

URGENT ACTION

FISH FARMER TORTURED, JAILED AFTER UNFAIR TRIAL

Fish farmer Aramais Avakian was sentenced on 19 February to seven years in prison for “plotting anti-constitutional activities” following an unfair trial. He had been detained since 4 September 2015 and was subjected to torture.

Fish farmer **Aramais Avakian** was sentenced to seven years in prison on 19 February. He was charged with plotting anti-constitutional activities, sabotage, production or dissemination of threatening materials, participation in a religious extremist organization and theft (articles 159, 161, 244 and 169 of the Uzbekistani Criminal Code, respectively). Aramais Avakian denies all the charges. The final hearing before the Dzhizakh Regional Criminal Court, in Dzhizakh, north-eastern Uzbekistan, lasted a little more than an hour. Aramais Avakian’s wife was not allowed to enter the court room and according to information received by Amnesty International, his lawyer was disbarred three days before the hearing. A relative of one of the prosecution witnesses claimed that the witness was beaten and pressured into incriminating the defendant. Aramais Avakian is planning to appeal the decision.

On 4 September, Aramais Avakian and four of his friends failed to return to their homes and their relatives reported them missing. On 5 September relatives of two of the men received text messages from unknown Kazakhstani mobile numbers stating that they had left to carry out “jihad”. Forty days later, the authorities informed the relatives of the five men that they had all been detained since 4 September. According to the relatives this makes it unlikely that the text messages were sent by the men. Local human rights defenders have been able to ascertain that masked officers of the National Security Service (SNB) stopped the car in which Aramais Avakian and his friends were travelling, forcibly removed them, hooded them, and took them to an SNB detention centre in the capital Tashkent, where they were held incommunicado and subjected to torture in order to force them to sign confessions. Later, they were taken to the pre-trial detention centre in Dzhizakh, where they are currently held. During the court hearing on 2 February, all defendants except Aramais Avakian confessed to the crimes they had been charged with and asked for forgiveness.

The first time when Aramais Avakian’s family was able to see him since his disappearance on 4 September 2015, was at a court hearing on 6 January 2016. Aramais Avakian’s hands were bruised, he had visibly suffered significant weight loss, and was barely able to stand. He was brought to court on a stretcher. Media reports quoted a source in the law enforcement services explaining Aramais Avakian’s had broken his leg “having fallen from his chair”. Sources close to Aramais Avakian claim that he had also been given electric shocks.

Please write immediately in Uzbek, Russian, English or your own language:

- Urging the authorities to carry out a prompt, impartial and effective investigation into the allegations of torture and other ill-treatment of Aramais Avakian, and bring those responsible to justice;
- Calling on them to ensure that Aramais Avakian has full access to all legal safeguards in detention, including unimpeded access to a lawyer of his choice, and any medical treatment he might require;
- Urging the Uzbekistani authorities to ensure that Aramais Avakian’s appeal hearing is held in full conformity with international fair trial standards.

PLEASE SEND APPEALS BEFORE 1 APRIL 2016 TO:

Prosecutor General

Ihtior Abdullaev
Prosecutor General’s Office
ul. Gulyamova 66
Tashkent 100047 Uzbekistan
Fax: +998 71 133 39 17
Email: info@prokuratura.uz

Salutation: Dear Prosecutor General

Minister of Internal Affairs

Adham Ahmedbaev
Ministry of Internal Affairs
ul. Junus Rajabiy 1
Tashkent 100029 Uzbekistan
Fax: +998 71 233 89 34
Email: info@mvd.uz

Salutation: Dear Minister

And copies to:

Chairman of the National Security Services of Uzbekistan (SNB)
Rustam Inoyatov
Predsedatel Sluzhby Nacionalnoj bezopasnosti Respubliki Uzbekistan
Ulica Matbuotchilar 9
Tashkent, Uzbekistan

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

Aramais Avakian owns a fish farm in Dzhizakh. His family and friends believe that the reason for his prosecution is because the local authorities are interested in taking over his fish farm, which he had turned into a successful business.

The final hearing was originally scheduled for 18 February, however after waiting for several hours outside the court, relatives were informed that the hearing was postponed until the following day. On 19 February, when Aramais Avakian's wife came to the court building at 9 am, she was told that the hearing had not yet started, and she was not allowed into the building until 10 am. At this point, after passing the first security check, she was told that the hearing had already started at 9 am, and was not allowed to attend.

Torture is endemic in Uzbekistan's criminal justice system. It is central to how the Uzbekistani authorities deal with dissent, combat actual or perceived security threats and repress political opposition. Security forces use torture against men and women charged with criminal offences, such as theft and murder, as well as against individuals who have fallen out of favour with the authorities, including former officials, police officers and entrepreneurs. Increasingly, however, over the last 15 years, those particularly vulnerable to torture and other ill-treatment have been men and women charged with or convicted of "anti-state" and terrorism-related offences.

Methods of torture or other ill-treatment in detention described by former prisoners, including released human rights defenders, include sustained beatings of detainees with batons, iron rods and bottles filled with water while they are handcuffed to radiators or suspended from ceiling hooks; asphyxiation with plastic bags or gasmasks with the air supply turned off; insertion of needles under finger or toe nails; electroshock; and rape and sexual assaults to both women and men. Amnesty International's research shows that in the vast majority of cases the authorities have failed to conduct effective investigations into allegations of torture or other ill-treatment by detainees.

Amnesty International documented the case of Vahit Güneş, a successful Turkish businessman who ran a chain of department stores in Uzbekistan until he was arrested and tortured in 2011. Vahit Güneş spent 10 months in a National Security Service (from the Russian: Sluzhba Natsionalnoi Bezopastnosti) detention centre in Tashkent from March 2011 until his release following a presidential amnesty in December 2011. He and four co-defendants, his fellow business partners, were then deported to Turkey. He alleged that he and others had been tortured in the SNB detention centre in Tashkent in order to force them to sign false confessions and that they had been unable to choose their own lawyers. He alleged that other detainees had been tortured in the SNB pre-trial detention centre, and that some had died as a result.

For more information about torture in Uzbekistan please see the report *Secrets and Lies: Forced confessions under torture in Uzbekistan* (<https://www.amnesty.org/en/documents/eur62/1086/2015/en/>).

Name: Aramais Avakian

Gender m/f: M

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