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REPUBLIC OF UZBEKISTAN

DRAFT LAW ON
FREEDOM OF CONSCIENCE AND RELIGIOUS ORGANISATIONS

DRAFT

Law of the Republic of Uzbekistan “On freedom of conscience and religious organisations”

Chapter 1. General provisions

Article 1. Purpose of the present Law

The purpose of the present Law is to ensure the right of everyone to freedom of conscience and religion, equality of citizens irrespective of their attitude toward religion, as well as to regulate relationships between authorized state bodies and religious organisations in order to preserve inter-confessional and inter-ethnic harmony.

Article 2. Legislation on freedom of conscience and religious organisations

Legislation on freedom of conscience and religious organisations comprises the Constitution of the Republic of Uzbekistan, present Law and other legislative acts.

If an international treaty of the Republic of Uzbekistan establishes rules other than those stipulated in the legislation of the Republic of Uzbekistan on freedom of conscience and religious organisations, the rules of an international treaty shall apply.

Article 3. Basic terms

The following basic terms are applied in the present Law:

a denomination - feature of a religion within a certain religious teaching, as well as an association of believers who adhere to this religion;

materials of religious content – books, brochures, magazines, newspapers, leaflets, other printed publications, signs, symbols, audio-visual works (TV, films and videos, clips, recordings of concert programs, cartoons, etc.), electronic information carriers (diskettes, CD, DVD, built - in and removable memory cards, materials posted on the Internet, etc.) that reflect the dogmatic foundations, history, ideology of the teaching and comments to it, the practice of rites of various religious creeds, as well as an assessment from the position of religion of individuals, historical facts and events;

missionary activity – activity of spreading the faith and inculcating religious views of the relevant religious association by purposefully exerting ideological influence on a person (group of persons) in order to apply for membership of this association;

proselytism is a form of missionary activity of religious organisations aimed at converting representatives of other religions to their own religion;

illegal religious activity – carrying out activities by a religious organisation without registration in accordance with the established procedure or outside the territory of activity, engaging in religious educational activities in private;

religious education – teaching religious knowledge of a particular confession;

a religious organisation – voluntary association of citizens for joint profession of faith, worship, rites and rituals, does not pursue the generation of income (profit) as the main purpose of its activity and does not distribute the gained income (profits) among its participants (members) (religious society, mosques, churches, synagogues, monasteries and others), as well as religious educational institution and the central management bodies of the religious organisations in the Republic of Uzbekistan (hereinafter – central management body), registered in accordance with the established procedure;

central management body – single religious association in the Republic of Uzbekistan, created by local registered religious organisations of the corresponding denominations acting in at least eight territorial entities of the Republic of Uzbekistan (Republic of Karakalpakstan, region, Tashkent city) to coordinate activities of local religious organisations of the same denomination;

local religious organisation – a religious association operating on the territory of the Republic of Karakalpakstan, regions or the city of Tashkent, established upon the initiative of at least fifty citizens of the Republic of Uzbekistan, permanently residing on the territory of the respective district (city) of the Republic of Uzbekistan who have reached the age of eighteen;

religious educational institution – establishment of a central management body to train clergy and the necessary religious personnel belonging to a particular denomination.

Article 4. Right to freedom of conscience

Freedom of conscience is a guaranteed constitutional right of citizens to profess any religion or do not profess any.

Any compulsion of a citizen, when determining his attitude to religion, professing or not professing religion, participation or not participation in divine services, religious rites and ceremonies, receipt of religious education is not permitted.

The exercise of freedom to profess a religion or other beliefs (convictions) is subject only to those restrictions that are necessary to ensure public order, life, health, morals, rights and freedoms of other citizens.

Article 5. Basic principles of ensuring freedom of conscience

The main principles of ensuring freedom of conscience are:

equality;

rule of law;

openness and transparency of religious organisations ' activities;

separation of religion from the state.

Article 6. The principle of equality

Citizens of the Republic of Uzbekistan, irrespective of their religious affiliation, are equal before the law.

Foreign citizens and stateless persons enjoy the right to freedom of conscience and freedom of religion on an equal basis with citizens of the Republic of Uzbekistan and bear the responsibility established by law for violations of legislation on freedom of conscience and religious organisations.

It is not permitted to indicate the religious affiliation of citizens in official documents.

Any limitations of rights and establishment of direct or indirect privileges of citizens depending on their attitude toward religion, incitement enmity and hatred or offence the citizens' feelings in connection with their religious or atheistic beliefs, as well as desecration of revered religious places of worship, entail responsibility established by law.

No one may, on the motives of their religious beliefs, evade the performance of duties established by law. Replacement of performance of one duty for another on the motives of religious beliefs is permitted only in cases stipulated by law.

The establishment of any privileges or restrictions of one religion or belief in relation to others is not permitted.

Article 7. The principle of the rule of law

Religious organisations in their activities comply with the provisions of the Constitution of the Republic of Uzbekistan, present Law and other legislative acts, as well as the provisions of their charters.

Article 8. Principle of openness and transparency

Religious organisations carry out their activities openly and transparently in cooperation with state bodies and public institutions.

Article 9. The principle of separation of religion from the state

In the Republic of Uzbekistan, the activities of religious organisations and state bodies are carried out on the basis of mutual non-interference.

The state assists in establishment of mutual tolerance and respect between citizens who profess different religions and those who do not profess them, between religious organisations of different faiths, does not allow religious fundamentalism and extremism, actions aimed at opposition and aggravating relations, inciting of enmity between different confessions.

The state acts as a guarantor of the peaceful coexistence of confessions.

The state does not impose any state functions on religious organisations, does not interfere into their activity, unless it contradicts the legislation. Religious organisations do not perform state functions. The state does not finance the activities

of religious organisations and does not allow activities that offend the religious feelings of believers.

Establishment and operation in the country of a political party and other public association on religious grounds, branches and representative offices of religious parties established outside the republic, participation of religious organisations in the activities of political parties and other public associations with political goals, as well as provision of financial or other assistance to them is not permitted.

Article 10. Main directions of state policy in the sphere of ensuring freedom of conscience

The main directions of state policy in the sphere of ensuring freedom of conscience are:

ensuring conditions for the exercise of the rights of citizens and religious organisations to freedom of conscience and religion, without allowing the forced inculcation of religious views;

creating equal conditions for citizens irrespective of their religious affiliation;

strengthening peace and harmony among confessions;

formation of religious tolerance in society;

maintaining an optimal balance of secular and religious components in the society;

ensuring compliance of citizens and religious organisations to the norms of legislation regulating the religious sphere;

counteract the inculcation and dissemination of various religious ideas and views that threaten public order, health and morals of citizens.

Article 11. Peculiarities of the application of legislation on freedom of conscience and religious organisations

In order to ensure public order, life, health, morals, rights and freedoms of other citizens, it is not permitted in the Republic of Uzbekistan:

the use of religion for the purpose of the violent change of the constitutional order, violation of the territorial integrity and sovereignty of the Republic of Uzbekistan, and humiliation of constitutional rights and freedoms of citizens, propaganda of a war, national, racial, ethnic or religious enmity, harm to the health and morals of citizens, violation of civil accord, dissemination of slanderous insinuation destabilizing situation, creating panic among the population and taking other actions directed against the individual, society and the state;

illegal religious activities and activities of religious organisations that pursue criminal and other selfish goals;

involvement of underage in religious organisations against their will, the will of their parents or persons replacing them;

any form of missionary activity and proselytism that contributes to the violation of inter-confessional harmony and religious tolerance in society;

teaching religious beliefs in private, with the exception of parents or persons replacing them teaching their children to the basics of religious practice and ethical behavior.

Article 12. Education system and religion

The education system in the Republic of Uzbekistan is separate from religion.

It is not permitted to include religious disciplines (with the exception of religious educational institutions) into curriculum of the educational system.

The right to secular education is granted to citizens, irrespective of their attitude toward religion.

Everyone has the right to receive professional religious education in religious educational institutions.

Article 13. Religious rites and ceremonies

Religious rites and ceremonies are held at places of location of religious organisations in religious and prayer buildings and territories belonging to them, in places of pilgrimage, in cemeteries, and in the case of ritual necessity – in citizens' houses upon their request.

Religious rites and ceremonies in hospitals, houses for the elderly and disabled, places of pre-trial detention and serving sentences, and rehabilitation centers of internal affairs bodies are held at the request of citizens who are there.

Mass religious rites and ceremonies outside religious and prayer buildings are carried out in accordance with the procedure established by law.

Religious organisations do not have the right to carry out compulsory money collections and levy believers, as well as to apply measures that infringe on the honor and dignity of the individual.

Article 14. Materials of religious content

Individuals and legal entities have the right to produce, import and distribute religious materials in accordance with the procedure established by the Cabinet of Ministers of the Republic of Uzbekistan.

The production, import and distribution of religious materials on the territory of the Republic of Uzbekistan is carried out after receiving a positive conclusion of the religious expertise in order to prevent ideas in society that contribute to the violation of inter-confessional harmony and religious tolerance, promoting violence and arbitrariness on religious grounds.

Chapter 2. Authorized state bodies in the sphere of regulating the activities of religious organisations

Article 15. Powers of the Committee on Religious Affairs under the Cabinet of Ministers of the Republic of Uzbekistan in the religious sphere

Committee on Religious Affairs under the Cabinet of Ministers of the Republic of Uzbekistan (hereinafter referred to as the Committee):

conducts a unified state policy in the religious sphere in accordance with the legislation on freedom of conscience and religious organisations together with the authorized state authorities;

implements measures to ensure consistent and uniform practice of applying legislation on freedom of conscience and religious organisations in the activities of state and economic management bodies and local government bodies;

ensures the interaction and cooperation of state bodies with religious organisations;

coordinates the relationship of state bodies with religious organisations and monitors the implementation of legislation on freedom of conscience and religious organisations;

reflects the interests of registered religious organisations in state policy;

organizes licensing of religious educational institutions, monitors compliance with licensing requirements and conditions by licensees, and maintains a register of licenses;

provides coordinating assistance to the activities of religious organisations, including religious educational institutions (educational process and programs, educational work, curricula of disciplines, scientific research on religious topics), provides them with organisational, legal and methodological assistance in conducting these activities, and participates in events held by them that are related to their activities;

organizes visits by citizens of the Republic of Uzbekistan to places of religious pilgrimage outside the country, including performing the rites of Hajj and Umrah, sending citizens abroad to study in religious educational institutions, training and exchanging experience, accepting foreign citizens or stateless persons to study in religious educational institutions, holding international religious forums;

carries out an expert examination of religious materials produced in the republic or received from abroad and coordinates this activity.

The Committee may exercise other powers in accordance with the legislation.

Article 16. Powers of the justice bodies in the sphere of regulating the activities of religious organisations

Justice bodies:

perform registration of religious organisations and maintain a register of religious organisations (hereinafter referred to as the Register);

ensure accreditation of employees of religious organisations who are foreign citizens, as well as members of their families who are dependent on them;

monitor compliance of religious organisations with legislation and statutory activities;

interact with state bodies on issues of ensuring the legality of the activities of religious organisations;

participate in organizing and conducting educational activities to improve the legal culture in the field of religious freedom.

The justice bodies may exercise other powers in accordance with the legislation.

Article 17. Powers of local state authorities in the religious sphere

Local state authorities:

participate in the implementation of the unified state policy in the religious sphere;

develop and implement measures to ensure the stability of the socio-spiritual sphere, strengthen inter-confessional harmony and religious tolerance in society;

ensure interaction and cooperation of state bodies with religious organisations in the relevant territory;

organize the implementation of legislation on freedom of conscience and religious organisations.

Local state authorities may exercise other powers in accordance with the legislation.

Chapter 3. The legal status of religious organisations, the basis for organizing their activities

Article 18. Religious organisation and its legal status

A religious organisation carries out its activities in accordance with the legislation and its Charter.

A religious organisation acquires the status of a legal entity after its registration.

Article 19. Religious educational institution

A religious educational institution acquires the right to carry out its activities after registration and obtaining an appropriate license.

Citizens are admitted to religious educational institutions after they have received mandatory general secondary or secondary special education in accordance with the Law of the Republic of Uzbekistan "On education".

Persons who teach religious disciplines in religious educational institutions must have a professional religious education.

Article 20. Rights of a religious organisation

A religious organisation has the following rights:

create favorable conditions in places of worship or religious rites;

establish religious educational institutions in accordance with the procedure established by present Law;

use buildings and property provided on a contractual basis for its own needs;

conduct events on issues related to its activities;

create business structures to perform the tasks specified in the Charter;

manufacture, export and import items of religious purpose, religious literature and other materials of religious content after receiving a positive conclusion of a religious expertise;

establish international contacts for the purpose of organizing pilgrimages or participating in other religious events in accordance with the legislation;

make proposals for the creation of new and reconstruction of existing burial places and cemeteries.

A religious organisation may also have other rights provided for by the legislation.

Article 21. Guarantees for the activities of religious organisations

Religious organisations have the right to file a complaint with a higher state body or court regarding illegal decisions of state bodies or illegal actions (inaction) of their officials that violate their rights and freedoms.

Religious organisations are exempt from paying the state fee when appealing to the court against illegal decisions of state bodies or illegal actions (inaction) of their officials that violate their (religious organisations') rights and freedoms.

Article 22. Responsibilities of a religious organisation

A religious organisation must:

strictly comply with the requirements of the Constitution of the Republic of Uzbekistan, present Law, other legislative acts and the provisions of its Charter;

preserve objects of material cultural heritage that are under state protection, where a religious organisation is located, and carry out construction and repair works based on project documentation for the restoration of architectural monuments;

notify the Committee of events (conferences, seminars, trainings, meetings, campaigns, round tables, meetings, symposiums, with the exception of events of religious organisations in the form of prayers, religious customs and rites) for timely resolving of organisational issues by local state authorities;

if the composition of the governing body changes, notify the registering body within one month from the date of making the decision;

annually, until February 1, submit to the registering body a report on activities for the past year in the form approved by the Ministry of Justice of the Republic of Uzbekistan.

A religious organisation may have other responsibilities in accordance with the legislation.

Article 23. Property of a religious organisation

A religious organisation may own buildings, constructions, religious articles, objects of industrial, social and charitable purposes, financial resources and other property necessary to support its activities, acquired or created at expense of its own funds, donated (bequeathed) by citizens, legal entities or transferred by the state, as well as located abroad and acquired on other grounds provided for by legislation.

The property right of a religious organisation is protected by law.

Article 24. Use of a state-owned property

A religious organisation has the right to use buildings and property provided to it on a contractual basis by state bodies for its needs.

The transfer of material cultural heritage objects to a religious organisation for use is carried out in accordance with the legislation.

The allocation of land for a religious organisation and construction of religious buildings are carried out in accordance with the established procedure upon agreements with the Committee.

Article 25. Charitable activity of a religious organisation

A religious organisation has the right to carry out charitable activities directly or through the establishment of charitable funds.

The state assists and supports religious organisations in carrying out charitable activities, as well as in implementing socially significant cultural and educational programs and events.

A religious organisation has the right to involve volunteers in conducting religious events and performing other tasks specified in the Charter aimed at supporting their activities.

Article 26. Labor relations in a religious organisation

Citizens working in a religious organisation under labor agreements (contracts) are subject to the labor legislation of the Republic of Uzbekistan.

Article 27. Taxation of a religious organisation

A religious organisation pays taxes and other mandatory payments to the budget and state trust funds, and as well enjoy benefits established by the Tax code of the Republic of Uzbekistan.

Chapter 4. Procedure for creating a religious organisation**Article 28. Establishment of a religious organisation**

A religious organisation may be established as a central management body, religious educational institution or local religious organisation.

Article 29. Management of a religious organisation

The head of a religious organisation may be a person who has the appropriate religious education.

The head or employee of a religious organisation who is a foreign citizen gets accredited by the Ministry of Justice of the Republic of Uzbekistan in accordance with the legislation.

Article 30. Founding document of a religious organisation

The Charter approved by the initiators of the establishment of a religious organisation is the founding document of a religious organisation.

The Charter of a religious organisation shall contain the following information:

name, type, location, religion;

purpose, objectives and main activities;

structure and powers of governing bodies, procedure for formation and terms of their powers;

sources of formation of funds and other property, powers of governing bodies to dispose of them;

procedure for making amendments and additions to the Charter;

procedure of reorganisation and liquidation;

procedure for disposing of the property of a religious organisation when it is liquidated;

other information related to the activities of a religious organisation.

The requirement of the Charter of a religious organisation is mandatory for the religious organisation itself, its initiators and participants (members).

Charters of religious organisations that have central management bodies must be approved by these bodies.

Chapter 5. Procedure for registration and re-registration of a religious organisation

Article 31. Provision of public services

Public services, including registration of religious organisations, are provided through the electronic system of justice bodies.

Login to the electronic system is carried out using an electronic digital signature or other methods that allow identification of the individual.

After logging in to the electronic system, the applicant selects the type of request in the personal cabinet, gradually enters information and sends documents through the system.

In electronic documents generated in the electronic system or sent by the justice bodies, there is a matrix bar code (QR code) and identified numbers. In this case, it is possible to obtain information about an electronic document by entering the identified number specified in it in a special section of the electronic system.

The procedure of the operation of the electronic system, type of information and their forms, as well as samples of electronic documents get approved by the Ministry of Justice of the Republic of Uzbekistan.

Article 32. Registering bodies of religious organisations

Registration of the central management bodies and religious educational institutions is carried out by the Ministry of Justice of the Republic of Uzbekistan and local religious organisations – respectively, the Ministry of Justice of the Republic of Karakalpakstan, justice departments of regions and city of Tashkent (further – Registering bodies).

Article 33. Fees, related to registration of religious organisations

A fee in the amount established in the Law of the Republic of Uzbekistan “On state duty” is charged for registration of religious organisations.

Article 34. Documents required for registration of a religious organisation

Within six months from the date of the constituent meeting (conference) on the creation of a religious organisation, an electronic request for its registration is sent to the registering body.

Electronic copies of the following documents are attached to the request:

a) for the central management body:

decision of the constituent meeting (conference) containing information on the establishment of the central management body, approval of its Charter and election of governing bodies;

Charter of the central management body in state language;

information about the founders of the central management body and the members of its governing body;

document on religious education of the head of the central management body;

letter of consent of the Committee;

b) for a religious educational institution:

decision of the authorized governing body of the central governing body containing information on the establishment of a religious educational institution, approval of its Charter and election (appointment) of governing bodies;

Charter of a religious educational institution in state language;

information about members of the governing body of a religious educational institution;

letter of consent of the Committee;

c) for a local religious organisation:

a document containing the signatures of citizens of the Republic of Uzbekistan in an amount of at least fifty people, on whose initiative a religious organisation is being established;

decision of the constituent meeting containing information on the establishment of a religious organisation, approval of its Charter and election of governing bodies;

Charter of a religious organisation in state language;

information about initiators of a religious organisation and members of its governing body;

document on religious education of the head of a religious organisation;

letter of consent of the Committee;

a letter of guarantee from local state authorities (the Council of Ministers of the Republic of Karakalpakstan, khokimiyats of regions and Tashkent city) with an attachment of conclusions on the compliance of the real estate of the religious organisation, which is supposed to be used as a postal address,

with the requirements of urban planning standards, fire safety rules and sanitary and hygienic standards.

Article 35. Documents required for registration of a religious organisation created through reorganisation

In addition to the documents provided for in article 34 of the present Law, electronic copies of the following documents shall be attached to an application for registration of a religious organisation established through reorganisation:

written notification of all known creditors of the reorganized religious organisation and publication in the mass media of a notice of reorganisation;

transfer act or dividing balance sheet containing provisions on succession to all obligations of a reorganized religious organisation in respect of all their creditors and debtors, including obligations disputed by the parties;

act on destruction of the seal and stamp of the reorganized religious organisation.

It is not permitted to reorganize a religious organisation into the organisational-legal form of another legal entity.

Article 36. Re-registration of a religious organisation

Amendments and additions to the Charter shall be subject to re-registration in accordance with the procedure provided for by the present Law.

The requirements for the registration of a religious organisation apply to re-registration of a religious organisation, unless otherwise provided by the legislation.

Article 37. Request for re-registration of a religious organisation

If amendments and additions are made to the Charter, a request for re-registration is sent to the Registering body within a month after the decision of the governing body of a religious organisation is made.

Electronic copies of the following documents are attached to the request:

text of amendments and additions to the Charter, or a new version of the Charter;

decision of the authorized governing body of a religious organisation to make amendments and additions to the Charter;

an act of destruction of the seal and stamp of a religious organisation – in the event of a change in the name of a religious organisation or a change of a Registering body.

In case of re-registration of a religious organisation in connection with its reorganisation, electronic copies of the following documents shall be attached in addition to the documents provided for in this article:

written notification of all known creditors of the reorganized religious organisation and publication in the mass media of a notice of reorganisation;

transfer act or dividing balance sheet containing provisions on succession to all obligations of a reorganized religious organisation in respect of all their creditors and debtors, including obligations disputed by the parties;

act on destruction of the seal and stamp of the reorganized religious organisation.

The new Registering body requests a set of registration documents from the previous Registering body via an electronic system.

If the postal address, Bank details and composition of the governing body change within one month, the religious organisation notifies the Registering body via the electronic system, attaching copies of the documents that served as the basis for the change.

Article 38. Consideration of an application for registration of a religious organisation

The applicant, having completed the formation of an electronic request, pays the fee, which is automatically determined by the electronic system.

After payment of the fee, the application for registration of a religious organisation goes to the stage of consideration.

If there are errors in the application that can be corrected, or there are missed documents, that are required by the present Law and referred to by the applicant, the registering body provides him an opportunity to correct them and submit the missing documents within five working days. At his request, the Registering body may extend this period for at least five working days.

The Registering body has the right to examine the authenticity of documents submitted for registration of a religious organisation and their compliance with the legislation.

Article 39. Terms of consideration of submitted documents

The submitted documents are considered by the Registering body within the following terms:

for registration of a religious organisation - within one month from the date of submission of the application;

for re-registration of a religious organisation - within fifteen days from the date of submission of the application.

Article 40. Results of consideration of submitted documents

Based on the results of consideration of the submitted documents, the Registering body makes one of the following decisions in the form of a conclusion:

on registration of a religious organisation;

refusal to register a religious organisation.

If the Registering body draws up a conclusion on registration of a religious organisation, within three days from the date of making the decision:

information about a religious organisation is entered in the Register;
registration of the religious organisation in the state tax inspection and statistical authorities is made;
personal cabinet of a religious organisation is created in the electronic system;
electronic certificate of registration of a religious organisation is generated;
electronic certificate and Charter are sent to the personal cabinet of the religious organisation in the electronic system.

In the new electronic certificate of re-registration of a religious organisation, the previous information about the religious organisation, including the name, registration authority, date of registration and re-registration, is indicated as additional information.

In the case of re-registration of a religious organisation due to a change of a Registering body, the newly Registering body shall notify the previous Registering body via the electronic system, indicating the relevant registration data.

In case of drawing up a conclusion on refusal to register a religious organisation, a notification is sent to the personal cabinet of the applicant in the electronic system within one working day after the decision is made, indicating the grounds for refusal.

Refusal to register a religious organisation is not an obstacle to re-filing documents, provided that the grounds for refusal are eliminated.

Article 41. Grounds for refusal to register a religious organisation

Registration of a religious organisation may be refused if:

the purpose of establishing a religious organisation is a violent change of the constitutional order, undermining the independence, integrity and security of the Republic of Uzbekistan, infringe on the constitutional rights and freedoms of citizens, propaganda of a war, social, national, racial and religious hatred, and infringe on the health, morals and ethics of citizens;

the procedure for establishing a religious organisation provided by law has been violated or there are inconsistencies in the submitted documents;

the organisation being established is not recognized as a religious organisation;
it is established that the submitted constituent documents contain deliberately inaccurate information.

The decision of the Registering body on refusal to register a religious organisation may be appealed to the court.

Article 42. A Register of religious organisations

A religious organisation that has been registered is entered into the Register, which is maintained in an electronic system and is publicly available for review.

The Register specifies:

name of the religious organisation and its confessional affiliation;
location of a religious organisation and its postal address;
territory of activity of a religious organisation;

information about the founders (last name, first name, patronymic), contact information;

name and postal address of the governing body, contact details;

date of registration of the religious organisation and others.

Chapter 6. Suspension and termination of activities of a religious organisation

Article 43. Suspension of activities of a religious organisation

The activities of a religious organisation may be suspended by a court if it violates the Constitution and legislation of the Republic of Uzbekistan.

In case of violation by a religious organisation of the legislation, as well as committing actions that contradict its statutory objectives, the bodies of the Prosecutor's office or Registering body submit a report on these violations to the governing bodies of this religious organisation and set a deadline for their elimination. If these violations are not eliminated within the set deadline, the activity of a religious organisation is suspended for a period of up to six months by a court decision based on the submission of the bodies of the Prosecutor's office or Registering body.

Article 44. Consequences of suspending the activities of a religious organisation

If the activity of a religious organisation is suspended for a period established by a court decision, its rights as a founder of charitable funds are suspended, it is prohibited to organize events, use bank deposits, except for expenses related to economic activities, labor contracts, compensation for losses caused by its actions (inaction), and payment of fines.

If the violations that served as grounds for suspending the activity of a religious organisation have been eliminated within the period of suspension established by the court, then the religious organisation may resume its activities after the end of the specified period.

If it does not eliminate the specified violation, the body that submitted a submission to the court to suspend the activities of this religious organisation may submit a submission to the court to liquidate it.

Article 45. Procedure for liquidation of a religious organisation

The liquidation of a religious organisation is carried out on the basis of the legislation of the Republic of Uzbekistan and the Charter of a religious organisation.

The liquidation of a religious organisation is carried out voluntarily by a decision of its highest body or in accordance with the paragraph 3 of article 44 of the present Law in a judicial order.

The authorized body that made the decision to liquidate a religious organisation, or the court appoints a liquidator – a liquidation commission or an individual, and determines the term for its liquidation.

If the authorized body makes a decision to liquidate a religious organisation, the Registering body shall be provided with information about the liquidator within three working days via the electronic system, accompanied by an electronic copy of the decision of the higher body to liquidate the religious organisation.

If a religious organisation is liquidated by a court, the liquidator within three working days after receiving the court's decision shall submit an electronic copy of it to the Registering body via the electronic system.

If there are no objections to the liquidator, the Registering body, after receiving information about the liquidator and the decision to liquidate the religious organisation, within two working days enters information in the Register that the religious organisation is in the process of liquidation and informs about this via the electronic system the state tax inspections and statistical authorities, bodies for registration of rights to real estate and motor vehicles, as well as the authorized state body for enforcement of judicial acts and acts of other bodies at the place of registration of a religious organisation.

In cases where legal relations in the sphere of liquidation of religious organisations are not directly regulated in the present Law, acts of legislation in the field of non-governmental non-profit organisations are applied.

Article 46. Making a record on the liquidation of a religious organisation in the Register

To make a record on the liquidation of a religious organisation in the register, the liquidator sends an application to the Registering body via the electronic system.

Copies of the following documents are attached to the request:

an announcement published in a periodical about the liquidation of a religious organisation;

liquidation balance sheet approved in accordance with the established procedure;

certificates of servicing banks on closing all accounts of a religious organisation;

documents certifying the fact of disposal of the remaining property after full satisfaction of creditors' claims;

act on destruction of seals and stamps;

licenses and permits (if available);

conclusion of the state tax service on the absence of debts in taxes and fees;

notification of the authorized state body for enforcement of judicial acts and acts of other bodies on the absence in the proceedings of an outstanding executive document in which a religious organisation participates as a debtor;

a certificate confirming the submission of documents of a religious organisation to the state archive.

At the same time, the original documents are submitted to the Registering body within two working days.

Within five working days after receiving the request of the liquidator, the Registering body shall enter a record on liquidation of a religious organisation in the Register.

Making of a record in the Register may be refused if the full list of documents is not provided or they are not properly executed, and it is also established that the submitted documents contain deliberately inaccurate information.

In case of refusal to make a record in the register, the Registering body sends a notification to the liquidator via the electronic system indicating the grounds for refusal.

The decision to make a record in the Register is made in the form of an opinion of the head of the Registering body.

After making a record on the liquidation of a religious organisation in the Register, the Registering body within two business days:

notifies the liquidator, state tax inspections and statistical authorities about the liquidation of a religious organisation via the electronic system;

transfers licenses and permits (if any) issued to a religious organisation to the authorities that issued them.

A religious organisation is considered to be liquidated from the moment of record made in the Register.

Article 47. Disposal of the property of a religious organisation that has terminated its activities

After the termination of the activity of a religious organisation, the property transferred to it for use is returned to the previous owner.

When a religious organisation terminates its activities, the ownership of the property at its disposal is carried out in accordance with its Charter and legislation. The list of religious property that cannot be recovered from creditors' claims is established by the Cabinet of Ministers of the Republic of Uzbekistan.

In the absence of legal successors, the property becomes the property of the state.

Chapter 7. Final provisions

Article 48. Settlement of disputes

Disputes arising in the sphere of ensuring freedom of conscience and activities of religious organisations are resolved by court order.

Article 49. Liability for violation of legislation on freedom of conscience and religious organisations

Persons guilty of violating the Law on freedom of conscience and religious organisations are liable under the law.