

URGENT ACTION

UZBEKISTANI WRITER FACES FURTHER PRISON TERM

Uzbekistani writer Mamadali Makhmudov was told on 5 March that a new criminal case for allegedly violating prison rules has been initiated against him. He was due to be released from detention after serving 14 years in prison in cruel, inhuman and degrading conditions. His family have been denied visits and fear that he may not survive a further term in prison.

Mamadali Makhmudov, (72), a well-known writer from Uzbekistan, was sentenced to 14 years in prison in August 1999 on charges of attempting to violently overthrow the constitutional order, establishing prohibited public and religious organizations and setting up a criminal group. He has always denied the charges and said that he was tortured in pre-trial detention in order to force him to “confess” to the charges. On 5 March 2013 Mamadali Makhmudov was informed that the prosecutor had signed an indictment against him for allegedly violating prison rules a total of 31 times. According to Mamadali Makhmudov he had not been previously informed by the prison authorities about any violation that he had committed. He is now facing a new prison term of up to five years based on Article 221 of the Criminal Code of the Republic of Uzbekistan (“disobedience to legitimate orders of administration of institution of execution of penalty”). Relatives of Mamadali Makhmudov have been trying to visit him in prison since February 2013. The last visit took place on 14 November 2012 when his daughter visited him in a prison hospital in Tashkent, where he was transferred on 26 October 2012. Mamadali Makhmudov is suffering from tuberculosis, high blood pressure and general weakness.

Amnesty International’s research shows that certain categories of prisoners, such as human rights defenders, prisoners of conscience, government critics and individuals convicted of membership of Islamist parties and groups or Islamic movements banned in Uzbekistan, are often subject to severe punishment regimes in prisons where they serve their sentences, and have their sentences extended for long periods even for alleged minor infractions of the prison rules. Amnesty International is concerned that the initiation of the new criminal case against Mamadali Makhmudov is illustrative of a long-standing pattern of harassment of civil society activists and human rights defenders by the Uzbekistani authorities.

Please write immediately in Uzbek, Russian or your own language:

- Calling on the Uzbekistani authorities to promptly release Mamadali Makhmudov on the grounds of his seriously deteriorated state of health and also because repeated calls for the investigation into his case to be conducted in a manner consistent with international standards for a fair trial, including a prompt and impartial investigation into all allegations of torture, have gone unheeded for over 13 years;
- Urging them to ensure that Mamadali Makhmudov is immediately provided with all necessary medical treatment and is allowed family visits;
- Reminding the authorities that under international human rights law they have a duty to protect the physical and psychological wellbeing of those in custody.

PLEASE SEND APPEALS BEFORE 7 MAY 2013 TO:

President of Uzbekistan
President Islam Karimov
Ul. Uzbekistanskaya 43
Tashkent, UZBEKISTAN
Fax: +998 71 139 55 25
Salutation: Dear President

General Procurator of Uzbekistan
Rashidzhon Kodirov
Prokuratura Respubliki Uzbekistan
ul. Gulyamova. 66,
Tashkent 700047, UZBEKISTAN
Fax: (+99817) 133 39 17/133 73 68
Email: prokuratura@lawyer.uz
Salutation: Dear Prosecutor General

And copies to:
Minister of Internal Affairs of Uzbekistan
Bahodir Ahmedovich Matlubov
Ministerstvo vnutrennikh del
ul. Junus Rajabiy 1
Tashkent 100029, UZBEKISTAN
Fax: + 998 71 233 89 34
Email: mvd@mvd.uz; info@mvd.uz

Also send copies to diplomatic representatives accredited to your country.

Please check with your section office if sending appeals after the above date.

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ADDITIONAL INFORMATION

On 11 February 2013 Mamadali Makhmudov's son went to visit him in a prison colony in Chirchik, eastern Uzbekistan, where Mamadali Makhmudov had been serving his prison term since June 2001; however he was not allowed to see his father and the prison authorities refused to accept the parcels of medicine and food that he had brought along. Later that day Mamadali Makhmudov's family found out that he had been transferred to a prison in Tashkent, where people awaiting trial or those awaiting a transfer to a prison post-conviction are held. On 12 February 2013 his daughter tried to visit him in this prison in Tashkent, but the meeting did not take place. She was able to give medicine to the prison personnel to pass to her father.

Mamadali Makhmudov was sentenced for his alleged participation in a series of explosions in Tashkent, capital of Uzbekistan, in February 1999 which the authorities described as an assassination attempt on President Islam Karimov. President Islam Karimov swiftly blamed the explosions in Tashkent on "Islamist extremists" and others who wished to undermine the government. Mamadali Makhmudov was held incommunicado in pre-trial detention for almost three months in 1999. In a written statement Mamadali Makhmudov described how he had been systematically tortured during that time by, among other things, being constantly beaten; having his hands and feet burned; having needles stuck under his nails; being suspended by his hands tied behind his back; having a gas mask put over his face with the air supply turned off; and being threatened with rape and death. In addition, he was told that his wife and children had been taken into detention and that they would be raped in front of him if he did not confess on film. From April until July 2000, Mamadali Makhmudov spent time in Jaslyk prison camp in the Northern Karakalpakstan region. The UN Special Rapporteur on Torture's February 2003 report on Uzbekistan included the recommendation to "...give urgent consideration to closing Jaslyk colony, which by its very location creates conditions of detention amounting to cruel, inhuman and degrading treatment or punishment for both its inmates and their relatives...". Mamadali Makhmudov wrote in a letter about how he had been subjected to constant beatings while in Jaslyk and that he lost 24 kilograms. Human rights organizations, including Amnesty International, have reported dozens of deaths in custody in suspicious circumstances since Yaslik was opened in 1999.

Amnesty International's research shows that certain categories of prisoners are often put in punishment cells, which have been described by former prisoners as small rooms (often windowless and made of concrete) with no heating, no natural light or ventilation and no room for a bed. Prisoners are often denied adequate medical care and are forced to work long hours. They often have to do physically demanding manual labour – such as building work or making bricks – with basic tools, inadequate clothing, and little food and water. Former prisoners report that they were frequently beaten by prison guards and other prisoners.

Name: Mamadali Makhmudov
Gender m/f: m

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