

11 October 2001

Further information on EXTRA 41/01 (EUR 62/007/2001, 5 July 2001) and follow-up (EUR 62/013/2001, 3 August) - Fear of imminent execution

UZBEKISTANNikolay Ganiyev (_____) (m), 22
Maksim Strakhov (_____) (m), 24, Russian citizen
Nigmatullo Fayzullayev (_____) (m), 26

The executions of Nikolay Ganiyev, Maksim Strakhov, and Nigmatullo Fayzullayev are still on hold, and further pressure on the authorities may save their lives.

Maksim Strakhov has begun psychiatric tests, according to the Uzbekistan human rights ombudsman. In a letter to Amnesty International dated 13 August, which has only just reached the International Secretariat, she responded to appeals from the Urgent Action network. She confirmed that the Supreme Court had ordered the tests on 21 June, and said that Maksim Strakhov's execution was on hold pending the results of an examination at the Republican Clinical psychiatric hospital.

She said that the execution of Nigmatullo Fayzullayev, who was convicted with him, was also on hold until the results of the examination were available. The Supreme Court has so far refused to disclose any information about the tests, according to death penalty activist Tamara Chikunova. Mrs Chikunova, whose own son was executed in July 2000, is assisting Maksim Strakhov's and Nikolay Ganiyev's mothers to protest against the death sentences.

The Russian Embassy has reportedly intervened twice on behalf of Maksim Strakhov, who is a Russian citizen, asking the authorities to inform them of the progress of the psychiatric examination, and any results. Maksim Strakhov's mother and his lawyer have also tried to obtain information, but so far without success.

The human rights ombudsman asserted that the detention and interrogation of the two men took place "without the use ... of unlawful methods." She did not say what evidence this conclusion was based on. Amnesty International had received reports that Maksim Strakhov and Nikolay Ganiyev were ill-treated in pre-trial detention.

According to the ombudsman, the case of Nikolay Ganiyev was being reviewed following an appeal by his mother. According to Tamara Chikunova, neither his lawyer nor his family have been informed when his case is going to be reviewed and for how long his execution has been put on hold.

Maksim Strakhov and Nikolay Ganiyev were apparently allowed to meet their mothers on 12 September and 8 October respectively. Maksim Strakhov had severe headaches and was emotionally disturbed, reportedly as a result of the post-traumatic stress symptoms he has experienced since military service in Chechnya. He is reportedly not receiving appropriate medical treatment.

Tamara Chikunova told Amnesty International: "If my son was still alive, he would have his 30th birthday today. It is a hard day for me, but I'll continue to help these families. Maybe we can save their sons' lives."

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

- welcoming the decision to put the executions of Nikolay Ganiyev, Maksim Strakhov and Nigmatullo Fayzullayev on hold;
- urging the President to use his constitutional authority to commute their death sentences, and all other death sentences that come before him;
- asking the authorities when the Supreme Court will hear Nikolay Ganiyev's case, and when Nikolay Ganiyev's case will be reviewed;
- asking whether the psychiatric examination of Maksim Strakhov has already been completed and, if so, what the outcome was;
- asking whether there has been an investigation into allegations that Maksim Strakhov and Nikolay Ganiyev were ill-treated in pre-trial detention;
- 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 the Republic of Uzbekistan

Respublika Uzbekistan; 700163 g. Tashkent; ul. Uzbekistanskaya, 43; Rezidentsia prezidenta; Prezidentu Respubliki Uzbekistan; KARIMOVU I.A.; UZBEKISTAN
Faxes: + 998 71 - 2 89 00 46 (Write on the top of your fax: "Tel.: 139 53 75; 139 82 60; 139 59 29; Prezidentu Respubliki Uzbekistan; KARIMOVU I.A.")

Telegrams: Prezidentu Karimovu, 700163 Tashkent, Uzbekistan

e-mails: uzinfo@uzinfo.gov.uz (if your e-mail bounces back, please fax it if possible)

Salutation: Dear President Karimov,

Minister of Foreign Affairs of the Republic of Uzbekistan

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

Salutation: Dear Minister,

Faxes: + 998 71 139 15 17

Chairman of the Supreme Court of the Republic of Uzbekistan

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

Telegrams: Predsedatelyu Verkhovnogo Suda, Mingbayevu; 700183 Tashkent; Uzbekistan

Salutation: Dear Chairman,

COPIES TO:

Oliy Majlis Commissioner for Human Rights

Respublika Uzbekistan; 700008 g. Tashkent; pl. Mustakillik, 2; Oliy Majlis Respubliki Uzbekistan; Upolnomochennoy po pravam cheloveka pri Oliy Majlis RASHIDOVU S.; UZBEKISTAN;

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Head of the Clemency Department at the President's Office

Respublika Uzbekistan; 700000 g. Tashkent; Apparat Prezidenta Respubliki Uzbekistan; Otdel po voprosam pomilovaniya; Zaveduyushchemu otdelom; AKHMANOVU N.; UZBEKISTAN

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 22 November 2001.