

UZBEKISTAN

ACCESS TO ADEQUATE FOOD

Due to the ongoing war against Ukraine, the economic situation continued to deteriorate this year. The price of food, supplied from Russia, Ukraine, and the EU, significantly increased.

ACCESS TO GOODS AND SERVICES

Samarkand was the 2023 World Tourism Capital and also hosted the 25th General Assembly of the UN World Tourism Organisation (UNWTO) this year. On these occasions, the Business and Human Rights Resource Centre surveyed 17 hotels in June. Four of them answered, with one avoiding questions about LGBT guests, two not having any measures in place to ensure non-discrimination based on sexual orientation, and one saying they would not rent rooms to a gay couple.

BIAS-MOTIVATED SPEECH AND VIOLENCE

(See also under Freedom from Torture, Cruel, Inhuman or Degrading Treatment)

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 violence to the authorities, who are the most common perpetrators of anti-LGBT violence.

In Geneva on November 8, Uzbekistan reported in the fourth cycle of the Universal Periodic Review, during which the Deputy Minister of the Ministry of Internal Affairs, Abdulhakov Yahedjon, stated that during 2023, 27 people were convicted under Article 120.

ECOM's annual Report on Violations of LGBT People's Rights in Uzbekistan in 2022 documents 120 cases of rights violations that targeted people based on their SOGI or their association with LGBT people; HIV status; engagement in sex work. ECOM highlighted that most anti-LGBT violence was perpetrated by law enforcement, followed by relatives and neighbours. In some cases, organised hate groups carried out attacks.

Local LGBTI individuals report that the police routinely extort money from them, confiscate their phones, and use them to transfer money from bank accounts or steal personal data. It is common that the police threaten to extend detention periods or to imprison people, should they want to complain.

In May, blogger Miraziz Bazarov, who had previously been detained under house arrest for criticising government policies

and advocating for decriminalisation, was taken to the Tashkent police department.

In August, the Ministry of Interior proposed a new law that would mandate the police to carry out mandatory STI and HIV testing as part of police raids, if those target "dangerous groups" or those with close contact.

EQUALITY AND NON-DISCRIMINATION

An article shared the experiences of several LGBT people from the community, regarding exclusion, discrimination, and violence.

FAMILY

Article 76 of The Constitution of Uzbekistan, adopted on April 30, 2023, states that marriage is based on the traditional family values of the people of Uzbekistan, free consent and equality of those entering into marriage. Article 2 of the Family Code of Uzbekistan specifies a marital union as that of between a man and a woman, thus depriving LGBTI people from the right to officially register same-sex marriage.

FREEDOM FROM TORTURE, CRUEL, INHUMAN OR DEGRADING TREATMENT

State actors continued to threaten, intimidate, psychologically and physically torture, and detain LGBT people. The 2022 US State Department Report on Human Rights Practices Uzbekistan, published in March, documented cases of forced anal exams, so-called 'conversion practices', mandatory HIV testing, and other abuses targeting the community.

During his country visit in March, UN High Commissioner for Human Rights Volker Türk encouraged Uzbekistan to repeal Article 120 of the Criminal Code, which criminalises consensual same-sex conduct between men with up to three years in prison, and Article 113, which criminalises the transmission of HIV and is used to persecute LGBT people. Those detained and charged under Article 120 continued to be subjected to mandatory HIV tests.

Three young LGBT people shared their experiences this year after having been convicted to one to two-and-a-half years in prison under Article 120. These included torture, including solitary confinement, forced anal examination, electric shock, rape, beating, forced HIV testing, extortion, blackmail, theft of personal property and money, humiliation, verbal abuse, and inhumane conditions.

In March, on an official visit to Uzbekistan, High Commissioner for Human Rights, Volker Türk noted human rights violations in Uzbekistan and called on the government to refer to the Universal Declaration of Human Rights to create conditions under which human life would be free from suffering and fear.

On October 4, the European Parliament published a resolution on Uzbekistan, condemning the fact that consensual same-sex sexual relations between men are still criminalised, and expressing deep concern about the prevalence of intimidation, harassment, violence and stigma against LGBTIQ people in the country.

FREEDOM OF ASSOCIATION

The proposal at the end of 2022 from the Information and Mass Communications Agency to amend the Information Code, which would ban “the use of mass media for the purposes of [...] propaganda of unnatural relations between same-sex persons” was not adopted this year, and sent for revision.

FREEDOM OF EXPRESSION

Human rights defenders continued to be prosecuted under the 2022 law, which criminalises “insult and slander” against Uzbek leaders, prohibits “disrespect for society, the state, state symbols (national and universal values)”, and labels demonstrations as being “in violation of the established order.”

In May, Nezir Sinani, an LGBTQI activist from Kosovo, who was attending a European Bank for Reconstruction and Development (EBRD) meeting in Samarkand, was harassed and surveilled by police who confiscated rainbow-coloured bags he had with him. Sinani urged the EBRD and other international financial institutions that support Uzbekistan, to condemn such actions and call for decriminalisation.

In May, a fashion show in Tashkent caused widespread discussion because a male model wore a skirt, as a result of which the designer was taken to law enforcement agencies and forced to write an explanatory note that she was not engaged in LGBT+ propaganda.

In June, a video featuring doctors urging the government to ban men ‘impersonating’ women, went viral on social media. “Uzbek travesty divas” are impersonators, entertainers, and parodists, who are part of Uzbek culture and perform at weddings, birthdays, and other important celebrations.

HEALTH

Accessing medication, which was previously supplied by Ukraine or Russia, became very difficult and prices significantly increased.

Medical staff at AIDS centres continue to report patients to the authorities after finding out their sexual orientation. There are reports suggesting that staff manipulate LGBT people to disclose their SOGI, deceiving them that “HIV treatment for LGBT people is different from the one prescribed for heterosexual people.”

A testimony of a gay man serving a sentence under Art. 120 shared that patients with end-stage AIDS were not given any palliative treatment and left to die alone.

ECOM conducted a study of motivation and barriers for voluntary testing of gay men, trans persons and men who have sex with men (MSM) for HIV infection in the city of Tashkent. It was found that Article 120 is the main barrier that stops these groups voluntarily testing for HIV. The study will be posted on the ECOM website in 2024.

POLICE AND LAW ENFORCEMENT

The police continued to be the main perpetrators of anti-LGBT violence, including through extortion.

SOCIAL SECURITY AND SOCIAL PROTECTION

Civil society reported that there are few organisations that provide social assistance and support to LGBT.

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



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