

PUBLIC

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EXTRA 05/03

Fear of imminent execution/torture and ill-treatment

15 January 2003

UZBEKISTAN

**Azamat UTEEV (m) aged 21
Ilkhom KARIMOV (m) aged 22
Evgeny GUGNIN (m) aged 22**

Azamat Uteev, Ilkhom Karimov and Evgeny Gugin are believed to be in imminent danger of execution. There are allegations that they were tortured in pre-trial detention. As all appeals against their death sentences have been turned down, their only hope is that the President grants them clemency, as he has for several prisoners whose cases Amnesty International has taken up.

Azamat Uteev told his sister who visited him in Tashkent Prison today: "I am hopeful that the interventions of human rights activists can save me. But I know there is not a lot of time left." He was sentenced to death on 28 June 2002 by the Supreme Court of the Autonomous Republic of Karakalpakstan on murder charges. He has been accused of killing a 15-year old girl.

Tamara Chikunova, chair of the human rights organization Mothers Against the Death Penalty and Torture in Uzbekistan, told Amnesty International on 15 January: Azamat Uteev "... was tortured by officers of the police and the procuracy in the town of Nukus. They put a gas mask on his face, but squeezed the air supply in order to stem the flow of oxygen. They also took him to the salt lakes in the desert area near Nukus where they forced his head under water several times so that he swallowed a lot of the salty water. He said it felt as if the salt was burning him from inside. In order to escape further torture he told them what they wanted to hear." Azamat Uteev reportedly retracted his confession at the beginning of the court hearing, stating that he was tortured to force him to confess. However, the court reportedly ignored his statement and did not open an investigation into the allegations. The Appeals Board of the court turned down his appeal on 6 August.

On 28 October 2002, Tashkent City Court sentenced Ilkhom Karimov and Evgeny Gugin from the town of Kokand in Ferghana valley to death. They were accused of having robbed and killed a woman and a man at their flat in the capital Tashkent in April 2002. A co-defendant was sentenced to 20 years' imprisonment in a strict regime colony. Their appeals were turned down by the Appeals Board of the Court on 10 December.

Tamara Chikunova told Amnesty International: "In pre-trial detention Gugin and Karimov were severely beaten by law enforcement officers and the relatives of the victims." She added: "Gugin only confessed because the officers threatened to kill his mother and younger brother."

BACKGROUND INFORMATION

In September 2001, President Karimov publicly stated that around 100 people were executed in Uzbekistan each year. The death penalty is treated as a state secret in Uzbekistan so that comprehensive official information on the numbers of sentences passed and executions carried out is not publicly available. Since the beginning of 2002, two death row prisoners have reportedly been executed despite interventions by the United Nations Human Rights Committee, which urged the Uzbek authorities to put their executions on hold.

In many cases of death row prisoners Amnesty International has received credible information of torture and ill-treatment in pre-trial detention, often intended to force detainees to 'confess'. Following his visit to Uzbekistan in November and December 2002, the UN Special Rapporteur on torture declared 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".

In all cases that came to Amnesty International's attention, prisoners were executed in secret. Their families were often only informed months later; they were not informed of the place of the execution and were not

told where their relative was buried. As a result, the families were subjected to a form of mental cruelty that may amount to cruel, inhuman and degrading treatment prohibited under international law.

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

- expressing concern that Azamat Uteev, Ilkhom Karimov and Evgeny Gugin were sentenced to death;
- urging the President to grant clemency to Azamat Uteev, Ilkhom Karimov and Evgeny Gugin and commute their death sentences and all other death sentences that come before him;
- expressing concern about allegations that the three men were beaten in pre-trial detention to force them to confess;
- urging the authorities to open impartial and thorough investigations into these allegations;
- expressing sympathy for the victims of crime and their families, but pointing out that the death penalty has never been shown to deter crime more effectively than other punishments, and is brutalizing to all those involved in its application.

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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Fax: + 998 71 2 89 00 46 (Write on the top of your fax: "Tel.: 139 53 75; 139 82 60; 139 59 29; Prezidentu RU; KARIMOVU I.A.")

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

Salutation: Dear President Karimov

Minister of Foreign Affairs

Abdulaziz Khafizovich KOMILOV

Respublika Uzbekistan; 700029 g. Tashkent; pl. Mustakillik, 5; Ministerstvo inostrannykh del RU; Ministru KOMILOVU A.Kh., UZBEKISTAN

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Salutation: Dear Minister

COPIES TO:

Parliamentary Commissioner for Human Rights

Sayora RASHIDOVA

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

Salutation: Dear Ms Rashidova

City Procurator of Tashkent

Mels Inamovich NAIMOV

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and to diplomatic representatives of UZBEKISTAN accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY.