

QUESTIONS FOR THE RECORD SUBMITTED TO AMBASSADOR SAMUEL D. BROWNBACK BY  
CHAIRMAN ROGER WICKER, DECEMBER 11, 2018

*Question 1:*

The OSCE's Office of Democratic Institutions and Human Rights assists participating States in complying with their OSCE and international commitments. This includes reviewing existing law and draft legislation. ODIHR can only conduct reviews when the government of a participating State formally requests a review. Since 2008, ODIHR has undertaken reviews on religious freedom in Armenia, Azerbaijan, Kazakhstan, Kyrgyzstan, and Turkmenistan.

On October 17, 2018, I sent a letter to Uzbekistan's Foreign Minister Kamilov, urging the Government of Uzbekistan to formally request an ODIHR legal review of its current religion law and draft religion law. I have not yet received a response, although I am told the Government of Uzbekistan is considering making this request.

Has the Administration asked the Government of Uzbekistan to formally ask ODIHR to review Uzbekistan's current religion law and draft religion draft for compliance with Uzbekistan's OSCE and international commitments? If not, will the Department do so? If so, what has been the response of the Government of Uzbekistan?

*Answer 1:*

The Government of Uzbekistan intends to share its forthcoming draft religion law with the United States, the OSCE, and other partners for review and input. The Department looks forward to the opportunity to provide feedback.

*Question 2:*

How many people were arrested in Uzbekistan despite practicing their religion peacefully and are in prison?

*Answer 2:*

The Department does not have accurate estimates of the overall number of individuals imprisoned on account of their religious beliefs. Since 2017, the Government of Uzbekistan has released approximately 1,500 individuals imprisoned on religious extremism charges, and has removed an additional 23,000 from so-called "black lists" for being previously charged with offenses related to "religious extremism." But we do not know how many remain in detention.

*Question 3:*

Does the government plan to release and exonerate these prisoners? If so, when?

*Answer 3:*

The Department has requested this information from the Government of Uzbekistan, but has not yet received it. Human Rights Watch reported that not a single former political prisoner has been exonerated of the crimes for which they were convicted; in many cases they have been unable to obtain court sentence documents and other materials from their cases that would allow them to appeal their unlawful convictions.

*Question 4:*

What is the access of international authorities, like the International Committee of the Red Cross, to these prisons and prisoners?

*Answer 4:*

The International Committee of the Red Cross (ICRC) reported it halted access to prisons or prisoners in Uzbekistan in 2013 due to the difficult monitoring conditions under the prior government. The Department does not have information suggesting that the ICRC has been able to resume monitoring, or that others have begun to do so.

*Question 5:*

What steps has the Government of Uzbekistan taken to address torture and impunity in prisons?

*Answer 5:*

A December 2017 Presidential decree outlawed torture and subsequent laws were issued eliminating the use of evidence obtained by torture. In October 2018, the state prosecutor asked the court to sentence three former deputy heads of the National Security Service for violating the former anti-torture law. Structural problems continue, including ongoing reports of arrests based on some laws that are inconsistent with international human rights law, politically motivated charges, and torture. The Department continues to press the Government of Uzbekistan to invite the U.N. expert on the prevention of torture, and ensure access to independent international prison monitors.

*Question 6:*

In September 2018, Ambassador at Large for International Religious Freedom Sam Brownback met in Uzbekistan with President Mirziyoyev and other officials.

What specific actions did he urge them to take so they can comply with their OSCE and international commitments on religious freedom and no longer be designated by the United States as a country of particular concern? What was and has been their response? Which of those actions have they taken since his meetings? What actions do they still need to take?

*Answer 6:*

In his engagements with officials in both Washington and in Tashkent, Ambassador Brownback has consistently raised concerns over topics covered in the annual Religious Freedom Reports as well as in the report of Ahmad Shaheed, the U.N. Special Rapporteur on Freedom of Religion or Belief, based on his October 2017 visit to the country. Uzbek officials, including President Mirziyoyev himself, have repeatedly stated their interest to bring Uzbekistan's laws and practices into conformity with their international commitments. Ambassador Brownback and the Department will continue to press for needed reforms. Based on the actions taken thus far and Uzbekistan's commitment to bringing their laws and practices in line with international human rights standards, Uzbekistan's designation has been moved from Country of Particular Concern (CPC) to Special Watch List. It could revert to CPC status should it fail to carry out these commitments.

*Question 7:*

Is it the understanding of the State Department that the government and others in Uzbekistan equate ethnic Uzbeks with Muslims?

*Answer 7:*

As noted in the 2017 Religious Freedom Report, NGOs and private persons continued to report social pressure against religious conversions. Ethnic Uzbeks who converted to Christianity reportedly suffered harassment and discrimination, including pressure upon them from national and local authorities to repudiate their new faith and on their family members to convince them to do so.

*Question 8:*

Are there legal, regulatory, or other prohibitions in Uzbekistan on conducting non-Muslim religious services in the Uzbek language? Are there any formal or informal prohibitions, or other impediments, to ethnic Uzbeks changing their religion from Islam to Christianity or some other religion? Would such prohibitions violate Uzbekistan's OSCE and international commitments on religious freedom?

*Answer 8:*

The Department is not aware of any prohibitions relating to non-Muslim religious services in the Uzbek language but has received reports of ethnic Uzbeks who seek to convert from Islam being subjected to pressure, including from national and local authorities. The United States considers impediments governments place on the ability of individuals to adopt or change their beliefs to be inconsistent with Article 18 of the International Covenant on Civil and Political Rights.

*Question 9:*

It will take time for Uzbekistan's new religion law to be finally drafted, promulgated, and implemented—including developing and implementing new regulations. In the meantime, there continue to be raids, arrests, confiscations of religious literature, and fines—although they are fewer and less severe than previously.

In advance of new religion laws and regulations, could President Mirziyoyev issue temporary decrees, so that the actions of government personnel are more compliant with Uzbekistan's OSCE and international commitments? Is the State Department encouraging him to do?

*Answer 9:*

The Department of State has pressed and will continue to press the government to take immediate steps to address our continued concerns related to the state of religious freedom in Uzbekistan. In particular, the Department has made clear it would welcome interim steps as part of a longer-term effort to overhaul the country's laws and practices.

*Question 10:*

Making the law compliant with Uzbekistan OSCE and international commitments is essential but insufficient. Regulations have also been a source of religious freedom violations and need to be amended. Regulatory reform is an area where the OSCE's Office of Democratic Institutions and Human Rights can work with the government to ensure compliance with its OSCE and international commitments.

Has the State Department prioritized regulatory reform in its engagements with the Government of Uzbekistan? What has been the response of the government? Does the State Department concur ODIHR could assist the government with amending regulations, so they comply with Uzbekistan's OSCE and international commitments?

*Answer 10:*

The Department of State has pressed the government to take immediate steps, including the reform of the process for registration of religious groups. The government has pledged to do so. The Department has also advised the government that OSCE/ODIHR would be an excellent institution to support the implementation of such reforms, as well as the Council of Europe's Venice Commission.

*Question 11:*

Groups like the Observatory on Intolerance and Discrimination Against Christians in Europe detail in their reports infringement on the religious freedom of Christians, particularly in the areas of parental rights, freedom of expression, and freedom of conscience. They also report on physical attacks against Christians and the vandalism of churches and cemeteries.

How does the Ambassador at Large for International Religious Freedom Sam Brownback see the landscape of these kinds of religious freedom violations in Europe, including Western Europe? How have he and his office engaged on such violations?

*Answer 11:*

Ambassador Brownback staunchly supports religious freedom, including the freedom for members from religious groups to govern their religion according to their religious beliefs and practice their faith freely. The Department monitors, documents, and reports on religious freedom violations in Europe. Ambassador Brownback is deeply concerned and strongly condemns religious freedom violations against all religious groups throughout Europe.

Ambassador Brownback continually monitors religious freedom developments, and we regularly engage with religious communities, nongovernmental organizations and government officials throughout Europe, and raise concerns when necessary.

*Question 12:*

This spring, government of Russia-controlled separatist authorities in the Lugansk region of Eastern Ukraine issued a new regulation requiring many houses of worship to re-register with the government. Reportedly, this regulation required the house of worship to have a minimum of 30 attendees and be in an official building, not in private residences or storefronts. Baptists alone have 43 churches.

What has been the impact of these regulations on religious communities in Lugansk, including Baptists, Pentecostal, Charismatics, Seventh Day Adventists, Jehovah's Witnesses, and Jews? What data can the State Department provide on what has happened to the houses of worship of these communities since the regulation was promulgated?

*Answer 12:*

The Department of State lacks direct access to the areas of eastern Ukraine under Russian control but has received similar reports from civil society organizations and religious communities operating in these areas. Secretary Pompeo named Russia to the Special Watch List for its severe violations of religious freedom in November cognizant of the continuing abuses in the Russian-controlled areas of eastern Ukraine.