

PUBLIC

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Further Information on UA 138/05, EUR 62/012/2005, 25 May 2005 - Fear of torture or ill-treatment/ Prisoner of conscience

UZBEKISTAN

Saidzhakhon Zainabitdinov (m), human rights defender

According to reports, human rights defender Saidzhakhon Zainabitdinov was sentenced to seven years' imprisonment in Tashkent on 5 January, after what was effectively a secret trial. His current whereabouts are unknown. Amnesty International believes that Saidzhakhon Zainabitdinov is being punished for his legitimate human rights activities and continues to call for his immediate and unconditional release as a prisoner of conscience.

Saidzhakhon Zainabitdinov, the chairperson of the human rights group *Apelliatsia* (Appeal), based in the city of Andizhan, was arrested on 21 May and was held incommunicado until his trial. A closed hearing on his case, at which his relatives and lawyer hired by his family were not present, reportedly began in Tashkent on 4 January. Saidzhakhon Zainabitdinov's 75-year old mother was told that she could attend the hearing, but was unable to do so as she was not told where it would take place. Saidzhakhon Zainabitdinov was convicted of several charges, including "slander" and "spreading information with the aim of causing panic". The court verdict and sentence were not officially disclosed until February.

Saidzhakhon Zainabitdinov was monitoring the protests in Andizhan which escalated on 12-13 May and resulted in government troops allegedly opening fire indiscriminately into the crowd killing and wounding many people, mainly unarmed civilians (see UA 130/05, EUR 62/011/2005, 19 May 2005). International media coverage cited Saidzhakhon Zainabitdinov's account of these events, providing a stark contrast to the official account provided by the Uzbekistani authorities. After initially being held in police custody at the Andizhan Regional Department of Internal Affairs, Saidzhakhon Zainabitdinov was reportedly transferred to Tashkent in July. His family and lawyer were denied information about his whereabouts. In November he was reportedly held in an isolation unit at Tashkent prison.

The sentencing of Saidzhakhon Zainabitdinov appears to confirm fears that human rights defenders who tried to publicize the apparent indiscriminate and excessive use of force by government troops in Andizhan are being victimized by the Uzbekistani authorities for carrying out their legitimate and peaceful work.

RECOMMENDED ACTION: Thanks to all who sent appeals on behalf of Saidzhakhon Zainabitdinov. Amnesty International will use longer-term campaigning methods to lobby the government of Uzbekistan for his release. If possible, please send a final round of appeals, in English, Russian, Uzbek or your own language:

- expressing concern at reports that Saidzhakhon Zainabitdinov was sentenced to seven years' imprisonment after a secret trial on 5 January, and that the judgement rendered in his case was not made public immediately;
- expressing concern that this constitutes a grave violation of Uzbekistan's international obligations to ensure fair trials, as a state party to the International Covenant on Civil and Political Rights;
- urging the Uzbekistani authorities to ensure that Saidzhakhon Zainabitdinov is allowed access to his relatives and to a lawyer of his choice;
- stating that Amnesty International considers Saidzhakhon Zainabitdinov to be a prisoner of conscience, imprisoned solely for carrying out his peaceful and legitimate human rights work, and calling for his immediate and unconditional release;

- reminding the authorities of the right of human rights defenders to carry out their activities without any restrictions or fear of reprisals, as set out in the United Nations Declaration on the Rights and Responsibilities of Individuals, Groups and Institutions to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms.

APPEALS TO:

President

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Salutation: Dear President Karimov

Minister of Internal Affairs

Bahodir MATLIUBOV

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Salutation: Dear Minister Matliubov

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and to diplomatic representatives of Uzbekistan accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY.