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H.E. Mr. Ban Ki-moon
Secretary General of the United Nations
760 United Nations Plaza
New York, NY 10017
United States

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**AMNESTY
INTERNATIONAL**



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OPEN LETTER: CALL ON AUTHORITIES TO END TORTURE AND OTHER ILL-TREATMENT IN UZBEKISTAN

Dear Secretary-General,

As you prepare to embark on a visit to Central Asia, I am writing to draw your attention to our report on Uzbekistan, released in April 2015 as part of our “Stop Torture” campaign. The report - ***Secrets and lies: Forced confessions under torture in Uzbekistan*** - indicates that the police and secret police in the country continue to torture with impunity. Concerted action by all stakeholders, including the United Nations, remains urgent and I wish to encourage you to continue to put your good offices behind the efforts to eliminate the routine and pervasive practice of torture in Uzbekistan.

We appreciate the efforts undertaken to date by the United Nations and its mechanisms to address human rights violations in Uzbekistan, including those by UN Assistant Secretary General Ivan Šimonović during his visit to the country in May 2013. Over the last two decades, international human rights mechanisms - in particular the UN Committee against Torture (CAT) and the UN Human Rights Committee - have repeatedly raised concerns over the pervasive and systemic use of torture and other ill-treatment in Uzbekistan. However, the authorities have emphatically rejected all such assertions. In 2002, the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, carried out a country visit at the invitation of the government. The government, nonetheless, categorically objected to the Special Rapporteur’s findings (UN document E/CN.4/2003/68/Add.2) that torture was “systematic”, and has since failed to respond to requests for further visits. Requests for visits by 13 Special Procedures of the Human Rights Council have been pending for the past 12 years.

Contrary to the authorities’ brazen and systematic denials, our research shows that torture and other ill-treatment and the admission in criminal trials of evidence extracted under torture, remain persistent problems in Uzbekistan. Torture and other ill-treatment have become defining features of the Uzbekistani criminal justice system - and are central to how the authorities deal with dissent, combat actual or perceived security threats, and maintain their grip on power.

Aigul Bekzhanova, daughter of Muhammed Bekzhanov, the unjustly imprisoned editor of the banned opposition newspaper Erk (Freedom), told our researchers about the torture her father has suffered during 16 years in prison after a flagrantly unfair trial: “He was beaten so severely. They threw him on the floor, his right side was paralysed. His leg was broken and his arm was broken, teeth knocked out. He tells my mother ‘I am lying there in a pool of blood for at least a few days, no water, no food. I am trying to remember all the good things in my life, my children, my wife. And mentally I am preparing myself that I am going to die.’ Muhammad Bekzhanov was convicted in 1999 for allegedly committing “anti-state” offences, despite claiming at his trial that he had been tortured in order to confess to fabricated charges. He stated that he had been beaten with rubber truncheons, suffocated, and given electric shocks. The court did not take any of the allegations into account: the trial flagrantly violated

international standards of fairness. Muhammad Bekzhanov should be released immediately and reunited with his family.

Torture and other ill-treatment continue to be used to force confessions and other information from those in the custody of the police and the security service. Courts continue to rely heavily on these torture-tainted “confessions” to hand down convictions. Further, judges continue to ignore or dismiss them as “unfounded” allegations of torture or other ill-treatment, even when presented with credible evidence in court. In a 2014 case, where two men were convicted and sentenced to 10 years in prison for their alleged membership of Hizb-ut-Tahrir, both men adamantly denied the charges and alleged in court that security forces had tortured them to sign false confessions. When the judge asked one of the defendants why he had confessed, he replied: “I couldn’t bear the torture, that’s why. If you don’t believe me then look at my arm”. The two men claimed that security forces had pressed their hands and feet against a hot stove and burned them, and one told the judge that security forces had pulled out his fingernails and toenails. The judge listened in silence to the allegations, failed to make further inquiries, and admitted the confessions as evidence. Such flagrant disregard for Uzbekistan’s international obligation to investigate allegations of torture and hold perpetrators accountable, must stop.

Men and women charged with or convicted of “anti-state” and terrorism-related offences are particularly vulnerable. The Uzbekistani authorities often invoke national security, the fight against terrorism, and combating “anti-state” activity, to justify repressive measures against Muslims worshipping outside state controlled mosques or under independent imams; actual or suspected members of outlawed Islamist groups; and parties and members of secular opposition parties.

The US-led global “war on terrorism”, Uzbekistan’s position as a key ally of the US government in relation to the war in Afghanistan, and the rise of the armed group calling itself Islamic State (IS) in Syria and Iraq, all facilitate the government’s claims that without strong action against militant groups, Uzbekistan will be vulnerable to terrorist attacks.

Amnesty International recognizes the obligation of governments to protect the rights and lives of their citizens and to take appropriate measures to bring the perpetrators of attacks that target the general population to justice. However, any measures taken by the government must be in accordance with international human rights law and standards.

Violations of these standards are routine in large part due to the fact that the Uzbekistani authorities prohibit independent monitors from inspecting all places of detention. No independent non-governmental or intergovernmental organization, domestic or international, is permitted to carry out any form of regular, unannounced and unsupervised prison monitoring. In April 2013, the International Committee of the Red Cross terminated all visits to detainees in Uzbekistan claiming publicly that such visits were “pointless” given the restrictions imposed by the authorities. The Uzbekistani government has refused to ratify the Optional Protocol to CAT (OPCAT), which requires states to accept a system of regular visits to all places of detention by independent “national preventive mechanisms” and by an international expert body.

Human rights defenders in Uzbekistan have long been appealing to the international community to address Uzbekistan’s appalling human rights practices. As you will know, Azam Farmonov, unjustly prosecuted and convicted in 2006 to nine years in the notorious Jaslyk prison, used toilet paper on which to pen a letter to you, in which he recounted the abuses he had suffered in Uzbekistan’s criminal justice system. In the letter, which surfaced in May 2015, Azam called for help to secure his freedom from a system where “inmates have no rights whatsoever to make statements, to complain or to appeal – [and] the institution’s administration openly violates these and other rights.” Azam Farmonov’s sentence was extended in May 2015 for another five years allegedly for breaking prison rules, a charge the Uzbekistani authorities routinely invoke to keep human rights defenders and others perceived as threats, in prison beyond their original sentences. The UN Committee against Torture has called for Farmonov’s immediate release.

With this, I respectfully request that you, in your meetings with the Uzbekistani leadership:

- Express serious concern at the rampant use of torture and other ill-treatment, practiced with impunity.
- Urge the authorities to take meaningful steps to fully address the concerns and effectively implement all the recommendations of the UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, the Committee against Torture and the Human Rights Committee, and
- Call on Uzbekistan to ratify OPCAT, and issue a standing invitation to the Special Procedures of the UN Human Rights Council.

If the Uzbekistani authorities were to positively respond to such requests, it would go a long way toward rectifying the country's appalling human rights record and giving victims a measure of remedy they so rightly deserve.

Yours sincerely

A handwritten signature in black ink, appearing to read "Salil Shetty". The signature is written in a cursive, fluid style with a horizontal line underneath the name.

Salil Shetty
Secretary General