

EXTERNAL (for general distribution)

AI Index: EUR 62/01/95  
Distr: UA/SC

UA 03/95

Fear of imminent execution

5 January 1995

UZBEKISTAN

Avaz GAFUROV ( \_\_\_\_\_ in Russian)

Amnesty International fears that Avaz Gafurov faces imminent execution after having been sentenced to death in the former Soviet republic of Uzbekistan.

An appeal against his sentence has been turned down by the Supreme Court, and his only hope of avoiding execution now is a petition for clemency to the President of Uzbekistan.

Avaz Gafurov was sentenced to death by Tashkent Regional Court possibly towards the end of 1993 for premeditated, aggravated murder (Article 80 of the Uzbek Criminal Code). He maintains that he is innocent. The Presidium of the Supreme Court turned down his appeal against his death sentence in 1994 (exact date not known). A petition for clemency has been lodged with the President of Uzbekistan.

Avaz Gafurov worked as the director of a cannery in the city of Yagiyul in Tashkent region before his arrest in January 1993. He was charged with the manslaughter of his wife, but the case was closed after the findings of an initial investigation cleared him of the charge. He was released from custody and reinstated in his job in February 1993. In August 1993 Avaz Gafurov was rearrested after the investigator who had conducted the enquiry into his wife's death was accused of general malpractice and removed from his post. Avaz Gafurov now faced a charge of premeditated aggravated murder and he alleges that he was ill-treated in prison in order to force him to confess to his wife's premeditated murder and to falsely implicate the investigator in alleged malpractice. His eldest daughter, who was the sole witness of her mother's death, maintains that it was a tragic accident and that her father is innocent.

Avaz Gafurov has four children under the age of 18.

#### **BACKGROUND INFORMATION**

The Criminal Code of the Republic of Uzbekistan retains the death penalty for 19 peacetime offences. However, senior officials told an Amnesty International delegation which visited Uzbekistan in April 1992 that regulations introduced in December 1991 reduced the number of offences which in practice still carry the death penalty to four: treason; murder under aggravating circumstances; murder of a minor; and aggravated rape. Execution is by shooting. The Minister of Justice told Amnesty International that the use of the death penalty in Uzbekistan was declining, but he was unable to provide the delegation with statistics.

Amnesty International has consistently pressed the Uzbek authorities to reduce the scope of the death penalty as a step towards total abolition; to impose a moratorium on death sentences and executions pending a review of this punishment; and to publish comprehensive statistics on the application of the death penalty.

From unofficial sources, Amnesty International currently knows of four other pending death sentences in Uzbekistan, besides that of Avaz Gafurov. At least five executions were carried out in 1994.

**RECOMMENDED ACTION:** Please send telegrams/faxes/express and airmail letters either in Russian, English or in your own language:

- expressing concern that Avaz Gafurov has been sentenced to death, and urging President Islam Karimov to grant him clemency by commuting his sentence;
- urging President Karimov to commute all other death sentences that come before him.

#### **APPEALS TO**

The President of Uzbekistan, Islam Karimov:

Respublika Uzbekistan

g. Tashkent

pl. Mustakillik

Apparat prezidenta

Prezidentu Karimovu I.

**Telegrams:Uzbekistan, Tashkent, apparat prezidenta, Prezidentu Karimovu I.**

**Faxes:+ 7 3712 39 55 25 or + 7 3712 39 54 00**

**Salutation:Dear President Karimov**

#### **COPIES OF YOUR APPEALS TO:**

1. Chairman of the Clemency Commission of the Uzbekistan Supreme Soviet, Pulatov (first name unknown):

Respublika Uzbekistan

g. Tashkent

Verkhovny Sovet Respubliki Uzbekistan

Komissiya po voprosam pomilovaniya

Predsedatelyu Pulatovu

2. Chairman of the Supreme Court of Uzbekistan, Ubaydulla Mingbayev:

Respublika Uzbekistan

g. Tashkent

ul. Abdulla Kodiri, 1

Verkhovny Sud Respubliki Uzbekistan

Predsedatelyu Mingbayevu U.

3. Procurator General of Uzbekistan, Buritosh Mustafoyev:

Respublika Uzbekistan

g. Tashkent

ul. Gogolya, 66

Prokuratura Respubliki Uzbekistan

Generalnomu Prokuroru Mustafoyevu B.

4. Foreign Minister of Uzbekistan, Saidmukhtar Saidkasymov

Respublika Uzbekistan

g. Tashkent

Ministerstvo inostrannykh del

Ministru Saidkasymovu S.

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 February 1995.