

PUBLIC

AI Index: EUR 62/005/2005

08 April 2005

Further Information on EXTRA 05/03 (EUR 62/001/2003, 15 January 2003) and follow-up (EUR 62/004/2005, 18 March 2005; EUR 62/008/2004, 29 April 2004; EUR 62/007/2003, 24 June 2003; EUR 62/003/2003, 7 March 2003) - Death penalty

UZBEKISTAN

Farid Nasibullin (m), aged 31

Amnesty International has learnt that a prisoner on death row, Akhrorkhuzha Tolipkhuzhaev, was executed at the beginning of March, even though the Uzbekistani authorities assured the United Nations (UN) Human Rights Committee that he was still alive on 21 March 2005. This heightens fears that Farid Nasibullin could be executed at any time.

On 6 April Akhrorkhuzha Tolipkhuzhaev's father received a death certificate confirming that his son had been executed five weeks earlier, on 1 March. On 21 March, members of the UN Human Rights Committee had questioned Uzbekistani government representatives about allegations that the execution had taken place, despite an earlier request by the Committee for a stay of execution. The government representatives had insisted that Akhrorkhuzha Tolipkhuzhaev was still alive. The fact that Akhrorkhuzha Tolipkhuzhaev had not been the subject of mass international appeals appears to have been a decisive factor in his death.

Farid Nasibullin is one of eight people on death row on whose behalf the UN Human Rights Committee has requested a stay of execution while it considers whether their cases have violated key provisions of the International Covenant for Civil and Political Rights (ICCPR). The Uzbekistani authorities are obliged to comply with the Committee's requests, and gave assurances to the Committee that all eight were alive. However, as the authorities have blatantly disregarded their international obligations by executing Akhrorkhuzha Tolipkhuzhaev, there are no longer any guarantees that they will respect the Committee's request to stay any of these executions.

BACKGROUND INFORMATION

The Uzbekistani authorities told the (UN) Human Rights Committee in March 2005 that during 2003 and 2004 they had executed a total of 15 death row prisoners on whose behalf the UN Human Rights Committee had intervened. Uzbekistan has ratified the first Optional Protocol to the ICCPR, and has therefore committed itself to follow the recommendations of the UN Human Rights Committee, including requests for stays of execution.

According to a statement by President Islam Karimov on 2 December 2004, between 50 and 60 people were sentenced to death during that year. However, in violation of Uzbekistan's international obligations, the country has never published comprehensive statistics on the numbers of death sentences and executions. Relatives and death row prisoners themselves are not informed of the date of execution in advance. The location of the burial sites of executed prisoners is kept secret, compounding the anguish of their relatives.

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

- urging the President to commute the death sentence of Farid Nasibullin and all other prisoners on death row;
- expressing dismay that official assurances that Akhrorkhuzha Tolipkhuzhaev was still alive were given to the UN Human Rights Committee when he had in fact been executed three weeks earlier;
- expressing serious concern that Farid Nasibullin, and seven other death row prisoners on whose behalf the UN Human Rights Committee has intervened, may also have been executed;

- urging the authorities to provide tangible proof that Farid Nasibullin and the other seven are still alive;
- urging the authorities to prove that they are upholding their obligations as a party to the first Optional Protocol to the ICCPR, which include honouring the Committee's requests for stays of execution.

APPEALS TO:

(Please note that it can be difficult getting through to fax numbers in Uzbekistan. If a voice answers, repeat 'fax' until you hear the signal; otherwise leave your fax machine on auto-redial if possible. Fax machines may be switched off outside office hours – 5 hours ahead of GMT):

President

Islam A. KARIMOV,

Rezidentsia prezidenta; ul. Uzbekistanskaia, 43; Tashkent 700163; UZBEKISTAN

Fax: +998 71 139 15 17 (Ministry of Foreign Affairs. Please write for the attention of President Karimov at the top of your fax)

Email: presidents_office@press-service.uz

Salutation: Dear President Karimov

Minister of Internal Affairs

Zakirzhan ALMATOV

Ministerstvo vnutrennikh del RU, ul. Novruz , 1; Tashkent 700029; UZBEKISTAN

Fax: + 998 71 133 89 34

Salutation: Dear Minister Almatov

Head of the National Centre for Human Rights,

Akmal Saidov

Natsionalny tsentr po pravam cheloveka,

5/3, Mustakillik Maidoni,

g. Tashkent

Respublika Uzbekistan

700029

Fax: + 998 71 139 13 56 / 139 45 16

E-mail: office@nchr.uz

Salutation: Dear Senator Saidov

COPIES TO:

Minister of Foreign Affairs

Eler GANIEV

Ministerstvo inostrannykh del RU; pl. Mustakillik, 5; Tashkent 700029; UZBEKISTAN

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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 20 May 2005.