

FREEDOM OF RELIGION AND BELIEF IN UZBEKISTAN IN LIGHT OF INTERNATIONAL HUMAN RIGHTS LAW

Khalikov Mukhriddin Sadulla ugli

Independent researcher and Specialist of the International
Cooperation Department at Tashkent State University of Law

E-mail: xalikov.m95@gmail.com

Abstract: *this article examines the current state of freedom of religion or belief (FoRB) in Uzbekistan against core international standards—primarily Article 18 of the International Covenant on Civil and Political Rights (ICCPR) and related authoritative interpretations. It traces legal and policy changes since adoption of Uzbekistan’s 2021 Law “On Freedom of Conscience and Religious Organizations,” the 2023 constitutional revisions affirming secularism, and ongoing legislative discussions in 2024–2025. While reforms have reduced some barriers (e.g., easing organizational registration thresholds and lifting certain attire restrictions), key constraints remain, including the continued ban on unregistered religious activity, tight controls over religious education and materials, and criminal/administrative penalties that disproportionately affect Muslims and minority communities. The analysis concludes that Uzbekistan has made incremental progress but still diverges from international standards that protect the forum internum absolutely and limit restrictions on manifestation to narrow, necessary, and proportionate aims. Policy recommendations are offered to align domestic law and practice with ICCPR Article 18 and OSCE commitments.*

Keywords: *Uzbekistan; freedom of religion or belief; ICCPR Article 18; international human rights law; registration requirements; proselytism; religious education; OSCE commitments; USCIRF; U.S. State Department.*

Introduction

Freedom of thought, conscience, and religion—guaranteed in Article 18 of the ICCPR and elaborated by the UN Human Rights Committee’s General Comment No. 22—is a foundational right in international law. It protects the internal dimension of belief absolutely and permits limitations on outward manifestation only when prescribed by law and necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others.

Uzbekistan is party to the ICCPR and, in recent years, has pursued legislative reform touching on religious life: a new religion law in 2021, constitutional revisions in 2023, and continuing work on a revised draft law evaluated in 2025 by European institutions. These steps have been accompanied by increased engagement with international partners as well as critical assessments by monitoring bodies and NGOs regarding remaining restrictions.

International Legal Standards

Article 18 ICCPR affirms that everyone has the right to freedom of thought, conscience, and religion, including freedom to adopt a religion or belief of one’s choice and to manifest it individually or in community, in public or private. General Comment No. 22 clarifies that (i) protection extends to theistic, non-theistic, and atheistic beliefs and the right not to profess any religion; (ii) coercion impairing the freedom to have or adopt a religion is prohibited; and (iii) any restrictions on manifestation must be strictly necessary and proportionate to the legitimate aims listed in the Covenant.

In the OSCE context, participating States—including Uzbekistan—have committed to uphold FoRB, with ODIHR policy guidance emphasizing security-compatible approaches that avoid blanket bans or overbroad controls on peaceful religious activities.

Uzbekistan's Domestic Legal Framework

2021 Religion Law. The Law “On Freedom of Conscience and Religious Organizations” (adopted July 2021) governs religious associations, education, and materials. Notable changes included halving the number of adult founders required for registration (from 100 to 50) and removing certain attire restrictions—reforms welcomed but deemed insufficient by international monitors. The law nonetheless maintains the prohibition of unregistered religious activity and imposes administrative control over education, venues of worship, and literature.

2023 Constitutional Revision. The revised Constitution (April 2023) affirms Uzbekistan as a secular state and reiterates separation of religion and state. While this anchors secular principles, it does not by itself eliminate restrictive secondary rules in implementing legislation.

2025 Draft Law Reviews. In January 2025, the Council of Europe’s Venice Commission noted that a new draft religion law still bans unregistered activity, maintains burdensome registration, restricts religious education, imposes limits on where worship can occur, and continues bans on missionary activity/proselytism—features difficult to reconcile with ICCPR Article 18’s necessity and proportionality tests.

Implementation in Practice

Recent monitoring shows mixed progress:

- **Registration & Unregistered Activity.** Registration remains a prerequisite to lawful worship and related activities. Communities operating without registration risk sanctions, contrary to international guidance

favoring facilitative frameworks over authorization regimes for peaceful religious life.

- **Education & Literature Controls.** Authorities continue to regulate religious education and the production/import/distribution of religious materials. USCIRF's 2025 report documents fines for "unauthorized" education or distribution and other peaceful activities.

- **Sanctions & Enforcement.** Reports in 2023–2025 describe ongoing administrative penalties and prosecutions under "extremism" provisions that can sweep in non-violent conduct, with disproportionate impact on Muslims and minority groups. HRW has warned of backsliding on earlier promises.

- **International Assessments.** Uzbekistan currently appears on USCIRF's Special Watch List—indicating ongoing, significant concerns despite improvements since earlier years.

Compliance Analysis under ICCPR Article 18

Applying General Comment No. 22, several elements of Uzbekistan's framework raise compatibility questions:

- **Blanket Bans on Unregistered Activity.** A categorical ban on unregistered worship or community life generally fails narrow-tailoring and necessity requirements, especially where registration is burdensome or discretionary.

- **Prior Authorization for Education & Materials.** Systemic prior controls on education and literature can constitute disproportionate restrictions on manifestation—permissible only if strictly necessary to a

specific legitimate aim and applied via the least intrusive means. Current practice appears broader than that standard.

- **Proselytism/Missionary Bans.** General bans on sharing beliefs, absent incitement or coercion, conflict with protected manifestation and related freedoms of expression and association.

Positive Steps and Opportunities

Reform momentum is not negligible: the 2021 law lowered registration thresholds and eased some attire rules; authorities have engaged with OSCE/ODIHR and international partners; and constitutional secularism is entrenched. Continued legislative work in 2025 presents a concrete opportunity to align the draft law with ICCPR standards and international good practice.

Policy Recommendations

1. **Remove the blanket prohibition on unregistered activity,** replacing it with a notification-based or facilitative model consistent with peaceful assembly and association.
2. **Narrow and clarify restrictions on religious education and materials** to targeted, content-neutral safeguards against concrete harms, with judicial oversight and effective remedies.
3. **Decriminalize peaceful proselytism and missionary work,** addressing only coercion, incitement to violence, or hatred through narrowly tailored laws.
4. **Audit “extremism” provisions and enforcement practices** to ensure legality, necessity, and proportionality, and review past convictions for purely peaceful religious activity.

5. **Institutionalize dialogue** with affected communities and international experts (e.g., OSCE/ODIHR, UN mechanisms) during the ongoing legislative process.

Conclusion

Uzbekistan has begun a path toward a more enabling environment for freedom of religion or belief, reflected in certain 2021 reforms and constitutional commitments. Yet core features of the legal regime and its enforcement—most notably the categorical ban on unregistered activity, expansive prior control over education and literature, and restrictions on proselytism—remain out of step with ICCPR Article 18 as interpreted by the Human Rights Committee. With draft legislation under review in 2025, Uzbekistan has a timely opportunity to enact deeper reforms that protect the absolute inner freedom of belief and permit restrictions on manifestation only where strictly necessary and proportionate. Convergence with international standards would strengthen the rule of law domestically and enhance Uzbekistan’s international partnerships.

REFERENCES

1. Council of Europe, Venice Commission. (2025, January 8). Opinion on the draft Law on “freedom of conscience and religious organizations” of Uzbekistan.
2. Government of Uzbekistan. (2021, July 5). Law “On Freedom of Conscience and Religious Organizations” (LRU-699). Official portal (lex.uz).

3. OSCE/ODIHR & Project Coordinator in Uzbekistan. (2020, Oct. 15). Events on Freedom of Religion or Belief and Security Policy Guidance (Uzbek edition).
4. U.S. Commission on International Religious Freedom (USCIRF). (2025). Annual Report—Uzbekistan (country chapter).
5. USCIRF. (2021, July 16). USCIRF Concerned by New Uzbekistan Religion Law.
6. U.S. Department of State. (2024, May). 2023 International Religious Freedom Report: Uzbekistan.
7. UN Human Rights Committee. (1993). General Comment No. 22: Article 18 (Freedom of Thought, Conscience or Religion).
8. Human Rights Watch. (2023, May 24). Uzbekistan: Backsliding on Religious Freedom Promises.
9. USCIRF. Countries—Special Watch List (showing Uzbekistan). (accessed in 2025).