



NATIONAL REPORT

on Violations of the Rights
of LGBT People in Uzbekistan

2024



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ACRONYMS AND ABBREVIATIONS

CC RUz	Criminal Code of the Republic of Uzbekistan
Global Fund	Global Fund to Fight AIDS, Tuberculosis and Malaria
HC	Hate crimes
HIV	Human Immunodeficiency Virus
LGBT	Lesbian, gay, bisexual and trans people
MSM	Men who have sex with men
NGO	Non-governmental organization
PLH	People living with HIV
Queer	Umbrella term for an LGBT person
RUz	Republic of Uzbekistan
SOGI	Sexual orientation and gender identity
UPR	Universal Periodic Review

METHODOLOGY FOR COLLECTING CASES OF HUMAN RIGHTS VIOLATIONS

The basis for this national report included monitoring cases of human rights violations, collected using tools provided by ECOM, as well as a brief analysis of the legal environment. The following research methods were used as part of monitoring: an analysis of documented cases and an analysis of thematic materials from open sources.

The purpose of collecting information is to identify cases of human rights violations faced by LGBT people in their access to health, employment, housing and political participation. As a result of the analysis, the main causes of violations, and discrimination were identified, and quantitative data was obtained. Conclusions and recommendations were developed based on this data.



INTRODUCTION

The human rights situation in Uzbekistan has worsened in connection with the increased pressure on bloggers and journalists. Promised legislative reforms remain frozen. The practice of refusing the registration of independent human rights groups has continued. Criminal liability for consensual sexual relations between adult men has not been repealed, and torture goes unpunished¹.

In 2023, a report on human rights in Uzbekistan was reviewed as part of the Universal Periodic Review (UPR). The country received 16 recommendations related to SOGI. Nearly all recommendations were rejected. At the same time, Uzbekistan accepted the recommendation of Mexico: “Repeal Article 113 CC RUz² in order to decriminalize the transmission of HIV and ensure that HIV testing is voluntary in all circumstances.”

According to ECOM monitoring data for 2024, the practice of forced testing, as well as the use of Article 113 CC RUz for blackmail and extortion remain relevant issues for LGBT people. Repeal of this article would create an enabling environment for voluntary testing and treatment, and would limit opportunities for corruption.

During the UPR session, representatives of Uzbekistan officially stated that 22 criminal cases under Article 120 CC RUz (which imposes punishment in the form of limitation of freedom from one to three years or restriction of freedom for up to three years) were filed in 2023³, in which 27 people were called as defendants the cases. Recommendations on repealing this article were not adopted by the state.



LEGISLATION

The Republic of Uzbekistan remains one of two countries in Central Asia, which still criminalize voluntary sexual relations between adult men. Neighboring Kazakhstan, Kyrgyzstan, and Tajikistan repealed these articles in the 1990s following independence.

In 2024, Uzbek officials stated that a law “prohibiting all LGBT propaganda” is under development in Parliament⁴.

¹ World Report. 2024. — Human Rights Watch.— URL:

<https://www.hrw.org/ru/world-report/2024/country-chapters/uzbekistan>

² Article 113. Spread of venereal diseases or HIV infection/AIDS. — CC RUz, LexUz. — URL: <https://www.lex.uz/acts/111457>

³ Article 120. Besakalbazlyk (sodomy) — CC RUz, LexUz. — URL: <https://www.lex.uz/acts/111457>

⁴ В Узбекистане разрабатывают закон о запрете любой ЛГБТ-пропаганды. — Uznews, media, 2024. — URL:

<https://uznews.uz/posts/77734>



ANTI-DISCRIMINATION LEGISLATION

Uzbekistan has not adopted any anti-discrimination legislation. At the same time, the country accepted the recommendation of the Czech Republic during the fourth UPR cycle on the adoption of comprehensive anti-discrimination legislation. There is currently no public information on the development of such law or on the establishment of a corresponding working group.

The RUz has not adopted necessary legislation on hate crimes and hate speech. The legislation of the RUz provides for the consideration of circumstances aggravating punishment, which include crimes committed on the basis of racial or national hatred or enmity. However, SOGI is not included in this list. Since 2016, there have been 91 HC cases documented in Uzbekistan, 74 of which were committed on the basis of SOGI-based hatred. This accounts for 80% of all documented HC cases⁵.

Hate speech against LGBT people is also very common in Uzbekistan. Many bloggers, governmental figures, and ordinary citizens call for violence against queer people, and express hatred online. However, such cases do not receive the necessary reaction and are not pursued by the authorities.



CRIMINALIZATION OF HIV TRANSMISSION

The Law “on Combating the Spread of the Disease Caused by the Human Immunodeficiency Virus (HIV infection)” regulates the procedure for HIV testing. The law permits forced HIV testing without the consent of the individual or without the consent of his legal representative by order of an investigator, inquiry officer, prosecutor, or court ruling⁶.

Forced HIV testing by order of an investigator or inquiry officer without a court decision is widespread in Uzbekistan. This leads to law enforcement officers organizing “fake dates,” testing queer people for HIV, and in the event of a positive result, extorting money or threatening them with prosecution under Article 113 CC RUz.

Article 113 CC RUz establishes criminal liability not only for the transmission of HIV, but also for “deliberately placing someone in danger of infection.” Such a provision is another mechanism for blackmail and extortion, as it can be interpreted in different ways. Furthermore, given the high level of structural homo- and transphobia, HIV-positive LGBT people would rather pay a bribe than try to prove that no one was “deliberately placed in danger of infection.”

⁵ Hate Crime Report. — OSCE. — URL: <https://hatecrime.osce.org/incidents?country=UZ>

⁶ Article 16. Mandatory HIV testing. — Law “on Combating the Spread of Diseases Caused by the Human Immunodeficiency Virus (HIV infection)”, LexUz. — URL: <https://lex.uz/docs/2240472>

According to the Order of the Minister of Health of the RUz 54-n of April 5, 2019, health authorities are obliged to report cases of sexual transmission of HIV to law enforcement agencies. This norm not only violates the rights of patients to confidentiality, but also leads to the fact that citizens are afraid to undergo HIV testing. Such a practice violates the right to health and is extremely ineffective in the fight against the HIV epidemic.

Another discriminatory norm is Article 57 of the Code of the RUz on Administrative Responsibility⁷, which requires the disclosure of information about a person's sexual partners if they are found to be HIV-positive.



LEGAL GENDER RECOGNITION

Trans people have limited access to legal gender recognition due to inadequate legislation. Paragraph 149 of the Resolution of the Cabinet of Ministers of the RUz “on Approval of the Rules for Registration of Civil Status Acts” allows for changes to be made to documents if a person “changes their gender.” However, legislation does not regulate the term “changing gender.” This means that different officials may require different documents, or that a person undergo various procedures to prove they have “changed their gender.” Often, trans people are forced to undergo a lengthy diagnostic process with mandatory observation in a neuropsychiatric dispensary.

Legal gender recognition is a necessary measure for ensuring equal opportunities for trans people. Discrepancies between a person's gender marker and their external appearance leads to discrimination in the work place, education, healthcare, and in other fields. Trans women with male sex partners who have not changed their gender marker face criminal liability under Article 120 CC RUz.



ACCESS TO HUMAN RIGHTS

In 2024, ECOM documented 75 cases of violations of the human rights of LGBT people in Uzbekistan. Law enforcement officials are the main source of violence (53 cases). The trend of organizing “fake dates” for subsequent blackmail, extortion, violence, or criminal prosecution remains relevant. Law enforcement officers are very often the organizers of such dates. In 2024, 10 such cases were documented.

Domestic violence continues to be a problem in the country. In 2024, 12 such cases were documented. Domestic violence was particularly brutal, with cases documented involving murder, rape, and the disclosure of information about SOGI to law enforcement.

Neighbors made up another category of violators in 2024. In 6 cases, they either threatened or attacked LGBT people, or provided information about them to law enforcement officers.

⁷ Article 57. Concealment of the source of infection with a venereal disease or HIV infection/AIDS. – Code of the RUz on Administrative Responsibility, LexUz. – URL: <https://lex.uz/docs/97661>



RIGHT TO HEALTH

In 5 cases, employees of healthcare institutions violated the right to health. In another two cases, they collaborated with law enforcement officers.

Staff of medical institutions often exhibit stigma and discrimination, and refuse to treat LGBT patients. Employees of AIDS centers have repeatedly conducted involuntary HIV testing and have disclosed the HIV status of patients without a court decision. They intimidated HIV-positive LGBT people, demanded that they disclose information about their sexual partners, and have provided law enforcement officers with their data.



The victim returned from abroad. He was forced to undergo mandatory testing at the AIDS Center. The result was positive. Law enforcement officers participated in the epidemiological commission. They threatened the victim with prosecution under Articles 113 and 120.

ECOM monitoring, 2024.

A case of conversion therapy was also documented, in which, for 40 days, the patient was given drugs and underwent sessions with a psychotherapist in order to “change his sexual orientation.” A victim was also raped by a medical worker.



The victim went to a urologist and revealed his sexual orientation while giving his medical history. The doctor forced the victim to have sex, and threatened to reveal his SOGI to his parents and law enforcement officers.

ECOM monitoring, 2024.



RIGHT TO WORK

In 2024, a significant increase in the number of cases of violations of the right to work were documented in comparison to previous years (6 cases). Often, employers found out about the SOGI of the victims and forced them to quit. Subsequently, victims are often unable to find new work.



The victim was dismissed from a school after being outed. The director passed on information about him to the authority on higher education, and the victim is now unable to find work in any educational institution.

ECOM monitoring, 2024.

The high level of homo- and transphobia in educational institutions and among the general population leads to the fact that LGBT people are forced to find employment in the informal sector. This is particularly true for trans people, whose gender identity does not correspond to the sex indicated in their passport.

Working in the informal sector substantially limits the possibility of legal protection in cases of violations of the right to work, in particular if the victim is engaged in sex work. Representatives of the sex worker community experience violence and persecution from law enforcement officials, clients, and other individuals. LGBT sex workers experience double discrimination on the basis of their type of employment and their SOGI.



Two victims were detained after they stated they provide sex services for men. The victims were tortured, insulted, and threatened. They were asked to hand over the contacts and names of all their clients. As a result, the victims were accused of engaging in sex work and engaging in voluntary sexual contacts between men, and were fined and sentenced to 2 years of house arrest.

ECOM monitoring, 2024.



POLITICAL RIGHTS AND FREEDOMS

Political rights and freedoms are severely limited in Uzbekistan. Criminalization has resulted in the fact that there is not a single registered LGBT organization in the country. Nor has there been a single public peaceful assembly with a queer agenda.

Registered NGOs are not independent bodies, and often cooperate with state bodies institutions. LGBT people cannot openly mention their SOGI and participate in political life. ECOM has documented a case in which a citizen of Uzbekistan was prosecuted for publicly mentioning the LGBT community.



The victim posted information about human rights in a group for LGBT people, and was subsequently searched by local police officer. The police officer accused him of LGBT propaganda. He was taken to the police station and issued a fine under Article 184, Part 3 of the Code of Administrative Offenses: "Production, storage or distribution of materials promoting national, racial, ethnic or religious hatred." The connection between "LGBT propaganda" and this article was not unclear.

ECOM monitoring, 2024.



RIGHT TO HOUSING

LGBT people in Uzbekistan have very limited access to the right to housing. Often, homophobic and transphobic neighbors display aggression towards LGBT people, and demand that they change their place of residence or turn to law enforcement agencies in order to evict queer people.

Family members of young LGBT people forcibly detain them or kick them out. However, there is no shelter for LGBT people or one that is friendly to the community in the country. This leads to the fact that LGBT people are often left without housing.



Neighbors threatened to kill a queer person after discovering his SOGI. The children threw stones at him, and the adults insulted him. A neighbor threatened him with a knife, and demanded that he change his place of residence, since, in his opinion, he was a pedophile and corrupts children. The victim and his parents sold their house and moved to another district.

ECOM monitoring, 2024.



RIGHT TO BE FREE FROM TORTURE

Criminalization of the community has led to the widespread use of torture against LGBT people. Law enforcement officers know that victims prefer not to report torture, since they may face criminal prosecution due to their SOGI.

As in previous years, officers torture LGBT people to extort money, obtain the names of other LGBT people or clients of queer sex workers, and force them to sign a document stating that they have no claims against investigators or other officers. Torture or other cruel, inhuman or humiliating treatment was used in at least 7 cases.



The victim of a fake date was detained by law enforcement officers. He was tortured and his rib was broken. He was threatened with murder, and suffered from psychological pressure. He was filmed on video, and forced to admit to being homosexual. After this, the officers extorted a large sum of money from him [the victim] in exchange for not disclosing information about him.

ECOM monitoring, 2024.

In Uzbekistan, healthcare workers perform the humiliating practice of “anal exams”. The results of this procedure are used as evidence of homosexuality. The World Health Organization condemned this practice as type of violence and torture. The World Medical Association called on healthcare workers to refuse to participate in such examinations⁸.



The victim was detained on suspicion of homosexuality following a tip by neighbors. He was taken in for medical examination and subjected to an anal exam.

ECOM monitoring, 2024.



RIGHT TO PRIVACY

The criminalization of voluntary sexual relations between adult men is a gross violation of the right to privacy. This article and requirements to disclose information about sexual partners following a diagnosis of HIV are discriminatory.

Structural homo- and transphobia leads to violations of the right to privacy of LGBT people. Members of the community are outed by colleagues, employers, neighbors, and relatives. Violators often extort money in exchange for their silence, or provide information to law enforcement officers in order to open a criminal case against victims under Article 120 CC RUz.



The victim was invited to a fake date. He was then detained for three days. Law enforcement officers demanded that he confess to having sexual contact with men. The victim was forced to confess, and subsequently sentenced to 1 year and 6 months of house arrest by the court.

ECOM monitoring, 2024.

After serving sentences under Article 120 CC RUz, victims remain in the criminal database and continue to be persecuted. There are known cases in which law enforcement officers demanded that those who served a sentence under Article 120 CC RUz confess to committing another crime.



A law enforcement officer disclosed the address of a man convicted under Article 120 and currently under house arrest to homophobes. They attacked him and demanded that he leave the place or commit suicide. The victim tried to file a statement against the district police officer, who then threatened him with a real prison term if he approached [the district police officer] again.

ECOM monitoring, 2024.



⁸ Uzbekistan: Forced Anal Testing in Homosexuality Prosecutions. – Human Rights Watch, 6 August 2021. – URL: <https://www.hrw.org/ru/news/2021/08/06/379459>



RIGHT TO LEGAL PROTECTION

LGBT people have extremely limited access to legal protection in Uzbekistan. According to ECOM data, representatives of the LGBT community are unable to find lawyers if they face criminal prosecution under Articles 120 or 113. Lawyers provided by the state do not defend victims, show indifference during court proceedings, and sometimes even support the prosecution.

Numerous cases of hate crimes, “fake dates,” torture, and extortion remain unpunished because LGBT people are forced to disclose their SOGI when filing an application, which only worsens their situation.

ECOM data shows that even when victims contact law enforcement agencies, they face additional threats from investigators and their statements are not taken.



The victim was attacked by a group of people after the disclosure of his sexual orientation. As a result, he attempted to file a statement with law enforcement agencies. They refused to investigate the circumstances of the crime, and the investigator expressed support for the actions of the group [of attackers], and advised the victim to sit quietly, otherwise he himself would be prosecuted under Article 120.

ECOM monitoring, 2024.



CONCLUSIONS AND RECOMMENDATIONS

Uzbekistan continues to be an unsafe country for LGBT people. In 2024, law enforcement officers used various criminal provisions, including Article 120 of the CC RUz, to punish representatives of the LGBT community, including for inciting hatred, distributing pornography, and disturbing public order.

Often, law enforcement officers find victims through the use of “fake dates” or through other LGBT people who were previously blackmailed. In addition, officers of the national guard and the patrol service stop people and check the contents of their telephones. If they find queer materials, they will blackmail the victim.

Domestic violence takes on frightening forms: in one case, a father killed his son, and in another, a father raped his son because of his SOGI. Beatings, forced marriages, and forced confinement continue to be used as methods of punishment due to victims’ SOGI. Unlike previous years, in 2024, relatives are those who most often passed on information about victims’ SOGI to law enforcement officers.



RECOMMENDATIONS FOR UZBEKISTAN

- ✓ Repeal Article 120 CC RUz or impose a moratorium on its implementation;
- ✓ Free and rehabilitate all those who faced previous conviction under Article 120 CC RUz;
- ✓ Repeal Article 113 CC RUz and differentiate intentional and unintentional transmission of HIV;
- ✓ Free and rehabilitate all those who faced previous conviction under Article 113 CC RUz without evidence of premeditated transmission of HIV;
- ✓ Adopt a comprehensive anti-discrimination law with SOGI included as protected characteristics;
- ✓ Adopt a law on hate crimes and include SOGI as protected characteristics;
- ✓ Prohibit hate speech.



RECOMMENDATIONS FOR INTERNATIONAL ORGANIZATIONS

- ✓ Monitor violations of the human rights of LGBT people;
- ✓ Call upon Uzbek authorities to repeal or impose a moratorium on the implementation of Article 120 CC RUz;
- ✓ Boycott events in Uzbekistan while the country continues to implement Article 120 CC RUz.



RECOMMENDATIONS FOR CIVIL SOCIETY

- ✓ Develop a safe space for interaction and dialogue;
- ✓ Provide legal assistance and protection to victims in connection with their legal cases;
- ✓ Document cases of human rights violations against LGBT people.

