

PUBLIC

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23 January 2003

Further Information on UA 353/02 (EUR 61/006/2002, 6 December 2002) Fear for safety / Torture or ill-treatment New concern: Unfair trial

TURKMENISTAN Davlatgeldi Annannyazov (m), aged 36 - released
Aili Yklymov (m), aged 20 - released
Esenaman Yklymov (m), aged 31, his brother
Scores of other detainees

New names: Batyr Berdyev (m), aged 42 - former Foreign Minister and Ambassador to the Organization for Security and Co-operation in Europe (OSCE)
Olga Prokofva (f), aged 27
Olga Prokofva's mother and sister
Amanmukhammet Yklymov (m), aged 54
Orazmamed Yklymov (m) – his brother

Scores of men, women and children have been arrested as part of the wave of repression triggered by the 25 November attack on the President of Turkmenistan. There have been several reports of torture and ill-treatment, and dozens have recently been sentenced to long prison terms after grossly unfair trials. All those remaining in detention are at risk of torture and ill-treatment. To Amnesty International's knowledge, no investigations have been carried out into any of the allegations of torture and ill-treatment. Many of those detained were reportedly targeted because they were relatives of government critics accused by the President of involvement in the attack.

On 13 January, a high-profile trial opened against 32 defendants, including Batyr Berdyev, Amanmukhammet Yklymov and Orazmamed Yklymov. Numerous violations of fair trial standards have been reported. In many cases the defendants' lawyers were given little or no notice before the court hearings began. Some lawyers representing the defendants in court reportedly began their plea with the words "I am ashamed to defend a person like you...". The defendants were reportedly forced to sign a document saying they were familiar with the documentation of their criminal case and the indictment, without being given the chance to study these documents. The authorities have not published comprehensive information about the trials, including the names of all defendants, charges brought against them and where the trials are held. Neither the defendants' relatives, nor representatives of embassies and the Organization for Security and Co-operation in Europe (OSCE), were permitted to attend the court hearings.

Davlatgeldi Annannyazov, the brother of former political prisoner Gulgeldi Annannyazov, was released at the end of December. He was allegedly beaten by Security Service agents when he was taken into custody, and while held in detention. Aili Yklymov was released in mid December, but had to sign an undertaking not to leave Ashgabat. His father told Amnesty International that as a result of the ill-treatment in custody, his son has difficulties concentrating and is almost constantly tired. Esenaman Yklymov was reportedly forced to denounce his parents on television and sentenced to five years' imprisonment earlier this month. He remains at risk of torture.

Other members of the Yklymov family have allegedly been detained and tortured or ill-treated. Amanmukhammet Yklymov, who was reportedly sentenced to 20 years' imprisonment on 19 January, is said to have been tortured in the Ashgabat city police building following his arrest on 25 November. His family claim that as a result of the torture, he lost sight on his left eye and the hearing in his left ear. His left arm was reportedly broken and he is hardly able to move. Sources allege that a plastic bag was put over his head to restrict his breathing, and that he was suspended by his arms, and forced to wear a gas mask, to which the air supply was cut off. The court reportedly ignored Amanmukhammet Yklymov's allegations that

he was tortured in custody. His brother Saparmurad Yklymov told Amnesty International from exile in Sweden: "Amanmukhammet was already ill before they arrested him. I'm afraid he may not survive." Their brother Orazmamed Yklymov reportedly confessed that he was involved in the attack on the President following threats by law enforcement officers that his son would be tortured if he did not confess. There were reports that Orazmamed Yklymov appeared in court with a dislocated arm and a swollen eye, and was unable to hear in one ear. He was reportedly sentenced to 20 years' imprisonment on 19 January. Yklym Yklymov, another brother, went into hiding following the 25 November attack. His girlfriend, Olga Prokofva, and her mother and sister were reportedly tortured using electric shocks, and beaten with rubber truncheons and plastic bottles filled with water, in order to force them to disclose Yklym Yklymov's whereabouts.

Others who were detained and reportedly ill-treated included Batyr Berdyev, a former foreign minister and ambassador to the OSCE who was arrested on 8 December. Three officers of the Ministry of National Security reportedly attached him to a door with handcuffs and then beat him. Batyr Berdyev was sentenced to 25 years' imprisonment on 21 January in connection with the 25 November attack.

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

- expressing concern at allegations that Davlatgeldi Annannyazov, Batyr Berdyev, Olga Prokofva, her mother and sister, Aili Yklymov, Amanmukhammet Yklymov, Esenaman Yklymov and Orazmamed Yklymov were tortured or ill-treated in custody;
- urging the authorities to open prompt and independent investigations into these allegations with those found responsible brought to justice and the findings made public;
- calling for guarantees that all detainees and defendants held in connection with the attack on the Presidential motorcade on 25 November will not suffer torture and ill-treatment;
- expressing concern that the current trial fails to meet international fair trial standards, including that the defendants are not represented by a lawyer of their choice;
- urging the authorities to retry all those that have been sentenced for involvement in the 25 November attack following grossly unfair trials.

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 four hours ahead of GMT; if your fax does not go through, please post appeals):

President of Turkmenistan, Saparmurad Atayevich NIYAZOV
Turkmenistan; 744000 g. Ashgabat; Apparat Prezidenta; Prezidentu Turkmenistana NIYAZOVU S.A.;
TURKMENISTAN

Telegrams: Turkmenistan, 744000 Ashgabat, Prezidentu

Faxes: + 993 12 35 51 12 / 51 17 55

Salutation: Dear President

COPIES TO:

Minister of Foreign Affairs of Turkmenistan, Rashit Ovezgeldiyevich MEREDOV
Turkmenistan; 744000 g. Ashgabat; pr. Magtymguly, 83; Ministerstvo inostrannykh del Turkmenistana;
Ministru MEREDOVU R.; TURKMENISTAN

Telegrams: Turkmenistan, 744000 Ashgabat, Ministru inostrannykh del

Faxes: + 993 12 35 42 41

E-mails: mfatm@online.tm (if the e-mail is returned to you, please fax or post it if possible)

Salutation: Dear Minister

and to diplomatic representatives of Turkmenistan accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 6 March 2003.