseminated through the Telegram channel “Koronavirus Info | Uyda Qoling!”¹² only in Uzbek, communicated to the local media and shared by the public on social media networks. Local media then translate the information into different languages for their audiences.

Access to information of people with disabilities about COVID-19 is limited as the authorities do not provide such information in sign language and in accessible media, modes and formats, such as subtitles, relay services, text messages, easy to read and understandable language.

6 <https://en.fergana.news/news/119807/>; <https://www.gazeta.uz/ru/2020/11/27/aimk/>

7 <https://www.gazeta.uz/ru/2020/11/27/aimk/>

8 <http://www.asiaterra.info/news/po-neofitsialnym-podschetam-v-uzbekistane-ot-kovida-skonchalis-bolee-500-medikov>

9 [https://nrm.uz/contentf?doc=629962_polojenie_o_slujbe_sanitarno-epidemiologicheskogo_blagopoluchiya_i_obshchestvennogo_zdorovya_respubliki_uzbekistan_\(prilojenie_n_3_k_postanovleniyu_prezidenta_ruz_ot_27_07_2020_g_n_pp_4790\)&products=1_vse_zakonodatelstvo_uzbekistana](https://nrm.uz/contentf?doc=629962_polojenie_o_slujbe_sanitarno-epidemiologicheskogo_blagopoluchiya_i_obshchestvennogo_zdorovya_respubliki_uzbekistan_(prilojenie_n_3_k_postanovleniyu_prezidenta_ruz_ot_27_07_2020_g_n_pp_4790)&products=1_vse_zakonodatelstvo_uzbekistana); <https://www.lex.uz/acts/2732584>

10 The Law “On the Cabinet of Ministers” <https://lex.uz/acts/52278>

11 Government Decree No. 176 dated 23 March 2020 established the obligation to comply with all decisions taken by the Special Commission within the framework of its powers.

12 <https://t.me/koronavirusinfouz>

The press services of other government agencies that are involved in counteracting the spread of the virus such as the Ministry of Health and those involved in enforcing related government measures usually use their Telegram channels or departmental websites to disseminate decisions and information about COVID-19 to the public.

Measures introduced in order to curtail the spread of the virus included border closures, self-isolation and restrictive measures which were instigated in March and lasted initially until 20 April, before the nationwide lockdown was repeatedly extended until 15 August 2020.¹³ From 1 August all people entering the territory of Uzbekistan had to stay in quarantine in accommodation centres or hotels. From 17 August lockdown measures began to be lifted.¹⁴

Uzbekistan's international borders were closed from 16 March to 1 October 2020 apart from for goods transport. From 1 October entry into and exit from Uzbekistan was allowed through airports, railways and roads, with quarantine and protective measures in place.

During the same period as the international borders were closed, freedom of movement inside the country was also limited. Individuals were not allowed to use their cars without special permission. Lists of organizations and businesses which were allowed to use cars were drawn up. These included police and parliamentarians, as well as delivery services. By early May, cars were allowed to be on the roads between 07:00 and 10:00 am and from 05:00 to 08:00 pm. Drivers found using their vehicles without permission outside of these hours risked having their cars impounded until the end of the pandemic.

On 27 March 2020, the Special Commission instructed people not to go outside their homes "unless absolutely necessary" - only to buy food or for medical reasons. If outside, people were required to wear masks or else risked a fine. The Commission further instructed people to observe social distancing of two meters and forbade more than three people from gathering in public places (with the exception of families).¹⁵

On 8 May, the authorities introduced a colour-coded system of zones, which lasted until October and reflects the degree to which an area of the country is affected by the pandemic.¹⁶ Each colour was associated with different sets of measures. In June the authorities began lifting restrictions in green and yellow zones, i.e. those zones associated with a lighter incidence of confirmed coronavirus cases than red zones, they were introduced again on 8 July including on interregional transport, markets, parks and large shops.¹⁷

On 17 March, sittings of the legislative chamber of the Oliy Majlis (Parliament) were suspended.

On 20 March, the courts temporarily suspended access for citizens until 15 August 2020 and on 25 March the State Department Responsible of Internal Affairs (GUVd) stopped receiving people and instead accepted complaints by telephone hotline or website.

13 <https://podrobno.uz/cat/obchestvo/v-uzbekistane-karantin-prodlili-do-1-avgusta/>

14 <https://t.me/ssvmatbuotkotibi/1776>; <https://uz.sputniknews.ru/society/20200817/14790310/Koronavirus-v-Uzbekistane-glavnoe-na-17-avgusta.html>

15 <https://www.gazeta.uz/ru/2020/03/27/distance/>

16 <https://podrobno.uz/cat/obchestvo/svetofor-dlya-koronavirusa-v-uzbekistane-vvodyat-tsvetnye-zony-dlya-borby-s-covid-19-razbiraemysya-ch/>

17 <https://thediplomat.com/2020/07/uzbekistan-announces-second-covid-19-lockdown>

A decree of the Cabinet of Ministers of 23 March 2020 provides for the temporary confiscation of mobile phones, audio and video equipment and other storage media belonging to persons infected or quarantined on suspicion of being infected with coronavirus. On 25 March, Shokhrukh Giyasov, press secretary from the Ministry of Internal Affairs explained that these measures were necessary to “prevent the dissemination of false information, false rumours” in places of quarantine.¹⁸ The implementation of this decree in practice reportedly varies according to location.

In March 2020 Section 194 (1) and Section 195 were introduced to the Administrative Code to punish “non-compliance with the lawful requirements of a police officer” and “resistance of law enforcement officials in the performance of their duties”, respectively.

Amendments to the Criminal Code and the Code of Administrative Responsibility of 26 March 2020 punish violations of restrictive measures, such as those introduced during the pandemic.¹⁹ For example, breaches of regulations stipulating that everyone must wear a facemask²⁰ outside are punishable by fines of up to the equivalent of 100 EUR, and breaches of lockdown or other restrictive measures are punishable by a fine of 11 million Uzbekistani Soms (equivalent to 1000 EUR) or up to 10 years’ imprisonment if the actions led to loss of human life.²¹ The legislative amendments also stipulate that anyone found violating quarantine rules can be detained for up to 24 hours.

Economic and financial situation

The United Nations Development Program (UNDP) stated in a report issued on 6 July 2020 that the COVID-19 pandemic and measures to contain it have hit Uzbekistan hard: exports dropped by 18 per cent, forcing 85 per cent of small businesses to close, with only 43 per cent of households remaining with one family member in work (compared to a usual 85 per cent), and some 448 000 people having fallen into poverty as a result of the pandemic.²²

Given the scale of the challenges, as documented in the UNDP report, the measures taken by the state have not been sufficient to meet the socio-economic needs of the population during the pandemic. There have been incidents of popular discontent about the government’s handling of the pandemic especially in local mahala (neighbourhood committee) meetings. State measures introduced on 19 March 2020 to support small businesses and individuals include:²³

18 <https://uznews.uz/ru/article/19801>

19 <http://uza.uz/ru/documents/o-vnesenii-izmeneniy-i-dopolneniy-v-ugolovnyy-ugolovno-prots-26-03-2020>

20 https://nrm.uz/contentf?doc=629903_ukaz_prezidenta_respubliki_uzbekistan_ot_25_07_2020_g_n_up-6035_o_merah_po_smyagcheniyu_koronavirusnoy_pandemii_kardinalnomu_sovershenstvovaniyu_sistemy_sanitarno-epidemiologicheskogo_blagopoluchiya_i_ohrany_zdorovya_naseleniya&products=1_vse_zakonodatelstvo_uzbekistana

21 <https://repost.uz/narushil-oplati>

22 https://www.undp.org/content/undp/en/home/news-centre/news/2020/Uzbekistan_health_care_economy_hit_hard_by_COVID19.html For further information see: <https://www.facebook.com/kommunalkauz/posts/1002629603578043>.

23 <https://president.uz/ru/lists/view/3460>

- Free assistance including food to elderly persons, persons living with disabilities and poor persons during the lockdown period. Some reports indicate that the state instructed private businesses to donate food or other goods to public charities.²⁴
- Tax deferrals for small businesses. Small businesses, whose revenue decreased by 50 per cent compared with March 2020, were allowed to defer paying taxes on turnover, land tax, property tax, social and water taxes until 1 October of this year.
- The Unified Social Payment (CSP), was reduced from 12 to 11 per cent until the end of 2020 for individual entrepreneurs who were forced to cease their activities during lockdown. However, once they resume business activity, businesses and companies must begin to pay back all contributions to the state budget, including for the period of lockdown.
- The payment of benefits to families with children, childcare and material assistance, which expired in March-June 2020, was automatically extended from six months to one year without the need to apply and provide documents. The payment of these benefits to other needy families also continued, even in relation to those people whose identity documents had expired.

Access to healthcare

“It would not be an exaggeration to say the resources of the healthcare system are exhausted.”
Khabibulla Okilov, member of the Uzbekistani state COVID-19 task force, July 2020

“Socially and economically marginalised groups including people with disabilities, returning migrants, people living with HIV, and drug users are experiencing the impact of lockdown measures most acutely, with great difficulty accessing medications and services.” UNDP Survey, 6 July 2020.²⁵

The COVID-19 pandemic brought to light the underlying weaknesses in the healthcare system in Uzbekistan. Medical officials already sounded the alarm²⁶ in July 2020, when some 8000 active cases were registered, stating that the healthcare system was reaching its full capacity and might not be able to weather the crisis. Other reports raised concerns about insufficient numbers of medical staff because many had contracted coronavirus themselves, as well as medical personnel not being paid on time and patients reported having to purchase medicines themselves. The Ministry of Health

24 One businessman told AHRCA, on condition of anonymity, that he was told to donate food to the State Fund “Mercy and Health” or face a comprehensive audit. Other entrepreneurs reported being told to donate 10 million soms (1100 USD). However, on 26 August, press reports indicated that 2.8 billion soms had been misappropriated by the staff of the “Mercy and Health” Fund. An investigation by the Shaykhantakhur District Office of the Office for Combating Economic Crimes under the General Prosecutor’s Office revealed that officials running the fund had conspired to purchase medicines and medical equipment at inflated prices. The director of the fund and others are currently under criminal investigation 167 (3) (a) of the Criminal Code. <https://www.gazeta.uz/uz/2020/08/26/mehr-shafqat/>

25 https://www.undp.org/content/undp/en/home/news-centre/news/2020/Uzbekistan_health_care_economy_hit_hard_by_COVID19.html

26 <https://eurasianet.org/uzbekistan-after-a-positive-start-coronavirus-driving-health-system-to-precipice>

encouraged²⁷ patients, when possible, to be treated at home and go to private clinics and provided guidance on this.²⁸ Private health care services were also hard hit by the crisis.²⁹

Patients in need of treatment for serious health conditions other than COVID-19 have suffered from limited access to healthcare services, particularly in regions outside the capital, Tashkent.

There are claims that rights to healthcare could have been better protected had prevention measures been rolled out more quickly and there is concern that medical experts and practitioners were not sufficiently consulted by those drawing up government policies to stop the spread of the virus. A lack of protective equipment for medical workers was a problem particularly at the beginning of the pandemic. In July 2020, Tashkent-based doctors and other health workers sent an anonymous letter to the newspaper NUZ.uz raising concerns about the lack of effective procedures and equipment to protect against COVID-19, and about cases when doctors who had tested positive were asked to continue working in hospitals.³⁰ In mid-July, President Shavkat Mirziyoyev reprimanded the Minister of Health and top regional officials for their handling of the COVID-19 outbreak, saying they had lost control over the situation at medical facilities, and ordered the allocation of additional resources.³¹

On 6 November 2020 President Mirziyoyev held a video conference on measures to improve the primary health care system and promote a healthy lifestyle among the population, where he said that 43 per cent of families paid privately for medical services in the state health system, and that in Tashkent hospitals all patients have to pay for treatment, stating “Unfortunately, this has become a rule of life.”³²

The COVID-19 toll amongst medical professionals has reportedly been high. At a press briefing on 30 July 2020 representatives of the Special Commission reported that 540 medical workers had been infected with coronavirus and two had died. Prior to this announcement lists circulating on social media included dozens of names of medical workers who had allegedly died from coronavirus.³³ According to unofficial statistics, over 520 medical personnel had died from coronavirus by the time of writing.³⁴

The state has promised extra payment to health workers and employees of the Agency for Sanitary and Epidemiological Welfare under the Ministry of Health and its territorial divisions to encourage

27 <https://www.voanews.com/covid-19-pandemic/central-asias-covid-19-response-exposes-problems-governance>

28 <https://www.gazeta.uz/ru/2020/07/08/akilov/>; Guidelines for treatment of patients with “light” COVID-19 at home <https://www.gazeta.uz/ru/2020/07/13/manual/>; <https://www.gazeta.uz/ru/2020/04/08/medical-education/> In Uzbekistan 1706 patients with COVID-19 were being treated at home (as of 22 July) as reported by the Special Republican Committee <https://www.gazeta.uz/ru/2020/07/22/covid-home/>

29 <https://www.gazeta.uz/ru/2020/06/25/tests/>

30 <https://nuz.uz/obschestvo/1159973-otkroveniya-stolichnyh-vrachej-cto-na-samom-dele-proishodit-v-tashkentskih-bolniczah-i-kak-lechat-pacientov-s-covid-19.html>

31 President Mirziyoyev stated: “The Minister of Health Alisher Shadmanov and Tashkent mayor Jakhongir Artykhodzhayev were reprimanded for poor organization prevention of the spread of coronavirus in Tashkent city and treat patients, insufficient readiness for adverse changes in the epidemiological situation, lack of a thorough response to the disease at the grass roots. The heads of all sectors of the capital and Tashkent region received a stern warning.”

32 <https://www.gazeta.uz/ru/2020/11/11/free-medical-care/>

33 https://t.me/fido_uzmedikov

34 <http://www.asiaterra.info/news/po-neofitsialnym-podschetam-v-uzbekistane-ot-kovida-skonchalis-bolee-500->

them to work hard during the COVID-19 pandemic.³⁵ In the first two weeks of the pandemic some medical workers reportedly received a one-time payment of up to the equivalent of 2000 USD as well as free food.³⁶ However, AHRCA monitoring and other reports indicate that not all medical staff received the promised remuneration.

As part of its coronavirus response the authorities repurposed and set up dozens of facilities to isolate and to treat COVID-19 patients.³⁷ IPHR and ARHCA were told that although information about which medical institutions conduct tests is openly available, it is difficult to find out about clinics where you can take tests for free. In most clinics and medical institutions people are required to pay for coronavirus tests.

During the pandemic, there were cases when confidential health-related data of named individuals was made public. For example, personal data of the first patient diagnosed with coronavirus appeared on social networks, allegedly due to a leak of information from law enforcement agencies and medical workers.³⁸

Freedom of expression and the media

Freedom of expression in Uzbekistan, already tightly controlled, has come under even more pressure during the pandemic as the authorities have suppressed information critical of the government's COVID-19 response, arguing that such information might cause panic amongst the population.

It is dangerous to dispute the official statistics on COVID-19 in Uzbekistan and, due to the authoritarian nature of the regime and the repressive environment for civil society and media, independent human rights defenders and journalists have been unable to conduct comprehensive research into the number of infections and deaths resulting from the pandemic in the country. Media outlets are required to report only official information on the pandemic from sources including the Special Commission and the Ministry of Health.

On 23 March 2020 the Cabinet of Ministers decreed that mobile phones, audio and video equipment and other storage media belonging to persons infected or quarantined on suspicion of being infected with coronavirus will be temporarily confiscated. There are allegations that this was done in order to restrict information about the spread of the virus being disseminated.³⁹

On 25 March, Shokhrukh Giyasov, press secretary from the Ministry of Internal Affairs explained that *“Security measures in places where lockdown restrictions have been introduced include preventing the dissemination of false information, false rumours and panic of individual citizens who still do not understand the seriousness of the situation. In this regard, the use of mobile devices, as well as video and photo equipment is strictly limited in places*

35 https://uz.sputniknews.ru/society/20200425/13999483/Rabotnikov-Agentstva-sanepidemlagopoluchiya_pooschryat-za-tyazhelyy-trud.html

36 https://www.norma.uz/novoe_v_zakonodatelstve/vracham_i_medpersonalu_na_vremya_karantina_-_dopolnitelnye_vyplaty#

37 List of facilities in Tashkent and Tashkent region: <https://nuz.uz/zdorove/1162206-opublikovan-spisok-speczialnyh-bolnicz-dlya-lecheniya-pacientov-s-koronavirusom.html>

38 <https://fergana.ru/news/116420/>

39 https://t.me/fido_uzmedikov

*of quarantine. You can talk to your family and friends by using the disinfected landline telephones available in each such institution.*⁴⁰

This decree is still in force, although our research showed that the authorities' implementation of this legislation varies in practice.

- On 26 March, President Mirziyoyev signed into law a package of amendments and additions to the Criminal Code, the Criminal Procedural Code and the Administrative Code. The new Article 244-5⁴¹ of the Criminal Code, which punishes the "dissemination of false information about infections that are subject to quarantine or are otherwise dangerous to humans" with up to three years' imprisonment, is of serious concern. This provision has made people even more cautious to exercise their right to freedom of expression at the current time, especially since the authorities have carried out intensive surveillance of social media posts regarding the pandemic, justifying this with the need to "prevent the spread of panic".⁴²

Local press reported that on 29 March 2020, the Administrative Court of Pakhtachinsky Region found a 43-year-old man guilty of spreading false information that his neighbour had died of coronavirus infection, and sentenced him to 30 days' detention under Article 205 of the Administrative Code.⁴³ The man had posted information on social media claiming that a person he referred to as "O" of the Pakhtachi district had "*contracted the coronavirus, and died after drinking a lot of vodka*". On 26 March, the Ministry of Justice stated on its Telegram channel that a criminal case had been opened against the man into spreading false information about an infectious disease.⁴⁴

These are other examples of how the authorities have stifled free speech in the name of preventing panic:

On 22 April 2020 law enforcement officials detained a correspondent for the "Marifat" newspaper in the local police station in the Uchkuprisky region for filming footage relating to the increasing food prices seen during the pandemic. Law enforcement officials deleted the footage from her camera.⁴⁵

In an example of a heavy-handed reaction by police early on in the pandemic, on 7 April 2020, bloggers K. Majidova, U. Khamidov and O. Razykov were arrested and sentenced by the Yunobad Administrative Court in Tashkent to 15 days in administrative detention on charges of violating restrictive measures imposed in connection with COVID-19 (Article 54 part 1 of the Administrative Codes) and for of hooliganism (Article 183 of the same code). During the lockdown in early April, the three bloggers sat in a central square in the capital and filmed a video of a mock interview with the statue of Amir

40 <https://uznews.uz/ru/article/19801>

41 <https://lex.uz/ru/docs/4774974>

42 <https://kun.uz/ru/news/2020/06/15/spetskomissiya-obnovila-spisok-krasnyx-jyelyx-i-zelenyx-zon-detali>; <https://uz.sputniknews.ru/society/20200425/13999483/Rabotnikov-Agentstva-sanepidemblagopoluchiya-pooschryat-zatyazhelyy-trud.html> ; <https://t.me/huquqiyaxborot/6769>

43 https://www.total.kz/ru/news/proisshestiya/na_30_sutok_za_dezinformatsiu_posadili_zhitelya_uzbekistana_date_2020_03_30_16_13_28#

44 https://rus.ozodlik.org/a/30517287.html?fbclid=IwAR3i5sto9hYnWume9rEZgyfUltBG_td873EywSbl57s2Q90Mn_h8apk3jg

45 <https://www.gazeta.uz/ru/2020/04/22/journalist/?fbclid=IwAR2jgUyZLHlqktQF8RywrteCToU1mmV6thdfOBxtspsPJPoY4b-uCgYpL4>

Temur, pretending to ask it when coronavirus would leave Uzbekistan. They were not wearing masks in the video, which was posted online on 6 April. The court ruled that they had an “irreverent attitude” to the memory of Amir Temur and that the recording showed they were not respecting COVID-19 restrictive measures.⁴⁶

“I am a blogger – in truth we went out in order to buy things. We sat down [on the Amir Temur square] and ate and drank something. We got really bored at home ... We didn't expect it to end like this. We wanted to make a joke to keep people's spirits up but didn't think it would come to this,” Khamidov told the Press Service of the Tashkent Department of Internal Affairs. The police department subsequently made a statement saying *“On one of the popular Instagram pages, officers of the Tashkent Main Internal Affairs Directorate noticed a number of photographs and videos in which the author showed neglect of sanitary and epidemiological requirements, and also, by using obscene language, ridiculing the work of police officers, including those carried out during the days of lockdown.”*⁴⁷

Doctors speaking out about problems in the healthcare system during the pandemic have also come under pressure. For example, on 8 September 2020 Guljakhon Yuldasheva, chief physician of the Tashkent regional infectious diseases hospital was detained in apparent retaliation for critical remarks made to media.⁴⁸ In an interview with Kun.uz in August, Yuldasheva had described the dire situation in the Tashkent Regional Infectious Diseases Hospital during the pandemic, saying that the hospital had not been provided with the necessary medical equipment and that the health workers who had been promised bonuses had not received anything.⁴⁹ What are believed to be trumped-up charges have been brought against her under Article 167, part 3 (large scale embezzlement) and Article 207, part 2 (official negligence, resulting in the death of a person) of the Criminal Code.⁵⁰

As of the beginning of December 2020, the Justice for Journalists site of the London-based Foundation for International Investigations of Crime against Media had recorded eleven physical, digital and other attacks and threats against journalists and other media workers in Uzbekistan, which were directly related to the COVID-19 pandemic. These included attacks perpetrated by both state and non-state actors.⁵¹

The case of blogger Miraziz Bazarov is an example of harassment for expressing criticism of the authorities during the COVID-19 pandemic. In late July 2020 Miraziz Bazarov posted messages on Facebook where he criticized the authorities for lack of transparency regarding credits received from the Asian Development Bank for support during the pandemic.

Following explanations from the Ministry of Health on 17 November regarding a sudden apparent increase in numbers of patients in COVID-19 treatment centres, discussion began on social networks about whether the authorities were pursuing a deliberate policy of underreporting and about the official silence around several deaths of patients on ventilators being treated for coro-

46 <https://www.gazeta.uz/ru/2020/04/07/bloggers-arrest/>

47 <https://podrobno.uz/cat/obchestvo/v-uzbekistane-blogera-otpravili-pod-arest-iz-za-narusheniya-norm-karantina-i-khuliganstvo/>

48 tps://www.gazeta.uz/ru/2020/10/06/yuldasheva/?utm_source=push&utm_medium=telegram

49 <https://kun.uz/news/2020/08/09/bizga-uskunalar-ajratishmayapti-vada-qilingan-mukofot-pullaridan-darak-yoq-toshkent-viloyatining-bosh-infeksionisti-murojaati>

50 <https://www.gazeta.uz/ru/2020/09/10/chief-physician/>

51 <jff.fund/ru/>

navirus in a specialized hospital in the village of Zangiota in Tashkent region, who reportedly died after a power outage.

On 20 November the news site gazeta.uz reported that the Government Agency for Information and Mass Media (AIMKA) under the Presidential Administration had warned the state registered news outlets gazeta.uz and the news site podrobno.uz of “serious legal consequences” for pointing out discrepancies and questions regarding official and unofficial figures of those infected with coronavirus in Uzbekistan. Despite statements by the Head of the Anti-Corruption Agency in early October 2020 acknowledging that there is likely to be a difference between confirmed positive cases included in official statistics and the actual number of people infected with coronavirus, AIMKA warned media outlets that their reporting was problematic as it was based on unverified data and thus could “lead to the public having an incorrect opinion” of the situation. Furthermore, AIMKA told the media outlets that unverified information could lead to “negative opinions regarding the actions of the government” to fight the pandemic.⁵²

The media outlets in question issued statements in protest at what they described as state attempts to limit press freedom. This sparked an international response with US Ambassador Daniel Rosenblum and the missions of the United Nations and European Union in Uzbekistan backing their protest. AIMKA objected to the criticism, arguing it is entitled to demand that Uzbekistani media uphold national law concerning refraining from inciting public discontent and tensions.

Freedom of assembly

The right to freedom of assembly, generally restricted in Uzbekistan in law and practice, was further affected by measures implemented by the Uzbekistani authorities to counteract the COVID-19 pandemic. While some peaceful assemblies have been allowed to take place in Uzbekistan during the months of the pandemic,⁵³ other protest attempts have been cut short. For example:

On 21 June, the Syrdarya Regional Centre for Sanitary and Epidemiological Welfare stated that the danger level of COVID-19 in Gulistan city was “very high” and they therefore planned to temporarily close a clothing market in Gulistan for disinfection. On 22 June, more than one hundred traders from the closed clothing market protested outside the Syrdarya Regional Administration headquarters. The traders complained that the roads to their market had been closed for more than a week. The case was especially controversial, as the road blocks and closure of the market coincided with the opening of a new shopping centre which, according to the media, is owned by relatives of an official in the city administration.⁵⁴ The crowd was partially dispersed by police, and some were detained. The mayor (hokim) of Gulistan, Tulkin Dadabayev, spoke to some of the traders and promised the roads would be reopened.⁵⁵

It is feared that the new draft law on assemblies, which was put forward for public consultation in August 2020, will cement current restrictive practices. The draft retains the problematic require-

52 <https://www.gazeta.uz/ru/2020/11/26/massmedia/>

53 See for instance: <https://acca.media/uzbekistan-aktivisty-potrebovali-otstavki-ombudsmena/> and <https://rus.ozodlik.org/a/30609709.html?withmediaplayer=1>

54 <https://www.facebook.com/watch/?v=1188080824858947>

55 <https://rus.ozodlik.org/a/30685039.html>

ment for the organisers of protests to obtain advance permission from the authorities rather than providing for a notification procedure and prohibits the holding of assemblies near government buildings, courts, and monuments, thus limiting opportunities to hold protests within the sight and sound of target audiences.

Detention, the penitentiary system and access to justice

Access to justice

On 20 March 2020 access to courts was temporarily limited on the basis of Supreme Court guidance, instructing courts to prioritise cases such as those related to prolonging detention and house arrest at the judges' discretion. All other cases were instructed to be heard online if possible, whether the courts were criminal, civil, administrative or economic. This guidance was applied from 25 March to 15 August. However, while the guidance was sent to courts, it was not published either on the Supreme Court website nor in the media, and lawyers reported learning about it from court officials.⁵⁶ There is concern that the criteria on which courts and law enforcement bodies based their decisions to prioritise cases have not been transparent.

In early March 2020, the Supreme Court ruled that people could file complaints online or via the post. During the lockdown period introduced in March, limitation periods for registering complaints and file appeals were suspended as stipulated in Article 156, part 1 paras. 1 and 2 of the Civil Code.⁵⁷

To date, the Uzbekistani Parliament has not adopted legislation regulating the activities of law enforcement agencies, courts, the Ministry of Justice and lawyers during the period of lockdown and restrictive measures that started in March 2020.

The typically slow official processing of appeals and complaints from citizens was exacerbated during the lockdown period leading to a difficult situation in urgent cases such as those of individuals who lodged complaints against imminent evictions. However, local monitors reported that the responsiveness to lawyers' requests has improved since June 2020.

AHRCA received reports indicating that in some cases judges and prosecutors held "mobile" court hearings in detention facilities run by the Main Directorate for the Implementation of Punishment (GUIN). Participants and witnesses reportedly took part, but observers were not allowed. Thus, generally open court hearings were held behind closed doors during the COVID-19 pandemic, entailing fair trial concerns. Criminal court hearings were reported to have taken place with the accused remaining in detention and joining the hearing by video links, with witnesses summoned to the courtrooms to testify in front of judges.

56 <https://www.gazeta.uz/ru/2020/03/20/courts/>

57 <https://uza.uz/ru/society/kak-vo-vremya-karantina-budut-reshatsya-problemy-vstrechayushch-28-04-2020>

Detention and penitentiary system

Prisoners and detainees have been especially vulnerable during the COVID-19 pandemic, but the authorities have not published any information about measures taken to protect them from the virus. The information contained in this chapter has been collected from prisoners and their relatives.

According to our information, insufficient efforts have been made to determine whether it was possible to grant bail to all but the most serious offenders.

Although 83 women prisoners were released after an amnesty on 6 March 2020, and another 104 on 8 December, to our knowledge no further efforts have been made to reduce the prison population, for example by implementing early, temporary or short-term release schemes. The human rights monitors involved in gathering information for this report found no cases of a prisoner being released from prison to reduce the risk of them contracting coronavirus. According to information received by them, even those suffering from advanced cancer were kept in prison. Those who had finished serving their sentences were released, but often several weeks late.

Despite recommendations from members of the UN Human Rights Committee and the UN Committee on Torture in relation to prisoners who were tortured and ill-treated in Uzbekistan, to our knowledge no one has been released from prison on humanitarian grounds related to the pandemic.

According to prisoners and their relatives, the authorities carried out an urgent analysis to identify those amongst the prison population who were at particular risk if infected with coronavirus. Masks were reportedly distributed to prisoners at the beginning of the pandemic but subsequently only given to prisoners who had been hospitalised.

Additionally, there were reports that some measures that prison administrations took to prevent the spread of the virus resulted in harsher conditions for prisoners. For example, AHRCA received credible allegations of the over-use of isolation and punishment cells. Activist Gulbakhor Karimbekova's imprisoned husband Sanjarbek Islamov, has reportedly been put in isolation three times during the lockdown period "because of COVID-19". According to media reports, Islamov helps fellow prisoners write complaints about their conditions. Regular cells were reportedly not kept ventilated and aired on a regular basis.

A media report indicated that in Navoi prison colony No. 5, cells were overcrowded and food was insufficient, as the prisoners were reportedly only fed twice a day. The prison administration stated that the poor diet was a consequence of the lockdown regime. Complaints to the GUIN were left without response.⁵⁸

According to activists, shops in many prison colonies were closed from April to August 2020, and sometimes longer as deliveries were suspended due to restrictions on the movement of goods from Tashkent to other parts of the country due to the pandemic. During this time prisoners relied particularly on parcels from their relatives for food and medication. However, according to monitoring by members of the voluntary organization Open Line, prison staff sometimes refused to

58 <https://acca.media/uzbekistan-v-koloniya-prodolzhayut-nasilovat-i-pytat-zaklyuchennyh/>

accept such parcels citing COVID-19 restrictions, and there were incidents of theft of food parcels intended for prisoners.

Since the beginning of lockdown, there were concerns that prisoners and detainees did not in many cases have access to necessary and timely medical treatment. Our organisations have, for example, received such reports with respect to former diplomat Kadyr Yusupov and journalist Vladimir Kaloshin who are being held in prison Colony No. 4 in Novoiyskiy region. Both men were found guilty of treason after trials which did not meet international standards of fairness. Vladimir Kaloshin's relatives reported that they lost contact with him from May to September 2020. They finally established he had been transferred to Tashkent Prison Hospital and his wife was able to visit him on 26 September. He has lost a lot of weight and appears scared to speak about his situation. He was told he had pneumonia, and was taken to hospital after he fainted seven times.

Limited access of detainees and prisoners to lawyers, medical professionals and relatives

Restrictions on freedom of movement implemented to counteract the spread of the pandemic caused significant additional problems for lawyers and their clients. For some periods of time during the lockdown, lawyers were not able to move about and were only able to attend those court hearings which were deemed urgent.

Freedom of movement of lawyers was severely restricted in the case of lawyers working in or visiting red or yellow zones of the country, where there was a higher rate of coronavirus infection. These lawyers were additionally required to undergo quarantine in state institutions for 14 days upon leaving zones of high risk. Due to these restrictions, in many cases lawyers were not able to see their detained clients, even in cases involving allegations of torture or ill-treatment.⁵⁹

The Criminal Executive Code provides that in conditions where family visits to places of detention are limited for health reasons, states should provide detainees with alternative methods of communicating with families and the outside world, such as telephone, Internet, email, video link. Although procedural norms in Uzbekistan provide for video calls between prisoners and their relatives, prisoners are in practice only allowed to make telephone calls. Furthermore, the lack of sufficient internet coverage and speed prevents prisoners from making video calls. This causes problems, in particular, for prisoners who use sign language.

No independent prison monitoring

There is no independent monitoring mechanism to assess the human rights situation in detention facilities and prisons in Uzbekistan and independent human rights defenders have no access to closed facilities. Prison officials have turned down requests for access by human rights defenders Tatyana Dovlatova and Agzam Turgunov on the grounds that their human rights organizations are not registered.

The Monitoring Group established under the Office of the Commissioner for Human Rights of the Oliy Majlis (Ombudsperson) does not function independently and requests by Tatyana Dovlatova

⁵⁹ According to our research, the enforcement of yellow and red zones has become less strict since 15 August 2020.

and Agzam Turgunov to be included in the Group have been rejected. In May 2020 the Ombudsman's Monitoring Group visited the women's prison colony No. 21 and the juvenile detention centre No. 24 in Zangiatskiy district in Tashkent region. To our knowledge, to date, no information has been published about the monitoring results.

On 19 November 2020, the authors of this report contacted the Office of the Ombudsman to ask for information regarding conclusions of monitoring visits carried out to penitentiary institutions during the COVID-19 period. Despite repeated promises from the Office of the Ombudsman, we have not received a response at the time of writing. We tried to contact civil society activists in the monitoring group, but all referred us to the Ombudsman's office for comment.

Confidential complaint mechanisms are lacking in Uzbekistan's penitentiary system. Prisons do not provide secure email access and written communications posted in complaint boxes situated in prisons are often read by the prison administration.

Torture and other ill-treatment

Reports about torture and other forms of ill-treatment continued during the pandemic.⁶⁰

In particular, AHRCA received a letter from a group of prisoners alleging such treatment in relation to five prisoners, who were transferred to prison colony No. 4 on 24 April 2020. According to the letter, the head of prison colony No. 4 took them to his office, where four prison officers reportedly handcuffed and beat them severely, including with truncheons until they bled. They were then placed in punishment cells for 15 days.

The prisoners reportedly asked the prison officials in the punishment wing of the prison to record the signs of abuse on their bodies and provide them with medical assistance, but the prison officials refused, saying that they would be fired for doing so.

The letter also states that two days later, six more prisoners were brought to Colony No.4 from Colony No. 5 and were also subjected to ill-treatment and refers to a group of 20 prisoners in prison colony No. 5, who were reportedly beaten in the same way.

The prisoners also stated that they were forced, under threat of reprisals, to write statements saying that they had no complaints against the employees of the prison colony, under threat of reprisals.

The prisoners reported that they had made several attempts to send a complaint to the President and the Ombudsman via the prison administration. However, prison officials refused to pass on the letters stating that they were not allowed to accept complaints during the COVID-19 lockdown period.

60 <https://acca.media/uzbekistan-v-koloniya-prodolzhayut-nasilovat-i-pytat-zaklyuchennyh/>

Other vulnerable groups during lockdown

Women

“My husband stopped going to work[...] Every day, he drank, and vented his frustrations on me and our child [...] Staying with my husband within our four walls, I was worried not for myself, but for our child. One day I just could not stand it and called my father, I showed him a video and a photo of all the marks and bruises. My father took me home. I am waiting for the lockdown to end, and we will deal with all this.” - Anonymous account by “Malika”, on the violence she experienced during lockdown.⁶¹

Domestic violence is not criminalised in Uzbekistan, but the rights of women victims of abuse are regulated by the 2019 “Law on the protection of women from harassment and violence”. The law provides that in cases where women face reprisals from their abuser after they have filed a complaint about domestic violence, a protection order can be extended for 30 days. According to the Ministry of Internal Affairs, from January to April 2020, 527 protection orders were issued. By way of comparison, no protective orders were issued from September to December 2019.

There are indications that incidents of domestic violence against women increased in Uzbekistan during COVID-19 and the state-imposed lockdown.

According to Nazifa Kamalova, the head of the Jizzakh Regional Centre for rehabilitation and adaptation for victims of violence, they experienced a sharp increase in the number of calls during lockdown, with 40 calls in March 2020, but 76 in the first two weeks of April 2020.⁶² These figures are triple those received for the same period in 2019. A hotline run by the state-run “Civil Initiatives Support Centre” (CISC) registered 830 calls from 10 April until 21 May 2020.⁶³

Victims of domestic violence often found it difficult to access help, as they were not able to easily call the hotlines or police while confined with their aggressor.⁶⁴ State initiatives to support victims of domestic violence included the Gender Equality Commission Telegram channel “No to violence!” providing free legal advice and psychological support; and a hotline for psychological support to vulnerable citizens, including victims of domestic violence.⁶⁵ Information about hotlines was also distributed from pharmacies under an initiative by UNDP and the Ministry for Support of the Mahallah and Family.⁶⁶

61 <https://repost.uz/net-nasiliu>

62 Comparatively, they received only 14 calls in March and 18 in April 2019.

63 <https://uz.sputniknews.ru/analytics/20200601/14261044/Pandemiya-domashnego-nasiliya-kak-borotsya-s-zhestokostyu-v-seme.html>

64 <https://nemolchi.uz/2020/04/15/kak-borotsja-s-domashnim-nasiliem-vo-vremja-izoljacii-opyt-drugih-stran-i-rekomendacii-dlja-uzbekistana/>

65 <https://www.uz.undp.org/content/uzbekistan/ru/home/stories/empowering-those-left-behind-during-uzbekistans-quarantine.html>

66 <https://www.gazeta.uz/ru/2020/04/28/information/>

Human rights defenders report that of the 197 crisis centres country-wide, only five continued to function during the lockdown.⁶⁷ In the middle of April 2020, eight women and nine child victims of domestic violence were living in the shelter of Jizzakh Regional Centre, which was at full capacity. Victims in the centre were provided with food, medicine and hygiene products by the Ministry of Mahallah and Family Affairs and a public fund under the Oliy Majlis (the Parliament).⁶⁸ Khurshida Ibragimova from Mehrjon Centre for Social Support and Adaptation of Women and Children in Ferghana Region reported that the centre provided legal and psychological support during the lockdown but due to limited capacity was forced to turn down some women and children in need of shelter.⁶⁹

LGBTI persons

The criminalization of sexual relations between men in Uzbekistan (Article 120 of the Criminal Code), ongoing impunity for torture, ill-treatment and other crimes perpetrated against LGBTI persons, along with widespread societal homophobia and stigmatization put LGBTI persons in a vulnerable situation. This vulnerability has been exacerbated during the COVID-19 pandemic.

Compared to other parts of society, LGBTI individuals have faced an increased risk of homelessness and poverty during the pandemic. During this period, many people in Uzbekistan have lost their jobs and have been forced to move in with relatives. LGBTI individuals are in many cases not able to seek shelter with family members, who disapprove of their sexual orientation, or they have had to hide their sexual orientation from their relatives. Others have reportedly had to resort to sex work in order to survive.

Blackmail and extortion perpetrated by law enforcement agents and non-state actors continued during the pandemic and there were allegations that the problem got worse against the backdrop of increased poverty and unemployment in Uzbekistan.

During the COVID-19 pandemic and lockdown in Uzbekistan, IPHR and AHRCA recorded several incidents of violence targeting LGBTI persons, threats of violence, and hate speech⁷⁰, at the hands of both law enforcement agents and non-state actors.

In one case that was reported on the Telegram channel of the news agency Podrobno.uz (Novosti Uzbekistana), a gay man was invited to the apartment of an aggressor, after which he was beaten, stripped naked, and humiliated. The incident was filmed, and the group threatened him with spreading the video and information on his status.⁷¹ Gay and bisexual men are unable to seek justice through the criminal justice system because they face criminal charges as soon as police suspect them of homosexuality.

67 https://kaktus.media/doc/413474_karantin_prazdnik_dlia_nasilnikov_kak_pomogaut_jertvam_nasiliia_v_centralnoy_azii.html

68 <https://nemolchi.uz/2020/04/15/kak-borotsja-s-domashnim-nasiliem-vo-vremja-izoljacii-opyt-drugih-stran-i-rekomendacii-dlja-uzbekistana/>

69 <https://cabar.asia/ru/uzbekistan-semejnoe-nasilie-vo-vremya-koronavirusa-prodolzhaetsya/>

70 For example, the man who produced this youtube video calls for the extermination of gay men in Uzbekistan claims to have obtained personal information of over 2000 individuals who returned to Uzbekistan during the pandemic: <https://www.youtube.com/watch?v=uNtNwbwo9jl&feature=youtu.be>

71 <https://t.me/podrobno>

Cases where family sought to rid themselves of LGBTI persons by “marrying them off” against their will continued during the pandemic. Forced marriage is common in Uzbekistan, but is a violation of Article 14 of the Family Code, which stipulates that marriage must be voluntary. Forcing a woman to marry is punishable by fine, community service, limitation of freedom or imprisonment for up to three years, as stated in Article 136 of the Criminal Code. There is no legal punishment for forcing men to marry.

Recommendations

Based on the concerns described in this report, we would like to make the following recommendations to the authorities of Uzbekistan:

Access to healthcare

- Take adequate measures to enable the health care system to cope with the increase in COVID-19 cases and to ensure that residents – without discrimination - have access to relevant medical services at this time of public health crisis.
- Promote access to information on COVID-19 inside Uzbekistan by creating an environment where journalists, civil society activists and citizens are able to collect and disseminate information from medical staff, patients and their families without persecution, threats and pressure from the authorities.
- Develop eHealth in Uzbekistan to offset the lack of medical infrastructure, general practitioners and specialists, by providing teleconsultations especially to vulnerable, poor and isolated people who cannot easily access medical centres and qualified medical staff.
- Consult and pay due attention to recommendations from medical experts when devising policies to combat coronavirus.
- Communicate government policies on the COVID-19 response transparently and engage in dialogue with the population.
- Increase resources for medical facilities situated outside the capital, and providing medical facilities in isolated regions without them.

Freedom of expression and the media

- Ensure that doctors, medical personnel, journalists, writers and bloggers, including those residing in exile, and others can freely express, discuss and share concerns with respect to the pandemic, related government policies and the public health crisis.
- Ensure that the recently adopted legal provisions prohibiting the distribution of “untruthful” information on the emergence and spread of diseases are not implemented in ways that limit the legitimate exercise of freedom of expression.
- Ensure unrestricted access to online information resources, to national and international news sites, social networks and sites of civil society organizations.

Freedom of assembly

- Ensure that any restrictions on assemblies set out and enforced under the COVID-19 emergency regimes are consistent with national and international law and meet the requirements of necessity, proportionality and non-discrimination.

Detention, the penitentiary system and access to justice

- Ensure that all legal provisions that provide for penalties for violations of regulations applicable under emergency regimes are clear and unambiguous and do not lead to arbitrary implementation or the imposition of disproportionate penalties.
- Ensure that law enforcement operations in the context of the COVID-19 emergency regimes comply with national and international human rights standards and that the detention of alleged offenders is used only as a last resort, with the respect of appropriate procedural safeguards such as access to a lawyer and right to inform family members.
- Uphold defendants' rights to access justice during COVID-19 restrictions and allow lawyers to provide legal assistance to clients without hindrance, including to those deprived of their liberty.
- Ensure that people deprived of their liberty during the COVID-19 pandemic have access to adequate hygiene, protective equipment, testing and medical assistance. As a priority, take steps to reduce the prison population, including by releasing prisoners with serious health problems.
- Set up a mechanism of public oversight over all places of deprivation of liberty and other closed and semi-closed facilities and allow independent human rights monitors to participate. Ensure that members of the monitoring group can conduct unannounced inspections and interview prisoners and detainees in private.

Torture and ill-treatment

- Send a clear message of zero tolerance for torture to all law enforcement and prison officials in the country, explicitly stating that perpetrators will be brought to justice and punished in accordance with the severity of the crime.
- Ensure that the legal safeguards in the early stages of detention are consistently implemented in practice and provide for sanctions against law enforcement officials who are found responsible for violating these legal requirements.
- Ensure the initiation of prompt, thorough, impartial, independent and effective investigations of all deaths in custody and of all complaints of torture, sexual abuse and other ill-treatment of any person subjected to any form of arrest, detention or imprisonment, as well as when there are reasonable grounds to believe that the torture and other ill-treatment has occurred even if no complaint has been made.
- Ratify the Optional Protocol to the Convention against Torture.
- Allow independent human rights monitoring of detention facilities, prisons and other closed and semi-closed facilities. Ensure that monitors can conduct unannounced inspections and interview prisoners and detainees in private.

Other vulnerable groups

WOMEN

- Continue to raise awareness of the problem of domestic violence and step up efforts to protect victims, assist them and ensure that they have access to justice during the COVID-19 pandemic.
- Significantly increase state funding to crisis centres and shelters for victims of domestic violence and ensure that more shelters can remain open in compliance with relevant health safety regulations.
- Ensure that all reported cases of domestic violence are promptly, thoroughly, and impartially investigated and that the perpetrators are brought to justice and receive penalties commensurate to the gravity of the abuse.

LGBTI PERSONS

- Decriminalise consensual sexual relations between men by removing Article 120 from the Criminal Code of Uzbekistan.
- Ensure that all credible allegations of arbitrary detention, extortion, torture and other ill-treatment of LGBTI persons by government agents or of their abuse by non-state actors are promptly, thoroughly, impartially and independently investigated, and that suspected perpetrators are brought to justice in fair trials.
- Devise and implement specific procedures to ensure that LGBTI persons who lodge complaints or provide witness reports about extortion or physical abuse by police or non-state actors are protected against reprisals as soon as the authorities receive the complaint/witness report and that appropriate disciplinary or, where relevant, criminal measures are imposed against suspected perpetrators for such actions.

For further information on issues covered in this report, refer to the following reports:

- On healthcare: *Reforming Healthcare in Uzbekistan: What role for the international community?* by Sebastien Peyrouse for IPHR.
- On freedoms of expression, assembly, association, the criminal justice system, prison conditions, LGBTI persons: *Uzbekistan: Key Human Rights Concerns and Individual Cases ahead of the Human Rights Dialogue*, October 2020: Joint NGO submission to the United Nations Human Rights Committee ahead of the consideration of Uzbekistan's Fifth Periodic Report at the 128th session in March 2020, Association for Human Rights in Central Asia (AHRCA), International Partnership for Human Rights (IPHR), February 2020.
- On torture, ill-treatment and impunity, detention facilities and prisons: *Uzbekistan: Submission to the United Nations Committee against Torture*, 68th Session, 11 November-6 December 2019, Amnesty International, AHRCA, IPHR.
- On Domestic violence: *Joint NGO briefing prior to the EU-Uzbekistan Human Rights Dialogue*, October 2020.