

Uzbekistan

	2015	2016		
Internet Freedom Status	Not Free	Not Free	Population:	31.2 million
Obstacles to Access (0-25)	19	20	Internet Penetration 2015 (ITU):	43 percent
Limits on Content (0-35)	28	28	Social Media/ICT Apps Blocked:	Yes
Violations of User Rights (0-40)	31	31	Political/Social Content Blocked:	Yes
TOTAL* (0-100)	78	79	Bloggers/ICT Users Arrested:	Yes
			Press Freedom 2016 Status:	Not Free

* 0=most free, 100=least free

Key Developments: June 2015 – May 2016

- Voice over Internet Protocol services, including Skype, WhatsApp, and Viber, have been unavailable since July 2015 (see **Restrictions on Connectivity**).
- In April 2016, amendments to the criminal code increased penalties for poorly defined offences like threatening public order using mass media or telecommunications networks (see **Legal Environment**).
- Freelance online journalist and human rights activist Dmitry Tikhonov fled Uzbekistan after an intimidation campaign and threats of arrest (see **Intimidation and Violence**).

Introduction

Internet freedom declined in the coverage period, with Voice-over-Internet-Protocol (VoIP) services restricted for much of the year, though both the government and service providers denied responsibility.

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 lengthy prison sentences for posting controversial content online. The websites of many international news outlets have been blocked for the past decade. In a move likely to further impede critical reporting online, authorities amended the criminal code in 2016 to strengthen penalties for vague crimes like threatening public order using mass media or telecommunications networks.

The sudden death of President Islam Karimov in September 2016 threw the country into uncertainty. Acting President Shavkat Mirziyoyev has pledged to continue Karimov's legacy, meaning internet freedom is unlikely to improve.

Obstacles to Access

Nearly half of the population had internet access in 2015, with growing mobile penetration playing a critical role in improving access. However, expensive service, low broadband speeds, and limits on data volume continue to curb internet use. The state controls the country's international internet gateways through the state-owned telecommunications operator Uztelecom. Since July 2015, Voice over IP (VoIP) services such as Skype, WhatsApp, and Viber have been inaccessible, though both the government and service providers denied blocking them. Competition among mobile cellular network operators looks set to decline with the withdrawal of one foreign provider, and the state assuming control of another in August 2016.

Availability and Ease of Access

According to the International Telecommunication Union (ITU), internet penetration increased to almost 43 percent in December 2015, compared to 36 percent in 2014, reaching about 12.7 million people.¹ The number of mobile internet users reached 11.2 million at the end of 2015,² nearly half of the 21.8 million mobile cellular phone subscriptions.³ In February 2016, the Uzbek government set a target of increasing this number to 27 million by 2020.⁴

Fixed broadband was available to 1.5 million subscribers by December 2015.⁵ Internet access is based primarily on ADSL technology, which the government estimates as being available to 67 percent of subscribers.⁶ The remaining 32 percent use connections via fiber optic networks (FTTx

1 ITU ICT Statistics, "Time Series by Country (until 2015)," <http://www.itu.int/en/ITU-D/Statistics/Pages/stat/default.aspx>.

2 "On the state and prospects of the development of the ICT industry in Uzbekistan," *InfoCom*, September 29, 2015, <http://infocom.uz/2015/09/29/o-sostoyanii-i-perspektivax-razvitiya-ikt-v-uzbekistane/>.

3 ITU ICT Statistics, "Time Series by Country (until 2015)," <http://www.itu.int/en/ITU-D/Statistics/Pages/stat/default.aspx>.

4 Resolution of the Cabinet of Ministers RU, "On the Programme for the Development of Services for 2016 – 2020," No. 55, February 26, 2016, in *SZRU* (2016) No. 9 (717).

5 ITU ICT Statistics, "Time Series by Country (until 2015)," <http://www.itu.int/en/ITU-D/Statistics/Pages/stat/default.aspx>.

6 ITU ICT Statistics, "Time Series by Country (until 2015)," <http://www.itu.int/en/ITU-D/Statistics/Pages/stat/default.aspx>.

broadband). Only 1 percent of subscribers use WiMAX broadband, initially introduced by the state-owned telecommunications operator Uztelecom in 2006.

Internet connection speeds remain relatively low. None of the ADSL/FTTB subscriptions from private ISPs enable internet download speeds faster than 8 Mbps. Subscribers experience poor connection quality, frequent disconnections and poor technical support. "Unlimited" ADSL/FTTB subscriptions, advertised by all ISPs, actually entail quotas on traffic. If the quota is exceeded, the connection speed sharply decreases. Mobile providers continued to invest into 4G LTE broadband connectivity, with speeds of up to 70Mbps offered by provider UMS.⁷ Internet access prices are still prohibitively expensive in comparison to the average household income in Uzbekistan.⁸ Monthly subscriptions cost US\$50 on average, offering free traffic up to 12 GB.⁹

Since September 2005, all public institutions such as educational and academic institutions, youth organizations, libraries, and museums, must connect to the wider internet exclusively via Ziyonet,¹⁰ a nationwide access and information network that enables the government to monitor all communications traffic. Since July 2013, the government allowed the state-owned telecommunications operator Uztelecom to serve as the exclusive provider of access to Ziyonet.¹¹ Fixed Ziyonet broadband subscriptions start at US\$6 per month for 700 MB of data.¹²

The use of mobile technology is limited in schools and universities.¹³ In a May 21, 2012 resolution, the government completely banned the use of mobile phones in educational institutions except in "justified and urgent" cases.¹⁴ The measure was justified as a means of preventing cheating, digital gaming, and the dissemination of materials that undermine morals and promote violence or "reactionary sectarian, pseudo-religious ideology."

In December 2015, the government announced it would allocate US\$883 million to developing broadband infrastructure by 2019,¹⁵ including the construction of over 6000 miles of fiber optic networks by 2020.¹⁶ At the same time, the government said it would work to improve internet access, particularly in rural areas, where 49.4 percent of the population was based in December 2015.¹⁷ The capital Tashkent has much higher rates of internet penetration and of fibre-to-the-building (FTTB)

7 "UMS launches LTE in Tashkent," *TeleGeography*, June 21, 2016, <https://www.telegeography.com/products/commsupdate/articles/2016/06/21/ums-launches-lte-in-tashkent/>.

8 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."

9 See subscription "Record-6," as of May 2016, at <http://uzonline.uz/ru/services/internet/>.

10 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, at Art. 4.

11 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.

12 Uztelecom, Uzonline internet tariffs per May 31 2016, at <http://uzonline.uz/ru/services/internet>.

13 "Is it allowed to use a mobile phone in college?" [in Russian] *Darakchi*, July 13, 2016, <http://ru.darakchi.uz/article/867-mojno-li-polzovatsya-sotovim-v-kolledje>.

14 Resolution of the Cabinet of Ministers RU, "О мерах по упорядочению пользования мобильными телефонами в образовательных учреждениях Республики Узбекистан" [On measures to streamline the use of mobile phones in educational institutions of the Republic of Uzbekistan], No. 139, May 21, 2012, SZRU (2013) No. 21 (521), item. 229.

15 "Uzbekistan will allocate \$883 million to increase access to the internet," *Sputnik*, December 1, 2015, <http://ru.sputniknews-uz.com/society/20151201/1197905.html>.

16 "Uzbekistan will allocate \$883 million to increase access to the internet," *Sputnik*, December 1, 2015, <http://ru.sputniknews-uz.com/society/20151201/1197905.html>.

17 Resolution of the Cabinet of Ministers RU, "On the Adoption of the E-Commerce Concept in the Republic of Uzbekistan for the period of 2016 to 2018," NO. 353 of December 4, 2015, SZRU (2015), NO. 49, item 612.

broadband connectivity than the country's 12 regions (*viloyati*) and the autonomous Republic of Karakalpakstan.¹⁸ Uztelecom's FTTB broadband service reaches 3,287 buildings in Tashkent, and just four in Termez city in the geographically remote Surkhandariya region on the border to Afghanistan, home to 136,000 people.¹⁹ ICT facilities also depend on a stable electricity supply to the telecommunications infrastructure, which has been less reliable in rural areas.²⁰

Uztelecom and at least two private mobile operators offer public Wi-Fi hotspots in limited locations. In 2016, Uztelecom operated 67 hotspots across Samarkand, Bukharam, and four regions, including 14 in Tashkent.²¹ In February 2016, the government set a goal of extending public Wi-Fi coverage to the remaining eight regions, and the Republic of Karakalpakstan. The private mobile operator Beeline launched its first public Wi-Fi network in August 2015 and currently operates 27 Wi-Fi hotspots in 6 cities.²²

In February 2016 EVO, a private mobile broadband internet provider, launched free Wi-Fi services in public buses in Tashkent. However, the service was terminated a few days later, leading observers to question whether the authorities had intervened.²³

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 unsupervised between 10:00 p.m. and 6:00 a.m.²⁴

The state installs computers in every *mahallah* committee—traditional local community councils that the government has turned into an official system for public surveillance and control.²⁵ 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.²⁶

Restrictions on Connectivity

The government exercises significant control over the infrastructure and ordered internet shutdowns during the coverage period; Voice-over-Internet-Protocol (VoIP) services were also significantly disrupted in the past year.

Internet access is routed via Uztelecom, a state-owned telecommunications and internet access provider, and a TAS-IX peering center and content delivery network. Uztelecom is an upstream ISP

18 Uztelecom, "Зона покрытия FTTB", (Coverage zone of FTTB) accessed July 2016, <http://uzonline.uz/ru/services/fttb/>.

19 Uztelecom, "Зона покрытия FTTB", (Coverage zone of FTTB) accessed July 2016, <http://uzonline.uz/ru/services/fttb/>.

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

21 Uztelecom, "Uzbekelecom JSC continues development of Wi-Fi network project on the territory of historical and cultural heritage and tourist activity of Uzbekistan," September 26, 2015, <http://www.uztelecom.uz/en/press/news/2015/1936/>.

22 Beeline has Wi-Fi hotspots: 16 (Tashkent), 5 (Samarkand), 3 (Samarkand), 1 (Namangan), 1 (Fergana), and 2 (Djizak), <https://www.beeline.uz/uz/Catalog/Services/Wi-Fi/p/wi-fi>.

23 "Free Wi-Fi in buses of Tashkent distributed and banned," [in Russian] *Digital.Report*, February 17, 2016, <https://digital.report/besplatniy-wifi-v-avtobusah-tashkenta-udivil-nablyudateley/>.

24 "O poriadke predostavleniya dostupa k seti Internet v obschestvennikh punktakh pol'zovania" [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).

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

26 «Чиновникам Узбекистана запретили интернет на рабочем месте» (Uzbek officials ban internet in the workplace), *UzNews*, March 3, 2014, at <http://www.uznews.net/ru/human-rights/25388-chinovnikam-uzbekistana-zapretili-internet-na-rabochem-meste>.

and sells international internet traffic to domestic ISPs at a wholesale price. Uztelecom runs the International Centre for Packet Switching to aggregate international internet traffic at a single node within its infrastructure. Private ISPs are prohibited by law from bypassing 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 private ISPs to enable traffic conveyance and exchange at no mutual charge and without the need to establish international internet connections via Uztelecom.²⁷ Private ISPs provide no traffic limitations to websites hosted within the TAS-IX networks but filter and block website to the same extent as Uztelecom.²⁸

The authorities periodically impose temporary internet shutdowns, and even annually order mobile operators to shut down internet and text message services nationwide to avoid cheating during August university entrance exams.²⁹ Internet users in Tashkent reported connectivity was interrupted in January 2016, after Uztelecom warned of disruptions for maintenance purposes; observers speculated the disturbance was related to the installation of surveillance equipment (see Surveillance, Privacy, and Anonymity).³⁰

Services offering Voice-over-Internet-Protocol (VoIP), including Skype, WhatsApp, and Viber, have been unavailable to users in Uzbekistan since at least July 2015, with some reports of disruptions from as early as October 2014; some users reported the apparent block was lifted briefly in October 2015. As of May 2016, the Skype website remained inaccessible from within Uzbekistan except via virtual private network (VPN). Experts linked the restrictions to the threat these free services pose to Uztelecom revenue from international calls.³¹ Uztelecom and the Ministry for the Development of Information Technologies and Communications, which regulates ICTs, both denied responsibility for the block. Uztelecom said the inaccessibility was caused by "maintenance work on the network of its partners," from July 2015 until October 2015. In May 2016, in an official response to a user complaint posted on an e-government website, a director of Uztelecom's information security department said the company was "not responsible for the due or proper operability of third-party resources." The ministry said that that "servers of multimedia services like Skype, WhatsApp, Viber, and others are located in foreign states. National ISPs (operators and providers) in the Republic of Uzbekistan might be held responsible by the law for the functioning and accessibility of segments of the internet network, however, they cannot influence the quality of the aforesaid service."

ICT Market

There are numerous legal, regulatory, and economic obstacles to competitive business in the ICT sector.

27 TAS-IX, List of Members, http://tas-ix.uz/index.php?option=com_content&view=article&id=63:listofmembers.

28 TAX-IS participating ISP maintain a service to find out whether a website is in the TAS-IX network. See, e.g., ISP TPS, <http://www.tps.uz/tasix/>.

29 "Отключение мобильного интернета скажется на работе терминалов," (Disconnection of mobile internet will affect terminals) *Gazeta*, July 31, 2016, <https://www.gazeta.uz/ru/2016/07/31/uzcard>.

30 "In Uzbekistan, complaints about the quality of internet connections," *Regnum*, January 16, 2016, <https://regnum.ru/news/polit/2049248.html>; "Uzbekistan: what to do with a problem called internet," *Eurasianet*, January 8, 2016, <http://www.eurasianet.org/node/76741>.

31 "Why doesn't Skype work?" *UzMetronom*, October 17, 2014, http://www.uzmetronom.com/2014/10/17/pochemu_so_skype_snjali_skalp.html.

As of May 2016, there were 854 companies classified as providing data or telecommunications services, including the internet, representing a decrease from 930 at the end of 2013.³² This figure includes internet cafes and does not indicate the number of private internet service providers (ISPs), though fewer than 40 connect with the TAS-IX peering center.

State control over the mobile telecommunications sector increased in 2016. Five mobile phone operators shared the market in Uzbekistan as of May 31, including Uzmobil, a brand of Uztelecom, and three privately owned operators: Perfectum Mobile (owned by the Uzbek company Rubicon Wireless Communication), Beeline (owned by the Amsterdam-based VimpelCom), and Ucell (under the part-Swedish government owned Telia Company AB, formerly TeliaSonera). Beeline and Ucell operate 2G, 3G, and 4G mobile networks and currently lead in terms of subscribers. A fifth subscriber, UMS (Universal Mobile Services), was controlled by Russian telecom giant Mobile TeleSystems OJSC (MTS) until August 2016, when it sold that share to the Uzbek government.³³ Telia has also announced plans to gradually exit the Eurasian region.³⁴ The foreign operators withdrew following a corruption investigation by U.S. prosecutors implicating MTS, Telia, and VimpelCom, in payments made to a relative of late President Karimov in order to secure business in Uzbekistan.³⁵

State ownership already skews the market. On February 12, 2014, President Karimov signed a resolution that gave CDMA provider Uzmobil 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.”³⁶ Until 2017, Uzmobil has been granted tax exemptions and licensing privileges in order to reach a target of 7,000 base stations and 8 million subscribers.³⁷ The Chinese government pledged US\$500,000 in investments for Huawei Technologies to be an official supplier of telecommunications equipment to Uzmobil.³⁸

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. Licensing is often encumbered by political interests.³⁹ 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.⁴⁰ Compliance with other regulations for internet cafe

32 Ministry of Development of IT and Communication, “Industry development indicators,” 2009-2016, http://www.mitc.uz/ru/activities/indicators_industry_development/.

33 “МТС покидает рынок Узбекистана,” (MTS is leaving Uzbek market), *Finanz*, August 5, 2016, <http://www.finanz.ru/novosti/aktsii/mts-pokidaet-rynok-uzbekistana-1001342200>.

34 “TeliaSonera to retreat from Central Asia,” *Reuters*, September 17, 2015, <http://www.reuters.com/article/teliasonera-eurasia-idU5L5N11N0BU20150917>.

35 For details see U.S. District Court, Southern District of New York (Manhattan), “U.S. v. All Funds Held in Account Number CH1408760000050335300 at Lombard Odier Darier Hentsch & Cie Bank, Switzerland, on behalf of Takilant Ltd., and any property traceable thereto”, case 1:16-cv-01257, 18 February 2016, at <https://www.justice.gov/opa/file/826636/download>; Matthias Verbergt and David Gauthier-Villars, “Telia Asked to Pay \$1.4 Billion to Settle Bribery Probe,” *Wall Street Journal*, September 15, 2016, <http://www.wsj.com/articles/telia-to-pay-1-4-billion-in-bribery-probe-1473921293>.

36 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.

37 See Resolution of the Cabinet of Ministers RU No. 55, February 26, 2016.

38 «Китай выделит Узбекистану \$550 млн. на развитие оператора «Узмобиайл» — СМИ.» (China will give Uzbekistan \$500 million...) December 25, 2014, *Mobinfo.Uz*, <http://bit.ly/1MgLfV>.

39 IREX, “Europe & Eurasia Media Sustainability Index 2013,” http://www.irex.org/sites/default/files/u105/EE_MSI_2013_Uzbekistan.pdf.

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

owners mandating installation of surveillance equipment and cooperation with law enforcement are burdensome and expensive (see Surveillance, Privacy, and Anonymity).

Other factors impeding telecommunications company operations include an unstable regulatory environment, intricate customs procedures for the import of ICT equipment, and rules limiting currency conversion. Local authorities have also required international telecommunications companies to contribute to the cotton harvest, which watchdog groups say involves forced labor, as a condition of doing business.⁴¹ Telia declined to comply in 2015.⁴²

Regulatory Bodies

Regulation of the internet has never been independent. Since February 2015, the Ministry for the Development of Information Technologies and Communications (MININFOCOM) regulates telecommunications services related to the internet.

The Ministry combines the functions of a policy maker, regulator, and content provider, with no separation of regulatory and commercial functions. It is responsible for licensing ISPs and mobile phone operators; promotes technical standards for telecommunication technologies such as 4G; and provides e-governance services.

The Computerization and Information Technologies Developing Center (Uzinfocom) under the Ministry administers the “.uz” top-level domain. Twelve private ISPs were authorized to provide registry services in the “.uz” domain zone as of May 2016.⁴³ Rules for the assignment, registration, and use of the country’s top-level domain create an obstacle to internet access.⁴⁴

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 promotes development of the national segment of the internet (the *intranet*), with “modern national websites on different issues, including information resources to satisfy informational and intellectual needs of the population, particularly of the youth.”⁴⁵ 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.⁴⁶

Limits on Content

The government of Uzbekistan monitors and controls online communications, and engages in pervasive and systematic blocking of independent news and any content that is critical of the regime,

41 Business-Human Rights, “Teliasonera/Telenor response,” September 8, 2015, https://business-humanrights.org/sites/default/files/documents/CC_response_GM_Teliasonera_Telenor_rejoinder.pdf.

42 Telia AB, “Annual + Sustainability Report,” 2015 https://www.teliacompany.com/globalassets/telia-company/documents/reports/2015/annual-report/teliasonera_annual-and-sustainability-report-2015-eng.pdf

43 Computerization and Information Technologies Developing Center, “Administrators,” <http://cctld.uz/reg/>.

44 Law RU “On Telecommunications,” at Arts. 8, 11.

45 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.

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

particularly related to foreign and domestic affairs or human rights abuses. The opaque system offers few details on how decisions are made or what websites are blocked at any given time.

Blocking and Filtering

Significant blocking and filtering limits access to online content related to political and social topics, particularly those related to human rights abuses in Uzbekistan. Websites permanently blocked in Uzbekistan do not appear on [www. Поиск.uz](http://www.Поиск.uz) - the official state-run search engine.

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 2005,⁴⁷ following a violent government crackdown on peaceful antigovernment protests in Andijan.⁴⁸ Websites of Uzbek human rights and opposition groups in exile are also blocked. Websites of international human rights organizations, such as Amnesty International, Freedom House, and Human Rights Watch, among others, are also blocked. In August 2015, the United Nations Human Rights Committee expressed concern that websites with content on “controversial and politically sensitive issues” are blocked in Uzbekistan.⁴⁹

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 (see Availability and Ease of Access). In July 2013, the government adopted a resolution calling for an official registry of information resources to be made available on Ziyonet.⁵⁰ As of June 2016, there were 50,100 “approved” educational resources, some of which are knock-offs of popular social media platforms such as Utube.uz, Fikr.uz (blogging platform), and uRadio.uz.⁵¹

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.⁵² Among its key objectives are “to analyze the content of information disseminated online and ensure its consistency with existing laws and regulations.”⁵³ The center has contributed to the takedown of independent websites (see Media, Diversity, and Content Manipulation).⁵⁴ The Expert Commission on Information and Mass Communications, a secretive body established in August 2011, oversees the monitoring

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

48 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), 143-148, at 144.

49 See UN Docs. CCPR/C/UZB/CO/4, at para. 23.

50 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.

51 «Библиотека» [Library], Ziyonet.uz, accessed February 10, 2014, <http://www.ziyonet.uz/ru/library/>.

52 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.

53 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>.

54 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.

center.⁵⁵ The commission is not independent and must submit quarterly reports to the Cabinet of Ministers.⁵⁶ Its membership is not public,⁵⁷ although it is reportedly comprised exclusively of government employees. The commission is mandated to evaluate online publications for content with a “destructive and negative informational-psychological influence on the public consciousness of citizens;” content which fails to “maintain and ensure continuity of national and cultural traditions and heritage;” or aims to “destabilize the public and political situation,” or commit other potential content violations.⁵⁸

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.⁵⁹ Commission members vote on whether or not a violation has been committed based on reports from those experts. State bodies act on the commission’s decision, including courts and “other organizations,” presumably private ISPs.⁶⁰ There are no procedures in place to notify those whose content is blocked, and no clear avenue for appeal.

It is not clear to what extent authorities filter text messages or other content transmitted via mobile phones. In March 2011, some news reports said mobile phone operators were required to notify the government of any attempts to circulate mass text messages with “suspicious content.”⁶¹

Content Removal

Intermediaries can be held liable for third-party content hosted on their platforms and can be forced to remove such content. 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.”⁶² Given these broad restrictions, many individuals and organizations prefer to host their websites outside the country.⁶³

September 2014 amendments to the Law on Informatization brought bloggers and online news providers, including freelance citizen journalists, under state regulation subject to content removal requirements. By the law’s broad definition, any person may qualify as a blogger by disseminating information “of socio-political, socio-economic and other character” to the public through a

55 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.

56 Ibid, Annex II, art. 31.

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

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

59 Ibid, at art. 1 and Annex II, art. 14.

60 Ibid, at Annex II, art. 26 and 29.

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

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>.

website.⁶⁴ The law requires bloggers to substantiate the credibility (*dostovernost'*) of "generally accessible information" prior to publishing or even reposting it, and obliges them to "immediately remove" information if it is not considered credible. The law entitles a special governmental body to limit access to websites that do not comply.

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.⁶⁵ 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.

Under 2007 amendments to the 1997 law On Mass Media,⁶⁶ 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.⁶⁷ This procedure is generally known to be content-based and arbitrary, and inhibits editors and readers from exercising their freedom of expression and right to access information.⁶⁸ As of January 2015, 304 news-oriented websites, including online versions of traditional news media outlets, were registered as mass media in Uzbekistan.⁶⁹

Financial sustainability of independent online media outlets largely depends on diminishing foreign funding that is subject to vigorous state control. The parliamentary "Public Fund for Support and Development of Independent Print Media and News Agencies of Uzbekistan" allocates state subsidies and grants primarily to the state-owned and pro-government mass media. Independent news websites have been subject to arbitrary closure or retroactively unregistered.⁷⁰ Olam.uz, once Uzbekistan's second most-visited news site, remains closed since going offline for "technical reasons" in January 2013 after the authorities opened criminal proceedings against its editor-in-chief and the website owner, the Tashkent-based LLC Mobile Mass Media.⁷¹ At the time of its closure, Olam.uz was reporting on state appropriation in the mobile telecommunications sector. In May 2015, a

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

65 "В Узбекистане закрывается лучший медицинский сайт" [The Best Medical Website is Going to be Shut Down in Uzbekistan], *Uznews*, March 25, 2010, http://www.uznews.net/news_single.php?lng=ru&cid=30&sub=&nid=13072; Catherine A. Fitzpatrick, "Uzbekistan: AIDS Activist Released, But Other Human Rights Defenders Harassed," September 6, 2011, <http://www.eurasianet.org/node/64131>.

66 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.

67 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.

68 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.

69 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/>.

70 See "Pochemu zakrito nezavisimoe SMI Uzbekistana—Informator.Uz?" ["Why the independent mass media of Uzbekistan, Informator.Uz, is closed?"], Uzinfocom blog U-FORUM (20 September 2007), <http://www.uforum.uz/showthread.php?t=2565>.

71 "Uzbek olam.uz news site shut down, staff accused of high treason," *Uznews*, January 29, 2013, <http://bit.ly/19KDiiC>; "Is olam.uz trying to hide its criminal charges?" *Centre I*, February 1, 2013, <http://bit.ly/18eYayZ>.

court ordered the closure of the news media website *Noviyvek.uz*, a weekly newspaper established in January 1992 and known for its balanced news reporting. Independent online media outlets are often forced to operate overseas to escape government repression, including Centre1 in Germany. Meanwhile, pro-government print and online media continues to push state propaganda.

Facebook, YouTube, Twitter, and the Russian social networks Odnoklassniki (*odnoklassniki.ru*) and VKontakte (*vk.ru*) are available and widely used. In 2014, Facebook was the fourth most visited website in the country, followed by Odnoklassniki, VKontakte, and YouTube. Twitter became particularly popular in 2013, when President Karimov's daughter Gulnara Karimova used her account (@GulnaraKarimova) to reveal secrets about her family and the corrupt practices of the Uzbek national security service.

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 Davra launched in June 2016 by Uzinfocom (see Regulatory Bodies). Davra resembles Facebook, and enables users to post photos, videos, and comments,⁷² but requires users to register their personal information and national IDs, facilitating monitoring by the authorities.⁷³ Observers believe law enforcement officials also manipulate online information through the website Zamamdosh. Though blocked in Uzbekistan, it frequently publishes allegations against journalists and human rights defenders who criticize the government (see Intimidation and Violence).

The role of blogs as opinion-shaping media on political and social issues in Uzbekistan is minimal. The blogosphere is largely of entertainment character.⁷⁴ A handful of blogs critical of the regime are run by Uzbek dissidents (for example, *Jahonnoma.com*, *Turonzamin.org*, and *Fromuz.com*) or are affiliated with independent online news websites and run by invited journalists.

Digital Activism

The stringent ideological policies of the government regarding the use of the internet and social media by Uzbek youth discourage digital activism as a significant form of political engagement. However, 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 raise awareness, but their actual impact on social mobilization is limited, largely due to the repressive environment for freedom of speech and assembly. Political Twitter and Facebook accounts are generally administered by Uzbek dissidents living abroad, rather than activists on the ground. Nevertheless, the #WithUzbeks hashtag gained traction on social media in 2015 to share opposition to the government, which had promoted a #WithKarimov hashtag prior to elections.⁷⁵ Additionally, a popular Facebook group called "Qorgmaymiz" (We are not afraid) was launched by exiled Uzbek

72 Eugeny Sklyarevskiy, "We will see us at Davra.uz!" *InfoCom*, May 17, 2016, in Russian, <http://infocom.uz/2016/05/17/vstrechaemsa-v-socseti-davra-uz/>.

73 Eugeny Sklyarevskiy, "We will see us at Davra.uz!" *InfoCom*, May 17, 2016, in Russian, <http://infocom.uz/2016/05/17/vstrechaemsa-v-socseti-davra-uz/>.

74 Sarah Kendzior, "Digital Freedom of Expression in Uzbekistan: An Example of Social Control and Censorship in the 21st Century," New America Foundation, July 18, 2012, http://newamerica.net/publications/policy/digital_freedom_of_expression_in_uzbekistan.

75 See Freedom House, Nations in Transition 2016: Uzbekistan, at 7-8, <https://freedomhouse.org/report/nations-transit/2016/uzbekistan>.

activists in 2014, and continues to be a popular forum for with more than 15,000 members. Hundreds of members have posted photos of themselves holding an “I am not afraid sign.”

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 website where people could cast a vote for eleven presidential candidates (excluding President Karimov).⁷⁶ Hackers defaced the website prior to the election.⁷⁷

Violations of User Rights

State measures to silence dissent include persecution and criminal prosecution of regime critics and independent journalists, often on fabricated charges. The government has broad powers to punish expression online, and amended the criminal code in the coverage period to increase penalties for threatening security and order through telecommunications networks or mass media. The security services systematically eavesdrop on citizens' communications over email, mobile phone and Skype, in online forums, and social networks.

Legal Environment

Uzbekistan's constitution protects the rights to freedom of expression and of the mass media, and prohibits censorship. Article 29 of Uzbekistan's constitution guarantees the right to gather and disseminate information. 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.

The Uzbek criminal code contains several provisions that have been used extensively to prosecute reporters and internet users for threatening constitutional order (Article 159); the prohibition of propaganda for national, racial, ethnical and religious hatred (Article 156); the 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.⁷⁸ Further restrictions typically placed on journalists and internet users are based on vague information security rules.⁷⁹

On April 25 2016, amendments to Article 244(1) of the criminal code increased the penalty for the “manufacture, storage, distribution or display of materials containing a threat to public security

76 “Virtual Election Seeks To Give Uzbeks Real Choice,” *Radio Free Europe Radio Liberty*, February 10, 2015, <http://bit.ly/1P1fWx3>.

77 „Узбекистан: Виртуальная избирательная комиссия прекратила работу в связи с хакерской атакой на веб-сайт,” (Uzbekistan: Virtual election commission ceased functioning after hackers attacked website) *Fergana*, March 24, 2015, <http://bit.ly/1DTT3Xh>.

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

79 Kozhamberdiyeva, “Freedom of Expression on the Internet: A Case Study of Uzbekistan.”

and public order” committed using mass media or telecommunication networks from 5 to 8 years imprisonment.⁸⁰ The vaguely formulated offence prohibits “any form of dissemination of information and materials containing ideas of religious extremism, separatism and fundamentalism, calls for pogroms or violent eviction, or aimed at spreading panic among the population, as well as the use of religion to violate civil concord, dissemination of defamatory fabrications, and committing other acts against the established rules of behaviour in society and public safety, as well as dissemination or demonstration of paraphernalia or symbols of religious-extremist, terrorist organizations.” Observers, including the OSCE, regarded this as a further move to suppress freedom of expression online.⁸¹

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.⁸² As of May 2015, two Uzbek online journalists remained in jail on criminal charges international observers say were fabricated in retaliation for their reporting.⁸³ Solidzhon Abdurakhmanov, a 63-year-old journalist and reporter for *Uznews*, an 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.⁸⁴ 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.⁸⁵

Both independent and licensed journalists have faced selective and arbitrary prosecution for their online publications 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*, and Said Abdurakhimov (freelance reporter for *Fergananeews.com*). Some of these journalists were convicted under criminal law and had to pay exorbitant fines as a punishment. The 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

80 Mushfig Bayram, Forum 18, “Uzbekistan: Harshened Criminal And Administrative Code punishments,” June 15, 2016, http://www.forum18.org/archive.php?article_id=2189.

81 OSCE Representative on Freedom of the Media, “Recent legislative amendments in Uzbekistan worrying, OSCE Representative says,” April 29, 2016, <http://www.osce.org/fom/237641>.

82 Human Rights Watch, “*The very end*,” September 26, 2014, <http://bit.ly/1IXpa50>.

83 Human Rights Watch, “Submission to the UN Human Rights Committee on Concerns and Recommendations on Uzbekistan,” August 13, 2014, <http://bit.ly/1BgbHFw>.

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

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

“written communications and telephone conversations,” there is no data protection legislation in Uzbekistan. Article 27 further guarantees respect for human rights and the rule of law, though these are frequently violated in surveillance operations.

Since 2006, the national security service (SNB) 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.⁸⁶ ISPs and mobile phone companies must install SORM and other surveillance equipment on their networks in order to obtain a license.⁸⁷ 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.⁸⁸

The Israeli branch of the U.S. Verint technology company, and the Israel-based NICE systems, also supply the security services with monitoring centers allowing them direct access to citizens’ telephone calls and internet activity, according to UK-based Privacy International. Privacy International reported that Verint Israel has also carried out tests to gain access to SSL-encrypted communications, such as those now offered by default by Gmail, Facebook, and other service providers, by replacing security certificates with fake ones using technology supplied by the U.S.-based company Netronome.⁸⁹ In July 2015, documents leaked from the Milan-based surveillance software company “Hacking Team” revealed that NICE systems was supplying Hacking Team’s Remote Control System spyware to Uzbekistan.⁹⁰ RCS offers the ability to intercept user communications, remotely activate a device’s microphone and camera, and access all of the phone’s content including contacts and messages without the user’s knowledge.

There is no independent oversight to guard against abusive surveillance, leaving the SNB wide discretion in its activities.⁹¹ If surveillance is part of a civil or criminal investigation, content intercepted on telecommunications networks is admissible as court evidence.⁹² Opposition activist Kudratbek Rasulov was sentenced to 8 years in prison on charges of extremism in 2013, based on intercepted digital communications with an exiled opposition group.⁹³ The law requires a prosecutor’s warrant for the interception of telecommunication traffic by law enforcement bodies; however, in urgent cases, the authorities may initiate surveillance and subsequently inform

86 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.

87 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.

88 See Law RU, “On Telecommunications”.

89 Privacy International, „Private Interests: Monitoring Central Asia”, Special Report, November 2014, at pp. 38-43, https://www.privacyinternational.org/sites/default/files/Private%20Interests%20with%20annex_0.pdf.

90 Edin Omanovic, “Eight things we know so far from the Hacking Team hack,” Privacy International, July 9, 2015, <https://www.privacyinternational.org/node/619>.

91 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.

92 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.

93 “Uzbekistan: Namangan Resident Faces 8 Years in Jail for Skype Call with Political Exiles,” Fergana News, December 23, 2015, <http://enews.fergananews.com/news.php?id=2786>.

the prosecutor's office within 24 hours.⁹⁴ In April 2016, the president signed a new law, On Parliamentary Control, which local reports characterized as part of a reform effort to reinforce parliament's role in upholding the rule of law. However, the law diminished parliamentary oversight of surveillance practices undertaken by law enforcement agencies.⁹⁵

There is limited scope for anonymous digital communication. Proxy servers and anonymizers are important tools for protecting privacy and accessing blocked content, although they require computer skills beyond the capacity of many ordinary users. There are no explicit limitations on encryption, though in practice the government strictly regulates the use of such technologies.⁹⁶ In September 2012, Uztelecom started blocking of websites offering proxy servers, including websites listing free proxies that operate without a web interface.

There are few options for posting anonymous comments online, as individuals are increasingly encouraged to register with their real names to participate in discussions forums such as Uforum,⁹⁷ which is administered by the state-run Uzinfocom.⁹⁸ Individuals must also provide passport information to buy a SIM card.⁹⁹

ISPs and mobile operators are required to store user data for three months. Since July 2004, operators of internet cafes and other public internet access points are required to monitor their users and cooperate with state bodies. Under regulatory amendments in March 2014, operators of internet cafes and public access points must install surveillance cameras on their premises to "ensure [the] safety of visitors." Additionally, they are required to retain a "registry of internet web-resources (logfiles)" used by customers for three months.¹⁰⁰

Intimidation and Violence

Law enforcement agencies, including the SNB are known to systematically employ various intimidation tactics to restrict freedom of expression online. In the past, SNB officers were reported 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.¹⁰¹ Law enforcement officials also invite journalists and human rights activists and ordinary citizens to "prophylactic talks" which often include warnings and threats.¹⁰²

94 Resolution of the Cabinet of Ministers, "On the National Security Service of the Republic of Uzbekistan," November 2, 1991, No. 278, at Part IV (3).

95 Law RU „О парламентском контроле“ [On Parliamentary Control] No. 3PY – 403, April 12, 2016, SZRU (2016) No. 15, item 141, at Art. 4.

96 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.

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

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

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

100 See Resolution of the SCCIT 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.

101 "Farg'ona aeroportida yo'lovchilar noutbuki tekshirilmoqda" [At Ferghana Airport, Laptop Computers of Passengers Are Being Checked], *Ozodlik.org*, June 2, 2011, http://www.ozodlik.org/content/fargona_aeroportida_yolovchilar_noutbuki_tekshirilmoqda/24212860.html.

102 "Около 150 тысяч человек взяты на учет в Узбекистане", (Approximately 150,00 people were taken for registration in Uzbekistan) March 25, 2016, *Radio Ozodlik*, <http://rus.ozodlik.org/a/27634490.html>.

Dmitry Tikhonov, a human rights activist and freelance journalist for Uznews.net, Fergana News Agency and AsiaTerra, fled the country following a campaign of intimidation in the coverage period. He had published critical coverage of the demolition of a World War II memorial in Angren city in March 2015,¹⁰³ and regularly monitors labor rights abuses during the fall cotton harvests. Other media outlets denounced him for inciting national hatred,¹⁰⁴ calling him a “collector of slander and rumors about Uzbekistan” and a Western spy.¹⁰⁵ On September 20, he was detained for five hours, and reported that a police officer had assaulted him in custody.¹⁰⁶ His private email account was subsequently hacked, and stolen personal and professional data exposed online.¹⁰⁷ On October 20, his office and house burned down, destroying records of his investigations into human rights abuses.¹⁰⁸ In December 17, a criminal court found him guilty of petty hooliganism and fined for approximately US\$234.¹⁰⁹ On December 20, the website Zamandosh, which observers believe is covertly operated by officials, accused him of terrorism.¹¹⁰ Tikhonov’s lawyer also reported receiving anonymous threats.¹¹¹ Uzbek authorities have repeatedly denied Tikhonov an exit visa to leave the country, but he fled Uzbekistan in February 2016 and sought political asylum overseas.

Technical Attacks

Distributed denial-of-service (DDoS) attacks on independent news media websites reporting on Uzbekistan, including the websites Centrasia.ru, Fegananews.com, UzMentronom.com, and Ozodlik.org (the Uzbek service of Radio Free Europe/Radio Liberty), have been frequent in the past. Human rights activist Dmitry Tikhonov reported that his personal email account had been subject to targeted hacking in the coverage period (see Intimidation and Violence).

The state-run Information Security Centre, established in September 2013, ensures the security of “the national segment of the internet” and state information networks, including the e-governance infrastructure.¹¹² The Centre took over most of the functions of the Uzbekistan Computer Emergency

103 “Узбекистан: В Ташкентской области снесли обелиск воинам, погибшим в Великой Отечественной войне,” (Uzbekistan: World War II memorial taken down in Tashkent province) March 20, 2015, <http://www.fergananews.com/articles/8453>.

104 “Узбекистан: После сноса памятника в Ангрене журналиста преследуют за «национализм»,” (Uzbekistan: Following the demolition of a memorial in Angren, journalist prosecuted for nationalism) April 6, 2015, <http://www.fergananews.com/articles/8479>.

105 “Кому выгодно искать «пятую колонну» среди узбекских правозащитников?,” (Who benefits from searching for the “fifth column” among Uzbek human rights defenders?) July 7, 2015, Fergana News Agency, <http://www.fergananews.com/articles/8612>.

106 “Узбекистан: Обвинили в шпионаже и запретили «связываться с Еленой Урлаевой»,” (Uzbekistan: Convicted of spying and banned from contacting Elena Urlaeva,” *Fergana*, September 2015, <http://www.fergananews.com/article.php?id=8695>.

107 “Dimitrii Tikhonov: ideological saboteur or how they fabricated my case,” *AsiaTerra*, February 29, 2016, <http://www.asiaterra.info/obshchestvo/dmitrij-tikhonov-ideologicheskij-diversant-ili-kak-na-menya-fabrikovali-dela>. See also “В Узбекистане разоблачили журналиста-мошенника, обкрадывающего международную организацию,” (“Journalist robs international organization”) October 23, 2015, *Uz24*, <http://uz24.uz/society/v-uzbekistane-razoblachili-zhurnalista-moshennika-obkradivayushego-mezhdunarodnuyu-organizaciyu>.

108 “Frontline Defenders,” Case History: Dimitrii Tikhonov,” 2015, <https://www.frontlinedefenders.org/pt/node/1062>.

109 “Узбекистан: В Ангрене снова задержан правозащитник и журналист Дмитрий Тихонов,” (“Uzbekistan: Rights defender and journalist Dimitrii Tikhonov once again arrested in Angren”) *Fergana News Agency*, December 17, 2016, <http://www.fergananews.com/news/24273>.

110 “Dimitrii Tikhonov: ideological saboteur or how they fabricated my case,” *AsiaTerra*, February 29, 2016, <http://www.asiaterra.info/obshchestvo/dmitrij-tikhonov-ideologicheskij-diversant-ili-kak-na-menya-fabrikovali-dela>.

111 “Правозащитник Тихонов покинул Узбекистан из-за публикации клеветнических материалов,” (“Rights defender Tikhonov quits Uzbekistan after publication of slanderous material”) *Radio Ozodlik*, February 13, 2016, <http://rus.ozodlik.org/a/27550056.html>.

112 “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, at Art. 3.

Readiness Team (UZ-CERT), established in 2005.¹¹³ The Centre collects and analyzes information on computer incidents, including DDoS attacks, and alerts internet users to security threats. Moreover, the Centre interacts with domestic ISPs, mobile phone operators, and state bodies—including law enforcement agencies—on the prevention and investigation of “unsanctioned or destructive actions in information space.”¹¹⁴

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

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