

**PUBLIC**

**AI Index: EUR 62/014/2004**

**UA 234/04**

**Fear of imminent execution/torture/ill-treatment**

**30 July 2004**

**UZBEKISTAN**

**Ikram MUKHTAROV (m), aged 24**

**Yusuf ZHUMAYEV (m), aged 21**

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The two men named above have been sentenced to death, having made a confession allegedly after torture. They have exhausted their appeals, and could now be executed at any time: international appeals could save their lives.

Yusuf Zhumayev was sentenced to death by Sukhandarya regional court on 28 April 2003, convicted of murdering his brother's wife and his niece and nephew in January that year. He has consistently maintained his innocence and alleged that he was tortured by police to force him to sign a "confession". He has said he was also threatened that his parents and his sister Mukhabbat would be arrested if he did not "confess". According to him and his parents, he was hung upside down and beaten; he was also tortured with electric shocks and had to lie down naked on a wet and cold concrete floor. Yusuf Zhumayev testified during his trial that he had been tortured, but his allegations were reportedly not investigated.

His brother, who is the husband and father of the murder victims, said: "I do not believe my brother Yusuf is a murderer. He never had any bad intentions against my family and loved my children very much."

In a separate case, Ikram Mukhtarov was sentenced to death on 24 May 2004 by Tashkent city court, convicted of murdering a woman and a man in May 2001. His allegation that his "confession" was extracted under torture was reportedly ignored in court.

The United Nations Human Rights Committee urged the authorities of Uzbekistan on 19 July to stay these men's executions, while it establishes whether provisions of the International Covenant on Civil and Political Rights have been violated in their cases. However, the Uzbek authorities have ignored similar interventions in at least 12 previous cases.

In Uzbekistan relatives of death row prisoners are not informed of the date of the execution in advance and there are strong indications that the prisoners themselves are not given advance notice either.

### **BACKGROUND INFORMATION**

Following his visit to Uzbekistan in November and December 2002, the United Nations Special Rapporteur on torture concluded that "torture or similar ill-treatment is systematic" in Uzbekistan. In his February 2003 report, he noted that "the abolition of the death penalty would be a positive step towards respect for the prohibition of torture and other forms of ill-treatment."

Since 2000 the death sentences of at least 13 prisoners have been replaced by prison terms in cases that Amnesty International has taken up.

In September 2001, President Islam Karimov publicly stated that around 100 people were executed in Uzbekistan each year. As vital information on the application of the death penalty is treated as a secret in Uzbekistan, comprehensive official information on the numbers of sentences passed and executions carried out is not publicly available. Several local human rights groups believe that more than 200 people are executed in Uzbekistan every year.

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

- urging the President to commute Yusuf Zhumayev and Ikram Mukhtarov's death sentences and all other death sentences that come before him;
- urging the authorities to abide by the 19 July 2004 request by the United Nations Human Rights Committee to stay the men's executions while their cases are being considered, and thereby honour Uzbekistan's obligation as a party to the Optional Protocol to the International Covenant on Civil and Political Rights;
- expressing concern about allegations that Yusuf Zhumayev and Ikram Mukhtarov were tortured and ill-treated in pre-trial detention and urging the authorities to open impartial and thorough investigations into these allegations with anybody found responsible brought to justice.

**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

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**Salutation: Dear President Karimov**

Minister of Foreign Affairs

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**Salutation: Dear Minister**

**COPIES TO:**

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**Salutation: Dear Procurator General**

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 10 September 2004.