

PUBLIC

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24 June 2003

Further Information on EXTRA 05/03 (EUR 62/001/2003, 15 January 2003) and follow-up (EUR 62/003/2003, 7 March 2003) - Fear of imminent execution/torture and ill-treatment

UZBEKISTAN

**Ilkhom Babazhanov (m)
Azamat Uteev (m)
Maksud Ismailov (m)**

New name:

**Evgeny Gugin (m)
Farid Nasibullin (m)**

There are strong indications that Azamat Uteev, Ilkhom Babazhanov and Maksud Ismailov were executed despite interventions by the UN Human Rights Committee (HRC) on their behalf. Amnesty International is concerned that Evgeny Gugin and Farid Nasibullin may also be in danger of imminent execution.

The three executions would have been the first since the UN Special Rapporteur on Torture raised concerns about Uzbekistan's handling of interventions from the HRC. In his February 2003 report on Uzbekistan, the Special Rapporteur addressed the authorities' failure to consider communications on individual cases by the HRC and expressed "[serious concern] at what appears to be a lack of appropriate consideration of, and action in relation to requests on behalf of individuals at risk of torture or even execution[...]".

Amnesty International is concerned that Evgeny Gugin, on whose behalf the HRC also intervened, may face imminent execution if the authorities of Uzbekistan do not respect their obligation as a party to the Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR) to cooperate with the HRC. Evgeny Gugin was sentenced to death on 28 October 2002 together with Ilkhom Karimov for allegedly having robbed and murdered a man and a woman in Tashkent. The death sentence of Ilkhom Karimov was commuted earlier this year. Evgeny Gugin's mother claims that her son was beaten in pre-trial detention by law enforcement officers. He was reportedly told that his mother and younger brother would be killed if he did not 'confess' to the murder.

In addition, Amnesty International is concerned that another man, Farid Nasibullin, may also be executed imminently. He was reportedly sentenced to death by Tashkent Regional Court in February 2003, while his wife, whose name is not known to Amnesty International, was sentenced to 15 years' imprisonment. The charges against the couple are unclear. According to reports, both Farid Nasibullin and his wife, who was six months pregnant at the time, were severely beaten by police during the investigation which led to their conviction.

BACKGROUND INFORMATION

The UN Special Rapporteur on Torture, who visited Uzbekistan in November and December 2002, declared at the end of his visit that torture was "systematic" in Uzbekistan and that "many confessions obtained through torture and other illegal means were then used as evidence in trials, [including] in trials that are leading to the death penalty or to very severe punishment".

By ratifying the Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR), Uzbekistan gave authority to the HRC to receive individual complaints and review allegations of violations under provisions of the Covenant. According to rule 86 of the HRC's rules of procedure, a State party to the Optional Protocol may be asked to take necessary steps to prevent irreparable damage, such as a stay of execution, while the request is being considered by the HRC.

FURTHER RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English, Russian or Uzbek or your own language:

- expressing concern at reports that Azamat Uteev, Ilkhom Babazhanov and Maksud Ismailov were executed in Uzbekistan in May 2003 despite the UN Human Rights Committee (HRC) intervening in their case;
- urging the authorities to commute the death sentences of Evgeny Gugin and Farid Nasibullin;
- urging the authorities to give you assurances that the execution of Evgeny Gugin is put on hold while the HRC considers his case;
- expressing your unconditional opposition to the death penalty as a violation of one of the most fundamental human rights – the right to life, and calling on the authorities to decisively move towards the abolition of the death penalty;
- calling on the authorities to ensure full cooperation with the HRC, in accordance with the terms of the Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR).

APPEALS TO:

President of Uzbekistan

Islam Abduganiyevich KARIMOV

Respublika Uzbekistan; 700163 g. Tashkent; ul. Uzbekistanskaya, 43; Rezidentsia prezidenta; Prezidentu RU; KARIMOVU I.A., UZBEKISTAN

Telegram: Prezidentu Karimovu, 700163 Tashkent, Uzbekistan

Fax: + 998 71 133 7258 (Write on the top of your fax: "Tel.: 139 53 75; 139 82 60; 139 59 29; Prezidentu RU; KARIMOVU I.A.")

E-mail: presidents_office@press.service.uz (if your e mail bounces back, please fax it if possible)

Salutation: Dear President Karimov

Minister of Foreign Affairs

Sodiq Solihovich Safoyev

Respublika Uzbekistan; 700029 g. Tashkent; pl. Mustakillik, 5; Ministerstvo inostrannykh del RU; Ministru Safoyevu, S.S., UZBEKISTAN

Fax: + 998 71 139 15 17

Salutation: Dear Minister

COPIES TO:

Parliamentary Commissioner for Human Rights

Sayora RASHIDOVA

Respublika Uzbekistan; 700035 g. Tashkent; ul. Xalqlar Dostligi, 1; Oliy Majlis RU; Upolnomochennoy po pravam cheloveka pri Oliy Majlis; RASHIDOVYOY S., UZBEKISTAN

E-mail: ombudsman@uzpak.uz / office@ombudsman.gov.uz

Chairman of the Supreme Court of the Republic of Uzbekistan

Respublika Uzbekistan; 700183 g. Tashkent; ul. Abdulla Kodiri, 1; Verkhovny Sud Respubliki Uzbekistan; Predsedatelyu FAKHREDDINOVYOY

and to diplomatic representatives of Uzbekistan accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY.