

EXTRA 11/02
29 January 2002

Fear of imminent execution / Torture, ill-treatment

UZBEKISTAN

Aleksander KORNETOV (m), aged 24 (_____)

Amnesty International believes that Aleksander Kornetov is in imminent danger of execution. His only hope to avoid execution is clemency from President Islam Karimov.

Aleksander Kornetov was sentenced to death by Tashkent Regional Court on 7 August 2001 for the premeditated aggravated murder of a young woman. He reportedly maintained his innocence during the investigation and at the trial, although he was reportedly beaten to make him confess. His appeal was turned down by the board of the court on 26 December.

Aleksander Kornetov was detained on 11 January 2001. His mother says she was not told he had been arrested until four days later. When she went to see him at the police station in the Chilanazarsky district of Tashkent she reportedly saw the investigator slapping her son in the face and hitting his head. When the investigator saw her, he reportedly told her that if she wanted to see her son alive she should go away.

On 17 January, members of Aleksander Kornetov's family were reportedly summoned to the police station for questioning. His mother again witnessed her son being ill-treated: "I saw how three law enforcement officers were beating my son like animals. They were kicking him in the office of the investigator. My son was crouching, and when he tried to protect his head with his hands, they shouted at him 'put your hands down, you bastard'." During the investigation Aleksander Kornetov reportedly tried to commit suicide and told his mother: "I'd rather die than go through that beating again."

Reportedly, Aleksander Kornetov suffers from open tuberculosis and is not receiving appropriate medical treatment in prison. His mother has reportedly taken parcels of food and medicine to the prison, but has not been allowed to give them to him.

BACKGROUND INFORMATION

In October 2001 the *Oliy Majlis* (parliament) reduced the number of offences punishable by death from eight to four. Premeditated aggravated murder remains punishable by death.

In 1998 the Parliamentary Commissioner for Human Rights in Uzbekistan, Sayora Rashidova, had informed Amnesty International that moves to reduce the number of articles in the Uzbek Criminal Code carrying a possible death sentence were part of Uzbekistan's policy to "abolish the death penalty by stages". This latest reduction appears to be part of this policy. However, Amnesty International has continued to receive a high number of reports of new death sentences. In September 2001 President Karimov publicly stated that around 100 people were executed in Uzbekistan each year.

As information on the death penalty is considered a state secret, no comprehensive statistics on the number of those sentenced to death and executed are made public. In many cases even a prisoner's immediate family are not told whether he or she has been executed. The UN Committee against Torture asked the Uzbek government delegation for death penalty figures at its November 1999 session, but did not receive them. In its concluding observations to its March 2001 session the UN Human Rights Committee "deplore[d] the State party's refusal to reveal the number of persons who have been executed or condemned to death, and the grounds for their conviction" and asked Uzbekistan once again to provide the Committee with such information as soon as possible.

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

- urging the President to use his constitutional authority to commute the death sentence passed on Aleksander Kornetov, as well as all other death sentences that come before him;
- urging the authorities to open a prompt and impartial investigation into allegations that Aleksander Kornetov was ill-treated at the Chilanazarsky district police station, by the investigator on 15 January and by three police officers on 17 January, with the results made public and those found responsible brought to justice;
- 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;
- welcoming the October 2001 reduction in the number of articles in the Criminal Code that are punishable by death, and urging the authorities to build on this positive step by imposing a moratorium on death sentences and executions, in line with the international trend towards abolition of the death penalty;
- urging the authorities to publish comprehensive statistics regarding death sentences and executions in Uzbekistan, which would be in line with Recommendation 7 adopted by the United Nations Human Rights Committee on 4 April 2001.

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, Islam Abduganiyevich KARIMOV

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,

Minister of Foreign Affairs, Abdulaziz Khafizovich KOMILOV

Respublika Uzbekistan; 700029 g. Tashkent; pl. Mustakillik, 5; Ministerstvo inostrannykh del

Respubliki Uzbekistan; Ministru KOMILOVU A.Kh., UZBEKISTAN

Telegrams: Ministru inostrannykh del, 700029 Tashkent, Uzbekistan

Salutation: Dear Minister,

Faxes: + 998 71 139 15 17

General Procurator, Rashidjon Hamidovich KODIROV

Respublika Uzbekistan; 700047 g. Tashkent; ul. Gulyamova, 66; Prokuratura Respubliki Uzbekistan; Generalnomu prokuroru; KODIROVU R. Kh., UZBEKISTAN

Telegrams: Generalnomu prokuroru, 700047 Tashkent, Uzbekistan

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Salutation: Dear Procurator General

COPIES TO:

Chairman of the Supreme Court, Ubaydulla MINGBAYEV

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

Parliamentary Commissioner for Human Rights, Sayora RASHIDOVA (Ms)

Respublika Uzbekistan; 700035 g. Tashkent; ul. Xalqlar Do'stligi, 1; Oliy Majlis
Respubliki Uzbekistan; Upolnomochennoy po pravam cheloveka pri Oliy Majlis;
RASHIDOVOY S., UZBEKISTAN

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 26 February 2002.