

URGENT ACTION

PRISONER OF CONSCIENCE CRITICALLY ILL

Prisoner of conscience Azimzhan Askarov is critically ill and needs urgent specialized medical intervention. At the start of the final session of his appeal on 10 November, his lawyer asked the appeal court judge to allow his client to be seen immediately by a specialist surgeon. No surgeon had been called by the end of the session and his family and colleagues fear for his life.

Azimzhan Askarov was given a life sentence on 15 September for participation in mass violence and murder in June 2010. The final session of his appeal was on 10 November, and the sentence was upheld.

His lawyer and family members reported on the final day of the hearing that Azimzhan Askarov has not been able to eat for over 15 days because of undiagnosed problems with his digestive tract. At the start of the session his lawyer submitted a petition to the presiding judge to allow for him to be seen by a surgeon urgently given the critical condition of his health. However, he had not been seen by a surgeon by the time the judges returned their verdict. Azimzhan Askarov's colleagues described him as looking very gaunt with yellowish skin. Colleagues and family fear that he may die if he is not examined by a surgeon as soon as possible.

Azimzhan Askarov's lawyer and family members also stated an ambulance had to be called earlier in the day to the detention centre in Bazar-Korgan where Azimzhan Askarov has been held for parts of the duration of the appeal hearing because his condition was deteriorating rapidly. Despite his ill-health, Azimzhan Askarov was transferred to the court building in Nookan to attend the hearing. The family and lawyer were told that the emergency doctor who attended Azimzhan Askarov was unable to give him the necessary medical assistance and recommended that he be seen urgently by a specialist surgeon as he might need to have emergency surgery.

Azimzhan Askarov is not safe at the Bazar-Korgan detention centre; when he was first detained there in June and July he was subjected to prolonged beatings and other ill-treatment; he was also denied necessary medical treatment and his lawyer and family members were threatened and attacked on the premises of the detention centre.

PLEASE WRITE IMMEDIATELY in Russian, Kyrgyz, English or your own language:

- Expressing alarm that Azimzhan Askarov is critically ill and urge the authorities to ensure that he receives appropriate and necessary emergency care immediately, including being transferred to hospital
- Expressing concern that Azimzhan Askarov is being held at Bazar-Korgan detention centre where he has previously been ill-treated and insist that he is moved to a different detention facility
- Reiterating that Azimzhan Askarov should not be in detention or facing trial but is a prisoner of conscience and should be immediately and unconditionally released.

PLEASE SEND APPEALS BEFORE 23 JANUARY 2010 TO:

Minister of Internal Affairs

Zarylbek Rysaliev
Frunze Street, 469
Bishkek 720040
KYRGYZSTAN
Fax: +996 312 682044
Email: pressa@mail.mvd.kg
Salutation: Dear Minister

General Prosecutor

Kubatbek Baibolov
Orozbekova Street, 72
Bishkek 720040
KYRGYZSTAN
Fax: +996 312 665411
Salutation: Dear General Prosecutor

And copies to:

President
Roza Otunbaeva
Dom pravitelstva
Bishkek 720003
KYRGYZSTAN
Fax: +996 312 625012
Email: admin@kyrgyz-el.kg

Also send copies to diplomatic representatives of Kyrgyzstan accredited to your country. Please check with your section office if sending appeals after the above date. This is the sixth update of UA 135/10 Further information: <http://www.amnesty.org/en/library/info/EUR58/015/2010/en>

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ADDITIONAL INFORMATION

Amnesty International believes that Azimzhan Askarov has been targeted for his legitimate activities as a human rights defender. He is the director of the human rights organization *Vozdukh* (Air) and he has been documenting police ill-treatment of detainees in the district of Bazar Korgan and other parts of the Jalal-Abad region for years. In June 2010, during the violence in south of Kyrgyzstan, Azimzhan Askarov filmed and photographed killings and arson attacks on mostly Uzbek homes and other buildings in Bazar Korgan, allegedly by groups of armed men and men in military uniforms claiming to be Kyrgyz.

He was detained on 15 June 2010 in Bazar Korgan on suspicion of “organizing mass disorder” and “inciting ethnic hatred” in connection with the death of one police officer during the violence that month. On 13 August he was charged with “attempting to participate in hostage taking,” “storage of ammunition,” “storage of extremist literature,” “inciting ethnic hatred,” “mass riots,” “being an accomplice to premeditated murder” and “being an accomplice in the killing of a law enforcement officer.” According to local human rights defenders, Azimzhan Askarov was subjected to prolonged beatings on the premises of the police station in Bazar Korgan to force him to hand over his film footage and confess to the murder of the police officer.

He was sentenced to life imprisonment and the confiscation of his property by the Nookan district court on 15 September after a blatantly unfair trial.

Local and international human rights monitors said that during the trial hearing of Azimzhan Askarov and seven co-defendants on 2 September, relatives of the dead police officer attacked and threatened Azimzhan Askarov’s lawyers and family, both inside and outside the courtroom.

Azimzhan Askarov and three of the other defendants appeared at the 6 September hearing with visible bruises on their faces which had not been apparent at the 2 September hearing, suggesting they had been beaten between the two hearings while in custody.

The appeal court hearings started on 25 October in Tash-Kumir some 20 km from Bazar-Korgan in order to guarantee the safety of the defendants, their lawyers and the judges. Armed police officers were guarding the court room. Relatives of the murdered police officer were reportedly less disruptive during the sessions, nevertheless they shouted abuse and threats at the defendants and their lawyers, held up posters asking for the death penalty to be given to the defendants, threw water at Azimzhan Askarov’s lawyer and made death threats against the lawyer of one of the other defendants. No witnesses for the defence were called during the first appeal court sessions. On 3 November the court hearings transferred to Nookan where the trial of first instance had taken place.

On 4 November eyewitnesses reported seeing several defendants with visible signs of beatings leaving the court building in Nookan at the end of the day’s hearing. Observers had been asked to leave the court room before the defendants were removed and so it was not clear who had beaten the defendants. At least one defendant was kicked and beaten by police officers outside the court building as he was escorted to the vehicle taking the defendants back to the Bazar-Korgan detention centre. Defence lawyers asked for forensic medical examinations to be conducted immediately but prosecutors in Bazar-Korgan refused to order any. Human Rights Defenders said that instead the prosecutor’s office held a press conference and denied that any beatings had taken place.

Further information on UA: 135/10 Index: 58/020/2010 Issue Date: 10 November 2010

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