

# Uzbekistan

	2013	2014		
<b>Internet Freedom Status</b>	<b>Not Free</b>	<b>Not Free</b>	Population:	30 million
Obstacles to Access (0-25)	20	20	Internet Penetration 2013:	38 percent
Limits on Content (0-35)	28	28	Social Media/ICT Apps Blocked:	Yes
Violations of User Rights (0-40)	30	31	Political/Social Content Blocked:	Yes
<b>TOTAL* (0-100)</b>	<b>78</b>	<b>79</b>	Bloggers/ICT Users Arrested:	Yes
			Press Freedom 2014 Status:	Not Free

\* 0=most free, 100=least free

## Key Developments: May 2013 – May 2014

- In February 2014, President Karimov signed a resolution granting Uzmobil the legal status of a “national mobile phone provider,” causing concerns that this will reduce competition over the next few years and make the domestic market of mobile communications more susceptible to state control (see **Obstacles to Access**).
- The state-owned national telecommunications operator, Uztelecom, has become the sole ISP providing internet access in libraries, schools, universities, and youth and cultural institutions (see **Obstacles to Access**).
- One internet user was sentenced to eight years of imprisonment and two photojournalists received high fines for their online activities (see **Violations of User Rights**).
- Surveillance in internet cafes and public internet access points has increased due to a new regulation requiring cafe owners to install surveillance cameras and log user activities (see **Violations of User Rights**).

## Introduction

Since May 2013, Uzbekistan's government has taken further measures to intensify its grip over internet connectivity. The state-owned telecommunications carrier, Uztelecom, continues to monopolize the country's internet access, making it a highly profitable state enterprise with no liberalization in sight. In July 2013, the government revoked the right of private ISPs to provide internet access in libraries, schools, universities, and youth and cultural institutions, granting this right exclusively to Uztelecom. Competitive conditions have also deteriorated for mobile phone companies, in particular for the two foreign GSM operators that continue to provide mobile and broadband services after the government expropriated a subsidiary of the Russian MTS last year. Citing concerns over the reliability, stability, and adaptability of mobile networks to information security concerns, the government has taken steps transform Uztelecom's CDMA operator, Uzmobil, into a national mobile phone operator with a target of 8 million subscribers by the end of 2017. These developments raised concerns about an intensification of state censorship and surveillance on telecommunications and mobile broadband networks.

The environment for internet users' rights in Uzbekistan remains one of the most restrictive in Central Asia. The Uzbek authorities block access to a wide range of websites and control content available at cultural and educational institutions through the intranet, ZyoNET, and the national search engine at www.uz. The government also employs extensive surveillance measures to monitor online activity and frequently uses trumped-up charges to target individuals who publish material online that is deemed antithetical to the government's interests. In 2013, one internet user was sentenced to eight years of imprisonment for establishing online communications with an exile opposition group via Skype, Facebook and the Russian social network Odnoklassniki.ru, and for distributing materials on the group's orders that were perceived as violating the constitutional order.

Stringent control of the internet is expected during the parliamentary elections in December 2014 and the presidential elections in 2015. Already in the fall of 2013, political turmoil around the president's daughter, Gulnara Karimova, and her active use of Twitter, presumably led to intensified control of social networks by the National Security Service (NSS).

## Obstacles to Access

The internet penetration rate in Uzbekistan reached over 38 percent in 2013, compared to about 37 percent in 2012 and 9 percent in 2008, according to the International Telecommunication Union (ITU).<sup>1</sup> Official Uzbek sources reported in April 2013 that 9.8 million Uzbek people had access to the internet through the use of a personal computer at home or at work.<sup>2</sup> According to the latest available official data, announced by President Karimov in his speech on democratic reforms and civil so-

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1 International Telecommunication Union (ITU), "Percentage of Individuals Using the Internet," 2013, 2012 and 2008, accessed July 30, 2014, <http://www.itu.int/en/ITU-D/Statistics/Pages/stat/default.aspx>.

2 State Committee for Communications, Information and Telecommunications Technologies (-SCCITT), "Показатели развития отрасли: Актуальные статистические данные о состоянии внедрения и развития ИКТ в Республике Узбекистан," (Indicators of the sector: Recent statistics on the status of implementation and development of ICT in Uzbekistan), accessed April 25, 2013, <http://ccitt.uz/ru/indicators>.

ciety in Uzbekistan in December 2013, there were 7.1 million people with internet subscriptions.<sup>3</sup> On December 31, 2013, the government adopted the resolution “On the Introduction of the System to Evaluate the ICT Development in Uzbekistan” to improve the methods for calculating ICT data.

Digital divides exist between the capital 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 the FTTB and WiMAX broadband connectivity.<sup>4</sup> The lowest internet penetration rate is in the semi-autonomous republic of Karakalpakstan—a home to the Karakalpak, Kazakh, and Uzbek ethnic groups.<sup>5</sup> The usefulness of ICT facilities, especially in rural and remote areas, still depends on a stable electricity supply to the telecommunications infrastructure.<sup>6</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 306,300 internet users had a fixed-broadband subscription in 2013.<sup>7</sup> The construction of the fiber-optic network (FTTx) in Uzbekistan required US\$9 million in Uzbek and Chinese investments from 2013-2014.<sup>8</sup> By January 2014, the fibre optic network was 2,100 km long.<sup>9</sup> The government goal is to have 110,000 ports for broadband connection across the country by 2015. WiMAX 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 organs of local governance (*hokimiats*) at the regional and city levels in Uzbekistan by the end of 2013.<sup>10</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>11</sup> Still, as of

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3 Islam Karimov, Speech “Углубление демократических реформ и формирование гражданского общества – основа будущего Узбекистана,” (Deepening democratic reforms and formation of civil society - the Future of Uzbekistan), December 10, 2013, <http://uza.uz/ru/politics/26423/>.

4 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”, at <http://fixed.beeline.uz/ru/tashkent/zone/fttb/index.wbp>.

5 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>.

6 ITU, “Sustainable supply of electricity to telecommunication facilities in rural and remote areas,” (project time frame: 31.8.2011-31.12.2013), accessed February 10, 2014, <http://www.itu.int/ITU-D/projects/display.asp?ProjectNo=2UZB11003>.

7 ITU, “Key 2000 – 2013 country data: Fixed (wired)-broadband subscriptions,” <http://www.itu.int/ITU-D/ict/statistics/>.

8 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.

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

10 SCCITT, «Единый портал интерактивных государственных услуг: доступ до каждого района,» accessed February 10, 2014, at [http://ccitt.uz/ru/press/aci\\_news/2013/09/834/](http://ccitt.uz/ru/press/aci_news/2013/09/834/).

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

March 2014 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>12</sup>

Public access points such as internet cafes remain popular, particularly among young 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>13</sup> Reportedly, since 2011, students are also not allowed to visit internet cafes between 8:30 a.m. and 7:00 p.m.<sup>14</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>15</sup> In a new attempt to limit and control internet access, in July 2013, 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>16</sup> (Previously, beginning in 2005, any private ISP could exercise that right on a competitive basis<sup>17</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 1,441,101 UZS (approximately US\$650).<sup>18</sup>

The state-owned JSC Uzbektelecom, established in 2000 and re-branded as "national operator Uztelecom" in 2011, owns and operates Uzbekistan's telecommunications infrastructure under a state license renewable every 15 years. In August 2005, Uztelecom took over the internet connectivity functions from the state data transfer network company, UzPAK, that was established in 1999 and presently operates as Uztelecom's subsidiary.<sup>19</sup> As an upstream ISP, Uztelecom requires private ISPs to route and transmit their international traffic through its International Centre for Packet Switching ("Mezhdunarodnyi tsentr paketnoyi kommutatsii"). Uztelecom sells internet traffic to private ISPs at a wholesale, U.S. dollar-denominated price per 1 Mbps (US\$312.58 in December 2013).<sup>20</sup> Uztelecom controls the country's external internet gateway capacity, which allows the authorities to control access speeds for the entire country, if needed. Uztelecom has the technical means to boost speeds

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

13 "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, at Art. 17 (e).

14 "Lyceum students banned from e-cafes," Uznews.net, May 31, 2012, [http://www.uznews.net/news\\_single.php?lng=en&sub=top&cid=4&nid=19973](http://www.uznews.net/news_single.php?lng=en&sub=top&cid=4&nid=19973).

15 Resolution of the President RU "O 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.

16 Resolution of the Cabinet of Ministers RU "O 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.

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

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

19 Decree of the President RU „On measures for development of data transfer services and preparation for privatization of JSC „Uzbektelecom“, No. PP-149, August 8, 2005.

20 Uztelecom, "Об очередном снижении тарифов на интернет-услуги для провайдеров Узбекистана" [On Further Tariff Reduction for Internet Service Providers], December 24, 2013, <http://www.uztelecom.uz/ru/press/news/2013/1313/>.

from the current 10.3 Mbps to 100 Mbps.<sup>21</sup> In 2011, the government prohibited private ISPs from bypassing Uztelecom's infrastructure of 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>22</sup> TAS-IX ISPs are challenged to find the income streams for the investments needed to meet the capacity requirements of their customers.<sup>23</sup> Private ISPs provide no traffic limitations to websites hosted within the TAS-IX networks but filter and block content or applications to the same extent as Uztelecom.<sup>24</sup>

Expensive access prices, low speeds, and limits on data volume also curb internet use, in addition to the centralized telecommunications infrastructure. Internet subscriptions in Uzbekistan conform to a two-tiered system: access to TAS-IX and internet access routed via Uztelecom's network. On the one hand, Uztelecom and private ISPs provide free access to the TAS-IX network at a maximum download speed of 2 Mbps to their customers. On the other hand, 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>25</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>26</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>27</sup> At the same time, according to the ITU, internet access prices are still prohibitively expensive in comparison to the average household income in Uzbekistan.<sup>28</sup> In addition,

21 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/>.

22 TAS-IX, List of Members, [http://tas-ix.uz/index.php?option=com\\_content&view=article&id=63:listofmembers](http://tas-ix.uz/index.php?option=com_content&view=article&id=63:listofmembers).

23 Eugeny Sklyarevskiy, 'Узбекистан: Кто платит за бесплатный TAS-IX?', October 24, 2012, <http://www.12news.uz/news/2012/10/24/узбекистан-кто-платит-за-бесплатный-tas-ix/>.

24 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/>.

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

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

27 ССИТТ, "Анализ рынка и тарифов интернет-услуг в Узбекистане" [Analysis of the market and tariffs for internet services in Uzbekistan], January 22, 2014, at [http://www.ccitt.uz/ru/press/aci\\_news/2014/01/1207/](http://www.ccitt.uz/ru/press/aci_news/2014/01/1207/). The 8 leading ISPs: TPS (Technoprosistem), Beeline, DosT Link, Sarkor Telecom, Unitech, NetCity, Amaliy Aloqalar Biznesi, and Skyline.

28 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."

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.

As of 2013, there were 21.5 million mobile phone subscriptions (a mobile penetration rate of rate of 74 percent) and four operators of mobile communications in Uzbekistan.<sup>29</sup> The smallest numbers of subscribers reportedly 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>30</sup> Two GSM operators— Beeline (owned by the Russian VimpelCom Ltd) and Ucell (owned by the Swedish-Finnish company TeliaSonera)—shared 54 percent and 41 percent of the market, respectively, in 2014.

All four mobile operators offer internet access. Uzmobile offers mobile internet via CDMA-450 networks. Availability of mobile broadband based on 4G/LTE technology remains limited to the capital Tashkent, particularly after the former leading GSM operator Uzdurobita left the market.<sup>31</sup> Speeds for broadband internet are very low in Uzbekistan compared to international standards. According to Net Index Explorer by Ookla, tests carried out in the capital Tashkent and the city of Chilanzar demonstrate the mobile broadband upload speeds of 0.6 Mbps in May 2012 to 0.5 Mbps in March 2014, with the lowest mark of 0.41 Mbps in July 2013.<sup>32</sup> Akamai reports indicate that the average connection speed in 2013 was approximately 1.96 Mbps.<sup>33</sup> Two leading operators, Beeline and Ucell, offered upload speeds at 1.75 Mbps and 1.49 Mbps in March 2014.

From July 2012 through April 2013, the government took steps to terminate the operations of the leading GSM operator Uzdurobita (a wholly owned subsidiary of the Russian MTS) that 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>34</sup> In February 2014, an arbitration proceeding between MTS and Uzbekistan was pending at the International Centre for Settlement of Investment Disputes of the World Bank.<sup>35</sup> As of August 2014, MTS and the government of Uzbekistan had reached an agreement whereby MTS would resume operations in the country through a joint venture with the government, in which the State Committee for Communications, Informatization and Telecom-

29 ITU, "Mobile-cellular subscriptions per 100 inhabitants," 2013, <http://www.itu.int/en/ITU-D/Statistics/Pages/stat/default.aspx>. Parliament RU Press-Release, "Перспективы международного сотрудничества в области мобильной связи, [Prospects for international cooperation in the field of mobile communication]" March 28, 2014, <http://www.parliament.gov.uz/ru/events/other/12349>.

30 "UZMOBILE subscribers' number exceeds 200,000 users," UzDaily, January 31, 2013, <http://www.uzdaily.com/articles-id-21856.htm#sthash.eB7qle9p.dpbs>. Perfectum Mobile does not make public its customer base. Reportedly, the numbers reached an average of 500,000 subscribers in 2012. See Mobinfo.Uz, "Сколько же абонентов было у МТС- Узбекистан на самом деле?" November 10, 2012, <http://mobinfo.uz/print:page,1,10830-skolko-zhe-abonentov-bylo-u-mts-uzbekistan-na.html>.

31 UzDaily, «МТС-Узбекистан начал продавать 4G модемы» [MTS-Uzbekistan Started to Sell 4G Modems], December 22, 2011, <http://www.uzdaily.uz/articles-id-9334.htm>.

32 "Uzbekistan," Net Index Explorer, last accessed March 19, 2014, <http://explorer.netindex.com/maps?country=Uzbekistan>.

33 Akamai, "State of the Internet: Average connection speeds," <http://www.akamai.com/stateoftheinternet/soti-visualizations.html#stoi-map>.

34 RIA Novosti, "Активы узбекской "дочки" МТС переданы на баланс "Узбектелекома"," December 16, 2013, [http://1prime.ru/telecommunications\\_and\\_technologies/20131216/773198626.html](http://1prime.ru/telecommunications_and_technologies/20131216/773198626.html).

35 ICSID, «Case Details: Mobile TeleSystems OJSC v. Republic of Uzbekistan (ICSID Case No. ARB(AF)/12/7),» <https://icsid.worldbank.org/ICSID/FrontServlet>.

munication Technologies (State Committee for CITT) would own and manage 49.99 percent of the company.<sup>36</sup>

By 2017, competition within the mobile communications market in Uzbekistan may shrink even 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.”<sup>37</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 subscribers by the end of 2017. Earlier, in October 2013, the companies Unitel (Beeline) and Coscom (Ucell) were included into the organizational structure of the telecommunications regulator along with the state-owned Uztelecom.<sup>38</sup>

In 2013, the disclosure of systematic bribery solicited from foreign mobile companies MTS and Telia-Sonera by the president’s daughter, Gulnara Karimova, called attention to the existence of rampant corruption affecting the mobile telecommunications industry in Uzbekistan.<sup>39</sup> Furthermore, regulatory burdens such as the numerous licenses and permissions that mobile phone companies must obtain in bureaucratic and time consuming administrative processes, intricate customs procedures for the import of ICT equipment, and unduly complicated tender conditions hinder their business operations. Late last year, bureaucratic obstacles became particularly burdensome for Beeline amid its network capacity investments to accommodate large inflows of former subscribers of Uzdurobita. The company experienced problems obtaining permission from the State Inspectorate on Communications to deploy its new 460 mobile phone base stations and to use additional free mobile phone numbers for newly connecting customers.<sup>40</sup> Under the national regulatory regime, a permission issue process for deployment of mobile phone base stations may take up to 24 months, thus, as some observers note, increasing the risk of corruption.<sup>41</sup> An unscheduled tax audit—another popular state measure used to interfere with the activity of private businesses in Uzbekistan—was conducted at Beeline from October to December 2013, though no violations of national law were reported.<sup>42</sup>

36 “Russia’s MTS will return to Uzbekistan by the end of 2014,” *Times of Central Asia*, August 4, 2014, [http://www.timesca.com/index.php?option=com\\_content&view=article&id=14127:russias-mts-will-return-to-uzbekistan-by-the-end-of-2014&catid=84&Itemid=576](http://www.timesca.com/index.php?option=com_content&view=article&id=14127:russias-mts-will-return-to-uzbekistan-by-the-end-of-2014&catid=84&Itemid=576).

37 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.

38 Resolution of the President RU “Об утверждении обновленной структуры государственного комитета связи, информатизации и коммуникационных технологий Республики Узбекистан” [On the Updated Structure of the State Committee for Communications, Informatization, and Telecommunication Technologies], No. ПП-2058, October 30, 2013, *SZRU* (2013) No. 44, item 578.

39 See e.g., Joanna Lillis, «Kazakhstan Operations Under Scrutiny amid Fresh TeliaSonera Revelations», April 3, 2014, at <http://eurasianet.org/node/68228>.

40 Digit.ru, ««Вымпелком» в Узбекистане столкнулся с проблемами при расширении сети [‘VimpelCom’ in Uzbekistan has encountered problems with network growth],» October 16, 2013, <http://digit.ru/telecom/20131016/406771999.html>.

41 UzMetronom.com, “Плохая связь – от порочной практики [Poor communication – the harmful practice],” October 12, 2013, [http://www.uzmetronom.com/2013/10/12/plokhaja\\_svjaz\\_ot\\_porochnoj\\_praktiki.html](http://www.uzmetronom.com/2013/10/12/plokhaja_svjaz_ot_porochnoj_praktiki.html).

42 «Узбекистан: Налоговики не выявили нарушений законодательства в работе сотовой компании Unitel» [Uzbekistan: Tax audit does not reveal any violations of law in the cellular company Unitel], *Fergananeews.com*, December 12, 2013, <http://www.fergananeews.com/news.php?id=21557>.

The use of mobile technology in schools and universities remains limited. On May 21, 2012, the government adopted a resolution establishing unified rules for the use of mobile phones in all educational institutions of the country.<sup>43</sup> The resolution completely bans the use of mobile phones in the buildings of educational institutions, not only for students but also for teachers and other personnel. According to the resolution, the aim of such measures is to prevent “negative aspects” of the use of mobile phones in educational settings, such as cheating; digital gaming; and the dissemination of materials undermining morals and ethics, promoting a culture of violence, cruelty and pornography, or promoting “reactionary sectarian, pseudo-religious ideology.” Another stated aim, however, is to enable the “education of the youth in the spirit of love to its motherland, respect for national values and those of the humanity, [and] ideas of national independence.” In the past, the government has sporadically ordered the shutdown of text messaging and internet services by mobile operators, particularly during exams.<sup>44</sup>

The government’s control over the internet infrastructure and its influence on mobile phone operators enables it to limit or block connectivity to websites and applications at will, which it appears to have done on several occasions in recent years. In August 2011, individual users and independent news websites reported that the Google search engine and its Russian equivalent, Rambler, were blocked for several days amid a broader increase in blocked websites.<sup>45</sup> Government officials and service providers denied that the disruptions were intentional, but observers suspected that the restrictions were related to the upcoming 20<sup>th</sup> anniversary of the end of the Soviet era in September 2011 and the government’s fear that it might trigger social media-inspired protests in Uzbekistan.<sup>46</sup>

Apart from these sporadic restrictions, YouTube, Facebook, Twitter, and LiveJournal remained generally available in 2013–2014, though some individual pages were blocked. In March 2012, however, reports emerged that the Uzbek authorities had temporarily blocked LiveJournal out of concern that potential protests could erupt over the results of the Russian presidential elections.<sup>47</sup> The blog-hosting platform Wordpress remained blocked in its entirety during the reported period.<sup>48</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

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43 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, *SZ RU* (2013 No. 21 (521), item. 229.

44 “Uzbekistan ‘halts mobile Internet, SMS’ for exam day,” AFP, August 2, 2011, [http://www.google.com/hostednews/afp/article/ALeqM5iAt\\_J3V1eR\\_Homvu0Osp2K3mqMdQ](http://www.google.com/hostednews/afp/article/ALeqM5iAt_J3V1eR_Homvu0Osp2K3mqMdQ).

45 Reporters Without Borders, “Uzbekistan,” *Enemies of the Internet 2012*, March 12, 2012, <http://en.rsf.org/uzbekistan-uzbekistan-12-03-2012.42079.html>.

46 Institute for War & Peace Reporting, “Tashkent Spooked by Web Interest in Arab Protests,” February 24, 2011, <http://iwpr.net/report-news/tashkent-spooked-web-interest-arab-protests>; “В Узбекистане блокируют Живой Журнал и поисковые системы” [LiveJournal and Search Engines are Blocked in Uzbekistan], *Ferghana News*, August 10, 2011, <http://www.ferghananews.com/news.php?id=17125>; Catherine A. Fitzpatrick, “Uzbekistan: Internet Sites Blocked,” *Eurasianet.org*, August 10, 2011, <http://www.eurasianet.org/node/64026>.

47 “LiveJournal website blocked in Uzbekistan,” *Uznews.net*, March 20, 2012, [http://www.uznews.net/news\\_single.php?nid=19380](http://www.uznews.net/news_single.php?nid=19380).

48 IREX, “Europe & Eurasia Media Sustainability Index 2013,” [http://www.irex.org/sites/default/files/u105/EE\\_MSI\\_2013\\_Uzbekistan.pdf](http://www.irex.org/sites/default/files/u105/EE_MSI_2013_Uzbekistan.pdf)

government's inner circle regularly denied licenses for unjustifiable reasons.<sup>49</sup> Since March 2014, no license to open an internet cafe can be given if the internet cafe premises are located in the basement or semi-basement rooms of multistory buildings.<sup>50</sup>

The State Committee for Communications, Informatization and Telecommunications Technologies (State Committee for CITT) regulates the entire ICT industry in Uzbekistan, including the internet and ISPs.<sup>51</sup> The committee lacks independence and is accountable to the Cabinet of Ministers in the executive branch.<sup>52</sup> The process for appointing members of the committee lacks transparency and is not representative of different stakeholders' interests. The president appoints and dismisses the committee chairman and first deputy, who are also members of the Executive Board of the national operator Uztelecom, where the committee has the right to manage 51 percent of state shareholdings.<sup>53</sup> Moreover, the Cabinet of Ministers approves members of a committee's collegium selected from the committee's top bureaucrats. The collegium coordinates the planning and implementation of the committee's main activities and appoints the committee's *nomenklatura*.<sup>54</sup>

The government maintains direct control over the administration, registration, and use of domain names with the ".uz" top-level domain, which was established in April 1995 and re-delegated to the government in April 2003.<sup>55</sup> Current rules for the assignment, registration, and use of the country's top-level domain create an obstacle to internet access.<sup>56</sup> The Computerization and Information Technologies Developing Center (Uzinfocom) manages the ".uz" top-level domain. There are seven private ISPs officially authorized to provide registry services in the ".uz" domain zone.<sup>57</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>58</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 related to foreign and domestic affairs

49 IREX, "Uzbekistan."

50 Murat Sadykov, "Uzbekistan: Big Brother's Newest Eye—In Internet Cafes," Eurasianet.org, March 31, 2014, <http://www.eurasianet.org/node/68212>.

51 Decree of the President RU „О создании Государственного комитета связи, информатизации и телекоммуникационных технологий Республики Узбекистан“ [On the Establishment of the State Committee for Communications, Information and Telecommunications Technologies], УП-4475. See <http://www.ccitt.uz>.

52 Resolution of the Cabinet of Ministers RU „Об утверждении положений о Государственном комитете связи, информатизации и телекоммуникационных технологий Республики Узбекистан и о Государственной инспекции по надзору в сфере связи, информатизации и телекоммуникационных технологий“ [On the Adoption of Rules on the State Committee for Communications, Information and Telecommunications Technologies of the Republic of Uzbekistan and on the State Inspection in the Fields of Communications, Information and Telecommunications Technologies], No. 355, 19 December 2012, SZRU (2012) No. 52 (552), item 589, at Art. 2.

53 Postanovlenie at Art. 13.

54 Ibid., at Art. 16.

55 IANA, "Report on Re-delegation of the 'uz' Top-Level Domain," April 10, 2003, <http://www.iana.org/reports/2003/uz-report-10apr03.html>.

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

57 ccTLD.uz, "Администраторы" [Administrators], <http://cctld.uz/reg/>.

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

or the human rights situation in the country.<sup>59</sup> Access to online information was relatively open until 2001, when the authorities began filtering politically sensitive websites and reportedly intercepting email communications.<sup>60</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>61</sup>

Websites permanently blocked in Uzbekistan do not appear on [www.uz](http://www.uz), the national search engine of Uzbekistan's government.<sup>62</sup> These websites include any independent news websites with socio-political and human rights-related content on Uzbekistan, including CA-News (Centrasia.ru), Fegananews.com, Harakat.net, Mediauz.ucoz.ru, UzMetronom.com, and Uznews.net. Websites of Uzbek human rights and opposition groups in exile are also blocked. The websites of the international broadcasters BBC ([Bbc.co.uk/uzbek](http://Bbc.co.uk/uzbek)), Radio Free Europe/Radio Liberty (Ozodlik.org), Deutsche Welle (Dw.de), and Voice of America (Voanews.com/uzbek) have remained permanently inaccessible in Uzbekistan since 2005.<sup>63</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>64</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).<sup>65</sup>

In February 2013, presumably under pressure of the Uzbek government, administrators of the Russian social-networking site Odnoklassniki.ru removed a web page of the National Movement of Uzbekistan "without the possibility of being restored."<sup>66</sup> At the time of removal, the Uzbek dissident group that had been established in 2011 had 26,000 "friends" on Odnoklassniki. The official website of the movement, [Uzخالqharakati.com](http://Uzخالqharakati.com), had already come under a distributed denial-of-service

59 Reporters Without Borders, "Internet Enemies: Uzbekistan," <http://en.rsf.org/internet-enemie-uzbekistan.39765.html>; Alexei Volosevich, "Journalism in Uzbekistan is not history. It has but moved to the Net," February 26, 2007, <http://enews.fergananews.com/article.php?id=1855>.

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

61 OSCE, "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), 143-148, at 144.

62 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.

63 Committee to Protect Journalists, "Attacks on the Press 2010: Uzbekistan," February 15, 2011, <http://www.cpj.org/2011/02/attacks-on-the-press-2010-uzbekistan.php>.

64 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.

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

66 Uznews.net, "НДУ изгнали из одноклассников, [NDU expelled from peers]" February 18, 2013, [http://www.uznews.net/news\\_single.php?lng=ru&cid=30&nid=22104](http://www.uznews.net/news_single.php?lng=ru&cid=30&nid=22104).

(DDoS) attack in January 2013, the third since its registration in May 2011.<sup>67</sup> The attack paralyzed the website for several days.

The Uzbek authorities appear to have fairly sophisticated censorship technology at their disposal that enables them to not only block entire domains, but also restrict access to individual pages that contain politically sensitive content while retaining access to other parts of a particular site. For example, in February 2011, after people started discussing the protests that were erupting in the Middle East, including expressing solidarity with demonstrators and sharing news links about what was happening, users began reporting that certain pages and discussions on Facebook, LiveJournal, and Twitter were being blocked, though the social media platforms as a whole remained available.<sup>68</sup> Similarly, in February 2012, the media reported that the Uzbek-language pages of Wikipedia were blocked, while their Russian counterparts remained available, although the latter typically contain more information on often-censored topics like human rights abuses. Analysts speculated that the block was more related to the government's nationalistic wish to monopolize Uzbek-language content than because of concerns that users would access politically sensitive information.<sup>69</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. There is a widespread suspicion of involvement from foreign firms providing networking equipment to Uztelecom for the purpose of state censorship over the internet. The architecture of Uztelecom's network UzNet, which provides internet transit for private ISPs and internet access in governmental institutions, is based on network routers and switches produced by Cisco Systems, Inc.<sup>70</sup> Moreover, in its daily operations, Uztelecom widely employs the equipment of the Chinese companies ZTE and Huawei. ZTE opened its Uzbek office in 2003 and became a leading supplier of USB modems, mobile phones, and routers to all mobile phone operators and Uztelecom.<sup>71</sup> The government grants ISPs and mobile phone operators import duty and sales tax exemptions on the surveillance equipment that they are required to install on their networks at their own expense.<sup>72</sup> However, the government reportedly abolished some of its import tax exemptions on telecommunications equipment in 2013.

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

67 Ozodlik.org, „Атака на сайт Народного Движения Узбекистана, [The attack on the website of the People's Movement of Uzbekistan]" January 27, 2013, <http://www.ozodlik.org/content/article/24884770.html>.

68 Institute for War & Peace Reporting, "Tashkent Spooked by Web Interest in Arab Protests," News briefing, February 24, 2011, <http://iwpr.net/report-news/tashkent-spooked-web-interest-arab-protests>.

69 Jillian C. York, "This Week in Censorship: Syrian, Moroccan Bloggers Under Fire; New Censorship in Uzbekistan," Electronic Frontier Foundation, March 1, 2012, <https://www.eff.org/deeplinks/2012/02/week-censorship-blogger-threats-syria-morocco-uzbek-censorship>; Sarah Kendzior, "Censorship as Performance Art: Uzbekistan's Bizarre Wikipedia Ban," The Atlantic, February 23, 2012, <http://bit.ly/zpyyTP>.

70 Uztelecom, "Бизнесни ривожлантириш Маркази," accessed July 30, 2013, <http://bit.ly/15CvBSH>.

71 UzDaily, "ZTE Corporation Expands Cooperation with Uzbekistan," November 1, 2011, <http://www.uzdaily.com/articles-id-16308.htm>. But ZTE is often accused of facilitating internet censorship and surveillance worldwide. See Madeline Earp, "China not most censored, but may be most ambitious," May 2, 2012, <http://bit.ly/IUL7Yj>.

72 See the "Violations of Users Rights" below. See Tax Code of RU, SZRU (2007) No. 52(II), at Arts. 208 (§33), 211 (§7), 211 (§9), 230 (part 2, §5), 269 (§§15-16), and 355 (§ 13).

human dignity.”<sup>73</sup> Given these broad restrictions, many individuals and organizations prefer to host their websites outside the country.<sup>74</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>75</sup>

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, which is integrated into the structure of the State Committee on CITT, takes various measures to maintain compliance with national legislation that restricts free expression.<sup>76</sup> Among its key objectives are “to analyze the content of information disseminated online and ensure its consistency with existing laws and regulations.”<sup>77</sup> Based on its systematic monitoring of online content, the center has contributed to the takedown of independent websites.<sup>78</sup>

In August 2011, the government created a new secretive body—the Expert Commission on Information and Mass Communications—to oversee online controls, including the work of the Monitoring Center.<sup>79</sup> The commission is not independent and must submit quarterly reports to the Cabinet of Ministers.<sup>80</sup> Furthermore, its membership is not made public,<sup>81</sup> although the body is reportedly comprised exclusively of government employees.<sup>82</sup> The new commission is mandated to evaluate online publications and determine if they: (1) have a “destructive and negative informational-psychological influence on the public consciousness of citizens;” (2) fail to “maintain and ensure continuity of na-

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73 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.

74 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 Uzinforcom, “Только цифры” [Only Numbers], January 5, 2012, <http://bit.ly/1hbO2sN>.

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

76 Zhanna Hördegen, “The Future of Internet Media in Uzbekistan: Transformation from State Censorship to Monitoring of Information Space since Independence,” in Eric Freedman and Richard Schafer (eds.), *After the Czars and Commissars: Journalism in Authoritarian Post-Soviet Central Asia* (The Eurasian Political Economy and Public Policy Studies Series, Michigan State University Press, April 2011), 99-121.

77 Paragraph 1, 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, via OpenNet Initiative, “Uzbekistan,” December 2010, [http://opennet.net/research/profiles/uzbekistan#footnote37\\_1d627h4](http://opennet.net/research/profiles/uzbekistan#footnote37_1d627h4).

78 A news website Inforator.uz was shut down in 2007. See, “Pochemu zakrito nezavisimoe SMI Uzbekistana—Inforator. Uz?” [Why the independent mass media of Uzbekistan, Inforator.Uz, is closed?], September 20, 2007, [www.uforum.uz/showthread.php?t=2565](http://www.uforum.uz/showthread.php?t=2565). See also Freedom on the Net 2013: Uzbekistan, regarding the case of www.eDoctor.uz.

79 Resolution of the Cabinet of Ministers RU, “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, 5 August 2011, *SZ RU* (2011) No. 32-33, item 336.

80 *Ibid.*, at Annex II, Art. 31.

81 *Ibid.*, Annex I, containing a list of the Commission’s members, is not made public.

82 Reporters Without Borders, “Uzbekistan,” *Enemies of the Internet 2012*.

tional and cultural traditions and heritage;" or (3) aim to "destabilize the public and political situation," or commit other potential content violations.<sup>83</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>84</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>85</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. As of February 2014, the Commission appeared to be functioning but little information on its activities is available. 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>86</sup>

The speed at which authorities respond to controversial content online is evidenced in the case of UzMetronom.com, a popular Tashkent-based independent online newspaper launched in April 2006 and devoted to critical news reporting on Uzbekistan. On July 23, 2013, UzMetronom.com reported a fatal shooting between the Uzbek and Kyrgyz border patrol guards along the countries' border. According to the news site's founder, chief editor and independent journalist Sergei Ezhkov, UzMetronom.com reposted that information from the official news media site Podrobno.uz.<sup>87</sup> Despite the fact that UzMetronom.com is permanently blocked in Uzbekistan, one day after the information was posted, Ezhkov was called before the military prosecutor's office in Tashkent. The editor received a "warning on the inadmissibility of the violation of law" and faced threats of criminal prosecution. According to the prosecutors, the news site had no right to publish details of the incident without obtaining "reliable information" from competent authorities. UzMetronom.com interrupted its reporting for three days.

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>88</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.

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

84 Ibid., at Art. 1 and Annex II, Art. 14.

85 Ibid., at Annex II, Arts. 26 and 29.

86 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* Vol. 33 (1) 2008, 95-134.

87 Fergananeews.com, "Узбекистан: Прокуратура вынудила независимый веб-сайт Uzmetronom приостановить работу, [Uzbekistan: The prosecutor's office has forced independent website Uzmetronom suspend work], July 25, 2013, <http://www.fergananeews.com/news/21005>.

88 Uznews.net, "В Узбекистане закрывается лучший медицинский сайт" [The Best Medical Website is Going to be Shut Down in Uzbekistan], March 25, 2010, [http://www.uznews.net/news\\_single.php?lng=ru&cid=30&sub=&nid=13072](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>.

The editorial direction of the online versions of state-run news outlets is often determined by both official and unofficial guidelines from the government. For example, on orders of the president, a specific ideological theme dominated the news media landscape in 2013, dedicated to the implementation of the state policy program “2013 – The Year of Wellbeing and Prosperity.” The aim of the propaganda was to inform the public and “foreign specialists” on the current socio-economic reforms in Uzbekistan.<sup>89</sup>

In an apparent effort to develop the country’s media and information society, President Karimov signed a decree in December 2011 that extends tax preferences to media outlets. Taking effect on January 1, 2012, the decree exempts media services from the value added tax (VAT) and decreases the single tax payment required of media organizations from 6 to 5 percent, among other changes.<sup>90</sup> While the decree purportedly aims to strengthen “public control over the activities of state power and control,”<sup>91</sup> observers have noted that without an overall change in the regime’s attitude to independent media, the new benefits are unlikely to have a meaningful effect on freedom of speech in the country.<sup>92</sup>

Facebook, YouTube, Twitter, and the Russian social networks Odnoklassniki (odnoklassniki.ru) and VKontakte (vk.ru) continue to top the list of the most visited websites in Uzbekistan.<sup>93</sup> In February 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 (@Gulnara-Karimova) to reveal inside secrets about her family and the corrupt practices of the Uzbek national security service.<sup>94</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 a microblog Bamboo.uz, launched in February 2014 for the exclusive use by 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>95</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 known clients of Skype and ICQ, Google Talk and Mail.ru.<sup>96</sup> The service is available in Russian and Uzbek languages and can be used on mobile phones.

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89 See Resolution of the President RU No. ПП-1920, note 11 above (cross-reference to check), at Annex (§ No. 83-86).

90 Alastair Carthew and Simon Winkelmann, “Uzbekistan – Overview,” Konrad-Adenauer-Stiftung - Media Programme Asia, last updated May 24, 2012, <http://www.kas.de/medien-asien/en/pages/10117/>.

91 “President of Uzbekistan Provides Tax Preferences to Media,” The Journal of Turkish Weekly, December 31, 2011, <http://www.turkishweekly.net/news/129114/president-of-uzbekistan-provides-tax-preferences-to-media.html>.

92 IREX, “Uzbekistan.”

93 “Top Sites in Uzbekistan,” Alexa.com, accessed February 17, 2014, <http://www.alexa.com/topsites/countries/UZ>.

94 See e.g., Eurasianet.org, “Uzbekistan: Gulnara off Twitter After Blaming Scandal on Mother,” November 21, 2013, <http://www.eurasianet.org/node/67784>.

95 Murat Sadykov, “After Cloning Facebook, Uzbekistan Launches Twitter Imitation,” February 13, 2014, at <http://www.eurasianet.org/node/68043>.

96 Info-android.com, “Uzbekistan has created an interesting alternative to Skype and ICQ,” February 10, 2014, at <http://info-android.com/post-3994-uzbekistan-has-created-an-interesting-alternative-to-skype-and-icq/#U0ebnSgZj58>.

In 2010, the state-run Uzinfocom Center began creating a “social media zone” specifically geared toward users of the Ziyonet intranet in Uzbekistan. The zone includes a range of social media applications, including Id.uz (a social-networking site), Fikr.uz (a blog-hosting platform), Utube.uz (a video-sharing platform), Smsg.uz (an instant messenger service), and Desk.uz (a site for personal widgets). Access to these applications requires users to register either as an anonymous user or with their passport details. Although for the moment, the zone’s applications remain less popular than international brands, as of January 2014, over 70,000 people had registered at Id.uz.<sup>97</sup> Uzinfocom Center’s close relationship to the government raises concerns over the pressure the applications may receive from the authorities to censor and monitor users.

Besides the social media zone aimed at Ziyonet users, the social-networking website Muloqot.uz (meaning “dialogue”) was launched in September 2011 in an apparent effort to offset the growing influence of other popular social networks. It is open only to Uzbek citizens residing in Uzbekistan. On the first day the social network was launched, staff of the Uzbek service of RFE/RL reportedly registered accounts and posted RFE/RL content (which is blocked within the country) to a general “wall.” According to their reports, their profiles were deleted within 15 minutes.<sup>98</sup> The servers of the website are located at the data center of the state-owned Uztelecom, implying that the authorities are able to conduct constant censorship.<sup>99</sup>

The blogosphere in Uzbekistan is weak, largely of entertainment character, and, due to the repressive environment, unable to significantly facilitate public discourse on political and social issues.<sup>100</sup> 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 sites like Uznews.net or Fergananeews.com. Since its establishment in January 2012, a forum at Choyxona.com 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.com, a forum site that was suspended in 2011 after Uzbek authorities arrested several of its users.

From December 5–8, 2013, the press center of a banned political opposition group in exile, the National Democratic Movement “Birdamlik” (birdamlik.info), used its website to mobilize for peaceful protests and distribute the text of the constitution of Uzbekistan in Tashkent. Three human rights defenders, Elena Uralaeva, Malakhot Eshankulova, and Shukhrat Rustamov, and 11 other participants of the protests in Tashkent were arrested.<sup>101</sup> At the same time, social media tools have been important for exposing and disseminating information related to human rights abuses. In May 2005, for example, videos documenting Uzbek security forces opening fire on unarmed protesters in Andijan were uploaded to YouTube, and regular updates were posted on Arbuz.com, contributing to international condemnation of the incident.

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97 Uzinfocom, “Только цифры” [Only Numbers], January 2014, <http://uzinfocom.uz/ru/news/921>.

98 Luke Allnutt, “Uzbekistan Launches Its Own Facebook, Except It’s Not For Everyone.”

99 “Manifest of the Community Muloqot.Uz,” Muloqot, accessed February 14, 2014, <http://muloqot.uz/help/about>.

100 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](http://newamerica.net/publications/policy/digital_freedom_of_expression_in_uzbekistan).

101 Uznews.net, “Милиция в Ташкенте задержала участников акции ОШ [Police in Tashkent detained protesters]”, December 5, 2013, at [http://www.uznews.net/news\\_single.php?lng=ru&sub=&cid=3&nid=24567](http://www.uznews.net/news_single.php?lng=ru&sub=&cid=3&nid=24567).

## Violations of User Rights

The environment for internet users' rights in Uzbekistan is already one of the most restrictive in the region, with the government employing extensive surveillance measures to monitor online activity, as well as using trumped-up charges to target individuals who publish material online that is deemed counter to the government's interests. In December 2013, one citizen was given an eight-year prison sentence for establishing communication over the internet with an Uzbek opposition group in exile and for distributing materials on the group's orders that were perceived as violating the constitutional order. There were also several cases of arrest, intimidation, and prosecution of professional journalists. Since April 2014, online users face rigid surveillance at internet cafes due to new regulations.

The constitution of Uzbekistan guarantees the right to freedom of expression (Article 29) and freedom of the mass media (Article 62). It also prohibits censorship (Article 62). In practice, however, these constitutional rights are not fulfilled and are severely restricted by laws and government regulations. Judges lack the independence and impartiality needed to ensure the constitutional protection of speech.<sup>102</sup>

The 1997 law "On Mass Media" was amended in 2007 with the purpose of altering the definition of "the press" to include "websites in generally accessible telecommunication networks."<sup>103</sup> This law neither defines nor establishes clear criteria for what constitutes a news-oriented website.<sup>104</sup> In order to be regarded as part of the news media, websites are required to obtain an official registration certificate in a procedure similar to that required for traditional news media outlets.<sup>105</sup> This procedure is generally known to be content-based and arbitrary, and inhibits editors and readers from exercising their freedom of expression.<sup>106</sup> Applications for press certificates are supposed to include details such as the website's digital media title, founder(s), language, aims and purposes, content specialization, domain name, sources of financing, editor(s), address of an editorial office, as well as affiliation of the founder(s) or editor(s) with other mass media outlets.<sup>107</sup> Journalists or non-media professionals affiliated with registered online news media outlets are awarded certain rights and must abide by statutory conditions that are applicable to professional journalists, arguably creating, in practice, an

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102 Joint Resolution of the Plenums of the Supreme Court and Higher Economic Court RU "О судебной власти" [On the Judicial Branch of Power] No. 1, 20 Dec. 1996, as amended on December 22, 2006 (No. 14/151), at para. 3 (justifying the rule that all judges are appointed by the President of Uzbekistan).

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

104 *Ibid.*

105 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.

106 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 paras. 2.6, 2.11 and 8.3.

107 Resolution of the Cabinet of Ministers RU No. 214, note 109 above, at Annex II.

environment where journalists' key responsibility is "loyalty to the regime."<sup>108</sup> As of January 2014, 261 websites were registered as mass media in Uzbekistan.<sup>109</sup>

The legislation regulating the exercise of freedom of expression applies equally to traditional news media outlets and the internet. Due to the 2007 amendments, the law "On the Mass Media" is applicable to overseas news media outlets whose content is accessible from within the territory of Uzbekistan,<sup>110</sup> though no cases of this law being invoked by Uzbek courts against foreign websites have been reported so far. In addition, some laws have been used to punish individuals for posting or accessing content deemed to violate vague information security rules.<sup>111</sup> Under the criminal code, slander (Article 139) and insult (Article 140)—including of the president (Article 158)—are criminal offenses that also apply to online content, as do provisions that punish activities such as "dissemination of materials posing a threat to public safety." 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>112</sup>

On September 10, 2013, Kudratbek Rasulov, a jeweler and resident of Namangan, was arrested at the request of the NSS and charged with threatening the constitutional order (Article 159 of the criminal code) and the production and dissemination of materials containing a threat to public security and order with foreign financial help (Article 244 of the criminal code).<sup>113</sup> On December 27, he was sentenced by a city court to eight years in prison in a one-day trial. The judgment was based on an interpretation of records of communication that Rasulov established with the exile opposition group, National Movement of Uzbekistan (NDU), via Skype and the social networking sites, Odnoklassniki and Facebook. Rasulov was charged with receiving films and literature with extremist content from NDU and distributing several copies of a DVD titled "Freedom of An Unarmed Man" to strangers on the streets of Namangan. In its reasoning, the court also emphasized that Rasulov had been in contact with opposition leaders Mukhammad Salikh and Tulkin Karaev. His appeal was postponed by a court in January 2014 for an undetermined period of time, and as of May 2014, he was still in prison.

On September 21, 2013, Sergei Naumov, an independent journalist who has contributed reporting for the *Ferghana News* website and for the Institute for War and Peace Reporting (IWPR), was arrested and given a 12 day sentence on charges of hooliganism after he collided with a woman on the street.<sup>114</sup> The woman complained to local police that Naumov had insulted and pushed her, which Naumov denies. Naumov is known for his reporting on human rights abuses, including reports on child labor conditions during the fall cotton harvest in Uzbekistan. After his arrest, IWPR issued a

108 Olivia Allison, "Loyalty in the New Authoritarian Model: Journalistic Rights and Duties in Central Asian Media Law," in Eric Freedman and Richard Schafer (eds.), *After the Czars and Commissars: Journalism in Authoritarian Post-Soviet Central Asia* (The Eurasian Political Economy and Public Policy Studies Series, Michigan State University Press, April 2011), 143-160, at 154-155.

109 See 12uz.com, "В Узбекистане зарегистрированы 261 веб-сайтов как СМИ," January 28, 2014, <http://www.12uz.com/#ru/news/show/official/16315/>.

110 Law RU "On the Mass Media," at Art. 2.

111 Zhanna Kozhambardiyeva, "Freedom of Expression on the Internet: A Case Study of Uzbekistan."

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

113 Uznews.net, «СНБ в Намангане обезвредило «экстремиста» за связь с Салихом, [NSS in Namangan detains "extremist" in connection with Salikh]» December 26, 2013, <http://www.uznews.net/ru/human-rights/24754-snb-v-namangane-obezvredilo-ekstremista-za-svaz-s-salikhom>. «В Намангане отложена апелляция по делу Расулова [In Namangan, appeal postponed in the case Rasulov],» January 22, 2014, <http://www.uznews.net/ru/human-rights/24852-v-namangane-otlozhen-a-pellacija-po-delu-rasulova>.

114 "Uzbek journalist jailed on hooliganism charges," Committee to Protect Journalists, September 24, 2013, <http://cpj.org/2013/09/uzbek-journalist-jailed-on-hooliganism-charges.php>.

statement expressing concern that Naumov's detention was likely an effort to silence his critical reporting, a tactic the authorities are known for using against journalists in the country.<sup>115</sup>

It is also becoming increasingly difficult for professional photojournalists to work in Uzbekistan. On January 30, 2014, a swift trial took place for Umida Akhmedova, a women's rights defender, documentary photographer and filmmaker,<sup>116</sup> and her son Timur Karpov, a photo editor for the Russian news agency Lenta.ru. On January 27, 2014, they had participated in and took photos of a small picket protest outside the Ukrainian embassy in Tashkent involving a group of eight individuals who gathered in solidarity with Ukrainian protesters in Kyiv amid the country's political crisis. All participants were arrested on January 29, interrogated throughout the night, and compelled to testify against themselves or plead guilty. They were charged with violation of Article 201 of the administrative code that regulates the organization and holding of meetings, rallies, marches or demonstrations. Timur Karpov was fined 5,766,300 Uzbek Sum (US\$2,040) and Umida Akhmedova was fined 4,805,250 Uzbek Sum (US\$1,700); both were released.<sup>117</sup> The administrative case was tried in a criminal proceeding (in violation of Article 245 of the administrative code). The court also failed to provide the accused with adequate time and access to the defense council.

The authorities have also used legal proceedings and intimidation to shut down independent news sites in an already extremely limited media environment. For example, on January 19, 2013, Olam.uz, which at the time was Uzbekistan's second most-visited news site, chose to go offline for "technical reasons," according to its Facebook page. However, as independent sources report, the Uzbek authorities had opened up proceedings against its editor-in-chief and the website owner, the Tashkent-based LLC Mobile Mass Media.<sup>118</sup> Charges included such offences as infringement of copyright and patent law, high treason, encroachment upon the constitutional order, espionage, subversive act, loss of documents containing state or military secrets, and robbery. At the time, Olam.uz was reporting extensively about the Uzdunrobita (MTS-Uzbekistan) case and allowing readers to leave comments on every article published.

As of May 2014, two Uzbek online journalists remained in jail, ostensibly on fabricated criminal charges.<sup>119</sup> Solidzhon Abdurakhmanov, a reporter for the independent news website Uznews.net, continues to serve a 10-year sentence imposed in October 2008 for allegedly selling drugs. The 63-year-old journalist was not pardoned as part of the amnesty granted to all prisoners over the age of 60, which was enacted on the 21<sup>st</sup> anniversary of Constitution Day in December 2013.<sup>120</sup> 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 and

115 Inga Sikorskaya, "Journalist Held Incommunicado in Uzbekistan," IWPR, September 25, 2013, <http://iwpr.net/report-news/journalist-held-incommunicado-uzbekistan>.

116 See Frank La Rue, "Summary of cases transmitted to governments and replies received," Addendum to the Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, A/HRC/14/23/Add.1 (26 May 2010), 425–28.

117 Fergananeews.com, " Олег Карпов: Считаю приговор "майданщикам" совершенно беззаконным" Oleg Karpov: <http://www.fergananeews.com/articles/8035>.

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

119 "Submission to the UN Human Rights Committee on Concerns and Recommendations on Uzbekistan," Human Rights Watch, August 13, 2014, <http://www.hrw.org/news/2014/08/13/submission-un-human-rights-committee-concerns-and-recommendations-uzbekistan>.

120 Uznews.net, "Журналиста Абдурахманова снова этапировали в колонию [Abdurahmanova journalist was transferred again to the colony]," January 17, 2014, at [http://www.uznews.net/news\\_single.php?lng=ru&sub=8&cid=3&nid=24802](http://www.uznews.net/news_single.php?lng=ru&sub=8&cid=3&nid=24802).

in retaliation for his reporting.<sup>121</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>122</sup>

The authorities have also used various forms of arbitrary detention and intimidation to silence online critics. In November 2011, the government released Jamshid Karimov, an independent journalist and nephew of the president, from a psychiatric hospital where he had been kept against his will since September 2006. Prior to his detention, he regularly published articles online, including about human rights abuses in Uzbekistan. He is widely believed to have been detained in retaliation for his journalistic activity. He suddenly disappeared again in January 2012.<sup>123</sup>

The use of proxy servers and anonymizers remains a very important tool and the only way to access content blocked in Uzbekistan. However, in September 2012, Uztelecom started a centralized and permanent blocking of proxy servers and websites enlisting free proxies without a web interface.<sup>124</sup> At the same time, the use of both proxies and anonymizers require computer skills beyond the capacity of many ordinary users in Uzbekistan.

The space for anonymous online communication in Uzbekistan is steadily shrinking. In 2011 Arbutz.com, one of the country's most important online forums for anonymous discussion, was shut down after the arrest 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.<sup>125</sup> According to some reports, the NSS had tracked them through their internet protocol (IP) addresses.<sup>126</sup> Few options remain for posting anonymous comments on other online forums—such as Uforum.uz,<sup>127</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>128</sup> Individuals must also provide a passport to buy a SIM card.<sup>129</sup> There are no explicit limitations on encryption, though in practice, the government strictly regulates the use of such technologies.<sup>130</sup>

121 "Government increases pressure on Uzbek journalists," Committee to Protect Journalists, February 17, 2010, <http://cpj.org/2010/02/government-increases-pressure-on-uzbek-journalists.php>.

122 "Uzbek appeals court should overturn harsh sentence," Committee to Protect Journalists, September 3, 2009, <http://cpj.org/2009/09/uzbek-appeals-court-should-overturn-harsh-sentence.php>; See also, "Дождется ли Дильмурад Сайид справедливости?" [Will Dilmurad Saiid receive justice?], Uznews.net, April 2, 2010, [http://www.uznews.net/news\\_single.php?lng=ru&cid=3&nid=13210](http://www.uznews.net/news_single.php?lng=ru&cid=3&nid=13210).

123 "Jamshid has the rights to live freely!" Human Rights Society of Uzbekistan, January 20, 2012, <http://en.hrsu.org/archives/1367>; "Uzbekistan: UPDATE – Human rights defender released from forcible detention in psychiatric hospital," Front Line Defenders, November 30, 2011, <http://www.frontlinedefenders.org/node/16704>.

124 Uznews.net, "Интернет-цензура Узбекистана стала еще жестче [Internet censorship in Uzbekistan became even tougher]," 10 October 2013, [http://www.uznews.net/news\\_single.php?lng=ru&cid=30&nid=20962](http://www.uznews.net/news_single.php?lng=ru&cid=30&nid=20962).

125 "Uzbek chat room closes political topics after government pressure," Uznews.net, February 9, 2011, [http://www.uznews.net/news\\_single.php?lng=en&cid=3&sub=&nid=16297](http://www.uznews.net/news_single.php?lng=en&cid=3&sub=&nid=16297).

126 IWPR "Web Use Spirals in Uzbekistan Despite Curbs," news briefing, January 3, 2012, <http://bit.ly/sqYKRE>.

127 UForum.uz, "Правила форума" [Terms of Use], at <http://uforum.uz/misc.php?do=cfrules>.

128 U.S. Department of State, "Uzbekistan," Counter Reports on Human Rights Practices for 2011, p 16, <http://www.state.gov/documents/organization/186693.pdf>.

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

130 Resolution of the President of the Republic of Uzbekistan "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.

Although Article 27 of the constitution guarantees the privacy of “written communications and telephone conversations,” there is no data protection legislation in Uzbekistan. Officially 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>131</sup> ISPs and mobile phone companies must install SORM and other surveillance equipment on their networks in order to obtain a license.<sup>132</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>133</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>134</sup> If surveillance is part of a civil or criminal investigation, content intercepted on telecommunications networks is admissible as court evidence.<sup>135</sup>

Since July 2004, operators of internet cafes and other public internet access places have been 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>136</sup> Operators of internet cafes and public access places must install surveillance cameras on their premises as a new measure to “ensure 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 quite burdensome and expensive for internet cafe businesses in Uzbekistan.<sup>137</sup>

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’

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131 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 Arts. 2-3.

132 Ibid., at 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, at Arts. 208, 211, 230 part 2, and 269.

133 See Law RU, “On Telecommunications”.

134 Resolution of the President RU, note 108 above. 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, at Art. 4.

135 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, at Arts. 16, 19.

136 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.

137 Uznews.net, “Интернет-кафе в Ташкенте о “параноидальной выдумке” властей [Internet cafes in Tashkent on the “paranoid fiction” of the authorities.]” April 2, 2014, <http://www.uznews.net/ru/human-rights/25745-internet-kafe-v-tashkente-o-paranoidalnoj-vyдумке-vlastej>.

laptops, and interrogating individuals with a record of visiting websites critical of the government.<sup>138</sup> Furthermore, on February 12, 2014, Marjam Ibragymova, a political scientist from Tashkent, was invited by prosecutors to 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.net and Fergananews.com under the pseudonym “Gulsara Vafaeva,” as well as views she expressed during an online talk-show “Шут ме” (Uznews.net). She was compelled to sign a statement on “inadmissibility of such actions in the future.”<sup>139</sup>

There were numerous instances of technical attacks against news websites in Uzbekistan during 2013-2014. In November 2013, the websites of four independent and one state-run mass media outlets fell victim to distributed denial-of-service (DDoS) attacks. On November 14, massive DDoS attacks (1Gbps) were launched against three independent news sites: CA-News (Centrasia.ru), Fergananews.com, and UzMetronom.com.<sup>140</sup> Presumably launched from IP addresses located in Russia and Kyrgyzstan, among other places, these attacks paralyzed the websites for several days. This DDoS attack seemed to have had a connection with the massive DDoS attack against the international broadcaster Radio Free Europe/Radio Liberty and the Uzbek service at Ozodlik.org, on November 18.<sup>141</sup> On November 19, the hacker group known as BD Grey Hat Hackers defaced the state-run *Xalq So'zi* newspaper's websites in Uzbek (xs.uz) and Russian (Narodnoeslovo.uz).<sup>142</sup> It is not clear whether the same hacker group is responsible for the DDoS attacks on the independent news sites. On March 17, 2014, the news site UzMetronom.com again reported hacker attacks on its website.

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>143</sup> The Centre took over the functions and competences of the Uzbekistan Computer Emergency Readiness Team (UZ-CERT), established in 2005.<sup>144</sup> In particular, the Centre continues to alert internet users on 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 enforce-

138 “Farg’ona aeroportida yo’lovchilar noutbuki tekshirilmogda” [At the Ferghana Airport, the Laptop Computers of Passengers Are Being Checked], Ozodlik.org, June 2, 2011, [http://www.ozodlik.org/content/fargona\\_aeroportida\\_yolovchilar\\_noutbuki\\_tekshirilmogda/24212860.html](http://www.ozodlik.org/content/fargona_aeroportida_yolovchilar_noutbuki_tekshirilmogda/24212860.html)

139 Uznews.net, “Ташкентскому политологу пригрозили статьей “клевета” [Tashkent political scientist threatened with slander],” February 12, 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).

140 Fergananews.com, «Ведущие интернет-СМИ об Узбекистане подверглись DDOS-атаке [Leading online media about Uzbekistan underwent DDOS-attack],» November 14, 2013, <http://www.fergananews.com/news/21493>; Uznews.net, «Independent online media subject to DDOS attack, again,» November 19, 2013, [http://www.uznews.net/news\\_single.php?lng=en&sub=&cid=4&nid=24427](http://www.uznews.net/news_single.php?lng=en&sub=&cid=4&nid=24427).

141 Ozodlik.org, «O‘zbekistonda yorituvchi nashrlar DDoS hujumiga uchradi», November 20, 2013, <http://www.ozodlik.org/content/article/25173764.html>.

142 Gazeta.ru, «Сайты «Халк сузи» и «Народного слова» подверглись дефейсу [Websites Xs.uz and Narodnoeslovo.uz have been defaced],» November 19, 2013, <http://www.gazeta.uz/2013/11/19/hackers/>.

143 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.

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

ment—on the prevention and investigation of “unsanctioned or destructive actions in information space.”<sup>145</sup>

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145 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.”