

PUBLIC

AI Index: EUR 62/009/2003

07 July 2003

Further Information on UA 129/03 (EUR 62/004/2003, 9 May 2003 and follow-up EUR 62/008/2003, 24 June 2003) - Death penalty/fear of imminent execution/Torture and Ill-treatment

UZBEKISTAN

**Abror Isaev (m) aged 19
Nodirbek Karimov (m), aged 22
Muzaffar Mirzaev (m), aged 29**

Executed:

Muzaffar Mirzaev was executed in June 2003 despite allegations that he was mentally ill and an intervention by the United Nations Human Rights Committee two months earlier, urging the authorities to put his execution on hold. His mother had official permission to visit him in prison on 25 June, but was turned away by prison guards. Amnesty International believes that he had been secretly executed prior to her visit.

Nodirbek Karimov and Abror Isaev, who is believed to be mentally disturbed, remain in imminent danger of execution. Nodirbek Karimov was still alive on 30 June when his parents visited him in prison. Since then however, they have not had any news about him and fear that he may have been executed or that he could be executed at any time now.

Abror Isaev's mother visited her son in prison on 1 July and reports that his mental state has deteriorated to a level where he behaves like a two-year-old. She says: "He cries like a baby and wanted to be hugged and sit on my lap. I tried to sing lullabies to him to calm him down." In June, she had received a letter from Mr Shodiev, the Deputy Director of the Main Administration for the Execution of Punishments at the Interior Ministry, in which he stated: "Your son receives medical treatment and his state of health is satisfactory."

Several senior prison officials and possibly an official from the Main Administration for the Execution of Punishments who did not introduce themselves were also present when Abror Isaev's mother met her son on 1 July. His mother reports: "I think they were supposed to assess Abror's state of health, but instead they stood around, making fun of him."

Abror Isaev has apparently not spoken a word to anybody for weeks and is silent most of the time. At the beginning of May, his mother received a letter from Mr Kamilov, the director of Tashkent prison where death row prisoners are kept. He wrote: "At the moment he does not speak, he whistles all the time and wants to explain something by doing so. [However] He understands the questions being asked of him."

On 4 July, Bertrand Ramcharan, the acting United Nations High Commissioner for Human Rights, issued a press release asking the Uzbek authorities "not to carry out the execution of detainees who have appealed their convictions to the United Nations Human Rights Committee". He noted that he had "underlined the importance of respecting" interventions from the Human Rights Committee during his visit to Uzbekistan in March this year.

BACKGROUND INFORMATION

Since the publication of a report by the Special Rapporteur on Torture in February 2003 following his mission to Uzbekistan, Amnesty International has learnt of the execution of four men who were executed despite the intervention of the Human Rights Committee (HRC). In his report the Special Rapporteur had addressed the authorities' failure to consider communications on individual cases by the HRC and expressed "[serious

concern] at what appears to be a lack of appropriate consideration of, and action in relation to requests on behalf of individuals at risk of torture or even execution[...]”. The men who have been executed since the publication of the report are Muzaffar Mirzaev, Azamat Uteev, Ilkhom Babazhanov and Maksud Ismailov (See EXTRA 05/03, EUR 62/001/2003, 15 January 2003 and follow-ups). There were unconfirmed reports that two more men were also executed in recent weeks despite interventions by the Human Rights Committee.

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

- expressing grave concern at the execution of Muzaffar Mirzaev despite an intervention on his behalf by the United Nations Human Rights Committee and allegations that he was mentally ill;
- urging the President to commute the death sentences of Abror Isaev and Nodirbek Karimov and all other death sentences that come before him;
- urging the authorities to give you assurances that Abror Isaev and Nodirbek Karimov will not be executed while their cases are under consideration by the United Nations Human Rights Committee and that the execution of all other prisoners whose cases are under consideration by the Committee is also put on hold;
- expressing concern at reports that Abror Isaev is mentally disturbed and is not receiving appropriate medical treatment;
- urging the authorities to conduct an independent and thorough investigation into Abror Isaev's state of health and to ensure that he is given appropriate medical treatment;
- stating that according to international standards, persons who are mentally ill must not be executed.

APPEALS TO:

President of Uzbekistan

Islam Abduganiyevich KARIMOV

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

Telegram: Prezidentu Karimovu, 700163 Tashkent, Uzbekistan

Salutation: Dear President Karimov

Minister of Foreign Affairs

Sodiq Solihovich Safoyev

Respublika Uzbekistan; 700029 g. Tashkent; pl. Mustakillik, 5; Ministerstvo inostrannykh del RU; Ministru Safoyevu, S.S., UZBEKISTAN

Telegram: Foreign Affairs Minister, 700029, Tashkent, Uzbekistan

Fax: + 998 71 139 15 17

Salutation: Dear Minister

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

Telegram: General Procurator of the Republic of Uzbekistan, 700047, Tashkent, Uzbekistan

Fax: + 998 71 133 39 17

Salutation: Dear Procurator General

COPIES TO:

Parliamentary Commissioner for Human Rights

Sayora RASHIDOVA

Respublika Uzbekistan; 700035 g. Tashkent; ul. Xalqlar Dostligi, 1; Oliy Majlis RU; Upolnomochennoy po pravam cheloveka pri Oliy Majlis; RASHIDOVU S., UZBEKISTAN

E-mail: office@ombudsman.gov.uz

Chairman of the Supreme Court of the Republic of Uzbekistan

Respublika Uzbekistan; 700183 g. Tashkent; ul. Abdulla Kodiri, 1; Verkhovny Sud Respubliki Uzbekistan; Predsedatelyu FAKHREDDINOVOY

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 18 August 2003.