

PUBLIC

AI Index: EUR 62/024/2004

15 October 2004

UA 292/04 **Death penalty/Fear of imminent execution**

UZBEKISTAN **Sodik Kodirov (m), born 1974**
Shukhrat Aripov (m), born 1969

The two men named above are believed to be in imminent danger of execution. Both were allegedly tortured or ill-treated before they were put on trial.

Sodik Kodirov and Shukhrat Aripov were sentenced to death in separate cases, on charges including "premeditated, aggravated murder," by courts in the capital, Tashkent, on 7 December 2003 and 6 January 2004 respectively.

Shukhrat Aripov's parents had official permission to visit him in Tashkent prison on 14 October. However, when they arrived, prison officials would not let them see him. Amnesty International has documented dozens of cases in which relatives were denied access because their sons or husbands had been secretly executed. However, human rights defender Dilobar Khudoberganova from the Uzbek-based group Mothers against the Death Penalty and Torture told Amnesty International: "We have been told that several death row prisoners were severely beaten by prison guards recently. So maybe the parents weren't given access to Shukhrat so that they wouldn't see his injuries. We have to hope that this is the case."

Sodik Kodirov's mother visited her son in Tashkent prison on 14 October. He reportedly told her that officials had visited him recently and said, "You will not live longer than 12 November. The stay of your execution requested by the United Nations runs out that day."

On 12 May 2004 the United Nations Human Rights Committee had urged the Uzbek authorities to stay Sodik Kodirov's execution while the Committee considered allegations that he had been tortured, and suffered other serious human rights violations. The Committee is still considering his case, and that of Shukhrat Aripov, on whose behalf it made a similar intervention on 18 May 2004. Uzbekistan has ratified the first Optional Protocol to the International Convention on Civil and Political Rights (ICCPR), and has committed itself not to execute anyone whose case is under consideration by the Human Rights Committee. However, Amnesty International knows of 14 such prisoners who have been executed in Uzbekistan.

Sodik Kodirov's mother told Amnesty International: "During the investigation my son wasn't only tortured, he was also raped ... When I saw my son in detention on 10 June 2004 he didn't even recognize me. He was so badly beaten that he couldn't walk unaided..." She alleges that investigators used a sharp object to injure her son: "When I saw him he had cuts all over his body as a result of the torture." "My son spoke about the torture in court but the judge simply ignored his words and said he was trying to escape responsibility", she added. Shukhrat Aripov was reportedly severely beaten by police following his detention.

BACKGROUND INFORMATION

Amnesty International regularly receives credible allegations of unfair trials, and the use of torture and ill-treatment, often to extract "confessions", from Uzbekistan.

In September 2001, President Islam Karimov stated publicly that around 100 people were executed in Uzbekistan each year. As vital information on the application of the death penalty is treated as a secret, the true figures are not known, but several local human rights groups believe it is over 200.

Following his visit to Uzbekistan in November - December 2002, the United Nations Special Rapporteur on torture concluded that "torture or similar ill-treatment is systematic" in Uzbekistan. In his February 2003 report, he noted that "the abolition of the death penalty would be a positive step towards respect for the prohibition of torture and other forms of ill-treatment."

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

- urging the President to grant clemency to Shukhrat Aripov, Sodik Kodirov and all other death row prisoners;
- stating that you know of 14 cases in which death row prisoners were executed even though the UN Human Rights Committee had asked the Uzbek authorities to stay their executions while it considered their cases;
- urging the authorities to give you guarantees that nobody will be executed whose case is under consideration by the Committee;
- urging the authorities to promptly introduce a moratorium on death sentences and executions.

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

Salutation: Dear President Karimov

Minister of Foreign Affairs

Sodik 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:

General Procurator of the Republic of Uzbekistan

Rashidjon Hamidovich KODIROV; Respublika Uzbekistan; 700047 g. Tashkent; ul. Gulyamova, 66; Prokuratura Respubliki Uzbekistan; Generalnomu prokuroru KODIROVU R. Kh.; UZBEKISTAN

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Salutation: Dear Procurator General

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