

PUBLIC

AI Index: EUR 62/17/99

13 August 1999

Further information on UA 34/99 (EUR 62/02/99, 25 February 1999) and follow-ups (EUR 62/03/99, 9 March 1999 and EUR 62/16/99, 6 August 1999) - Fear for safety / Alleged ill-treatment in detention / Incommunicado detention

UZBEKISTAN Mamadali Makhmudov, writer

Amnesty International has learned that the verdict in the trial of Mamadali Makhmudov and his five co-defendants will be announced on 16 August 1999.

The prosecution has reportedly demanded long prison sentences for all six defendants. It wants Mamadali Makhmudov to be sentenced to 12 years' imprisonment, Negmat Sharipov to 16 years, Kobil Diyarov and Rashid Bekzhon to 18 years, Muhammad Bekzhon to 19 years and Yusif Ruzimuradov to 20 years. All of them have reportedly pleaded not guilty and have alleged in court that during the investigation they were forced to confess to fabricated charges. Amnesty International has received a written statement by Mamadali Makhmudov in which he describes being systematically tortured in pre-trial detention. This included being constantly beaten, having his hands and feet burned, being suspended by his hands tied behind his back, having a gas mask put over his face with the air supply turned off and being threatened with rape and death. In addition he was told that his wife and two daughters had been taken into detention and that they would be raped in front of his eyes if he did not confess and admit his guilt in front of a television camera. He was also given injections and made to drink unknown substances.

Some of the other defendants have reportedly made similar allegations of torture. These include being given electric shocks and having needles stuck under their finger and toenails.

Their trial began on 3 August in Yangiyul district court, outside Tashkent, but was adjourned for three days after protests by the defence that their clients had not had the opportunity to acquaint themselves with the materials in their case. The trial was subsequently moved to a higher court and reopened on 9 August in Tashkent Regional Court without notice to the defence or relatives of the accused.

Representatives of the Organisation for Cooperation and Security in Europe (OSCE), the British and US embassies, foreign news agencies and local human rights observers were denied entry to the courtroom despite lodging official protests. On 12 August, the last day of the trial, six relatives were allowed into the courtroom after a petition to the presiding trial judge. Others were refused entry on the grounds that there were no more seats in the courtroom. It appeared later that most of the available seats had been taken up by members of the Ministry of Internal Affairs special forces.

The defence was given just 40 minutes on the last day of the trial in which to present their case.

The arrests of Mamadali Makhmudov and five others (see UA 48/99, EUR 50/01/99, 16 March 1999 and follow ups and UA 43/99, EUR 62/05/99, 9 March 1999 and follow ups) on trial with him are believed to be part of a clampdown on perceived opponents of the President of Uzbekistan, and their families and associates, following a series of bomb explosions in the capital, Tashkent, on 16 February.

FURTHER RECOMMENDED ACTION: Please send e-mails/telegrams/faxes in Russian or your own language:

- expressing concern at violations of fair trial rights in the case of Mamadali Makhmudov and his five co-defendants, in particular at allegations that he was tortured in pre-trial detention in order to force him to confess; that he has been held incommunicado, apparently denied adequate time and facilities to prepare a defence and has been publicly depicted as guilty before this can be proven in law;
- calling for the trial to be halted and for the investigation into their case to be conducted in a manner consistent with international standards for a fair trial, including a prompt and impartial investigation into all allegations of torture.

APPEALS TO:

President of Uzbekistan, Islam Abduganievich KARIMOV
700000 g. Tashkent, pr. Uzbekistansky, Rezidentsiya Prezidenta, Prezidentu Karimovu I. A., UZBEKISTAN
Telegrams: Prezidentu Karimovu, 700000 Tashkent, Uzbekistan
Faxes: + 998 71 139 5315
E-mails: uzinfo@uzinfo.gov.uz
Salutation: Dear President Karimov

The Oliy Majlis (Parliamentary) Commissioner for Human Rights, Ms Sayora Rashidova
700008 g. Tashkent, pl. Mustakillik, 2, Oliy Majlis Respubliki Uzbekistan
Upolnomochenoy po pravam cheloveka pri Oliy Majlis Rashidovoy S., UZBEKISTAN
Telegrams: Upolnomochenoy po pravam cheloveka, 700008 Tashkent, Uzbekistan
Faxes: + 998 71 139 8555
E-mails: mtillaboev@oliymajlis.gov.uz
Salutation: Dear Ms Rashidova

Minister of Internal Affairs of the Republic of Uzbekistan, Zakirzhan Almatovich
ALMATOV
700029 g. Tashkent, ul. Novruz, 1, Ministerstvo vnutrennikh del, Ministru vnutrennikh del Almatovu Z.A., UZBEKISTAN
Telegrams: Ministru vnutrennikh del, 700029 Tashkent, Uzbekistan
Faxes: + 998 71 133 89 34
Salutation: Dear Minister

Judge Rustayev of Tashkent Regional Court (presiding trial judge)
700121 g. Tashkent, ul. Yakkasaray, 4, Tashkentskiy Oblastnoy Sud, sudyey RUSTAYEVU, UZBEKISTAN
Telegrams: Tashkentskiy Oblastnoy Sud, 700121 Tashkent, Uzbekistan
Salutation: Dear Judge

and to diplomatic representatives of Uzbekistan accredited to your country.

PLEASE SEND APPEALS BEFORE 16 AUGUST 1999.