

# Uzbekistan

	2014	2015		
<b>Internet Freedom Status</b>	<b>Not Free</b>	<b>Not Free</b>	<b>Population:</b>	<b>30.7 million</b>
Obstacles to Access (0-25)	20	19	<b>Internet Penetration 2014:</b>	<b>44 percent</b>
Limits on Content (0-35)	28	28	<b>Social Media/ICT Apps Blocked:</b>	<b>Yes</b>
Violations of User Rights (0-40)	31	31	<b>Political/Social Content Blocked:</b>	<b>Yes</b>
<b>TOTAL* (0-100)</b>	<b>79</b>	<b>78</b>	<b>Bloggers/ICT Users Arrested:</b>	<b>Yes</b>
			<b>Press Freedom 2015 Status:</b>	<b>Not Free</b>

\* 0=most free, 100=least free

## Key Developments: June 2014 – May 2015

- Internet access continued to improve slightly during the coverage period, with the internet penetration rate increasing to 43 percent by the end of 2014 (see **Availability and Ease of Access**).
- A new regulatory body has consolidated state regulation of ICTs, including regulation of access to the internet and online content dissemination (see **Regulatory Bodies**).
- Amendments to the Law on Informatization in September 2014 established legal liability for bloggers and included requirements that they only report verified information (see **Content Removal**).
- After 10 years of reporting, the independent news website *Uznews* closed down after hackers leaked confidential information revealing the identities of some of its reporters, putting those individuals at risk of government's retaliation for their critical reporting (see **Intimidation and Violence**).

## Introduction

Uzbekistan has one of the most tightly controlled online and media environments in the world, with restrictions on any content critical of the government, high levels of surveillance, and prosecutions with lengthy prison sentences for posting controversial content online. Internet freedom registered few improvements during the coverage period of this report, which included the presidential elections on March 29, 2015 and parliamentary elections in December 2014. These political events may have influenced the adoption of legislative amendments targeting bloggers in September 2014. Viewed by many as a further attempt to curb any critical viewpoints and discourage news-oriented blogging, the new amendments force bloggers and other website or webpage owners to conform to stringent content regulations that previously applied only to professional journalists. Penalties for noncompliance include “limited access” to bloggers’ websites and liability under the law, possibly including house arrest, a sanction introduced by the legislators in the same period as blogger regulation.

## Obstacles to Access

*Access to the internet continues to improve slightly, due to an increase in internet and mobile phone penetration rates. However, internet access is still mainly concentrated in a few large cities, and prices remain prohibitive for the majority of the population.*

## Availability and Ease of Access

According to data from the International Telecommunication Union (ITU), the internet penetration rate in Uzbekistan reached 43 percent by the end of 2014, compared to 38 percent in 2013 and just 17 percent in 2009.<sup>1</sup> Digital divides exist between the capital of Tashkent and the country’s 12 regions (*viloyati*) as well as across urban, rural, and remote areas. Tashkent has the highest internet penetration rate and is a nationwide leader in terms of FTTB and WiMAX broadband connectivity.<sup>2</sup> The lowest internet penetration rate is in the semi-autonomous republic of Karakalpakstan, home to the Karakalpak, Kazakh, and Uzbek ethnic groups.<sup>3</sup> The usefulness of ICTs, especially in rural and remote areas, still depends on a stable electricity supply to the telecommunications infrastructure.<sup>4</sup> Factors including computer skills, household income, and availability of a computer in one’s household continue to determine how often individuals use the internet.

Internet access is based primarily on the use of ADSL connections. According to the latest ITU data, a mere 389,000 internet users had a fixed-broadband subscription in 2014.<sup>5</sup> The construction of the fiber-optic network (FTTx) in Uzbekistan required US\$9 million in Uzbek and Chinese investments

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1 International Telecommunication Union, “Percentage of Individuals Using the Internet,” 2014, 2013, 2009, accessed July 2015, <http://bit.ly/1cbxxy>.

2 Uztelecom, “Зона покрытия FTTB” (2361 buildings), accessed February 12, 2014, <http://uzonline.uz/ru/services/fttb/>. Private mobile operator Beeline (Unitel) offers FTTB broadband in cities Zarafshan and Uchkuduk, see Beeline, “Зона обслуживания FTTB”, <http://bit.ly/1LCe90Z>.

3 UzACI and UNDP Uzbekistan, “Анализ состояния и перспектив развития Интернет в Республике Узбекистан,” [Analysis of the Internet Development and its Prospects in Uzbekistan] 2009, accessed July 30, 2013, <http://infocom.uz/wp-content/files/otchet.pdf>.

4 International Telecommunication Union, “Sustainable supply of electricity to telecommunication facilities in rural and remote areas (Uzbekistan),” accessed February 10, 2014, <http://bit.ly/1FV5uod>.

5 International Telecommunication Union, “Fixed (wired)-broadband subscriptions,” <http://www.itu.int/ITU-D/ict/statistics/>.

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from 2013-2014.<sup>6</sup> By January 2014, the fibre-optic network was 2,100 km long.<sup>7</sup> The government's goal is to have 110,000 ports for broadband connection across the country by the end of 2015. Wi-MAX broadband was first introduced on the Uzbek market by the state-owned operator Uztelecom in 2006 and a private operator in 2008.

More people access the internet at work (state institutions and businesses) than in private households. In the wake of the fast-paced implementation of e-governance initiatives, internet coverage was extended to the entire state apparatus, reportedly also reaching all bodies of local governance (*hokimiats*) at the regional and city levels in Uzbekistan by the end of 2013.<sup>8</sup> In 2013-2014, the state began to install computers in every *mahallah* committee—traditional local community councils that the government has turned into an official system for public surveillance and control.<sup>9</sup> Still, civil servants' access to the internet and social media channels for personal use is largely restricted by technical tools as a result of information security concerns.<sup>10</sup>

Public access points such as internet cafes remain popular, particularly among young internet users. However, since December 2010, minors are officially prohibited from visiting internet cafes without parents or adults between 10:00 p.m. and 6:00 a.m.<sup>11</sup> Reportedly, since 2011, students are also not allowed to visit internet cafes between 8:30 a.m. and 7:00 p.m.<sup>12</sup> Since September 2005, other public access points such as libraries, schools, universities, museums, and youth organizations must connect to the internet exclusively via the national *intranet*, a local access and information network called Ziyonet.<sup>13</sup> In July 2013, in a new attempt to limit and control internet access, the government allowed the state-owned telecommunications operator Uztelecom to serve as the exclusive provider of access to Ziyonet across these target institutions nationwide.<sup>14</sup> (Previously, any private ISP could exercise that right on a competitive basis).<sup>15</sup> Uztelecom provides unlimited traffic connections to the Ziyonet intranet via xDSL, FTTx, and CDMA-450 technologies (in rural and remote areas) but limits traffic to the internet on a monthly basis. Currently, the highest internet access speed of 1 Mbps is available for a monthly tariff of UZS 1,441,101 (US\$650).<sup>16</sup>

Expensive access prices, slow speeds, and limits on data volume also curb internet use, in addition to

6 Resolution of the President RU "О государственной программе "Год благополучия и процветания," [On the State Program "The Year of Wellbeing and Prosperity"] No. ПП-1920, February 14, 2013, SZRU (2013) No. 8 (560), item 99.

7 Uztelecom, Interview with Uztelecom General Director Abdurashid Adumuminov, <http://www.uztelecom.uz/ru/press/news/2013/1315/>.

8 The Single Portal of interactive state services, "the Single interactive state services portal: access to each area," news release, October 18, 2013, <http://bit.ly/1GyH2DB>.

9 See Resolution of the President RU No. ПП-1920.

10 UZ News, "Чиновникам Узбекистана запретили интернет на рабочем месте," [Uzbek officials ban internet in the workplace] *RPGL3* (blog), March 16, 2014, <http://bit.ly/1jdJGt8>.

11 "О порядке предоставления доступа к сети Интернет в общественных пунктах пользования" [On Adoption of the Terms of Provision of Access to the Internet Network in Public Points of Use], promulgated by Order of the Communications and Information Agency of Uzbekistan No. 216, July 23, 2004, SZRU (2004) No. 30, item 350, art. 17 (e).

12 UZ News, "Lyceum students banned from e-cafes in Uzbekistan," *The Times of Central Asia*, June 5, 2012, <http://bit.ly/1Qbx5Bw>.

13 Resolution of the President RU "О создании общественной образовательной информационной сети Республики Узбекистан" [On the Establishment of the Public, Educational, and Information Network of the Republic of Uzbekistan], No. ПП-191, 28 September 2005, SZRU (No. 40), item. 305, art. 4.

14 Resolution of the Cabinet of Ministers RU "О мерах по дальнейшему развитию образовательной сети "Ziyonet," [On the Further Development of the Educational Network "Ziyonet"] No. 198, July 10, 2013, SZRU (2013) No. 28 (580), item 362, art. 4.

15 Compare Resolution of the Cabinet of Ministers RU "О дальнейшем развитии информационной сети 'Ziyonet,'" [On the Further Development of the Educational Network "Ziyonet"] SZRU No. 52, item 389, art. 4 (no longer valid).

16 Uztelecom, Uzonline internet tariffs as of February 12, 2014, <http://uzonline.uz/ru/services/internet/#life>.

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the centralized telecommunications infrastructure. Internet subscriptions in Uzbekistan conform to a two-tiered system: access to the TAS-IX peering center and content delivery network, and internet access routed via Uztelecom's network. Uztelecom and private ISPs provide free access to the TAS-IX network at a maximum download speed of 2 Mbps to their customers. None of the ADSL/FTTB subscriptions from private ISPs enable internet download speeds faster than 2 Mbps (subscriptions are available for an average of US\$44 per month and with free traffic up to 12 GB). A basic ADSL subscription for a 256 Kbps minimum download speed is currently available for US\$14-\$24 per month (with free traffic from 2.4 GB to 4.8 GB).<sup>17</sup>

Uztelecom remains a leader in the provision of FTTB broadband internet to private households and businesses. However, neither Uztelecom nor private ISPs offer limitless capacities for data transmission on their networks. "Traffic without limits" ADSL/FTTB subscriptions advertised by all ISPs in fact entail quotas on traffic. If a quota is exceeded, the connection speed sharply decreases. For example, Uztelecom offers private households "unlimited" FTTB subscriptions for US\$135 per month with a 4 Mbps maximum download speed that drops to 128 Kbps after customers exceed the data volume quota of 30 GB.<sup>18</sup>

According to official statistics, at least eight leading private ISPs have transferred Uztelecom's price reductions to their individual subscribers and dropped subscription prices between 15 and 80 percent from 2011 to 2013.<sup>19</sup> At the same time, according to the ITU, internet access prices are still prohibitively expensive in comparison to the average household income.<sup>20</sup> Actual speeds experienced by internet users are frequently much lower than advertised. Users experience frequent disconnections and generally complain about poor quality of connections and technical support on behalf of ISPs.

## Restrictions on Connectivity

The state-owned national operator Uztelecom is the primary carrier of Uzbekistan's telecommunications infrastructure and an upstream ISP. Since August 2005, Uztelecom has operated the national-level backbone network and requires private ISPs to route and transmit their international traffic through its International Centre for Packet Switching ("Mezhdunarodnyi tsentr paketnoyi kommutatsii"). Uztelecom also sells internet traffic to private ISPs at a wholesale, U.S. dollar-denominated price.<sup>21</sup> Uztelecom controls the country's external internet gateway capacity, which allows the authorities to control access speeds for the entire country, if needed. As of May 2015, the average speed of internet access reached 19.25 Mbps, according to Uztelecom,<sup>22</sup> although Akamai reported average speeds of only 2.6 Mbps for 2014.<sup>23</sup> In 2011, the government prohibited private ISPs from bypassing

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17 See, e.g., a tariff list from the leading ISP provider: TPS, accessed April 26, 2013 <http://www.tps.uz/tariffs/section/jet>.

18 See tariff "Record-6," as of February 12, 2014, at <http://uzonline.uz/ru/services/internet/#life>.

19 ССИТТ, "Анализ рынка и тарифов интернет-услуг в Узбекистане," [Analysis of the market and tariffs for internet services in Uzbekistan] press release, January 22, 2014, at <http://bit.ly/1L9kE5H>. The 8 leading ISPs: TPS (Technoprosistem), Beeline, DosT Link, Sarkor Telecom, Unitech, NetCity, Amaliy Aloqalar Biznesi, and Skyline.

20 As reported by ITU in 2012, internet access prices were prohibitively high in Uzbekistan and exceeded the monthly GNI per capita level at the rate of approximately 188 percent. See ITU, "Measuring the Information Society: 2012."

21 Uztelecom, "О проектах по поэтапному расширению пропускной способности доступа к глобальным сетям Интернет" [On projects to phase capacity expansion of access to the global Internet networks], May 7, 2015, <http://uztelecom.uz/ru/press/news/2015/1839/>.

22 Uztelecom, "АК «Узбектелеком» имеет техническую возможность увеличить скорость внешних каналов Интернет более чем в четыре раза» [JSC «Uzbektelecom» has the technical capability to increase the speed of external Internet channels in more than four times], January 8, 2014, <http://www.uztelecom.uz/ru/press/news/2014/1327/>.

23 Akamai, *State of the Internet Report Q4 2014*, <http://akamai.me/1F15Uhs>.

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Uztelecom's infrastructure to connect to the internet, and from installing and maintaining their own satellite stations in order to establish internet connectivity.

The TAS-IX peering center and content delivery network, established in February 2004, interconnects the networks of 37 private ISPs to enable traffic conveyance and exchange at no mutual charge and without the need to establish international internet connections via Uztelecom.<sup>24</sup> TAS-IX ISPs are challenged to find the income streams for the investments needed to meet the capacity requirements of their customers.<sup>25</sup> Private ISPs provide no traffic limitations to websites hosted within the TAS-IX networks, but filter and block content and applications to the same extent as Uztelecom.<sup>26</sup> Most censorship takes place at the country's international internet connection, operated by Uztelecom, which aggregates the private ISPs' traffic at a single node within its infrastructure.

## ICT Market

Currently, five mobile phone companies operate in Uzbekistan. The fewest number of subscribers belong to two CDMA operators—Uzmobile (a brand of the state-owned Uztelecom) and Perfectum Mobile (owned by the Uzbek company Rubicon Wireless Communication).<sup>27</sup> There are two GSM operators: Beeline (owned by the Russian VimpelCom Ltd) and Ucell (owned by the Swedish-Finnish company TeliaSonera). In December 2014, UMS (Universal Mobile Systems) entered the domestic market. This company is a joint venture of the Uzbek government (which owns 49.99 percent) and the Russian company MTS, under an agreement reached before the International Centre for Settlement of Investment Disputes of the World Bank.<sup>28</sup> Previously, from July 2012 through April 2013, the government took steps to terminate the operations of the former leading GSM operator Uzdurobita (a wholly owned subsidiary of the Russian MTS), which had a customer base of more than 9.5 million subscribers. In December 2013, local authorities placed assets and equipment expropriated from Uzdurobita into the custody of Uztelecom for an unspecified duration and without the right of use.<sup>29</sup>

By 2017, competition within the mobile communications market in Uzbekistan may shrink further. On February 12, 2014, President Karimov signed a resolution that gave CDMA provider Uzmobile the legal status of a "national operator of mobile communications." With the aim of ensuring a "reliable and stable operation of mobile communications networks given the requirements of information security," the company is entrusted with the nationwide "introduction of the most innovative technologies for high-speed data transmission, including internet broadband, mobile TV services, e-payments and e-commerce" based on GSM technology.<sup>30</sup> From 2014–2017, Uzmobile will enjoy tax exemptions and licensing privileges in order to reach a target of 7,000 base stations and 8 million

24 TAS-IX, "List of Members," [in Russian] March 13, 2013, <http://bit.ly/1G0hmEW>.

25 Eugeny Sklyarevskiy, "Узбекистан: Кто платит за бесплатный TAS-IX?," *12 News*, October 24, 2012, <http://bit.ly/1P1bApE>.

26 TAX-IS participating ISP maintain a service to find out whether a website is in the TAS-IX network. See, e.g., TPS,

"Проверить, находится ли сайт в сети TAS-IX," <http://www.tps.uz/tasix/>.

27 "UZMOBILE subscribers' number exceeds 200,000 users," *UzDaily*, January 31, 2013, <http://bit.ly/1Oo5tLY>. Perfectum Mobile does not make public its customer base. Reportedly, the numbers reached an average of 500,000 subscribers in 2012. See «Сколько же абонентов было у МТС- Узбекистан на самом деле?» *Mobinfo.Uz*, November 10, 2012, <http://bit.ly/1N2bavZ>.

28 "Russia's MTS will return to Uzbekistan by the end of 2014," *The Times of Central Asia*, August 4, 2014, <http://bit.ly/1Pk3pnr>.

29 RIA Novosti, «Активы узбекской «дочки» МТС переданы на баланс «Узбектелекома»,» December 16, 2013, <http://bit.ly/1L9lwYc>.

30 Resolution of the President RU "О мерах по организации деятельности национального оператора мобильной связи" [On the Measures Establishing the Activity of the National Operator of the Mobile Communications], No. ПП-2126, February 12, 2014, *SZRU* (2014) No. 7, item 73.

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subscribers by the end of 2017. The Chinese government has pledged US\$500,000 in investments for Huawei Technologies to be an official supplier of telecommunications equipment to Uzmobil. <sup>31</sup>

Service providers are required to have a license to operate, and in 2005, the Cabinet of Ministers adopted Resolution No. 155, which stipulates that telecommunications providers must first register as a legal entity before being issued a license. Thereafter, the licensing procedure is fairly straightforward but in practice is often encumbered by political interests, with applicants from outside the government's inner circle regularly denied licenses for unjustifiable reasons. <sup>32</sup> As of March 2014, no licenses can be given to an internet cafe if the business premises are located in the basement of multistory buildings. <sup>33</sup>

### Regulatory Bodies

In February 2015, the Cabinet of Ministers created the Ministry for the Development of Information Technologies and Communications (MININFOCOM) to consolidate state development and control of the ICT industry. The Ministry is responsible for internet content regulation in order to prevent, among other things, the internet's "negative influence on the public consciousness of citizens, in particular of young people." To do so, the Ministry implements measures on the further development of the national segment of the internet (the *intranet*), as well as the provision of the necessary technical and favorable conditions for the development of "modern national websites on different issues, including information resources to satisfy informational and intellectual needs of the population, particularly of the youth." <sup>34</sup>

The Computerization and Information Technologies Developing Center (Uzinfocom) under the Ministry administers the ".uz" top-level domain. There are seven private ISPs officially authorized to provide registry services in the ".uz" domain zone. <sup>35</sup> Uzinfocom is also the largest provider of web hosting services, including for the e-government project, government-backed *intranet*, national search engine, and social-networking sites. <sup>36</sup> Current rules for the assignment, registration, and use of the country's top-level domain create an obstacle to internet access. <sup>37</sup>

### Limits on Content

*The government of Uzbekistan engages in pervasive and systematic blocking of independent news and any content that is critical of the regime, particularly that which is related to foreign and domestic*

31 See «Китай выделит Узбекистану \$550 млн. на развитие оператора «Узмобиайл» — СМИ,» *Mobinfo.Uz*, <http://bit.ly/1MgLfzV>.

32 IREX, "Uzbekistan."

33 Murat Sadykov, "Uzbekistan: Big Brother's Newest Eye—In Internet Cafes," *Eurasianet*, March 31, 2014, <http://bit.ly/1L9IDmG>.

34 See Resolution of the Cabinet of Ministers RU „Об утверждении Положения о Министерстве по развитию информационных технологий и коммуникаций Республики Узбекистан” [On the Establishment of the Ministry for the Development of Information Technologies and Communications of the Republic of Uzbekistan], No. 87, April 10, 2015, *SZRU* (2015), NO 15 (671), item. 178.

35 ccTLD.uz, „Администраторы,” [Administrators] <http://cctld.uz/reg/>.

36 Uzinfocom Data Centre, „Услуги веб-хостинга,” [Web Hosting Services] <http://dc.uz/rus/hosting/>.

37 Law RU "On Telecommunications," at Arts. 8, 11.

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*affairs or the human rights situation in the country.*<sup>38</sup> Access to online information was relatively open until 2001, when the authorities began filtering politically sensitive websites and reportedly intercepting email communications.<sup>39</sup> Online censorship and surveillance significantly intensified after May 2005, following the government's violent crackdown on peaceful antigovernment protests in Andijan and the subsequent news blackout on this event in the traditional media.<sup>40</sup>

### Blocking and Filtering

Websites permanently blocked in Uzbekistan do not appear on [www.поиск.uz](http://www.поиск.uz)—the national search engine of Uzbekistan's government.<sup>41</sup> Blocked websites include most independent news websites with socio-political and human rights-related content on Uzbekistan. Websites of Uzbek human rights and opposition groups in exile are also blocked. The websites of the international broadcasters Radio Free Europe/Radio Liberty, Deutsche Welle, and the Uzbek services of the BBC and Voice of America have been permanently inaccessible in Uzbekistan since 2005.<sup>42</sup> Websites of the major international human rights organizations, such as Amnesty International, Freedom House, and Human Rights Watch, among others, are also blocked.

Stringent limits on content also appear on the Ziyonet information network, which is the only mode of internet access for libraries, educational and other cultural institutions, and youth organizations. In July 2013, the government adopted a resolution calling for the introduction of an official list or registry of information resources to be made available on Ziyonet after having received approval by the respective state bodies.<sup>43</sup> As of February 2014, there were 50,100 "approved" educational resources, some of which are knock-offs of popular social media platforms, such as [Utube.uz](http://utube.uz), which is similar to YouTube.

Several government-linked entities monitor and control online communications, though the opaque system offers few details on how decisions are made or what websites are blocked at any given time. The Center for the Monitoring of the Mass Communications Sphere takes various measures to maintain compliance with national legislation that restricts free expression.<sup>44</sup> Among its key objectives are "to analyze the content of information disseminated online and ensure its consistency with existing laws and regulations."<sup>45</sup> Based on its systematic monitoring of online content, the center

38 Reporters Without Borders, "Uzbekistan," *Internet Enemies*, March 12, 2012, <http://bit.ly/1WPU1u2>; Alexei Volosevich, "Journalism in Uzbekistan is not history. It has but moved to the Net," Fergana, February 26, 2007, <http://enews.fergananews.com/article.php?id=1855>.

39 OpenNet Initiative, "Country Profile: Uzbekistan," December 21, 2010, <http://opennet.net/research/profiles/uzbekistan>.

40 Organization for Security and Co-operation in Europe, "Coverage of the Events and Governmental Handling of the Press During the Andijan Crisis in Uzbekistan: Observations and recommendations," June 15, 2005, <http://www.osce.org/fom/15617>; Alo Khodjayev, "The Internet Media in Uzbekistan," in OSCE Representative on Freedom of the Media (ed.), *Pluralism in the Media and the Internet* (OSCE Representative on Freedom of the Media, Vienna, 2006), 144.

41 Resolution of the President RU "О дополнительных мерах по дальнейшему развитию информационных технологий" [Program on the Establishment and Development of a National Information Search System], No. ПП-117, signed July 8, 2005, Annex 3, *SZRU* (2005) No.27, 189.

42 Committee to Protect Journalists, "Attacks on the Press 2010: Uzbekistan," February 15, 2011, <http://cpj.org/x/40d0>.

43 Resolution of the Cabinet of Ministers RU "О мерах по дальнейшему развитию образовательной сети "Ziyonet"" [On the Further Development of the Educational Network "Ziyonet"], No. 198, July 10, 2013, *SZRU* (2013) No. 28 (580), item 362, at Art. 4.

44 Zhanna Hördegen, "The Future of Internet Media in Uzbekistan: Transformation from State Censorship to Monitoring of Information Space since Independence," in *After the Czars and Commissars: Journalism in Authoritarian Post-Soviet Central Asia* ed. Eric Freedman and Richard Schafer, (East Lansing: Michigan State University Press, April 2011), 99-121.

45 Regulation No. 555, On the Measures of Improving the Organizational Structures in the Sphere of Mass Telecommunications, adopted by the Cabinet of Ministers of Uzbekistan on November 24, 2004. See, OpenNet Initiative, "Country Profile: Uzbekistan," December 21, 2010, <http://opennet.net/research/profiles/uzbekistan>.

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has contributed to the takedown of independent websites (see Media, Diversity, and Content Manipulation).<sup>46</sup> The Expert Commission on Information and Mass Communications, a secretive body established in August 2011, oversees the Monitoring Center.<sup>47</sup> The commission is not independent and must submit quarterly reports to the Cabinet of Ministers.<sup>48</sup> Furthermore, its membership is not public,<sup>49</sup> although the body is reportedly comprised exclusively of government employees.<sup>50</sup> The new commission is mandated to evaluate online publications and determine if they: have a “destructive and negative informational-psychological influence on the public consciousness of citizens;” fail to “maintain and ensure continuity of national and cultural traditions and heritage;” or aim to “destabilize the public and political situation,” or commit other potential content violations.<sup>51</sup>

The commission also assesses publications referred to it by the Monitoring Center or other state bodies, including the courts and law enforcement, drawing on a designated pool of government-approved experts.<sup>52</sup> The experts submit reports to the commission, whose members then vote on whether or not a violation has been committed. If a violation is found, the decision becomes the basis for action to be taken by state bodies, including courts, and by “other organizations,” presumably private ISPs.<sup>53</sup> There are no procedures in place that require notification of those whose content is affected by the decision or that grant them an opportunity to defend the speech in question, nor is there a clear avenue to appeal the decision after it is made. The broadly defined violations and wide discretion granted to the commission raises concerns of how it could be used to suppress or punish free speech—including ordering ISPs to delete content or encouraging the arbitrary imprisonment of bloggers—particularly given the Uzbek government’s track record of politically motivated censorship.<sup>54</sup>

## Content Removal

Intermediaries can be held liable for third-party content hosted on their platforms and can be forced to remove such content. Following the 2007 amendments to the 1997 law “On Mass Media,”<sup>55</sup> any website engaged in the dissemination of mass information periodically (at least once every six months) is considered “mass media” and is subject to official press registration.<sup>56</sup> This procedure is generally known to be content-based and arbitrary, and inhibits editors and readers from exercising

46 A news website Informator.uz was shut down in 2007. See, “Pochemu zakrito nezavisimoe SMI Uzbekistana—Informator. Uz?” [Why the independent mass media of Uzbekistan, Informator.Uz, is closed?] *UZ Forum* (blog), September 20, 2007, [www.uforum.uz/showthread.php?t=2565](http://www.uforum.uz/showthread.php?t=2565).

47 Resolution of the Cabinet of Ministers, О дополнительных мерах по совершенствованию системы мониторинга в сфере массовых коммуникаций, [On Supplementary Measures for the Improvement of the Monitoring System for the Sphere of Mass Communications] No. 228, August 5, 2011, *SZ RU* (2011) No. 32-33, item 336.

48 *Ibid*, Annex II, art. 31.

49 *Ibid*, Annex I, contains a list of the Commission’s members that is not made public.

50 Reporters Without Borders, “Uzbekistan.”

51 Resolution of the Cabinet of Ministers RU, No. 228, at art. 1 and Annex II, art. 5. See note 50 above.

52 *Ibid*, at art. 1 and Annex II, art. 14.

53 *Ibid*, at Annex II, art. 26 and 29.

54 For the detailed discussion of the governmental regulation of speech on ideological grounds, see: Zhanna Kozhamberdiyeva, “Freedom of Expression on the Internet: A Case Study of Uzbekistan,” *Review of Central and East European Law* 33, no. 1 (2008) 95-134.

55 Law RU, О средствах массовой информации, [On the Mass Media] No. 541-I, adopted December 26, 1997, as amended on January 15, 2007, *SZRU* (2007) No. 3, item 20, at art. 4.

56 Resolution of the Cabinet of Ministers RU, О дальнейшем совершенствовании порядка государственной регистрации средств массовой информации в Республике Узбекистан, [On the Further Development of the Procedure for State Registration of the Mass Media in the Republic of Uzbekistan] No. 214, October 11, 2006, in *SP RU* (2007) No. 14, item 141, at art. 8.



their freedom of expression and right to access information.<sup>57</sup> As of January 2015, 304 news-oriented websites, including online versions of traditional news media outlets, were registered as mass media in Uzbekistan.<sup>58</sup>

In September 2014, amendments to the Law on Informatization were passed stipulating that owners of a blog or other news source published exclusively online, including citizen journalists unaffiliated with traditional news media outlets, fall under state regulation. By the law's broad definition, any person may qualify as a blogger by engaging in the dissemination of any types of information ("of socio-political, socio-economic and other character") to the public through a website, including for the purpose of its discussion by users.<sup>59</sup> For the purpose of content restrictions, the law seems to equate blogs with traditional news media. In the process of gathering information, owners of a blog or website have to substantiate with evidence the credibility (*dostovernost*) of "generally accessible information" prior to its publication. This requirement would also apply to individuals reposting information, and would oblige them to "immediately remove" the posted information if it is not credible. In cases of noncompliance, the law entitles a special governmental body to limit access to the website. In cases of news-oriented blogging, bloggers may have difficulty in obtaining protection equivalent to that granted by the state to professional journalists, as these rights are elusive in practice.

## Media, Diversity, and Content Manipulation

The online media environment in Uzbekistan is severely restricted. Self-censorship is pervasive, given the government's tight controls over the media and harsh punishment of those who report on topics deemed "taboo," including criticism of the president, revelations about corruption, or health education.<sup>60</sup> As a result of the government's history of harassing traditional journalists, as well as their families, many online writers are cautious about what they post. The editorial direction of the online versions of state-run news outlets is often determined by both official and unofficial guidelines from the government.

Several independent news sites have been shut down as a result of permanent and systematic monitoring of the internet by the Monitoring Center. In May 2015, the court ordered the closure of the news media website *Noviyvek*, a weekly newspaper established in January 1992 and known for its balanced news reporting. In the past, there have been a few cases of independent news websites officially registered in Uzbekistan being closed or retroactively unregistered in arbitrary fashion (for example, *Informator*).<sup>61</sup> As of May 2015, *Olam* remained closed after going offline for "technical reasons" on January 19, 2013. By then, *Olam* was Uzbekistan's second most-visited news site. Reportedly, the Uzbek authorities had opened up proceedings against its editor-in-chief and the website owner, the Tashkent-based LLC Mobile Mass Media. Charges included infringement of copyright

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57 UN Human Rights Committee, "Mavlonov and Sa'di v. the Republic of Uzbekistan," Communication No. 1334/2004, Views adopted on April 29, 2009, UN Doc. CCPR/C/95/D/1334/2004, at par. 2.6, 2.11 and 8.3.

58 See Uzbek Agency for the Press and Information, "Состояние и динамика развития СМИ, издательств и полиграфических предприятий Узбекистана (01.01.2015г.)," last accessed on 27 May 2015, <http://www.api.uz/ru/#ru/content/licence/statistics/>.

59 Law RU No. 3PY-373, SZRU (2014) No. 36, item 452.

60 Catherine A. Fitzpatrick, "Uzbekistan: AIDS Activist Released, But Other Human Rights Defenders Harassed," Eurasianet, September 6, 2011, <http://www.eurasianet.org/node/64131>.

61 See "Pochemu zakrito nezavisimoe SMI Uzbekistana—Informator.Uz?" ["Why the independent mass media of Uzbekistan, Informator.Uz, is closed?"].

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and patent law, high treason, encroachment upon the constitutional order, espionage, subversive acts, loss of documents containing state or military secrets, and robbery. Prior to its closure, *Olam* had reported on state appropriation of an Uzbek subsidiary of the Russian MTS mobile company in 2013-2014.

Under the 1999 Law on Telecommunications and several other government resolutions, the licenses of lower-tier ISPs may be withheld or denied if the company fails to take measures to prevent their computer networks from being used for exchanging information deemed to violate national laws, including ones that restrict political speech. Under Order No. 216 passed in 2004, ISPs and operators “cannot disseminate information that, *inter alia*, calls for the violent overthrow of the constitutional order of Uzbekistan, instigates war and violence, contains pornography, or degrades and defames human dignity.”<sup>62</sup> Given these broad restrictions, many individuals and organizations prefer to host their websites outside the country.<sup>63</sup>

The government has also placed political pressure on mobile phone operators. In March 2011, amid growing unrest in the Middle East, regulators demanded that operators notify the government of any attempts to circulate mass text messages with “suspicious content” and reportedly warned that the providers would be required to shut down internet connections provided to mobile users at the authorities’ request.<sup>64</sup>

Facebook, YouTube, Twitter, and the Russian social networks Odnoklassniki and VKontakte continue to top the list of the most visited websites in Uzbekistan. In 2014, Facebook was the fourth most visited website in the country, followed by Odnoklassniki (available in Uzbek since December 2012), VKontakte, and YouTube. Twitter became particularly popular in the fall of 2013, when the president’s daughter Gulnara Karimova used her account to reveal inside secrets about her family and the corrupt practices of the Uzbek national security service.<sup>65</sup>

As social-networking sites and blogging platforms have grown in popularity, the government attempts to influence the information circulated on them by creating and promoting Uzbek alternatives to popular global or regional brands. The most recent example is the microblog Bamboo, launched in February 2014 for exclusive use by the Uzbek people under the motto “one country, one network.” The platform is very similar to Twitter and is likely to have been developed by the state to reduce the use of Twitter in Uzbekistan.<sup>66</sup> According to Bamboo’s terms of use, any information about its users can be forwarded to official bodies upon their “lawful and legitimate requests.” Also in February 2014, local IT specialists developed a messaging platform called Gap IM as an alternative to messaging services available via Skype, ICQ, Google Talk and Mail.ru.<sup>67</sup> The service is available in Russian and Uzbek languages and can be used on mobile phones.

62 Regulation, О порядке предоставления доступа к сети Интернет в общественных пунктах пользования, [On Adoption of the Terms of Provision of Access to the Internet Network in Public Points of Use] promulgated by Order of the Communications and Information Agency of Uzbekistan No. 216, July 23, 2004, *SZRU* (2004) No. 30, item 350.

63 According to government figures, only about 30 percent of websites with “.uz” domain names were hosted on servers based in Uzbekistan as of December 2011. See Uzinfocom, “Только цифры,” [Only Numbers] <http://bit.ly/1jRuWui>.

64 Murat Sadykov, “Uzbekistan Tightens Control over Mobile Internet,” *Eurasianet*, March 15, 2011, <http://www.eurasianet.org/node/63076>.

65 See e.g., Murat Sadykov, “Uzbekistan: Gulnara off Twitter After Blaming Scandal on Mother,” *Eurasianet*, November 21, 2013, <http://bit.ly/1jeGsWM>.

66 Murat Sadykov, “After Cloning Facebook, Uzbekistan Launches Twitter Imitation,” *Eurasianet*, February 13, 2014, <http://bit.ly/1ht1WgN>.

67 Info-android, “Uzbekistan has created an interesting alternative to Skype and ICQ,” February 10, 2014, <http://bit.ly/1N2dVgY>.

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The role of blogs as opinion-shaping media on political and social issues in Uzbekistan is minimal. The blogosphere is largely of entertainment character.<sup>68</sup> A handful of blogs critical of the regime are run by Uzbek dissidents (for example, *Jahonnoma*, *Turonzamin*, and *Fromuz*) or are affiliated with independent online news websites and run by invited journalists. Since its establishment in January 2012, the Choyxona forum has become somewhat popular, with over 1,500 threads, 58,000 posts, and 736 members as of February 2014. It is run by the former editors of Arbuz, a forum site that was suspended in 2011 after Uzbek authorities arrested several of its users.

## Digital Activism

A handful of political activists and regime critics actively use the internet and social media as channels to reach supporters in and outside of Uzbekistan. Their efforts may have the effect of raising awareness about the issues at stake, but their actual impact on social mobilization is limited, largely due to the repressive environment for freedom of speech and the right of assembly within the country. Moreover, the stringent ideological policies of the government regarding the use of the internet and social media by Uzbek youth seem to discourage digital activism as a form of political engagement among young people in particular.

In February 2015, the banned opposition group Birdamlik and human rights defender Mutabar Tadjibaeva protested against the unconstitutional presidential elections of March 29, 2015, by staging their own virtual alternative election. The organizers launched a virtual election committee's website at Saylov2015.org, where people could cast a vote for eleven presidential candidates (excluding President Karimov). The major goal was to engage the public in Uzbekistan in the virtual exercise of free and fair elections and promote democracy.<sup>69</sup> Unsurprisingly, prior to the official election date, hackers defaced the website with pornographic images and the website is no longer available.<sup>70</sup>

## Violations of User Rights

*The extent of state interference with internet users' rights, such as freedom of speech and the right to privacy, is a cause of serious concern. State measures to silence dissent include persecution and criminal prosecution of regime critics and independent journalists, often on fabricated charges, as well as systematic and permanent media censorship and constant surveillance of communications. A freelance reporter for an independent online media outlet was prosecuted and fined by a court in June 2014 for working without the appropriate license after he published an article about the government ordering the demolition of buildings in Tashkent and failing to compensate residents. The 10-year-old independent news website Uznews ceased operations after confidential information leaked by hackers exposed its reporters in Uzbekistan to possible retaliation from the government. As of May 2015, one Uzbek internet user was serving an eight-year prison sentence for violating constitutional order by establishing communication over the internet with an Uzbek opposition group in exile and for distributing materials on the group's orders.*

68 Sarah Kendzior, *Digital Freedom of Expression in Uzbekistan*, Sarah Kendzior (blog), New America Foundation, July 18, 2012, <http://bit.ly/1LCqclz>.

69 RFE/RL Uzbek Service, "Virtual Election' Seeks To Give Uzbeks Real Choice," *Radio Free Europe Radio Liberty*, February 10, 2015, <http://bit.ly/1P1fWx3>.

70 Узбекистан: Виртуальная избирательная комиссия прекратила работу в связи с хакерской атакой на веб-сайт," *Fergana*, March 24, 2015, <http://bit.ly/1DTT3Xh>.

## Legal Environment

Uzbekistan's constitution protects the rights to freedom of expression and of the mass media, as well as containing bans on censorship. However, the implementation of these protections is minimal under the current authoritarian regime with its weak attachment to democratic principles. National courts have generally failed to protect individuals, including professional journalists, against government retaliation for exercising their free speech rights. Rampant corruption, particularly within law enforcement bodies, as well as weak legislative and judicial bodies, continue to have a deleterious impact on freedom of speech.

Article 29 of Uzbekistan's constitution guarantees the right to gather and disseminate information. The Uzbek criminal code contains several provisions that have been used extensively to prosecute reporters and internet users for online activities. They include but are not limited to the crimes of threatening constitutional order (Article 159), production and dissemination of materials containing a threat to public security and order with foreign financial help (Article 244), slander (Article 139), insult (Article 140), and insult of the president (Article 158). Both slander and insult are punishable with fines ranging from 50 to 100 times the minimum monthly wage, correctional labor of two to three years, arrest of up to six months, or detention for up to six years.<sup>71</sup> Further restrictions typically placed on journalists and internet users are based on vague information security rules.<sup>72</sup>

## Prosecutions and Detentions for Online Activities

The regime's hostility towards its critics, including independent journalists, human rights activists, and critically-minded internet users, is notorious in Uzbekistan.<sup>73</sup> As of May 2015, two Uzbek online journalists remained in jail on criminal charges presumed to be fabricated.<sup>74</sup> Solidzhon Abdurakhmanov, a 63-year-old journalist and former reporter for *Uznews* (the independent news website forced to shut down in December 2014) continues to serve a 10-year sentence imposed in October 2008 for allegedly selling drugs. Prior to his arrest, he had reported on human rights and economic and social issues, including corruption in the Nukus traffic police office, which fueled suspicions that the drug charges were trumped up in retaliation for his reporting.<sup>75</sup> Dilmurod Saiid, a freelance journalist and human rights activist, is serving a 12.5 year sentence imposed in July 2009 on extortion charges. Before his detention, he had reported on government corruption in Uzbekistan's agricultural sector for local media and independent news websites.<sup>76</sup>

In a summary administrative trial on June 28, 2014, well-known freelance journalist Said Abdurakhimov (pseudonym "Sid Yanyshev") was found guilty of two administrative offenses and fined US\$4,100 for an article about the government's failure to compensate local residents in Tashkent for demolishing their houses. The article was published on *Fergananeews*, a website blocked in Uzbekistan. Abdurakhimov was convicted under Articles 165 and 184 of the code of administrative offenses.

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71 Criminal Code of the Republic of Uzbekistan, art. 139 and 140, <http://bit.ly/1aA516n>.

72 Kozhamberdiyeva, "Freedom of Expression on the Internet: A Case Study of Uzbekistan."

73 See Human Rights Watch, "the Very End," September 26, 2014, <http://bit.ly/1IXpa50>.

74 Human Rights Watch, "Submission to the UN Human Rights Committee on Concerns and Recommendations on Uzbekistan," August 13, 2014, <http://bit.ly/1BqbHFw>.

75 Committee to Protect Journalists, "Government increases pressure on Uzbek journalists," letter, February 17, 2010, <http://cpj.org/x/37de>.

76 Committee to Protect Journalists, "Uzbek appeals court should overturn harsh sentence," September 3, 2009, <http://cpj.org/x/34ea>.

es for working as a journalist “without a license or permit” and “preparing or keeping information representing a threat to public security and order, with the aim of disseminating it.” Following the court’s reasoning, any persons who engage into the process of newsgathering are functionally indistinguishable from traditional journalists operating without a license required by law;<sup>77</sup> however, this court case took place before the legislation was amended in September 2014 to extend media liability to bloggers and other website owners disseminating information to the public.

Since January 2012, the fate and whereabouts of Jamshid Karimov remain unknown. An independent journalist and human rights activist who also happened to be the president’s nephew, Jamshid Karimov was known for his critical reporting under different pseudonyms for independent news websites, including *Fergananeews*, *Uznews*, and the Institute for War and Peace Reporting. In September 2006, he was abducted in Djizak during a hospital visit to his mother, detained incommunicado for 13 days, and was then confined to a Samarkand psychiatric hospital. Until his release in November 2011, he was under forced psychiatric treatment for “sluggish schizophrenia,” a diagnosis invented and systematically used in the USSR to silence political dissent.<sup>78</sup> Given these events, which are believed to have been in retaliation for his professional activity, there is a strong suspicion that Jamshid Karimov has been subject to involuntary disappearance for more than three years,<sup>79</sup> which constitutes torture and cruel and inhuman treatment under article 7 of the International Covenant on Civil and Political Rights, which has been ratified by Uzbekistan.<sup>80</sup>

Cases of selective and arbitrary prosecution of both independent and licensed journalists for their online publications have taken place in the past. They include Abdumalik Boboyev, a reporter for Voice of America’s Uzbek Service, Vladimir Berezovsky, the editor of *Vesti*, Viktor Krymzalov, a reporter for *Centrasia* and *Fergananeews*, and Elena Bondar, a reporter for *Uznews* and *Fergananeews*. Some of these journalists were convicted under criminal law and had to pay exorbitant fines as a punishment. These cases have shown that recommendations by the internet state censorship authority, the Monitoring Center, which determines which online news articles violate national legislation, are being used to legitimate prosecution and conviction of online reporters.

## Surveillance, Privacy, and Anonymity

The space for anonymous online communication in Uzbekistan is steadily shrinking, and government surveillance of ICTs is extensive. Although Article 27 of the constitution guarantees the privacy of “written communications and telephone conversations,” there is no data protection legislation in Uzbekistan. Since 2006, the National Security Service (NSS) conducts electronic surveillance of the national telecommunications network by employing the “system for operational investigative measures” (SORM), including for the purposes of preventing terrorism and extremism.<sup>81</sup> ISPs and mobile phone companies must install SORM and other surveillance equipment on their networks in order

77 Reporters Without Borders, „Sham Trial Ends in Heavy Fine for Well-Known Freelancer,” July 1, 2014, <http://bit.ly/1nx8tUt>.

78 “Джамшид Каримов и его охрана,” *a-volosevich* (blog), February 23, 2002, at <http://bit.ly/1VHAf1n>; “Джамшид Каримов как человек, журналист и VIP-племянник,” *Fergana*, November 28, 2011, <http://bit.ly/1RwzQ1m>.

79 Јагауон, “По случаю диалога Европейского Союза - Узбекистана,” April 1, 2014, <http://bit.ly/1VHArO6>.

80 See Manfred Nowak, *U.N. Covenant on Civil and Political Rights: CCPR Commentary*, 2nd revised edition, (N.P. Engel, 2005) 163, 177.

81 Resolution of the President RU, О мерах по повышению эффективности организации оперативно-розыскных мероприятий на сетях телекоммуникаций Республики Узбекистан, [On Measures for Increasing the Effectiveness of Operational and Investigative Actions on the Telecommunications Networks of the Republic of Uzbekistan] No. ПП-513, November 21, 2006, at Preamble and art. 2-3.

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to obtain a license.<sup>82</sup> Telecommunications providers are prohibited by law from disclosing details on surveillance methods and face possible financial sanctions or license revocation if they fail to design their networks to accommodate electronic interception.<sup>83</sup>

The NSS systematically eavesdrops on citizens' communications over email, mobile phone and Skype, in online forums, and social networks. There is no independent oversight to guard against abusive surveillance, leaving the NSS wide discretion in its activities.<sup>84</sup> If surveillance is part of a civil or criminal investigation, content intercepted on telecommunications networks is admissible as court evidence.<sup>85</sup>

There are no explicit limitations on encryption, though in practice the government strictly regulates the use of such technologies.<sup>86</sup> Proxy servers and anonymizers remain important tools to access content blocked in Uzbekistan. However, in September 2012, Uztelecom started a centralized and permanent blocking of proxy servers and websites listing free proxies without a web interface. At the same time, the use of both proxies and anonymizers require computer skills beyond the capacity of many ordinary users in Uzbekistan.

In 2011, Arbut, one of the country's most important online forums for anonymous discussion, was shut down after the arrests of several users. The site's founder told media that several people who had been active contributors to a forum about Kyrgyz-Uzbek ethnic clashes in 2010 had been detained. According to some reports, the NSS had tracked them through their internet protocol (IP) addresses.<sup>87</sup> Few options remain for posting anonymous comments on other online forums—such as Uforum,<sup>88</sup> which is administered by the state-run Uzinfocom Center—as individuals are increasingly encouraged to register with their real names to participate in such discussions.<sup>89</sup> Individuals must also provide a passport to buy a SIM card.<sup>90</sup>

Since July 2004, operators of internet cafes and other public internet access points are required to monitor their users and cooperate with state bodies. Following regulatory amendments in March 2014, the situation concerning respect for privacy and the protection of personal data of internet cafe users has deteriorated further.<sup>91</sup> Operators of internet cafes and public access points must

82 Ibid, art. 5.8. *Infra.*, note 110. Also, tax and custom exemptions apply for import of the SORM equipment by domestic ISPs, see Tax Code of RU, art. 208, 211, 230 part 2, and 269.

83 See Law RU, "On Telecommunications".

84 Resolution of the President RU, О мерах по повышению эффективности организации оперативно-розыскных мероприятий на сетях телекоммуникаций Республики Узбекистан, [On Measures for Increasing the Effectiveness of Operational and Investigative Actions on the Telecommunications Networks of the Republic of Uzbekistan] No. ПП-513, November 21, 2006, at Preamble and art. 2-3; See, Criminal Procedural Code of RU, *Vedomosti Oliy Mazhlisa RU* (1995) No. 12, item 12, at art. 339 part 2, "Tasks of Investigation," and art. 382, "Competences of the Prosecutor." Resolution of the President RU No. ПП-513, note 87 above, art. 4.

85 Law RU, Об оперативно-розыскной деятельности, [On Operational and Investigative Activity] No. ЗРУ – 344, December 26, 2012, *SZ RU* (2012) No. 52 (552), item 585, art. 16, 19.

86 Resolution of the President RU, О мерах по организации криптографической защиты информации в Республике Узбекистан, [On Organizational Measures for Cryptographic Protection of Information in the Republic of Uzbekistan] No. ПП-614, April 3, 2007, *SZ RU* (2007) No 14, item 140, at art. 1.

87 Institute for War & Peace Reporting, "Web Use Spirals in Uzbekistan Despite Curbs," news release, January 3, 2012, <http://bit.ly/sqYKRF>.

88 "Правила форума," [Terms of Use] *UZ Forum* (blog), <http://uforum.uz/misc.php?do=cfrules>.

89 U.S. Department of State, "Uzbekistan," *Counter Reports on Human Rights Practices for 2011* 16, <http://1.usa.gov/1L9qfsZ>.

90 MTC Uzbekistan, "How to subscribe," <http://www.mts.uz/en/join/>.

91 See Resolution of the SCCITT RU, "О внесении изменений и дополнений в Положение о порядке предоставления доступа к сети Интернет в общественных пунктах пользования [On making amendments and additions to the Regulations on the procedure for providing access to the Internet in the public areas of use]," March 19, 2014, No. 79-мх, *SZRU* (2014) NO. 13, item 150.

install surveillance cameras on their premises as a new measure to “ensure [the] safety of visitors.” Additionally, they are required to maintain a “registry of internet web-resources (logfiles)” used by customers and to retain this information for a period of three months. In practice, compliance with these measures can become burdensome and expensive for internet cafe businesses in Uzbekistan.

## Intimidation and Violence

While there have been no reports of government agents physically attacking bloggers or online activists, the National Security Service (NSS) has been known to employ various intimidation tactics to restrict freedom of expression online. For example, in June 2011, there were reports of NSS officers confiscating electronic media devices at the airport, checking browsing histories on travelers’ laptops, and interrogating individuals with a record of visiting websites critical of the government.<sup>92</sup> Further, on February 12, 2014, Marjam Ibragymova, a political scientist from Tashkent, was invited by prosecutors for a “prophylactic talk,” during which they threatened her with criminal charges of libel and the dissemination of materials threatening to public security and order. The materials included online articles she wrote for *Uznews* and *Fergananeews* under the pseudonym “Gulsara Vafaeva,” as well as views she expressed during an *Uznews* talk-show online. She was compelled to sign a statement on the “inadmissibility of such actions in the future.”<sup>93</sup>

## Technical Attacks

In November 2014, hackers took over an email account linked to *Uznews*, a leading independent news media website that has been permanently blocked in Uzbekistan since 2006. Confidential financial information from the email account of the website’s editor, Galima Bukharbayeva, was then leaked onto the internet. The confidential data also contained the names of Uzbek citizens engaged in newsgathering for *Uznews*. On December 19, 2014, the editors decided to close the site on the grounds of concern over the safety of its reporters in Uzbekistan whose identities were leaked.<sup>94</sup> Galima Bukharbayeva received the Committee to Protect Journalists’ International Press Freedom Prize in 2005 for her Andijan coverage. *Uznews* had been engaged into critical reporting on Uzbekistan over the last 10 years.

Distributed denial-of-service (DDoS) attacks on independent news media websites reporting on Uzbekistan, including the websites Centrasia.ru, Fegananews.com, Uznews.net, UzMentronom.com, and Ozodlik.org (Uzbek service of Radio Free Europe/Radio Liberty), have been frequent in the past and continue to take place.

In September 2013, a government resolution established the Information Security Centre as the new centralized arm of the State Committee on the CITT dealing with the security of “the national segment of the internet” and state information networks, including the e-governance infrastructure.<sup>95</sup>

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92 “Farg’ona aeroportida yo’lovchilar noutbuki tekshirilmoqda,” [At the Ferghana Airport, the Laptop Computers of Passengers Are Being Checked] *Ozodlik*, June 2, 2011, <http://bit.ly/1FVgVMY>.

93 *Uznews.net*, “Ташкентскому политологу пригрозили статьей “клевета” [Tashkent political scientist threatened with slander],” February 13, 2014, at [http://www.uznews.net/news\\_single.php?lng=ru&sub=&cid=3&nid=25085](http://www.uznews.net/news_single.php?lng=ru&sub=&cid=3&nid=25085).

94 Reporters Without Borders, “Tribute to leading news site that was forced to close,” January 14, 2015, <http://bit.ly/1JVwVc8>.

95 Resolution of the Cabinet of Ministers of RU «О мерах по организации деятельности Центра развития системы Электронное правительство и Центра обеспечения информационной безопасности при Государственном комитете связи, информатизации и коммуникационных технологий Республики Узбекистан» [On Measures Establishing the Development Centre on «E-governance» System and Cybersecurity Centre at the State Committee on the CITT], No. ПП-2058, September 16, 2013, *SZRU* (2013) No. 38, item 492, art. 3.

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The Centre took over the functions and competences of the Uzbekistan Computer Emergency Readiness Team (UZ-CERT), established in 2005.<sup>96</sup> In particular, the Centre continues to alert internet users to security threats and give recommendations on the protection of digital information. The Centre interacts with domestic ISPs, mobile phone operators, and state bodies—including law enforcement—on the prevention and investigation of “unsanctioned or destructive actions in information space.”<sup>97</sup>

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96 See Resolution of the President RU No. ПП-2058, note 39 above (check cross-reference), at Annex 3, art. 1

97 See Criminal Code, art. 278-1 “Violation of the Rules of Informatization”; art. 278-2 “Illegal (Unsanctioned) Access to Computer Information”; art. 278-3 “Production and Dissemination of Special Tools for Illegal (Unsanctioned) Access to Computer Information”; art. 278-4 “Modification of Computer Information”; and art. 278-5 “Computer Sabotage.”