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Legal consequences of the dissemination of extremist and terrorist materials in accordance with the legislation of Uzbekistan

Kurbanov Marufjon
PhD, Associate Professor

The preparation and importation of religious content materials are strictly regulated in the Republic of Uzbekistan. This regulation aims to prevent religious extremism and ensure stability in society. National and international scientific studies indicate that control mechanisms over religious materials play a crucial role in fostering a stable social environment.

The term "religious content materials" refers to written, electronic, or other forms of materials containing information related to religious doctrines, worship practices, religious customs, and beliefs¹.

The procedure for the preparation, importation, and distribution of religious content materials in the Republic of Uzbekistan is regulated by the Regulation "On the Procedure for the Preparation, Importation, and Distribution of Religious Content Materials and Conducting Religious Studies Examination," approved by Resolution No. 180 of the Cabinet of Ministers dated April 14, 2022². One of the main requirements of the Regulation is the mandatory religious studies examination for such materials. Before the preparation, importation, and distribution of religious content materials, they must undergo a religious studies examination conducted by the Committee on Religious Affairs. This process ensures that the materials do not disrupt interfaith harmony and religious tolerance in society, nor incite religious violence or anarchy. The examination verifies that the materials do not contain the following: content inciting religious enmity or calls for extremism or separatism³.

The authority to oversee these processes and conduct examinations is vested in the Committee on Religious Affairs of the Republic of Uzbekistan. Materials that receive a positive conclusion must be marked with a special emblem—a hologram—which indicates their approval for distribution. It is important to note that the preparation, importation, and distribution of materials are prohibited for the following purposes:

- Disrupting interfaith harmony and religious tolerance;
- Promoting ideas that incite religious violence or anarchy.

Regarding the examination, it should be emphasized that legal or natural persons intending to prepare, import, or distribute religious content materials must apply to the Committee on Religious

¹ Jo'rayev Sh. "Vijdon erkinligining huquqiy kafolatlari" // O'quv qo'llanma. – Toshkent, "Toshkent islom universiteti" nashriyot-matbaa birlashmasi, 2013. – 80 b.

² O'zbekiston Respublikasi Vazirlar Mahkamasining "Diniy mazmundagi materiallarni tayyorlash, olib kirish va tarqatish hamda dinshunoslik ekspertizasini o'tkazish tartibi to'g'risidagi nizomni tasdiqlash haqida"gi qarori, 14.04.2022 yil, 180-son. <https://lex.uz/uz/docs/-5957921>

³ Sharipov, D. (2020). Diniy mazmundagi materiallarni eksport-import tartibi. TDYU Ilmiy axborotnomasi.

Affairs to request a religious studies examination. Following the application, the Committee reviews the materials to determine whether they contain elements contrary to the law and issues an appropriate conclusion. As mentioned above, if a positive conclusion is reached, the materials are marked with a hologram and permitted for distribution.

The unlawful preparation, storage, importation, or distribution of religious content materials results in liability under the law. For instance, according to Article 244³ of the Criminal Code of the Republic of Uzbekistan, such acts committed after the imposition of an administrative penalty may result in a fine ranging from 100 to 200 times the base calculation amount or corrective labor for up to three years.

Therefore, it is crucial to adhere to the established rules and procedures before preparing, importing, or distributing religious content materials. Violations of the procedure for preparing and importing religious materials into the territory of the Republic of Uzbekistan pose significant risks to society.

This issue has been extensively studied in both local and international research, with a thorough analysis of the legal, social, and security aspects of procedural violations. According to the Uzbek legal scholar D. Sharipov, unlawful religious content materials can provoke interfaith conflicts and hostilities, as well as lead to societal divisions based on religious beliefs⁴.

For example, the illegal dissemination of materials promoting radical religious ideas undermines the principles of religious tolerance. This, in turn, may intensify mistrust among the local population.

Foreign studies have also noted that the dissemination of unlawful religious materials can lead to the expansion of extremism and terrorism. For instance, in France and Germany, the spread of illegal religious materials has been linked to religious radicalization and social violence⁵. The studies by Madeley (2021) and F. Cesari (2014) emphasize that the illegal dissemination of materials promoting extremism and violence poses a threat to global security. This is particularly evident in how radical ideas are popularized by global terrorist organizations.

According to the analysis conducted by Uzbekistan's security agencies, illegal religious materials: contribute to the widespread dissemination of extremist ideologies among the population and serve as a basis for recruiting new supporters for terrorist organizations⁶.

D. Sharipov emphasizes the legal consequences and the impact on state sovereignty of failing to comply with established procedures before preparing, importing, or distributing religious materials as follows: “The illegal importation of religious materials weakens the state's legislative system and leads to the inefficiency of legal order. This, in turn, seriously damages the internal sovereignty of the state⁷”. International law expert J. Madeley also views the spread of illegal religious materials as a threat to state sovereignty. It can serve as a means of exerting external influence on the internal affairs of a state.

In this regard, the Republic of Uzbekistan has established administrative and criminal liability for the illegal preparation, storage, importation, or distribution of religious materials.

According to Article 184² of the Administrative Responsibility Code of the Republic of Uzbekistan, the preparation, storage, importation, or distribution of religious materials with the intent to violate the law will result in the following fines:

- for individuals, a fine ranging from 20 to 100 times the basic calculated amount (from 6,800,000 UZS to 34,000,000 UZS);
- for officials, a fine ranging from 50 to 150 times the basic calculated amount (from 17,000,000 UZS to 51,000,000 UZS).

If a person commits this offense again after an administrative penalty has been imposed, they will be held liable under Article 244³ of the Criminal Code of the Republic of Uzbekistan.

The following penalties may apply under this article:

- a fine ranging from 100 to 200 times the basic calculated amount (from 34,000,000 UZS to

⁴ Sharipov, D. (2020). Diniy mazmundagi materiallarni eksport-import tartibi. TDYU Ilmiy axborotnomasi.

⁵ Madeley, J. (2021). Religion, Law and State in Contemporary Societies. Cambridge University Press.

⁶ Mahmudov, A. (2023). Diniy materiallarni nazorat qilishning ijtimoiy ahamiyati. Tashkent: TDYuU nashriyoti.

⁷ Sharipov, D. (2020). Diniy mazmundagi materiallarni eksport-import tartibi. TDYU Ilmiy axborotnomasi.

68,000,000 UZS) or up to three years of corrective labor.

Therefore, it is crucial to strictly adhere to the legislative requirements when preparing, storing, importing, or distributing religious materials.

It should be noted that the issue of administrative and criminal liability for the illegal preparation or importation of religious materials is also widely studied in international law. For instance, in countries such as Austria and France, the distribution of illegal religious materials is subject to severe penalties. These countries, like Uzbekistan, have adopted stringent legal measures to curb the spread of extremist ideologies and protect public order, national security, and religious harmony⁸.

In conclusion, it can be stated that violating the procedures for preparing and importing religious materials poses a high social risk, as it can lead to discord, religious radicalization, and violence within society. Addressing this issue requires strict adherence to legislation and strengthening educational and awareness-raising efforts. These measures are crucial for maintaining social harmony, protecting national security, and preventing the spread of extremist ideologies.

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⁸ Madeley, J. (2021). Religion, Law and State in Contemporary Societies. Cambridge University Press.