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UZBEKISTAN: AUTHORITIES MUST END REPRISALS AGAINST BLOGGER MIRAZIZ BAZAROV FOR EXERCISING HIS RIGHT TO FREEDOM OF EXPRESSION

Miraziz Bazarov, a blogger from Uzbekistan, is an outspoken critic of government policies and the human rights situation in Uzbekistan. In March Bazarov complained on his TikTok and Telegram channels about numerous threats - online, by phone and in person - of violence, including death threats, he received against the backdrop of his work on human rights violations. His mother and girlfriend have also been targeted with threats of violence. Bazarov was physically attacked by masked men on 28 March 2021 as he was walking to his girlfriend's house in Tashkent. On that day he was admitted to hospital to receive medical treatment for his injuries, but for several days he had no communication with the outside world. Subsequently, he was permitted limited access to his mother and lawyer, albeit always in the presence of government agents. Mobile phones with internet access continue to be prohibited in his hospital room. While the authorities claim he is provided guards to protect his security, we are concerned that their primary aim is to limit his ability to communicate with the outside world and publish social media posts. There are allegations that Bazarov requires no further medical treatment but it appears that government orders prevent the hospital from discharging him.

The police have opened an investigation into the 28 March attack against him but at the time of writing no one has been charged. The Uzbekistani authorities must effectively investigate the 28 March attack and violent threats against Bazarov, his mother and girlfriend, and bring the perpetrators to justice.

The organizations jointly issuing this statement are concerned that the Uzbekistani authorities may be fabricating a case against Bazarov to punish him for peacefully exercising his right to freedom of expression. The authorities must protect Bazarov's right to freedom of expression and stop any attempts to prosecute him for exercising his rights.

BRING TO JUSTICE PERPETRATORS OF THE ATTACK ON BAZAROV AND THOSE WHO ISSUED THREATS AGAINST HIM

On 5 March Miraziz Bazarov expressed support for a public statement initiated by the International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA-Europe). The statement was supported by 43 NGOs including the authors of this document, called for the decriminalization of consensual sexual relations between adult men, and

was published on Instagram.¹ Subsequently Bazarov, his mother and his girlfriend received numerous anonymous threats of violence from Uzbekistani traditionalists including death threats, and his own and his mother's addresses were published online. Between 5 and 28 March Bazarov attempted to file complaints about the threats with law enforcement and other government agencies who, according to him, refused to accept them.² He had previously received numerous threats connected to his blogging.

In the evening of 28 March, as Bazarov and his girlfriend were walking to her house, three masked men got out of a car parked near the building, one of whom was armed with a baseball bat. The men beat Bazarov severely, causing serious injuries including concussion and a fractured leg. He was subsequently hospitalized and underwent an operation in the Republican Clinical Hospital No.1 where he has been guarded by government agents around the clock.

Police investigators questioned Bazarov on 29 March. Bazarov's mother was able to visit him briefly for the first time as he came round after the operation on 31 March. After that she and his lawyer, who was engaged on 31 March to represent Bazarov, were not allowed to visit him for a further five days and at the time of writing are only allowed to visit him for some 30 minutes per day and in the presence of government agents. Friends and relatives are not allowed to enter. Guards ensure that Bazarov has no access to mobile phones with internet connection.

On 28 March the Tashkent City Department for Internal Affairs opened a criminal case on the attack on Bazarov for "intentional bodily injury of moderate severity" (Article 105, part 2, paragraph "i" of the Criminal Code), which is punishable by five years' imprisonment. No one has yet been charged.

CONCERNS THAT AUTHORITIES MAY BE FABRICATING A CASE AGAINST MIRAZIZ BAZAROV

We are concerned that authorities may be attempting to punish Miraziz Bazarov for peacefully exercising his right to freedom of expression, possibly by fabricating a criminal case against him. In 2020 Bazarov criticised the lack of transparency and public control over the use of COVID-19 related loans by the International Monetary Fund (IMF) and the Asian Development Bank (ADB) to Uzbekistan, and these were widely disseminated on social media. His posts in defence of LGBTI people included criticism of double standards amongst Uzbekistani officials. Consensual sexual relations between adult men are a criminal offence in Uzbekistan punishable by up to three years' imprisonment.

On 6 March Bazarov and hundreds of young fans of Japanese anime cartoons and Korean pop music "K-Pop" gathered in central Tashkent and Bazarov posted a video online calling on the fans to gather on Amir Temur Square every Sunday.³ According to Bazarov's supporters, these meetings were intended as get-togethers of young people to share their enthusiasm for these cultural genres.

At approximately 3:00 pm on Sunday 28 March, a group approached Amir Temur Square shouting "Allah Akbar!", presumably expecting to confront a gathering of young fans of K-Pop and Japanese anime cartoons. Bazarov

¹ <https://www.ilga-europe.org/resources/news/latest-news/joint-statement-unique-opportunity-uzbekistan-decriminalise-same-sex>

² <https://www.youtube.com/watch?v=iCFVfzbMpfA>

³ <https://www.instagram.com/p/CMFcCOOp-la/>

had urged people not to convene on that day as he believed such a meeting could be dangerous for the participants.⁴ Several sources reported that very few people were on the square when the group arrived and that the group targeted a young couple whom they apparently believed to be LGBT supporters. The woman later alleged in a video message shared on social media that her boyfriend sustained serious injuries, had to be hospitalized and went into a coma. Officers of the National Guard intervened and detained 20 to 25 attackers. On 28 March a criminal case was opened for "hooliganism" (Article 277, part 2b) in relation to the attack, but to our knowledge no one has yet been charged.⁵

The day after the attacks, the Ministry of Internal Affairs (MIA) press service published a five-minute video, describing Bazarov as a social media activist who had "repeatedly called on persons with a non-traditional sexual orientation to participate in various mass gatherings" and had "repeatedly demonstrated his depraved behavior, deliberate disregard for the rules of behavior in society, spreading demeaning antics that contradict the national culture through social networks". The MIA commentary accuses Bazarov of acting "under the influence of destructive external forces, as well as various international non-governmental organizations".⁶ Against this backdrop, the MIA video appears to convey that "a group of citizens who regarded (Bazarov's) calls as an offence to their dignity gathered on Amir Temur Square on 28 March in order to voice their opinion and civic position" and that "excessively emotional citizens and persons with a low level of legal literacy tried to solve the problem themselves", but it deplores that they did so "disregarding legislation" and causing "public disorder", which law enforcement officers then had to reinstate.

The MIA commentary does not provide details of the "public disorder" and does not mention that persons were attacked and injured. By using footage depicting Bazarov and young people that was taken earlier in March alongside footage of the homophobic mob on 28 March the MIA video appears to imply that the mob encountered a gathering of pro-LGBTI rights activists under the leadership of Miraziz Bazarov. To our knowledge, Miraziz Bazarov was not present on Amir Temur Square on 28 March.

At the end of March, in the course of the investigation into the attack on Amir Temur Square, law enforcement officials searched Bazarov's and his mother's apartments. While no search warrant was presented during the first search, officers handed out a search warrant on 31 March stating that Bazarov had repeatedly called on his followers via social media to meet near the monument to Amir Temur to conduct LGBTI "propaganda" and to call for decriminalisation of consensual sexual relations between adult men. The officials seized documents, cameras, phones and computers.

Police officers have questioned Bazarov's close supporters on several occasions and have tried to find out more about his network.

The Uzbekistani authorities must stop their reprisals against blogger Miraziz Bazarov for exercising his right to freedom of expression. They must also investigate promptly, effectively and impartially the attack and the threats against him, and identify and prosecute in fair trial proceedings all those believed to be responsible.

⁴ https://www.youtube.com/watch?v=Whd_A8f5XyM

⁵ <https://iibb.uz/uz/news/rasmij-habar>

⁶ <https://www.youtube.com/watch?v=oBVfm1beazg>