

28 November 2002

Further information on UA 276/02 (EUR 62/012/2002, 4 September 2002) Possible death penalty/torture and ill treatment/Unfair trial

UZBEKISTAN            Iskandar Khudoberganov (m), aged 28  
                          Bekzod Kasymbekov (m), aged 27  
                          Nosirkhon Khakimov (m), aged 28

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On 28 November, Tashkent City Court handed down a death sentence against Iskandar Khudoberganov. Both Nosirkhon Khakimov and Bekzod Kasymbekov were sentenced to 16 years' imprisonment. Three other co-defendants were sentenced to between six and 10 years in prison. Any appeals against the sentences must be lodged with the Presidium of Tashkent City Court.

The men were found guilty of charges including religious extremism and serious anti state crimes, such as "attempting to overthrow the constitutional order" and "setting up an illegal group".

Iskandar Khudoberganov's sister stated shortly after the trial ended: "The defendants were surrounded by armed guards in court and were immediately taken out of the courtroom once the verdict was pronounced without being able to talk to their families." She added: "The court didn't have any evidence!"

Amnesty International has documented numerous serious violations of international human rights standards during the investigation and the trial. These included strong indications that the 'confessions' of at least some of the defendants had been extracted under torture. The presiding judge has continuously dismissed allegations of torture.

Tamara Chikunova of the group "Mothers against the Death Penalty and Torture", who attended the court hearing, also told Amnesty International: "The main thing is that these cases are built exclusively on confessions extracted under torture. And although the defendants openly spoke at the court hearings about physical pressure exerted on them by investigators and guards, the judge not only never ordered an investigation into these allegations, but he simply said 'you just make this up to get away from your responsibility'."

Mikhail Ardzinov, chairman of the Independent Human Rights Organization of Uzbekistan told Amnesty International: "There is no concrete evidence in the case; it wasn't said when and where the defendants were supposed to have committed the crimes, and what exactly they had allegedly done. The cases are based solely on confessions and these confessions were extracted under beatings. I have heard most of the text of the verdict hundreds of times at previous trials. It's just copied and pasted from previous verdicts." He added: "These cases certainly have a political slant."

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

- expressing concern that Iskandar Khudoberganov was sentenced to death by Tashkent City Court on 28 November 2002;
- expressing serious concern that the court hearings failed to meet international standards for a fair trial;
- expressing concern at allegations that Iskandar Khudoberganov, Bekzod Kasymbekov, Nosirkhon Khakimov were tortured, and that some of their family

members were ill treated or subjected to cruel, inhuman and degrading treatment, in order to force them to confess or incriminate the defendants;  
 -urging the authorities to open prompt and impartial investigations into these allegations, with the findings made public and those responsible for human rights violations to be brought to justice;  
 -urging that a moratorium on death sentences and executions be imposed, and that all pending death sentences will be commuted.

**APPEALS TO: (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)**

President of Uzbekistan

Islam Abduganiyevich KARIMOV

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**E mails: presidents\_office@press service.uz (if your e mail bounces back, please fax it if possible)**

**Salutation: Dear President Karimov**

City Procurator of Tashkent

Mels Inamovich NAIMOV

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**Salutation: Dear Procurator**

**COPIES TO:**

Parliamentary Commissioner for Human Rights

Sayora RASHIDOVA

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**Salutation: Dear Ms Rashidova**

Minister of Foreign Affairs

Abdulaziz Khafizovich KOMILOV

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**Salutation: Dear Minister**

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 9 January 2003.