

PUBLIC

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7 March 2003

Further Information on EXTRA 05/03 (EUR 62/001/2003, 15 January 2003) Fear of imminent execution/torture and ill-treatment

UZBEKISTAN

**Ilkhom Karimov (m), aged 22
Azamat Uteev (m), aged 21
Evgeny Gugin (m), aged 22**

New names:

**Ilkhom Babazhanov (m), aged 25
Maksud Ismailov (m), aged 26**

Amnesty International has learned that the death sentence of Ilkhom Karimov has been commuted to 20 years' imprisonment. However, the death sentences of the other two men were upheld by the Supreme Court. Their death sentences could be carried out at any time.

Two other men, Ilkhom Babazhanov and Maksud Ismailov, have also been sentenced to death and may be executed imminently. Both men have been charged with premeditated and aggravated murder and were sentenced to death on 10 June 2002. The Supreme Court of Uzbekistan confirmed their sentences in February 2003. Both men also claim that they were tortured while held at the procuracy in the town of Nukus.

According to Ilkhom Babazhanov's sister Gulbakhor Muminova, her brother was only a witness to the crime for which he was sentenced, and the investigator at the procuracy had tortured and ill-treated the two men to make them confess. Gulbakhor Muminova told Amnesty International that gas masks were put over the heads of both men and the air supply was squeezed tight, nearly suffocating them, in a torture method known as "elephant". During the trial Ilkhom Babazhanov tried to withdraw his "confession" stating that he signed it under duress, but the judge ignored his complaint. Azamat Uteev also claims he was tortured using the "elephant" method at the procuracy in Nukus. His attempt to retract his "confession" during the trial was also ignored by the court in Nukus.

BACKGROUND INFORMATION

Amnesty International has learned of at least 22 death sentences and 11 executions in Uzbekistan in 2002. However, the organization believes that the real figures are much higher. Despite Uzbekistan's commitment under Article 17.8 of the 1990 Copenhagen Document which obliges participating states of the Organization for Security and Co-operation in Europe (OSCE) to "make available to the public information regarding the use of the death penalty", the authorities continued to treat information about the practice of the death penalty as a state secret and have failed to publish comprehensive statistics on this issue.

Amnesty International knows of eight cases where death row prisoners were granted clemency or the death sentence was commuted to long-term imprisonment in 2002. Others, however were executed. Refat Tulyaganov and Maksim Strakhov (see EXTRA 41/01, EUR 62/007/2001, 5 July 2001) were executed in January 2002 and May 2002 respectively despite interventions by the UN Human Rights Committee urging the Uzbek authorities to stay the executions.

FURTHER RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English, Russian, Uzbek or your own language:

- acknowledging the right of every state to bring perpetrators to justice;
- stating that you oppose the death penalty under any circumstances as it violates the most fundamental human right, the right to life;

- welcoming the decision to commute the death sentence of Ilkhom Karimov;
- urging the authorities not to execute Ilkhom Babazhanov, Maksud Ismailov, Arzamat Uteev and Evgeny Gugin;
- expressing concern about the allegation that Ilkhom Babazhanov, Maksud Ismailov and Arzamat Uteev were subjected to torture and ill-treatment at the Nukus procuracy in order to force them to confess;
- calling for a full and impartial investigation into the allegations of torture and ill-treatment, for the results to be made public and for those responsible to be brought to justice.

APPEALS TO: (Please note that it may be difficult to send faxes. If a voice answers during office hours, repeat 'fax' until connected; fax machines may be switched off outside office hours five hours ahead of GMT)

President of Uzbekistan

Islam Abduganiyevich KARIMOV

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Telegrams: Prezidentu Karimovu, 700163 Tashkent, Uzbekistan

Fax: + 998 71 2 89 00 46 (Write on the top of your fax: "Tel.: 139 53 75; 139 82 60; 139 59 29; Prezidentu RU; KARIMOVU I.A.")

E mails: presidents_office@press service.uz (if your e mail bounces back, please fax it if possible)

Salutation: Dear President Karimov

Minister of Foreign Affairs

Abdulaziz Khafizovich KOMILOV

Respublika Uzbekistan; 700029 g. Tashkent; pl. Mustakillik, 5; Ministerstvo inostrannykh del RU; Ministru KOMILOVU A.Kh., UZBEKISTAN

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Salutation: Dear Minister

COPIES TO:

Parliamentary Commissioner for Human Rights

Sayora RASHIDOVA

Respublika Uzbekistan; 700035 g. Tashkent; ul. Xalqlar Dostligi, 1; Oliy Majlis RU; Upolnomochennoy po pravam cheloveka pri Oliy Majlis; RASHIDOVOY S., UZBEKISTAN

E mail: ombudsman@uzpak.uz / office@ombudsman.gov.uz

Salutation: Dear Ms Rashidova

and to diplomatic representatives of Uzbekistan accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY.