



# UZBEKISTAN

## ACCESS TO ADEQUATE FOOD

The COVID-19 pandemic continued to have a serious impact on LGBT people, with many losing their income and struggling to cover food costs.

## BIAS-MOTIVATED SPEECH AND VIOLENCE

Article 120 of the Criminal Code, which criminalises consensual same-sex conduct, continued to serve as justification for anti-LGBT violence and impunity. Due to criminalisation, LGBT people cannot report such cases to the authorities. State officials openly express anti-LGBT views, and the ongoing Islamisation of the region has also perpetuated a hostile environment.

In March, the leader of the political party Milliy Tiklanish (or “National Revival”) and MP Alisher Kadirov spoke in favour of Article 120 and “stripping LGBT people of their citizenship and their deportation from Uzbekistan”. Kadirov made similar statements in June, adding that without citizenship LGBT Uzbeks can go and get refugee status elsewhere.

In March, MP Rasul Kusherbayev, a deputy of the Legislative Chamber (UzLiDeP party) said that same-sex relationships will never be accepted in the country.

On 28 March, a large group of men violently assaulted people they perceived to be LGBT and attacked a blogger who spoke in favour of equal rights for LGBT (see under **Freedom of Assembly** and **Human Rights Defenders**). LGBTQ+ Uzbeks reported going into hiding, as mobs kept cruising the streets and questioning people about their sexual orientation.

*“Many want to leave the country [...] They are afraid to step outside. Some have left their home cities, fearing for their lives.” - testimony shared with Reuters*

## EDUCATION

In April, students took photos and compared the length of their socks in Tashkent’s school no. 110 alleging that boys with ankle socks were gay. The Ministry of Education said the students’ activity was an attack against LGBT people. Nonetheless, some thought that negative LGBT propaganda is also propaganda and should not take place in school.

Civil society reports that in many higher education institutions the professors include anti-LGBT content in their classes. In some institutions LGBT issues were covered in a non-hostile way to some extent, but that was no longer the case since this year.

## EMPLOYMENT

The COVID-19 pandemic continue to severely impact the community, and particularly trans sex workers.

## FOREIGN POLICY

Uzbekistan continued to lobby for the protection of the “traditional family” in its foreign policy work and to consider the LGBT community a destructive force of the Western world aimed at undermining the country.

## FREEDOM FROM TORTURE, CRUEL, INHUMAN OR DEGRADING TREATMENT

State actors continued to threaten, intimidate, psychologically and physically torture, and detain LGBT people.

Uzbekistan had been repeatedly urged by international human rights bodies to repeal Article 120 of the Criminal Code, which criminalises consensual same-sex conduct between men. Under Article 113, which criminalises the transmission of HIV infection and is used to persecute LGBT people, those detained and charged under Article 120 continued to be subjected to mandatory HIV tests.

On 22 February, the Prosecutor General’s Office released the draft of the new Criminal Code for public discussion. The draft failed to decriminalise consensual same-sex conduct and merely moved the provision from Article 120 to Article 154, which is now listed under a new chapter called “Crimes against family, children and morality”. No explanation was given by the Prosecutor General’s Office about the changes or the failure to decriminalise.

In March, ILGA-Europe launched the campaign #Repeal154 to urge the government to make the right move, uniting dozens of NGOs from the region and worldwide and featuring a testimony of an Uzbek gay man.

In March, Human Rights Watch released a brief report, on the basis of interviews with nine LGBT people in Uzbekistan, including accounts of arrest, kidnapping,



intimidation, extortion, threats, forced medical tests, violence and imprisonment.

For the first time, the Ministry of Interior published data about convictions under Article 120: six people were convicted in 2016, 15 in 2017, seven in 2018, also seven in 2019, nine in 2020. As of April 2021 as many as 49 people were reported to be in prison for ‘homosexuality’. Previously, Uzbek officials would deny convictions under article 120.

In the beginning of the year, two men were subjected to forced anal examinations, which are routinely used to produce ‘evidence’ for prosecution under Article 120. The men, who previously lived together, were sentenced to two years of house arrest, were forced to move 500km apart, and are forbidden to use the internet. In August, nine international NGOs called for an immediate ban on such examinations.

In September, several members of the Parliamentary Assembly of the Council of Europe called upon the EU and the Council of Europe to ensure that decriminalisation in Uzbekistan and Turkmenistan is a cornerstone of the Council of Europe’s Central Asia Rule of Law Programme.

Open For Business published a report in November, highlighting that repealing Article 120 and increasing LGBT+ inclusion could improve Uzbekistan’s economic standing.

## FREEDOM OF ASSEMBLY

The political climate has remained restrictive in terms of freedom of assembly.

On 27 March, a public gathering of anime and K-Pop fans was held in Tashkent, initiated by a famous blogger Miraziz Bazarov (see also under **Human Rights Defenders**). Bazarov had been actively speaking up on LGBT rights and decriminalisation. The next day, nearly 100 men took to the main square chanting religious slogans, following violent attacks against perceived LGBT people. The extremists claimed that Bazarov’s gathering was an “LGBT event”. The police intervened and detained 12 people for violence.

## FREEDOM OF ASSOCIATION

Due to Article 120, LGBT organisations continue to be unable to register. Other human rights organisations must

regularly report to the authorities about their activities. Establishing and/or participating in an unregistered organisation is prohibited and subject to up to three years of imprisonment.

## FREEDOM OF EXPRESSION

Article 120 is perceived in civil society as a ban on LGBT people and any expression of LGBT issues.

At the end of March, the parliament adopted a bill criminalising “insult and slander” against Uzbek leaders and prohibiting “disrespect for society, the state, state symbols (national and universal values)” and calls for demonstrations “in violation of the established order.” While the law does not mention LGBTQ+ issues specifically, activists have warned it could further persecute them.

## HEALTH

The level of healthcare access continued to decrease during the second year of the COVID-19 pandemic, with many unable to see doctors. LGBT people continued to report that they hid their identity in healthcare settings, fearing for their safety.

Civil society reports that LGBT people are often denied medical care, including ART, if their sexual orientation or gender identity becomes known. Some medical professionals report LGBT patients to the authorities.

## HOUSING

Due to the COVID-19 pandemic, many LGBT people had to stay with their hostile families and be exposed to physical and psychological violence.

## HUMAN RIGHTS DEFENDERS

Human rights defenders continued to work under difficult circumstances, facing state surveillance, intimidation, physical and psychological torture. All activities were conducted in secret.

Miraziz Bazarov (see under **Freedom of Assembly**) was severely beaten and hospitalised on 28 March. The police blamed Bazarov for the attack, stating that he provoked the disturbances in Tashkent with his blogs. While his attackers have not been identified by the police, Bazarov was arrested upon his release from hospital and is



currently facing prosecution on three counts, including for 'slander'.

After the March attack, the authorities launched a targeted search for LGBT activists and interrogated many human rights defenders.

## **POLICE AND LAW ENFORCEMENT**

The police continued to be the main perpetrators of anti-LGBT violence.

*\*Some of the information about Uzbekistan was shared with ILGA-Europe by activists who for safety reasons need to stay anonymous.*



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