

3 August 2001

Further information on EXTRA 41/01 (EUR 62/007/2001, 5 July 2001) - Fear of imminent execution**UZBEKISTAN Nikolay Ganiyev [m], (aged 22); Maksim Strakhov [m],
(aged 24) and Nigmatullo Fayzullayev [m], (aged 26)**

The Supreme Court of Uzbekistan has put Maksim Strakhov's execution on hold for three months. On 1 August Nikolay Ganiyev's mother was officially informed that her son's case had been referred to the Supreme Court for reconsideration. Amnesty International has not received any further news about Nigmatullo Fayzullayev.

The General Procuracy of Uzbekistan reportedly lodged a protest with the Supreme Court and asked for a psychiatric examination of Maksim Strakhov. The Supreme Court decided, on 21 June 2001, that his execution would be put on hold for three months, and, in the meantime, psychiatric tests should be conducted. However, according to Maksim Strakhov's mother, no tests have been carried out so far. Maksim Strakhov had reportedly previously received psychiatric treatment for post-traumatic stress symptoms after military service in Chechnya. According to his lawyer, he was thought to be at risk of suicide during the pre-trial investigation, but the court of first instance and the Appeal Board failed to take this into account when reaching their verdict. The Russian embassy to Uzbekistan reportedly urged the Uzbek authorities to reconsider the case (Maksim Strakhov is a citizen of the Russian Federation). The commander of his unit in Chechnya is said to have written a letter to President Islam Karimov, signed by ten senior army officers, urging the Uzbek President to grant clemency.

On 1 August, Nikolay Ganiyev's mother received a letter from the General Procuracy stating that his case had been referred to the Board of the Supreme Court for reconsideration. However, it is not yet known when the hearing is going to take place.

The mothers of Maksim Strakhov and Nikolay Ganiyev, who were reportedly due to visit their sons today, were denied access to Tashkent prison.

Tamara Chikunova, the mother of Dmitry Chikunov, who was executed in July 2000 (see UA 184/00, EUR 62/13/00, 28 June 2000 and Further information EUR 62/18/00, 13 July 2000) and who now assists the mothers of Maksim Strakhov and Nikolay Ganiyev in raising the cases of their sons, told Amnesty International on the phone today (3 August): "It is so important for Nikolay's and Maksim's mothers to know that they get support from you. Please continue to campaign for them. There are already some results, but we need to carry on."

Nikolay Ganiyev managed to pass on letters to his family with poems he had written on death row. A translation of one of the poems is below:

Bullet, I pray to you not to rush
I know that you are coming to pierce the back of my head
and turn me into lifeless flesh.
Rest at the end of the barrel
you will have enough time to get drunk on my blood.
I lived today until noon

a couple more days will be a victory.
 So young we are, and so much evil we have done
 what a waste of a life that disappeared in the fog.
 Impatiently I wait for sleep to come,
 the chance to dream of our house, the flowers on the windowsill.
 Mother, you will stay in sorrow
 and pray to the angels for help.

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

- urging the President to use his constitutional authority to commute the death sentences of Nikolay Ganiyev, Maksim Strakhov, and Nigmatullo Fayzullayev, as well as all other death sentences that come before him;
- urging the authorities to inform you when the Supreme Court is going to hear Nikolay Ganiyev's case;
- urging the authorities to inform you of the date when Maksim Strakhov is to undergo psychiatric examination;
- expressing sympathy for the victims of crime and their families, but pointing out that the death penalty has never been shown to deter crime more effectively than other punishments, and is brutalizing to all those involved in its application;
- urging the authorities to impose a moratorium on death sentences and executions, in line with the international trend towards abolition of the death penalty and a previous statement from the Uzbek Parliamentary Commissioner for Human Rights who told Amnesty International in 1998 that they were to "abolish the death penalty by stages".

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 the Republic of Uzbekistan

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

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

Telegrams: Prezidentu Karimovu, 700163 Tashkent, Uzbekistan

e-mails: uzinfo@uzinfo.gov.uz (*if your e-mail bounces back, please fax it if possible*)

Salutation: Dear President Karimov

Head of the Clemency Department at the President's Office

Respublika Uzbekistan; 700000 g. Tashkent; Apparat Prezidenta Respubliki Uzbekistan; Otdel po voprosam pomilovaniya; Zaveduyushchemu otdelom;
 AKHMANOVU N.; UZBEKISTAN

Telegrams: Akhmanovu N., Otdel pomilovaniya, 700000 Tashkent, Uzbekistan

Salutation: Dear Mr Akhmanov

Chairman of the Supreme Court of the Republic of Uzbekistan

Respublika Uzbekistan; 700183 g. Tashkent; ul. Abdulla Kodiri, 1; Verkhovny Sud Respubliki Uzbekistan; Predsedatelyu MINGBAYEVU U.

Telegrams: Predsedatelyu Verkhovnogo Suda, Mingbayevu; 700183 Tashkent; Uzbekistan

Salutation: Dear Chairman,

COPIES TO:Oliy Majlis Commissioner for Human Rights

Respublika Uzbekistan; 700008 g. Tashkent; pl. Mustakillik, 2; Oliy Majlis Respubliki Uzbekistan; Upolnomochennoy po pravam cheloveka pri Oliy Majlis RASHIDOVOY S.; UZBEKISTAN;

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Minister of Foreign Affairs of the Republic of Uzbekistan

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

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and to diplomatic representatives of Uzbekistan accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 14 September 2001.