

AMNESTY INTERNATIONAL

TURKMENISTAN: APPEAL CASES

7 June 2002¹; AI Index: EUR 61/002/2002; public

Amnesty International is calling for the release of longstanding possible prisoner of conscience Mukhametkuli Aymuradov

Mukhametkuli Aymuradov, born 1954, married with two children and two grandchildren, was sentenced to 15 years' imprisonment in 1995 after a reportedly unfair trial. He received an additional prison term of 18 years in 1998. Amnesty International is concerned at reports that these sentences were politically motivated. The death in custody of his co-defendant Khoshali Garayev in unclear circumstances in September 1999 has heightened Amnesty International's concern for Mukhametkuli Aymuradov's safety.

Amnesty International is calling for the release of possible prisoner of conscience Mukhametkuli Aymuradov on the grounds that repeated calls for a fair retrial of his case have gone unheeded and there does not appear to be a prospect of his being given a fair trial. In addition, the organization is concerned at reports that Mukhametkuli Aymuradov's state of health is very poor and that he is denied appropriate medical treatment.

Photo: Mukhametkuli Aymuradov;© Private

Mukhametkuli Aymuradov and Khoshali Garayev were reportedly arrested and forcibly removed to Turkmenistan during a trip to Tashkent, Uzbekistan, in October 1994, by members of the Turkmen Committee for National Security. On 21 June 1995 the two men were convicted of anti-state crimes including "attempted terrorism" in a closed session of the Judicial Collegium for Criminal Cases at the Supreme Court of Turkmenistan. There was no substantial evidence that Mukhametkuli Aymuradov and Khoshali Garayev were guilty of the charges brought against them or had used or advocated violence, and Amnesty International believes that there is compelling circumstantial evidence to support allegations that the two had been punished solely because of their association with exiled opponents of the government of Turkmenistan.

On 10 December 1998 Mukhametkuli Aymuradov and Khoshali Garayev were sentenced to an additional 18 years' imprisonment, five years to be spent in a maximum security prison. The charges included "disrupting the normal working of a penal institution" under Article 213 of the Turkmen Criminal Code. The new sentences related to an alleged prison escape attempt in October 1998. There have been credible and persistent allegations that the escape attempt was orchestrated by the authorities to avoid the possibility of Mukhametkuli Aymuradov and Khoshali Garayev being transferred, under their previous sentence, from the maximum security regime in Turkmenbashi (formerly Krasnovodsk) to a less restrictive one.

Close family members were not informed until the end of November that Mukhametkuli Aymuradov and Khoshali Garayev were facing new charges. During the investigation a lawyer assigned to Mukhametkuli Aymuradov had limited access to him. It was originally reported that the new trial would be held on 30 November 1998 in a closed court in the maximum security prison at

¹ Please use this Appeal Case sheet as the basis for your letter-writing and outreach until further notice.

Turkmenbashi and that only the prisoners' lawyers would be allowed access. However, after concern was expressed by foreign diplomats and international human rights organizations, the trial was twice postponed. It eventually opened on 7 December before the Supreme Court, which sat in Turkmenbashi. The second Secretary of the United States Embassy in Ashgabat was allowed to attend the trial, as was the wife of Mukhametkuli Aymuradov. Charges of a political nature had been dropped from the charge sheet which was handed to the defendants' lawyers, reportedly only 10 minutes before the trial was due to start.

In September 1999 Khoshali Garayev died in the maximum security prison in Turkmenbashi. His family were informed of his death on 10 September 1999. They received no death certificate and no official written explanation of his sudden death, and were apparently allowed neither to view the body nor to have an autopsy conducted. According to prison authorities, Khoshali Garayev hanged himself after he was put in solitary confinement following a fight in his cell. In a letter shortly before his death, however, he had appeared hopeful that he would benefit from an upcoming presidential amnesty and that he would be back with his family in the year 2000. Khoshali Garayev's death heightened Amnesty International's concerns for the safety of Mukhametkuli Aymuradov.

The organization is also concerned about Mukhametkuli Aymuradov's continuing poor state of health. His wife Alina Aymuradova told Amnesty International on 31 May 2002: "When I saw my husband last month he looked very ill. He was extremely thin." Reportedly, he has not been receiving appropriate medical attention for health problems which have included a gastric ulcer, cholecystitis, a heart attack and recurring inflammations of the kidneys and the bladder. Unofficial sources have also said that Mukhametkuli Aymuradov's eyesight has badly deteriorated. In a letter to Amnesty International Mukhametkuli Aymuradov wrote: "Conditions of imprisonment are extremely harsh ... I am suffering insults, humiliation, hunger, illness, including infectious diseases, absence of essential medication, cold in the winter, exhausting heat in summer. They refuse to accept and pass on food which my wife and children send from home. All this I have to endure at my age, in my state of health and with my illnesses."

Alina Aymuradova also mentioned to Amnesty International some positive developments: "I learnt in January 2002 that my husband had been transferred from a cell with 14 prisoners to a cell with five to six prisoners. Also, since the beginning of this year a new regulation is in force that permits me to see him once every three months for twenty minutes instead of every six months for the same length of time."

Recommended actions:

Please send politely worded letters in English, Russian, Turkmen or your own language (*if you write in Russian it would be good to apologise for not writing in Turkmen and explain that this is because you do not know the language*). 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; if the fax does not work, please send your letter by post).

raising concern at allegations that criminal charges against Mukhametkuli Aymuradov have been used solely as a pretext to punish him for his non-violent association with exiled

<p>President of Turkmenistan Saparmurad NIAZOV</p> <p>Turkmenistan: 744000 g Ashgabat; Apparat Prezidenta Prezidentu Turkmenistana NIYAZOVU S.A., TURKMENISTAN</p>	<p>Procurator General Gurbanhili ATAJANOVA</p> <p>Turkmenistan: g Ashgabat; ul. Seidi 4; Prokuratura Turkmenistana; Generalnomu prokuroru, ATAJANOVY G.; TURKMENISTAN</p>	<p>Prison director of the prison where Mukhametkuli Aymuradov is kept (name not known)</p> <p>Respublika Turkmenistan: 745000 g Turkmenbashi; Uchr. 25/2; Direktory; TURKMENISTAN</p>
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Indicate in your letter that you are stating that Amnesty International regards Mukhametkuli Aymuradov as a possible prisoner of conscience, and urges his immediate release (*in letters to the President and the Procurator General*);

welcoming reports that Mukhametkuli Aymuradov has been moved from a cell with 14 prisoners to a cell with five to six prisoners (*in letters to the prison director*);

Faxes: + 993 12 - 35 51 12	Faxes: + 993 12 - 35 44 82	<i>sending a copy of the letter to the Head of the State Directorate of the Criminal Executive System at the Interior Ministry (find address below)</i>
Salutation: Dear President,	Salutation: Dear Procurator General,	Salutation: Dear Director,

Send copies of your letters to:

- Minister of Foreign Affairs of Turkmenistan, Rashit MEREDOV

Turkmenistan; 744000 g. Ashgabat; pr. Magtymguly, 83; Ministerstvo inostrannykh del Turkmenistana; Ministru MEREDOVU R.; TURKMENISTAN

Faxes: + 993 12 - 51 14 30 / 35 49 18

Chairman of the Supreme Court, Ysa RAKHMANOV

Turkmenistan; 744000 g. Ashgabat; Prospekt Saparmurad Turkmenbashi, 18; Verkhovny Sud Turkmenistana; Predsedatelyu RAKHMANOVU Y.

- *Send a copy of your letter to the prison director to the Head of the State Directorate of the Criminal Executive System (prison service), name unknown*

Turkmenistan; g. Ashgabat; ul. Zhitnikova; Ministerstvo vnutrennikh del Turkmenistana GUUIS; Nachalniku; TURKMENISTAN

Faxes: + 993 12 - 44 85 66

- to the Ambassador of Turkmenistan to your country (if there is an embassy).

You can also send a letter to Mukhametkuli Aymuradov to give him moral support.

Important: You may mention Amnesty International in your letters to him. Please be aware that correspondence from abroad will be subjected to very strict control from the authorities, so be careful not to raise any political questions.

Respublika Turkmenistan; 745000 g. Turkmenbashi; Uchr. 25/2; Zaklyuchennomu; Aymuradovu, Mukhametkuli; TURKMENISTAN

PLEASE SEND ANY REPLIES FROM THE TURKMEN AUTHORITIES AS SOON AS POSSIBLE TO THE INTERNATIONAL SECRETARIAT OF AMNESTY INTERNATIONAL. (South Caucasus and Central Asia Research and Campaign Team; Amnesty International; 1 Easton Street; London WC1X 0DW; United Kingdom)