

# Urgent Action In Focus

An insight into the stories behind UAs

## "Urgent Actions have kept my brother alive" - UAs combat the death penalty in Uzbekistan

Uzbekistan is the only country in Central Asia that still executes people. It is a country in which the inhumanity of the death penalty is often compounded by the injustice of unfair trials and the use of torture to obtain "confessions".

The efforts of Urgent Action letter-writers are, however, helping to create a glimmer of hope for those on death row and their families.

### **Secrecy and Fear: the death penalty in Uzbekistan**

Local human rights activists believe around 200 people are executed each year, although the exact number is not known due to the secrecy surrounding the death penalty in the country.

Prisoners on death row live in constant fear that they could be executed at any time, and are denied the chance to say a final goodbye to their families. After they are executed, their bodies are not given to their relatives for burial, nor are relatives told where they are buried.

UA appeals have contributed to the scale of international pressure on the cases of individual death row prisoners, pressure which is thought to have contributed to the commutation of at least 15 death sentences by the Uzbek authorities.

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Dilobar Khudoberganova, whose brother has been on death row since November 2002, visited Amnesty's International Secretariat recently and told the UA team, "I am convinced that it is entirely due to the Urgent Action that my brother is still alive."



Tamara Chikunova (centre) and colleagues © AI 2002

### **Mothers Against the Death Penalty and Torture: the story of Tamara Chikunova**

Appeals from the UA network have played a crucial role in supporting national campaigns for the abolition of the death penalty.

One such anti-death penalty organization is Mothers Against the Death Penalty and Torture, founded by Tamara Chikunova. When her son, Dmitry Chikunov, was sentenced to death, she petitioned the authorities to save his life, and Amnesty International issued an Urgent Action (UA 184/00, EUR 62/13/00, 28 June 2000) on his behalf. Despite this, when she went to visit Dmitry in Tashkent prison on 12 July 2000, she discovered that he had been executed in secret two days earlier.

In April 2003, Tamara visited the International Secretariat to thank the

members of the UA Network for their work on behalf of her son. She said:

"We offer our gratitude and respect to the UA network. Your help and support means so much. Your actions are a sign not only to the people on death row, but to their families as well, that there is a chance that we might succeed in getting the death penalty abolished. And the fact of knowing that there are thousands of people for whom abolishing the death penalty is as important as it is for us, gives us hope. It gives us hope and strength, and the faith that it is possible to get the death penalty abolished. And all of a sudden we're no longer alone, we're surrounded by people who want to help. In the struggle to abolish the death penalty, that kind of support is such an important element."

She continued, "All I have left of my son is memories. The important thing is the people that we have saved, we have them, they send me messages. I am not alone. When these people finish their sentences and come out of prison I know I won't be alone. The day on which they are brought out of their dungeons will become their second birthday. This achievement is our joint achievement, yours and ours."

Tamara Chikunova now supports other families struggling to save the lives of their sons or husbands. She and other members of the organization tell them how to lodge a complaint with the authorities and write up the cases to pass them on to Amnesty International and other international organizations.

"I teach them law," Tamara Chikunova told Amnesty International in 2002. "When they go to the officials and cry they won't achieve anything. But when they come from a position of knowledge about the law and their rights, they can fight."

Several people she gave support to stayed with Tamara Chikunova, and they are now helping other families with their cases.

### **The death penalty in Uzbekistan: secrecy, corruption and injustice**

There is still, however, much work to be done before the death penalty is abolished. Although the government claims to be "abolishing the death penalty by stages", the true situation is very different. It is likely that several reductions in the number of offences punishable by death have had no impact on the number of death sentences being handed down, almost all of which are for "premeditated, aggravated murder".

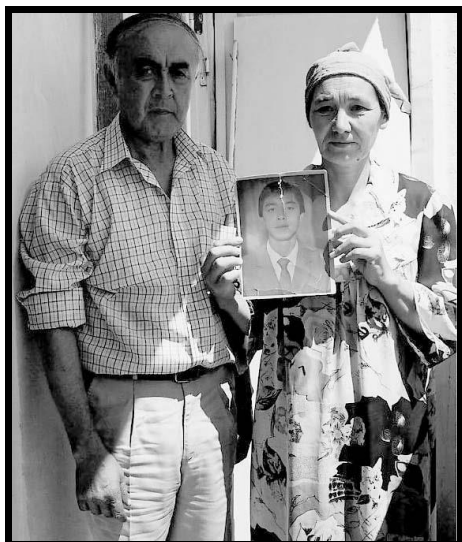
Corruption is believed to play an important role in virtually all death penalty cases in Uzbekistan. Families of prisoners facing the death penalty have reported being asked for large bribes to save their relatives' lives. As one experienced lawyer explained, "Families have to bribe their way all the way through. First the investigator wants money. Then the family has to bribe the judge of the first trial. If that works, they will have to make sure the sentence will not be overturned up on appeal. Everybody involved in the case wants to get his due."

### **Torture used to extract "confessions"**

Amnesty International knows of many prisoners under sentence of death who were apparently convicted on the basis of evidence fabricated by the police, including "confessions" extracted under torture. One lawyer told Amnesty International: "When a corpse is found, then the police in that area are expected to promptly find the murderer. If they cannot solve the crime, [the case] gets fabricated during the police investigation."

Allanazar Kurbanov was reportedly tortured by officers at the Khazarapsky district police station after he was detained in Khorezm region in March 2001.

His family and his lawyer maintained that he and his co-defendant, Yusupbay Sultanov, were forced to "confess" to the murder of six people by torture and psychological pressure. Allanazar Kurbanov was reportedly handcuffed, had a bag put over his head, was kicked and had his fingers burned. He wrote in a letter smuggled to his relatives: "[A senior police officer] shouted I should kiss the ground and then he hit me several times on my neck. I was lying on my stomach and nearly lost consciousness because of the terrible pain, but I repeated that I did not kill anybody. Then he ordered the other policemen to force me to confess within three days."



Allanazar Kurbanov's parents, holding a photograph of their son © AI 2002

Allanazar Kurbanov was executed in March 2002. However, his parents were not told until several months later.

### **Prisoners kept in appalling conditions**

In many cases prisoners are reportedly still ill-treated even after their "confessions" have been extracted. Prisoners on death row in Tashkent prison are frequently beaten by prison officials, according to allegations from several sources. They are held in grim conditions, usually two to a small cell. There is little or no natural light. One lawyer reported that cells had dim artificial lighting, which is left on all the

time. The air is said to be stagnant and the ventilation system not working. Families disputed official claims that prisoners are allowed 30 minutes' outdoor exercise daily, claiming prisoners were not taken outdoors at all. According to death row prisoner Zhasur Madrakhimov, executed in March 2004, death row prisoners are permitted to take a shower for three to four minutes every other week.

In many cases families of suspects in capital cases face harassment and even torture at the hands of the police, to force them to disclose a suspect's whereabouts or to pressure the suspects to hand themselves in to the police, sign a "confession" or incriminate others.

Iskandar Khudoberganov (UA 276/02, EUR 62/012/2002) was one of the people arrested by police after bomb explosions in Tashkent in February 1999. "From the day we learned that the police were looking for Iskandar, the life of our whole family was turned upside down," said his sister, Dilobar Khudoberganova. Police detained his father and brother several times in an attempt to force the family to reveal where he was. On one occasion officers reportedly beat them so severely in the basement of the National Security Service headquarters in Tashkent that they had to be hospitalized.

In August 1999 Iskandar Khudoberganov's father, brother and wife were summoned to the offices of the Tashkent City Police, where they were reportedly forced to watch two of Iskandar Khudoberganov's co-defendants being beaten by police officers. The police threatened that they would do the same to Iskandar's brother, Sanzhar. Iskandar's wife told Amnesty International: "[Iskandar's co-defendant] Bekzod's body was covered in blood. I was pregnant at the time, and I fainted when I saw it."

### **Making Europe and Central Asia a Death-Penalty-Free Zone: Amnesty International's campaign**

For the next year, AI will be running the campaign, Make Europe and Central Asia a Death Penalty-Free Zone! While following the collapse of the Soviet Union all 15 newly independent states retained the death penalty, Uzbekistan and Belarus are now the only executioners in the region.

Several AI Sections have invited Tamara Chikunova and Dilobar Khudoberganova to speak about the death penalty in Uzbekistan. Countries they will visit include Italy, the Netherlands, the United Kingdom, Sweden, France and Germany.

Amnesty International has organized a number of seminars during international meetings to highlight this campaign: a workshop in Montreal during the Second World Congress Against the Death Penalty, organized by the French organization Ensemble contre la peine de mort (Together against the Death Penalty) and Penal Reform International, in partnership with Canadian organizations including AI-Canada; a side event at the Organisation for Security and Co-operation in Europe's Human Dimension Implementation Meeting in Warsaw on 8 October; and a seminar at the European Social Forum in London on 16 October.

Other campaign activities include demonstrations in front of the Embassies of Belarus and Uzbekistan; writing letters to the authorities of Belarus and Uzbekistan urging them to impose promptly a moratorium on all death sentences and executions, and writing letters of support to human rights groups active in Uzbekistan and Belarus. Local AI groups have lobbied their governments urging to put pressure on the Uzbek and Belarus authorities.

**You can help! Sign the petition at <http://web.amnesty.org/pages/deathpenalty-041004-petition-eng>.**

**Please forward this link to your networks if possible. The petition will be online until the end of January 2005, and in March all the**

**signatures will be printed out and submitted to the Uzbek authorities.**