



Anti-Discrimination Centre Memorial Brussels

**Statement on the UPR Pre-session on Uzbekistan
29 August 2023, Geneva**

The ADC Memorial statement is focused on the problems of discrimination, in particular on the basis of sexual orientation and gender identity and ethnicity.

Discrimination based on SOGI

During the previous UPR cycle, Uzbekistan noted 11 recommendations and supported 1 recommendation concerning overcoming discrimination on the basis of SOGI, including decriminalizing consensual same-sex sexual relations of adult men.

Meanwhile, LGBTI+ people in Uzbekistan regularly endure numerous violations of their rights, homophobia, and discrimination in all areas of life. The Article 120 of the Criminal Code criminalizing consensual same-sex sexual relations of adult men has not yet been abolished. NGOs protecting LGBTI+ rights do not have opportunity to register and work openly.

Recommendations:

- Decriminalize consensual same-sex relationships between adult men: Revoke Art.120 of the Criminal Code of Uzbekistan.
- Stop repressive practices and harassment based on SOGI on the part of law enforcement agencies.
- Prosecute influencers of hate speech and calls for violence against LGBTI+; investigate crimes against LGBTI+, with mandatory consideration of the motive of hate.
- Create conditions for the unhindered work of NGOs, LGBTI+ rights defenders and activists.

Discrimination of ethnic minorities

During the previous UPR cycle, Uzbekistan supported 16 recommendations related to overcoming racial discrimination and supporting vulnerable groups, including national minorities. Meanwhile, the situation of ethnic minorities remains difficult, including enjoyment of the linguistic rights.

Escalation of repression in Karakalpakstan: brutal suppression of the mass protests (2022)

In Karakalpakstan, mass protests in July, 2022 were brutally suppressed by law enforcement and army units. Officially, 21 people were killed, including 4 law enforcement officers, 243 were injured, 516 were arrested. However, there are data about at least 77 people killed. The protests were caused by the proposed amendments to the Constitution, which would abolish the sovereign status of the Republic of Karakalpakstan within Uzbekistan. The bill was not provided for wide public discussion; the Karakalpak population was not involved into the preparation of the draft.

Dozens protesters appeared to be on trial and sentenced to the terms up to 16 years. The Karakalpak community perceives these sentences as a blatant and tragic injustice; experts prove the absurdity of the charges and the political motivation of the trial. In general, the actions of the security forces who shot at unarmed protesters were not investigated; it's known about 3 officers convicted for torture and endangerment.

The situation of freedom of speech and association in Karakalpakstan is alarming, while various problems of Karakalpakstan require open public discussion, consensus and guarantees of the rights of the Karakalpak population.

Recommendations:

- Immediately stop repressions and arbitrariness against the Karakalpak population;
- investigate all cases of violence and torture during the suppression of protests on July 1-3, 2022;
- Ensure transparency of investigation and court hearings, fair trial, unhindered work of lawyers, human rights defenders, journalists, international observers.

The situation of Mugat/Luli

Mugat minority (a Roma-like group, called also Luli or “Central Asian Gypsies”) has specific problems of structural discrimination related to housing, personal documentation; extreme poverty; access to education; unemployment; harmful traditional practices affecting especially women and children. At the same time, the authorities deny the need for systemic measures to overcome the historical exclusion and marginalization of this group.

Recommendation

Adopt and implement an action plan on comprehensive improvement of the situation of Mugat/Luli, with special focus on women and girls. The positive measures should solve the problem of personal documents and housing, provide access to high-quality school education and medical and social assistance, guarantee protection for women and children from multiple discrimination and harmful traditional practices.

Regarding the linguistic rights of ethnic minorities

Uzbekization as the main trend in language policy affected inter alia education in minority languages. Even in the areas like Bukhara and Samarkand populated mainly by Tajik native speakers, the language of instruction in schools is Uzbek, less often Russian. Field research shows the lack of media, TV and radio programs in minority languages.

Recommendation:

Guarantee linguistic rights of ethnic minorities: ensure that minority languages can be studied in schools; create tools to assess the effectiveness of instruction in minority languages; support publication of books, media, and other materials in the languages of ethnic minorities; ensure that teachers of ethnic minority languages receive a high professional level of training.

Our general recommendation is:

Adopt comprehensive antidiscrimination legislation taking into account all grounds of discrimination, including sexual orientation and gender identity and ethnic origin.

Thank you for your attention.