

PUBLIC

AI Index: EUR 62/10/00

UA 115/00

Fear of i

UZBEKISTAN Rafael Farkhatovich MUBARAKSHIN (_____),
aged 20, student

Rafael Mubarakshin's appeal against his death sentence has been rejected, and he could be executed at any time. His only hope is a pardon from President Karimov.

Rafael Mubarakshin, a student at Tashkent Aviation Institute, was convicted of the premeditated, aggravated murder of another student and sentenced to death by Tashkent City Court in December 1999. The Supreme Court turned down his appeal on 14 February.

Amnesty International is concerned at allegations that Rafael Mubarakshin was ill-treated in detention at Khamzinsky police station in Tashkent. He is now on death row in Tashkent prison, where conditions have been described by former prisoners as particularly harsh.

Rafael Mubarakshin's mother says that he confessed to the murder and told her: "I want to redeem my guilt. I want to serve my sentence, but please don't kill me."

Amnesty International opposes the death penalty in all cases and without reservation, as a violation of the right to life and the right not to be subjected to cruel, inhuman or degrading treatment or punishment, as proclaimed in the Universal Declaration of Human Rights.

BACKGROUND INFORMATION

Uzbekistan retains the death penalty for eight offences, including aggravated murder. In 1998 the *Oliy Majlis* (parliament) removed the death penalty from the criminal code as a punishment for five other offences.

The Parliamentary Commissioner for Human Rights in Uzbekistan, Sayora Rashidova, informed Amnesty International that this development was part of Uzbekistan's policy to "abolish the death penalty by stages". Since then Amnesty International has learned of at least 47 death sentences and 15 executions in Uzbekistan. However, as information on the death penalty is regarded as a state secret, the real number of those sentenced to death and executed may be much higher. The UN Committee against Torture asked the Uzbek government delegation for these figures at its November 1999 session, but did not receive them.

Amnesty International has consistently pressed the Uzbek authorities to reduce the scope of the death penalty as a step towards total abolition. The organization has also asked that Uzbekistan impose a moratorium on death sentences and executions pending a review of this punishment and that they publish comprehensive statistics on the application of the death penalty.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in Russian or your own language:

- urging the President to use his constitutional authority to commute the death sentence passed on Rafael Mubarakshin, as well as all other death sentences that come before him;
- urging the authorities to enter a new stage of their "policy to abolish the death penalty by stages" and impose a moratorium on death sentences and

executions pending a comprehensive review of the death penalty, in line with the international trend towards abolition of the death penalty;

- expressing concern at allegations that Rafael Mubarakshin was ill-treated in detention at Khamzinsky police station and asking the authorities to launch an independent and impartial investigation into these allegations;

- 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.

APPEALS TO (Please note that fax numbers are difficult to obtain. If a voice answers, repeat 'fax' until connected; otherwise it is advisable to leave your fax machine on auto-redial):

President of the Republic of Uzbekistan

Respublika Uzbekistan

700163 g. Tashkent

ul. Uzbekistanskaya, 43

Rezidentsia prezidenta

Prezidentu Respubliki Uzbekistan

KARIMOVU I.A.

UZBEKISTAN

Telegrams: Prezidentu Karimovu, 700163 Tashkent, Uzbekistan

Faxes: + 998 71 139 53 15 / 139 53 25

e-mails: uzinfo@uzinfo.gov.uz

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.

UZBEKISTAN

Telegrams: Mingbayevu U., Verkhovny sud, 700183 Tashkent, Uzbekistan

Salutation: Dear Mr. Mingbayev

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

Faxes: + 998 71 139 85 55

E-mails: mtillaboev@oliymajlis.gov.uz

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

Faxes: + 998 71 139 15 17

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 22 June 2000.