

EXTERNAL (for general distribution)

AI Index: EUR 62/07/95
Distr: UA/SC

EXTRA 10/95

Fair trial concern

27 January 1995

UZBEKISTAN Murad Dzhurayev (_____ in Russian)
 Nemat Akhmedov (_____)
 Khoshim Suvanov (_____)
 Shavkat Mamatov (_____)
 Shavkat Khalbayev (_____)
 Erkin Ashurov (_____)
 Dilarom Iskhakova (_____), female

Amnesty International is concerned that confessions possibly made under torture are being used in the prosecution of the seven people named above, whose trial on charges of preparing anti-state violence is set to resume in the Supreme Court of Uzbekistan on 30 January 1995.

The defendants are activists in the outlawed *Erk* (Freedom) political party. They have been accused of crimes including conspiracy to seize power and calling for the violent overthrow of the state. The charges carry a possible death sentence.

The case against them centres on allegations that the *Erk* party has been preparing to carry out terrorist acts to overthrow the government of President Islam Karimov. The exiled leader of *Erk*, Muhammad Salih, has denied suggestions that he has advocated violence to bring down the government. To date no anti-government terrorist acts are known to have occurred in Uzbekistan.

The trial opened in October 1994 but has been repeatedly adjourned. While in pre-trial detention Murad Dzhurayev, Nemat Akhmedov, Khoshim Suvanov, Shavkat Mamatov and Shavkat Khalbayev reportedly incriminated themselves and others in statements during interrogation (it is believed that Erkin Ashurov and Dilarom Iskhakova have not confessed). Supporters of the defendants claim that these confessions were made under duress, and a visitor who saw four of the men in prison in August 1994 reported seeing bruising which may have come from beatings. One of the defendants also reportedly spent six months in pre-trial detention without once seeing a defence lawyer.

The six male defendants have already been in detention for up to nine months. Only Dilarom Iskhakova has been allowed to remain at liberty during the investigation and trial. Reportedly for the entire period of their detention the men have not been allowed visits from family members. Erkin Ashurov is also reported to be in need of medical attention for diabetes, rheumatism and radiculitis.

Amnesty International is calling on the authorities in Uzbekistan to ensure that procedures for a fair trial are observed scrupulously. In particular it is calling on the authorities to investigate allegations that evidence in this case may have been obtained under duress, to rule any such evidence inadmissible in court, and to bring to justice anyone found to have obtained evidence through torture or ill-treatment.

BACKGROUND INFORMATION

Erk was Uzbekistan's only legally registered opposition party until it was effectively outlawed by new registration requirements in 1993. Repression of party activists increased significantly during 1994, including widespread

arrests of people found in possession of the *Erk* party newspaper.

RECOMMENDED ACTION: Please send telegrams/faxes/express and airmail letters either in English, Russian or in your own language:

- calling on authorities in Uzbekistan to ensure that procedures for a fair trial of the seven *Erk* activists are observed scrupulously;
- calling for an investigation into allegations that evidence in this case may have been obtained under duress, for such evidence to be ruled inadmissible in court, and for anyone found to have obtained evidence through torture or ill-treatment to be brought to justice;
- calling for the six male defendants who are in detention to be allowed visits from their families;
- calling for Erkin Ashurov to be given whatever medical assistance he requires.

APPEALS TO

1. Chairman of the Supreme Court of Uzbekistan, Ubaydulla Mingbayev:

Respublika Uzbekistan

g. Tashkent

ul. Abdulla Kodiri, 1

Verkhovny Sud Respubliki Uzbekistan

Predsedatelyu Mingbayevu U.

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

Faxes:+ 7 3712 41 00 28

Salutation:Dear Chairman

2. Procurator General of the Republic of Uzbekistan

Buritosh Mustafojev

Respublika Uzbekistan

g. Tashkent

ul. Gogolya, 66

Prokuratura Respubliki Uzbekistan

Generalnomu Prokuroru Mustafojevu B.

Telegrams:Uzbekistan, Tashkent, Prokuratura Respubliki Gen. Prokuroru Mustafojevu B.

Salutation:Dear Procurator General

COPIES OF YOUR APPEALS TO:

The President of Uzbekistan, Islam Karimov:

Respublika Uzbekistan

g. Tashkent

pl. Mustakillik

Apparat prezidenta

Prezidentu Karimovu I.

Faxes: + 7 3712 39 55 25 or + 7 3712 39 54 00

The Foreign Minister of Uzbekistan, Abdulaziz Komilov

Respublika Uzbekistan

g. Tashkent

Ministerstvo inostrannykh del

Ministru Komilovu A.

Faxes: + 7 3712 39 43 48 or +7 3712 39 15 45 or +7 3712 39 18 17

The Minister of Internal Affairs, Zakirzhan Almatov

Respublika Uzbekistan

700029 g. Tashkent
ul. G. Lopatina, 1
MVD
Ministru Almatovu Z.

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 10 March 1995.