

21 December 2001

Further information on UA 285/01 (EUR 62/017/2001, 7 November 2001) - Fear of torture/Fear for safety**UZBEKISTANYusuf Dzhumaev, poet**

A number of UA appeal writers have received a standard reply from the Uzbek authorities claiming that Yusuf Dzhumaev was detained because his poems called for a *jihad* against the government. Amnesty International believes this accusation is untrue, and Yusuf Dzhumaev has been detained solely to punish him for exercising his right to freedom of expression. According to unofficial sources, the Procurator General has asked for him to be released.

According to replies from the head of the Tashkent City Office of the National Security Service (SNB), Yusuf Dzhumaev was detained on the basis of accusations by relatives that he had "published and distributed materials, as well as poems, in which he called upon the population of Uzbekistan to conduct *holy jihad*, which is considered a grave crime against the country and the whole world on the basis of the Criminal Code of the [Republic of Uzbekistan."

However, he concedes that "Dzhumaev had published his critical materials about Uzbekistan in foreign periodicals for several years [but these had] never [led to] harassment and prosecution."

According to reliable sources close to Yusuf Dzhumaev's family, several of his neighbours (not his relatives) had accused him of trying to enlist people to take up arms against the government, but only because they had a long-standing personal grudge against Yusuf Dzhumaev. These sources claim that other neighbours have signed petitions claiming the poet is innocent, and asking for him to be released. The SNB reportedly called some of these people to a meeting, and threatened to arrest them if they did not withdraw the petition. SNB officers reportedly beat several of them, but they refused to withdraw the petition. SNB officers from the Karakul district branch have reportedly gone round Yusuf Dzhumaev's local collective farm trying to force people to give written statements that the poet had called for an armed uprising.

The General Procuracy has written to the independent Human Rights Society of Uzbekistan explaining that the Committee for Religious Affairs at the Council of Ministers had concluded that the poems and notes found at Yusuf Dzhumaev's home contained calls for the violent overthrow of the government. However, human rights monitors and experts who have read Yusuf Dzhumaev's poems disagree, saying they do not contain calls for violence, however critical they may be of those in power. According to one US-based expert the use of the term *jihad* in one of Yusuf Dzhumaev's poems has been misunderstood: it does not refer to a violent military campaign or armed uprising, but rather to a "spiritual and personal" quest "to overcome all sins". *Jihad* translates as "strive, effort, struggle" to follow Islam; it can include the defense of Islam, such as a holy war, but does not stand exclusively for a violent armed struggle.

Yusuf Dzhumaev is still held at the SNB pre-trial detention facility in Bukhara. His wife has reportedly confirmed to human rights monitors that he is not being ill-treated. However, she also reported that his health had deteriorated and that he was suffering from severe headaches and high blood pressure.

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

- welcoming reports that Yusuf Dzhumaev is being treated well in custody, but expressing concern that his health has apparently deteriorated, and calling for him to be given appropriate medical attention;
- respectfully explaining that Amnesty International believes that the claim that Yusuf Dzhumaev's poems call for the violent overthrow of the government is based on a misinterpretation of his words;
- continuing to express concern at allegations that the criminal charge against him has been brought solely to punish him for exercising his fundamental right to freedom of expression, and pointing out that, if so, Amnesty International will regard him as a prisoner of conscience, who should be released immediately and unconditionally.

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 Abduqaniyevich 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 National Security Service of the Republic of Uzbekistan, Rustam INOYATOV

Respublika Uzbekistan; g. Tashkent; ul. Novruz, 1; Natsionalnaya sluzhba bezopasnosti Respubliki Uzbekistan; Predsedatelyu INOYATOVU R., UZBEKISTAN

Head of the National Centre for Human Rights, Akhmal SAIDOV

Respublika Uzbekistan; 700008 g. Tashkent; 5/3, Mustakillik Maidoni;

Natsionalny tsentr po pravam cheloveka; Predsedatelyu SAIDOV, A., 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;
RASHIDOVYOY 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 2 February 2002.