

**PUBLIC**

**AI Index: EUR 62/008/2004**

**29 April 2004**

**Further Information on EXTRA 05/03 (EUR 62/001/2003, 15 January 2003) and follow-ups (EUR 62/003/2003, 7 March 2003; EUR 62/007/2003, 24 June 2003) - Death penalty**

**UZBEKISTAN**

**Evgeny Gugin (m), aged 23  
Farid Nasibullin (m), aged 31**

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Evgeny Gugin's death sentence has been commuted to 20 years' imprisonment. Farid Nasibullin remains on death row, and could be executed at any time.

On 23 April staff at the Main Administration for the Execution of Punishments told Evgeny Gugin's mother that his death sentence had been overturned, and that he had been transferred from death row to the prison in the town of Andizhan in the Ferghana valley, near his home town, on 15 April.

"We cried and laughed for days and nights out of joy," said Evgeny Gugin's grandmother on 28 April. "We are so happy and want to thank everybody who made this possible."

Evgeny Gugin and his co-defendant Ilkhom Karimov, from the town of Kokand in the Ferghana valley, had been sentenced to death by Tashkent City Court on 28 October 2002, convicted of robbing and killing a woman and a man at their apartment in Tashkent in April 2002. Another co-defendant was sentenced to 20 years' imprisonment in a strict regime prison camp. Evgeny Gugin's mother claims that her son was beaten by police while he was in custody awaiting trial. He was reportedly told that his mother and younger brother would be killed if he did not 'confess' to the murder.

Following complaints, the United Nations Human Rights Committee urged the Uzbek authorities in December 2002 not to execute the two men while their cases were under consideration by the Committee. Ilkhom Karimov's death sentence was commuted in February or March 2003. In January 2004 the Committee informed Evgeny Gugin's family that the Supreme Court of Uzbekistan had given them assurances that they would comply with the Committee's request.

Evgeny Gugin was the first death row prisoner known to Amnesty International who was granted a visit while on death row in Uzbekistan by a minister of religion at the request of the prisoner. In December 2003 a Russian Orthodox priest was given permission to visit him, after repeated requests from the Central Asian diocese of the Russian Orthodox Church. In March 2004 Evgeny Gugin was again able to see a Russian Orthodox priest, who baptized him. In its November 2003 report '*Justice only in heaven*' – *the death penalty in Uzbekistan* (AI Index: EUR 62/011/2003) Amnesty International had expressed concern at limitations of the freedom of religion of prisoners on death row in Uzbekistan. Amnesty International had learned that several death row prisoners had tried without success to obtain religious literature such as the Koran or the Bible from the prison library, and that their requests to speak to a representative of their faith were not granted, although these rights are guaranteed under Uzbek law.

Farid Nasibullin was sentenced to death by Tashkent Regional Court in February 2003, convicted of killing two people. His wife was sentenced to 15 years' imprisonment. Both were reportedly severely beaten by police during the investigation which led to their conviction. Farid Nasibullin's wife was six months pregnant at the time.

**BACKGROUND INFORMATION**

The authorities have never disclosed comprehensive statistics on the application of the death penalty in Uzbekistan, although, as a member of the Organization for Security and Co-operation in Europe, the country has committed itself to “make available to the public information regarding the use of the death penalty”. Amnesty International has recorded 20 death sentences and 28 executions for 2003. However, these figures are believed to reflect only a fraction of the true figure, as it is very likely that most death row prisoners and their families do not have access to anyone who will record, publicize or take action on their cases. Several local human rights groups believe that more than 200 people are executed in Uzbekistan every year.

Including Evgeny Gugin’s case, at least 13 death sentences have been reversed in cases that have been raised by local activists and the international community in the past three-and-a-half years. In 11 of these cases the HRC had intervened urging the authorities of Uzbekistan to stay the execution pending the Committee’s consideration of the case. However, at least nine of these death row prisoners have been executed despite interventions by the HRC.

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

- welcoming the reversal of Evgeny Gugin’s death sentence;
- urging the President to commute the death sentence of Farid Nasibullin;
- expressing concern at allegations that Farid Nasibullin and his wife were severely beaten in police custody, and urging the authorities to open a prompt and impartial investigation into these allegations, with the findings made public and anyone found responsible brought to justice;
- expressing your unconditional opposition to the death penalty as a violation of one of the most fundamental human rights, the right to life, and calling on the authorities to take decisive steps towards the abolition of the death penalty.

**APPEALS TO:**

President of Uzbekistan

Islam KARIMOV; Respublika Uzbekistan; 700163 g. Tashkent; ul. Uzbekistanskaya, 43; Rezidentsia prezidenta; Prezidentu RU; KARIMOVU I.A., UZBEKISTAN

**Telegram: Prezidentu Karimovu, 700163 Tashkent, Uzbekistan**

**Salutation: Dear President Karimov**

Minister of Foreign Affairs

Sodik SAFOYEV; Respublika Uzbekistan; 700029 g. Tashkent; pl. Mustakillik, 5; Ministerstvo inostrannykh del RU; Ministru Safoyevu S.S., UZBEKISTAN

**Fax: + 998 71 139 15 17**

**Salutation: Dear Minister**

**COPIES TO:**

Head of the National Centre for Human Rights

Akmal SAIDOV; Respublika Uzbekistan; 700029 g. Tashkent; I 5/3, Mustakillik Maidoni; Natsionalny tsentr po pravam cheloveka; Predsedatelyu SAIDOV A., UZBEKISTAN

**Fax: + 998 71 139 13 56 / 239 45 16**

**Emails: saidov@hr.uz, office@nchr.uz, ncpch@online.ru**

Chairman of the Supreme Court of the Republic of Uzbekistan

Farukha Mukhiddinova; Respublika Uzbekistan; 700183 g. Tashkent; ul. Abdulla Kodiri, 1; Verkhovny Sud Respubliki Uzbekistan; Predsedatelyu MUKHIDDINOVOY F.

and to diplomatic representatives of Uzbekistan accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.**