



On Torture and Arbitrary Detention in Uzbekistan and Turkmenistan Report to UN Special Mechanisms

Compiled by

Partners in civil society from Uzbekistan and Turkmenistan

March 3, 2011

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Summary

The following represents a compilation produced by human rights defenders in conjunction with partners, presenting analysis and case studies on torture and arbitrary detention in Uzbekistan and Turkmenistan.

This report is intended as a briefing to UN Special Rapporteurs on Torture, Human Rights Defenders, and other UN Special Mechanisms and bodies on the situation in Uzbekistan and Turkmenistan.

It is also intended as an invitation to continued cooperation, to network building, and to strengthening civil society in both countries by encouraging increased interface on the part of Turkmen and Uzbek human rights defenders with the United Nations. Moving forward, we hope that together we can bring new information to light and take concrete steps toward ending human rights violations.

Partners in civil society find that years after the special rapporteur on torture concluded that systemic torture exists in Uzbekistan, torture in both countries continues to be a routine component of investigations and detention and is a common practice in the penal systems. Forms of torture include.

- Bludgeoning with batons
- Genital mutilation
- Male and female rape and sodomy
- Psychological humiliation and degradation
- Electrocutation

In particular, people linked with the Andijan events of 2005, including innocent family members, are routinely detained, brought up on bogus charges, and subjected to long years of bodily torture and psychological terror. Notably, medical personnel often play a roll in concealing evidence and fabricating fake documents which make filing charges impossible. Other at risk groups include:

- Human rights defenders
- Religious people
- Refugees and asylum seekers who are often deported from other CIS countries back to Uzbekistan
- Ex convicts used as scapegoats
- Journalists

While information regarding Turkmenistan is scarce, according to our sources, the situation in the prison colonies is dire. This is exacerbated by the general weakness of civil society in Turkmenistan.

Of note have been recent studies carried out by the Turkmen Initiative for Human Rights, excerpts of which are contained in this report. These studies on Turkmen prisons and penal colonies detail arbitrary detention and torture as both physical and psychological daily realities.

It is our hope that this report by partners in civil society from Uzbekistan and Turkmenistan can be used as an ongoing advocacy tool to improve the human rights situation. The contributors of the report offer their contact information and invitations toward further discussion.

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I. Case studies of torture, arbitrary detention and missing people in associated with the Andijan events.

Compiled by Bahtiyor Muhtarov

Introduction: the Case of Akram Yuldashev

Everyone is familiar with the events in Andijan on May 13-14, 2005, when Uzbek government forces killed hundreds of peaceful, unarmed people who stood up against government policy. Before I get into case studies, I want to call your attention to some facts.

1. The exact number of victims of the Andijan events have not yet been established. The authorities refuse to conduct an independent and impartial investigation. The Organization of Andijan - Justice and Regeneration ", created by participants and witnesses of the Andijan events finds that more than 500 people were killed. In order to identify the dead and collect this data, we conducted our own investigation among refugee families (identifying 87 dead). Along with information about the victims provided by the Government and society Ezgulik, the total number of dead people whose identity has been established, is 241 people.
2. We have data on 13 people missing.
3. We have established the names of 9 people who died in prison due to torture and abuse, whose bodies were given to relatives. These cases are detailed below.
4. We have evidence of mass graves of participants of Andijan events, in this connection, the total number of dead could be much higher.
5. We have determined 241 participants / witnesses of the Andijan events who have been sentenced to terms of imprisonment of up to 20 years.
6. Many participants of Andijan events, which continue to have contacts with, have been subjected to torture. We estimate that at least 86 people, deported by the Kyrgyz authorities, and about 46 people deported by the authorities of Kazakhstan have been subjected to torture (we have gathered the data on this from the testimony of individuals from these groups).
7. Nearly 70 refugees, who believed the promises of the Uzbek authorities, returned to Uzbekistan. Their harassment is currently expressed in terms of constant interrogations, surveillance, denial of employment, and inhuman and degrading treatment. Dilorom Abdukadyrova, who returned to Uzbekistan from Australia in 2010 was sentenced to 10 years imprisonment.
8. At this time in Uzbekistan members of refugee families - participants of the Andijan events - are being persecuted. Harassment is expressed by the constant challenges of law enforcement authorities, the NSS and local authorities, interrogations, restrictions on movement in and out of the country, constant surveillance, restrictions of contacts with relatives and friends, and in some cases torture. We have collected evidence of 120 refugees who have sent us information about the persecution of their families and the families of their relatives.

Separately, I would also like to dwell on the case, Akram Yuldashev. Akram Yuldashev is the founder of the civil movement which has helped many thousands of Uzbek citizens out of poverty to improve their living conditions. Being simple mathematics teacher, he was able to gather around his ideas a lot of followers with whom he was able to realize some of his ideas. Back in the mid-90's, he urged the government to open a dialogue, suggesting ways to implement social and economic reforms in Uzbekistan. In 1998, on trumped up charges, he was deprived of his liberty.

On the 6 of January 1999 he was pardoned and released. However, after the events of 16 February 1999, when the Tashkent bombings were committed, the next day, February 17, 1999

Akram Yuldashev was again arrested and imprisoned for a term of 17 years on false charges of involvement in terrorist attacks. According to the testimony of people who were both with him in prison, Akram Yuldashev was subjected to systematic beatings by prison guards. He was beaten with a rubber truncheon in all parts of the body without exception. After several days of beatings he had refused to confess. We managed to meet and talk with Aliboeva Rahmatulloh, who spent a few hours in the same cell. He said: "We were in the chamber were about 10 people all sat around, squatting with our hands raised over our head. The guards forbade us to talk, get up from our seats, turn around and look around without their permission. If anyone of us grew exhausted or broke some of the requirements of the guards, then all prisoners were brutally beaten. After such a procedure we involuntarily began to watch each other to avoid further beatings. The cell door opened, and the corner of my eye I saw another inmate. It was Akram Yuldashev. It was difficult to recognize him because it was much thinner. As soon as he entered, he immediately sat down as we did, however, he raised only one arm behind his head as one of his hands were so swollen he couldn't raise it. When the security guard closed the door and left, Akram Yuldashev barely audible whispered the word "water".

His wife Yuldasheva Yodgorov, which had received information about her husband when visited him in the colony of "Sangorod" (Tashkent city) in 2000. She said her husband Akram Yuldashev was severely beaten by guards in the Jaslyk colony (where he had previously been). In the colonies there were special corridors of death, through which mostly political prisoners had to pass. They were long dark rooms which had two doors on both ends. About 20 or 30 guards with batons stood in to lines and beat the prisoners as they passed by. If any of the prisoners fell to the ground while jogging along the corridor, then the chance to get back on his feet was virtually none existent. This meant being beaten to death. The unconscious man in the crippled state is handed down from the corridor and thrown back into the light of the camera.

In most cases, the prisoner does not survive. The same thing occurred to Akram Yuldashev. But he was luckier, he was saved by one Zhurahon Asimov, who went to him when Akram Yuldashev fell. Thus, he shielded him with his body from being clubbed, and saved him, but died later of his injuries. Akram Yuldashev, in an unconscious state was taken to the prison morgue where he stayed for some time. One of the employees of the morgue said that Akram Yuldashev, still breathing, had insisted that he be sent to "Sangorod" (a special colony for seriously ill prisoners) in Tashkent.

As a result of torture in the prison Zhaslyk Akram Yuldashev received serious injuries and his health deteriorated over time. He could not move independently. The last time the wife of Akram Yuldashev saw him in 2005 in the medical department of the colony Sangorod, he had been diagnosis with TB. Currently we have no information about whether he is alive, how his health is, where he is. All our attempts to locate him fail.

Dilorom Abdukadirova

For twenty years, the regime of Karimov has remained in power. All these years, the regime has governed the country by dictates of intimidation and force. Dissidents, independent journalists, human rights activists, religious people, representatives of public organizations, and businessmen have been widely persecuted and subjected to various kinds of harassment. Uzbekistan, while declaring respect for human rights and joining international conventions, leaves all of these statements on paper. Total offense, total disrespect and disregard for human rights, harassment and persecution, harassment of civil society representatives, torture and other inhuman, cruel and degrading treatment in prisons is the real picture of today's Uzbekistan.

It has been almost 6 years since the Andijan events, but today the Uzbek government continues to persecute anyone who was related to the Andijan events. Participants in the Andijan events suffer in particularly. They have been thrown in jail in Uzbekistan and their families are subject to the

frequent challenges of interrogation, humiliation, constant surveillance, and threats from law enforcement agencies of Uzbekistan.

This also applies to relatives and friends of the hundreds of people who have fled to neighboring Kyrgyzstan immediately after the shooting of protesters and who were later granted asylum in Western countries, the USA, Canada, Australia and Europe. Family and close relatives of these individuals are still subject to constant pressure from the authorities and law enforcement. The government of Uzbekistan has repeatedly stated that the return of the Andijan refugees to their homeland was not precluded, and that they have no reason to fear persecution or other consequences.

However, when Dilorom Abdukadirova returned home to Andijan from Australia in early 2010, the authorities arrested her at the airport upon arrival, accusing her of illegally crossing the state border. Later, Dilorom Abdukadirova was also accused of endangering the constitutional order of Uzbekistan in organizing and participating in religious extremist currents. She was condemned by the Andijan city court to 10 years and 2 months imprisonment. She is currently serving her sentence in prison in Almalik City, Tashkent region.

We, a group of Andijan refugees have established our own organization "Andijon-Adolat VA Tiklanish." The word *Adolat* translates as Justice and the word *Tiklanish* as revival. In our opinion, justice before anything consists in establishing the truth. Without this there can be no revival of the country. In service of this aim, we are conducting monitoring to restore the picture of what happened on May 13, 2005 and after, as well as to gather information about the persecution of the participants in those events, their families and close relatives and of their torture and ill-treatment in prisons and other violations of human rights and freedoms.

In May 2010, we presented the first report to the general public, presenting the results of our monitoring. The report, called "Documenting instances (facts) of the death of persons during the Andijan events of May 13, 2005 and of the persecution of relatives" was presented as expert and advisory support for the Helsinki Foundation for Human Rights (Warsaw- Poland). The monitoring project was funded by the Central Eurasia Open Society Institute.

Recently, we presented the second such report highlighting the chronology of events that took place on 13-14 May 2005 recovered from the memoirs of participants in those events. 220 people were interviewed. Today I would like to draw your attention to other materials that are not represented in previous studies. First, torture and deaths due to torture in prisons in Uzbekistan.

I want to give specific examples.

Case Number 1

The first case is of Artikov Muhammadshokir Sodikzhonovich, born 09/02/1975. He worked in a subsidiary of Turon Furniture LLC doing work in the furniture shop. He was first detained on June 9, 2004. National Security Service (NSS) officials came to the place of work of Artikov MS under the pretext of ordering furniture. They asked him to accompany them to go and see the work they needed done. Artikov MS was unaware that they were from the NSS.

On the same day he was arrested and detained in the basement of the NSS. There and then began the torture and the cruel treatment. Later Artikova MS transferred to the Andijan prison UJA-64 / 1. There torture continued until unknown people were released on the night of May 13, 2005.

After the Andijan events, the second time Artikov Muhammadshokir Sodikzhonovich was arrested

was on July 7, 2005 in Pahtaabadskom district of the Andijan region. On January 12, 2006 he was convicted at the Tashkent regional court in Uzbekistan and sentenced to a period of 17 years. After the trial Artikova MS was placed in a Tashkent prison, known by the people as Tashtyurma (*tyurma*, being the Russian word for prison). In Tashtyurma, Artikov MS was not allowed visits from relatives and family for half a year. Only in September 2006, his family learned that he was in prison in Tashtyurma. In Tashtyurma, Artikov MS experienced particularly cruel treatment and torture. Due to the the torture and ill treatment he lost his health, and on March 23, 2007 he was transferred to "Sangorod" UYA-64/18. He could not move independently. He spend the whole transfer on a stretcher. When he was still in Tashtyurme, March 9, 2007, he had a meeting with his wife and children. Then, according to his wife, he was carried away by two guards and put on a chair. He was not independently able to walk and sit.

Artikov MS spent one and a half years in Sangorod, until September 7, 2008. On September 7, 2008, aged 33, Artikov Muhammadshokir Sodikzhonovich died as a result of prolonged illness.

At the time of his first detention -- the detention of 23 entrepreneurs in June 2004 -- and during the investigation, the state provided free attorneys who visited detainees. It was also allowed that relatives and family members visit detainees. At the time of his second detention before the trial and after the trial, for half of a year Artikova Muhammadshokiru Sodikzhonovich was not allowed to meet with friends and family. The lawyer on the case of Artikova MS participated only in the trial. Only on September 2006, the family learned that he was in Tashtyurma. Their first meeting with him took place on 9 March 2007.

The second meeting was only on April 10, 2007, when he was transferred to Sangorod. Here are some excerpts from the speeches of Artikova Muhammadshokir which were given in court in February-May 2005:

"... At first, they tied my hands, doused me with cold water and then started beating me with truncheons. From the unbearable pain I lost consciousness. When I came to, I was told that I had lain unconscious for three days.... Another time I was tied up and hung on some level above the floor and was beaten with batons. Then they tied a plastic bottle filled with water onto my penis. I was so hanging for several hours.... I was forced in front of a video camera to recognize all the charges that they brought against me. When I refused, I was severely beaten. Then they said that my wife was in the next room and if I did not confess to the camera, then they would bring my wife here and rape her before my eyes. It was too much. I told them to leave my wife alone and that I would do what they asked "

As can be seen, the purpose of torture and ill treatment was to achieve the recognition of false, fictitious charges.

During the second interview, 10 April 2007, when he had already been transferred to Sangorod, his wife witnessed the effects of torture and ill-treatment. Artikov MS was in terrible condition, panting, and behind, in the area of the shoulder blades hung a bank connected to his skin with a plastic tube into which dripped blood mixed with pus. As it turned out, due to a heavy blow, he ruptured one of the lungs and from there at all times drained this liquid.

His wife Huzhanazarova Hilolahon (born in 1980) affirms that after the second interview, when she saw the state of her husband she demanded and obtained a meeting with the doctor who learned about the state of her husband and his need for medication. The attending physician wrote her a prescription for the required medication, stating that the drugs were required every two weeks and that he would personally take them and give to the patient.

After that, the state of Artikova MS gradually began to recover until September 2007. Then his condition suddenly began to deteriorate.

According to his wife, the doctor recommended that the commission reconsider his case and release him since, in this state, he could not stay in a prison situation. The doctor filed to the commission eight times, and eight times the commission refused to meet the requirement of the physician and grant Artikova MS release.

Case Number 2

Ozodbek died from brutal beatings committed by security forces in Uzbekistan in May 2005. Here is what Zohidjon Mirzaev, fellow villager Ozodbek says.

Ozodbek by nature was a nice and humble guy. We often saw him. He worked on a national mini-bakery. He was master of his craft. On May 13, Juraev Ozodbek attended and spoke at a rally in the city of Andijan. Then he came home and the next day, the director of rural schools, we all learned, came to his home. She said that he should go and confess to participation in the rally. She added that raids had begun toward the identification and arrest of witnesses of that day, and if he didn't go, then he would be taken away which could result in irreparable consequences. She urged Ozodbek that the Uzbek government was very humane and will be sure to forgive his mistakes.

Then they went together to the local branch of the NSS. The director explained to security officials that the boy mistakenly went to the rally and would never again repeat his mistake. Authorities reassured the director, saying that Ozodbek would be questioned and released. That day Ozodbek did not return home. Relatives in the department said that he was taken to the regional branch of the NSS. Relatives continued to search for Ozodbek. One of the relatives of Ozodbek's wife found him in the morgue and brought him home. Villagers washed his mutilated body which was all black and blue. On the feet were clearly visible bruises from the ropes. People thought that he was perhaps beaten, hung upside down. His anus was torn. It was clear that something large was forced in there. His hands were nailed and his feet were torn, his testicles were crushed. This Ozodbek's mother-in-law said in an interview with Radio Ozodlik.

After the funeral, NSS officials arrested a relative of his wife, who found Ozodbek's body and brought him home. He, too, was severely beaten and he barely came out alive. He lay for a long time in bed unable to move.

The headmaster, who took Ozodbek to the NSS had a heart attack after the funeral and was sick for a long time. Six weeks after the attack, neighbors told us that she stopped eating and just cried. A little later she died because of her tortured conscience, as say villagers. Before her death, she lamented that she had believed the state and that she had ruined a nice and educated boy. She said to those who attended her that the state turned out to be real filth.

Case Number 3

Giesiddin Umarov was born in 1953. His body was returned on Oct. 29, 2010 from Sangorod in Tashkent. Before that, during the imprisonment, he was given an official diagnosis of "hemorrhoids". Prior to prison, he never complained of his health.

Here's what in this regard said his son's friend Tahir Ortikali had to say. Ortikali is now in the U.S., but he sat in isolation under investigation with Giesiddin Umarov after the events of May 13-14, 2005:

"After May 13 a massive arrest of eyewitnesses of the Andijan massacre occurred. We Giesiddin-aka and several dozen other people who witnessed the horror of that day, May 13, decided to leave the country and join those people who were able to cross the border and seek shelter in a

refugee camp in Kyrgyzstan on May 14.

But Kyrgyzstan's security did not allow us to join other refugees and delivered us to the Uzbek authorities. Then the big boys in military uniforms put bags on our heads and took us away in an unknown direction. They brought us to some buildings, like the Office of Internal Affairs. Beating us with batons, they pushed people into a chamber where they began to beat them strongly, so that the men shouted in pain and begged that the beating stop. They begged and said they would sign any charges, just if the beatings would stop.

Then came our turn, Giesiddin aka and mine. We and several others were brought into a room and there we were ordered to strip naked. We undressed. There was much cursing and insulting of everyone coming from big guys in uniform. They had truncheons. They beat us very hard, not allowing us to raise our heads. They ordered us not to look back and to only look at the floor. We stood naked they took turns beating us with batons and kicking us. They put a gun to my temple and threatened to shoot. They said that they have permission from their superiors to shoot at us. After that, tearing some sheets, they made rope and tied our hands behind us. Then we were taken to the police department of the city of Andijan. But there were just a bunch of beaten people like us there: prisoners.

As we sat in the car, one soldier said he would untie someone's hands. Giesiddin-aka stuck out his hand on which the soldier put out his cigarette. We were ordered out of the car. When I left, two healthy military men came up to me, and one of them told me to open my mouth. He put out his smoking cigarette on my tongue and then ordered me to swallow it. I swallowed. Then we were brought into a room and ordered to lie on the floor face down. We were not given time to go to the toilet. An elderly man broke down and wet his pants right there. After that, we were taken to the street and told here we could pee, but they did not untie our hands. We could not take off our pants. They told us that we had little time. I, like all the others, had to urinate in my pants. In the room we were again forced to lie face down. We were not allowed to turn around or roll over. I was told to perform the national anthem of Uzbekistan and then allowed to roll over for one minute. Giesiddin-aka was ordered to tell an anecdote. He spoke with tears in his eyes. The military greatly abused us and stepped on us with their military boots. Then they started beating us.

The next day we were brought to the city jail. It was full of people. The eldest son of Giesiddin-aka was also here. We were placed in one chamber. When in our ward we were ordered to count in order, my number was 82 or 87. I just can't remember. When they beat his son before him, Giesiddin-aka pleaded with them to stop. He requested they beat himself instead of his son. And when they beat him, his son pleaded to spare his father, but instead beat him. Thus, in a few days after several interrogations, I saw that on Giesiddin-aka there was no unbeaten place. His body was all bruised. Talking between us was forbidden. A few days later I was put in his cell. He sat in the corner. His lips were terribly swollen. It was evident that his lips were burnt with cigarettes. He quietly asked whether I had seen his wife, daughter or son. Soldiers told him that they raped his wife and daughter. This was our last meeting with him. I remember how he quietly, thoughtfully, sat in the corner. "

The second problem, which I would like to tell you, are those who went missing after the Andijan events of May 13, 2005. We have data on the 15 missing people. Here are a few cases:

Torabekov Zamirbek was born 12/28/1978. He resided in the village Beshkovok in the Khojaobod district of the Andijan region with his wife Torabekova Zhamilahon, born in 1986, and his son Torabekov Abubakr, born in 2005.

Here is the account of his brother Torabekov Safarbek.

"On May 13, 2005, when government troops began to shoot civilians, demonstrators in Babur Square in central Andijan, I, like many other protesters was forced to flee into Kyrgyzstan. On that

day, with me was my younger brother Torabekov Zamirbek (born in 1978). During the shooting I lost him. It has already been 5 years and we do not know anything about him. The last time I saw him was there on the square. His wife, Zhamilahon (age 20), with his year-old baby on that day were with their parents in the town of Osh, Kyrgyzstan. Until today, they live there. My mother Guloyim misses her daughter and grandson. We all want to bring them back home. But we fear that the National Security Council and the police, learning of the family, will interrogate and pressure them as they have with other refugee families. His wife, Zhamilahon is too afraid to visit us. Her son is now 6 years old."

After the Andijan events, relatives searched for him in all hospitals and morgues of the city of Andijan, but to no avail. There was not even at least some information about Zamirbek. But relatives fear to make a formal request from the authorities. After the Andijan events family members remaining in Andijan were constantly called in for questioning, being questioned about their brothers and about Safarbek Zamirbek. Law enforcement authorities illegally confiscated their property, a private mill by which they earned a living.

Currently Zamirbek's wife and his son are in Kyrgyzstan, at the home of the parents. And the women in Kyrgyzstan and in Uzbekistan and the family in general were left without means of livelihood, without a breadwinner, as one brother Safarbek lives in the U.S. as a refugee and the other, Zamirbek, is missing.

There is another case. Khamzayev Hasanhon Hamralievich, born in 1975, who lived in the city of Kokand, Ferghana region.

There are witnesses who saw him on Babur Square in Andijan on May 13, 2005. He was last seen near Chulpon Cinema on a street corner where people turned and fled when government troops started firing on them. Then the men put women and children in the middle of the column to protect them from bullets as they moved toward the border. When the column was some distance away, someone yelled that in the rear were several women who had been shot. They needed help. Five people rushed back to help women. Among them was Khamzayev Hasanhon. Since then he has not been seen.

Close relatives, still hoping that he is alive, continue searching for him. Recently, his wife Khamzayev Hasanhona again appealed to the office of internal affairs of the Andijan region in the hope to find information about her husband. But the police department of the Andijan region said they did not have any information about Khamzayev Hasanhon.

Conclusion

As we have learned recently, on Feb. 13, 2011 in a well-known place "Sangorod" (a prison in Tashkent), another party to the Andijan events, Mamarizaev Zhaloldin, (born February 13, 1979 birth) died. As you can see, he died on his birthday.

His body was taken home the next day, February 14, 2011. He was charged under Article 159 of the Criminal Code and sentenced to 11 years at first. Later, 4 years were added to make 15 years.

According to his mother, the body was accompanied by 8 law enforcement officers. They brought the body early in the morning, ordered the immediate burial without observing traditions and rites. The family was strictly ordered not to open the coffin, explaining that Zhaloldin was sick with an incurable viral disease.

As you can see this fact clearly indicates that this prison has perpetrated torture and cruel, inhuman, degrading treatment of prisoners despite the fact that the Uzbek government repeatedly

made promises to rectify the situation, to stop torture and other cruel practices and to improve the situation of prisoners in prisons.

Respected international organizations such as Amnesty International, Human Rights Watch, the UN Committee Against Torture, the UN Committee on Human Rights annually publish data on the human rights situation in Uzbekistan. These reports always point to systematic violations of human rights in prisons, the use of torture against prisoners and other prohibited practices. But Uzbekistan, it is not hard to notice, does not react to these indications and warnings.

In these circumstances, our task and purpose remain the same:

- Guide an independent investigation into the deaths, disappearances participants of Andijan events of May 13-14, 2005 with the participation of independent international experts in the field of human rights.
- Free participants of Andijan events held.
- Quickly stop the persecution of refugee families - participants of the Andijan events. Not to interfere with departure of family members of refugees to family reunification.
- End prosecution of refugees who returned to Uzbekistan.
- Present reliable information about the location and health status of Akram Yuldashev, a prisoner of conscience, to their relatives and the international community
- Appeal to the UN Special Rapporteur on Torture in case of a visit by Mr. Manfred Nowak to appeal to Uzbek authorities to request a meeting with Akram Yuldashev as well as other persons imprisoned as a result of the Andijan events.

II. Torture, Arbitray Detention, and the Roll of Medical Personnel

Compiled by Mutabar Tojibaeva, Head of the Human Rights Watch Club Burning Hearts
Tojibaeva spent 2 years and 8 months imprisoned in Uzbekistan on bogus charges

Torture and illegal arrests

March 11-12, 2010 in New York, the UN Human Rights Committee heard the report of the Uzbek government. The head of the delegation of the Akmal Saeed said (I quote): "Torture is condemned and prohibited by all three branches of government in the country. The UN Special Rapporteur Theo van Boven, visited Uzbekistan, gave an incorrect characterization of the practice of torture in the country. He called this practice "systematic". After him, then for seven years, all and sundry, repeated his interpretation. Where is the objectivity of the Special Rapporteur? Where is your independence? Do not fall under the influence to human rights defenders and NGOs."

The testimony of a former convict Farhodhona Mukhtarov claims the exact opposite. Mukhtarov spent years of his conviction in a penitentiary located in the UYA 64/61 Kashakadarinskoy area. After his release in December 2010, he met with representatives of foreign mass media, local and international human rights organizations and sketched a picture of torture and abuse that have become daily practice in prisons.

Mukhtarov says that torture is common practice in the detention centers and colonies of Uzbekistan. At almost all pre-trial detention areas, there are criminals who work for the police and on the instructions of superiors, they torture suspects and force them to confess to crimes. They are called *lochmachi* or breakers. Others secretly eavesdrop on the conversations of suspects and deliver the information to their chiefs. These are called ears.

According to Mukhtarova, who himself had witnessed torture and heard about it from the mouths of other prisoners, these torture techniques outlined below are widely used in Uzbekistan today:

- 1) Baton beating.
- 2) Electric shock.
- 3) Hanging plastic bottles filled with water from male reproductive organs.
- 4) Adorning inmates with special clothes which, when sprinkled with water, gradually shrink and constrict.
- 5) The head of the prisoner is put in a gas mask into which is blown dust and smoke from cigarettes.
- 6) The body of the prisoner is splashed with hot water.
- 7) The male sexual organ is rolled in newspaper and ignited.
- 8) Violence at the hands of the *lochmachi*.
- 9) The convict forced to stand on one leg, lifting the other. If the other second leg touches the ground or if he falls, he is severely beaten.
- 10) The convict is shoved into a very close, dark chamber with not enough air where he begins to suffocate from oxygen starvation.

Sports commentator and journalist, TV Yoshlar broadcasting company of Uzbekistan Khairullo Hamid was wrongly convicted on charges of membership in an unregistered religious organization. Farhad Mukhtorov said that the convicted persons, together with a reporter, told him how they were tortured to obtain their confessions. Those detainees who refused to give evidence in the indictments against the journalist was brutally tortured by water filled plastic bottles tied to the genitals. One convicted who experienced this, said later as follows: "After such a torture people can very easily go mad."

A young guy who was arrested on similar charges and subjected to similar torture went crazy

shortly after he was brought to the colony № 64/61. Later, he was sent to a penal colony Chukursaye, where they treat mentally ill prisoners.

In order to ensure the safety of himself and his family, Farhad Mukhtarov was forced to leave the country.

The Woman's Prison

In the women's prison UA 64 / 7, where I lived for 23 months, torture is an everyday method of punishment.

As a victim of torture, I myself witnessed the torture of others. In the penitentiary, where I was, women are subjected to brutal torture. Prisoners accused of violating orders, are put in punitive isolators and beaten so mercilessly that their screams and cries reach all corners of the zone.

Due to the theft of food intended for prisoners and poor food made from poor quality products including stale and sour bread, prisoners are constantly malnourished.

I want to say that at present the International Federation of Human Rights have helped me prepare my personal statement as a victim and witness of torture. There, I elaborate in detail how a man who was completely healthy before his arrest, was turned into a basket case.

It should be noted that prisoners in Uzbekistan are denied the right to make complaints about torture, illegal actions of the military and other kinds of violation of human rights and freedom of prisoners. Because the mailboxes are designed for prisoners' complaints to the special prosecutor for supervision of rule of law, in a penitentiary as a rule only the prosecutor and his representatives should open and close these boxes. In practice, however, the contents of the boxes are disclosed to prison staff. And so, with respect to persons who have complained, brutal torture is issued in response.

With regard to representatives of the governments of other structures, they are never interested in the situation and in problems of prisoners.

The Murder of Sobirjon Mukhtarov

Currently, dozens of citizens of Uzbekistan, together with their family members are located in Kazakhstan. They have applied to the UNHCR to gain refugee status. In the event of a return to their homeland they face arbitrary arrests and the use of sophisticated forms of violence. I want to give some examples.

The family of Gulnara Kadyrova live in the Kazakh city of Almaty. After the Andijan events of 2005, administrative organs are severely squeezing her family members. Her daughter Dilorom and her son-in-law Sobirjon Mukhtarova, who live in the city of Chirchik, Tashkent region, were accused of involvement in the Andijan events. They were taken out of the house, led to a police station and told to confess. When they refused, they were tortured. Later, they were released on their own recognizance while they received notice that they would be under constant surveillance.

In August 2009, Anwar-car Tursunrova, Chief Imam-Khatib of Tashkent city, was assassinated. At this time, many human rights organizations and defenders were also harassed including Sobirjon Mukhtarova. In the end, fed-up of the harassment, illegal arrests, torture and interrogation, on the first of September, he decided to leave the country. However, his attempt failed. Despite the fact that he was detained, arrested and indicted, his family was not informed. On the night of September 3, 2009, Diloroma and other members of her family were forcibly arrested. She was told that her husband was arrested and that she could see him. Then, Diloroma was brought into the building of the National Security Service where she was insulted and then told that her

husband had jumped from the third floor and died.

When Dilorom saw the corpse of her husband, she saw that he had fallen on his back. She discovered that his mouth was slashed, that he had been stabbed to death from the throat to the genitals and had been sewn back together in a sloppy manner. His hands had been cut and it was obvious that he had been raped. The body of the corpse was dark blue from the use of torture by electricity. Seeing all this, horrified Dilorom miscarried her pregnancy, paralyzing the left side of her body.

The body of the brutally murdered Sobirjon Mukhtarov was of course not returned to his family. When the family demanded the extradition of a corpse to be buried according to Muslim custom, the government said that the corpse would not return and would be used to deter other religious people and enemies of the government.

Pre-Trial Detention and Medical Personnel

On account of periods of pretrial detention, we also do not agree with the interpretation of the committee. The deadline for pre-trial detention to determine the issue of punishment - 72 hours and not one hour more. "It's a lie!"

Akmal Saidov

Head of Uzbek Delegation to the UN, March 2010

In Uzbekistan, administrative arrest for around 15 days is common when being charged with murder, rape, robbery, membership in illegal religious organizations, membership in a human rights organizations, being a prostitute, etc. Those arrested have no access to legal counsel and are held in complete isolation. And at this time, they are severely tortured for the purposes of forced confession.

This method also applies to those who came out of prison and are considered to be a person who can once again commit a crime. These people, upon arrest, are tortured, forced to recognize crimes, and receive long sentences as repeat offenders.

During 2003 - 2005, a few families sought help from our organization on the above situations. After our intervention, we were able to provide the arrested with lawyers to prove their innocence and to abolish the judicial decisions of administrative arrests.

It has long been in Uzbekistan a practice that hospitals do not register people who come there with signs of torture and beatings. Under duress of the military, doctors do not record the real condition of their patients. They do not provide them with necessary medical care, rather, hide the traces of the criminal activities of enforcement bodies. Representatives of the forensic teams have also contributed to the concealment of crimes, giving conclusions to the detriment of victims.

Here are some examples:

History Husan Ruzieva, victim of the Andijan events

May 7, 2004 at 16.30 hours Ruzieva Husanboya, worker in a private mill, was detained. He was brought into a building of the Department of the Interior, where, under torture, he was asked to recognize that he was a member of a religious extremist organization. To obtain their goal, they beat him and then released after receiving an explanation.

No sooner had Ruziev walked away from an Interior Ministry, that he was stopped by a representative of the department of the interior's disease prevention unit, Abusamad Tuychiev, who told him that he was accused of offending a woman. Despite the arguments that Ruzieva had

only seen this woman once, he was returned to the Interior Ministry building. The police officers themselves had written explanations on behalf of "aggrieved" Gulhae Yuldasheva. Ruziev was charged with disorderly conduct in accordance with Article 183 of the Code of Administrative Responsibility of Uzbekistan. After that, the police told the woman that she did a great job and could go home.

Husanboy Ruziev was taken to prison where he was not given food. On May 8 at 10 am, one officers started to ask him the same questions as before. They attempted to obtain evidence that the owner of the mill was a member of a proscribed organization. When Ruziev refused, he was severely beaten. He was told that they would plant drugs, bullets in his home to prove his guilt or hang a crimes on him and beat him and tell people that he himself fell down the stairs. Ruziev became ill with heart issues and lost consciousness. After that, they brought him to the hospital in an ambulance. NSS officer Sherzod Abduvaliev demanded that the doctors not record his arrival and stay.

Only on the third day Ruziev regained consciousness. His family, knowing that he was in the intensive care department and seeing traces of beatings on his body, turned to the administrative authorities. Although the state of Ruzieva's health remained critical, after 19 days he was forcibly discharged from the hospital by representatives of administrative bodies. A forensic examination gave the opinion that no traces of beatings were found on Ruzieva's body.

On June 9, 2004, the Izbaskansky District Criminal Court considered the case against Ruzieva on charges of disorderly conduct. The Court found no sign of hooliganism and discovered that the victim had not written a statement to the police department, and therefore the case was closed.

After four months, prosecutors Izbaskanskogo area made a protest in the Andijan Regional Criminal Court to repeal the decision. On September 19, 2004 the regional court, without informing Ruzieva Husan, decided to reopen the case for further investigation. Fearing persecution, the family of Ruziev was forced to leave the country, finding refuge in Holland. Currently we are preparing for the individual application of Ruziev to the UN Committee on Torture.

The Case Kylychbeka Muminov

On October 24, 2009 a resident of Alta-arykskogo district of Ferghana region Kylychbek Muminov (born in 1982) was the suspect in a scuffle. He was taken to a building of the NSS personally by Bakhrom Madumarov, a lieutenant colonel, the head of the NSS. At the entrance, Madumarov kicked him in the middle area and Lt. Kakhramon Mahamat struck a hard object against his head. When from striking Muminov got injured, they brought him to the Interior Ministry building. There Muminov lost consciousness. Arriving at the behest of an emergency, doctor Abdusamat Pirmatov gave him an injection, but at the request of Chief of the NSS, no documents were drawn out detailing his injury.

When in an hour Muminov's condition worsened, they brought him to the central hospital. However, the leadership of the NSS asked the doctor on duty not to allow Muminov to enter the hospital and not to issue any documents. Instead of being helped, Muminov was taken to the street and left there. Unconscious Muminov's friends found him and brought him home.

As a consequence of his detainment, Muminov, has had to seek treatment several times and has had several operations for complications to the ear and the genitals. He has become impotent and there are fears that he may become a permanent invalid.

As a result of pressure from the NSS and ATS on the physician and and on the family of Muminov, doctors will not give their opinion as to the true cause of his injury. Forensic medical examiners also gave false conclusions. In view of this, Muminov could not institute criminal proceedings on

the facts of his beating, and human rights organs fear another arrest lest he complain to higher authorities.

The Case of Erkin Musaev

Lieutenant Colonel Erkin Musaev, the former head of the Foreign Economic Relations committee, Ministry of Defense of Uzbekistan, a manager of development programs under the UNDP and the OSCE, was arrested at the airport when he flew to Bishkek to participate in an international conference. He received brutal torture, as a result of which he was forced to confess to treason and to divulging state secrets. He was accused of spying for U.S. intelligence agencies and the UN. It was said that supposedly hostile forces used information from Musaev, organizing riots in Andijan.

On May 9, 2008 the Working Group of the UN Committee on Arbitrary Detention issued a conclusion that the deprivation of liberty of Erkin Musaev contravened articles 9 and 10 of the Universal Declaration of Human Rights and articles 9 and 14 of the International Covenant on Civil and Political Rights. In accordance with this decision, the Working Group insisted that the Government of Uzbekistan in relationship to Erkin Musaev put things in strict conformity with the norms of the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. However, the Uzbek government has not taken any measures to restore justice to Musaev.

In this regard, I find it appropriate to mention that on March 11-12, 2010 in New York representative of the Government of Uzbekistan Akmal Saidov said: "We cannot accept the committee's assertion that the witnesses of the Andijan events were pressured. 80 citizens of Uzbekistan, the protesters in Andijan, who left the country shortly after the event, voluntarily went back to their homeland. None of them are subjected to pressure or persecution. I personally was a member of a parliamentary commission to investigate the Andijan events.

Unfortunately, Saidov's words do not correspond to reality. A few days after the Andijan events, human rights defenders in Kyrgyzstan created a documentary film entitled *People that shoot*. After showing the film on the air, Azima Rasulova journalist, and deputy chairman of the border guards and Absabyr Erezhenov, who were both interviewed for the film, acknowledged that 80 Uzbek citizens who were trying illegally to cross into Kyrgyzstan were arrested and extradited back to the Uzbek authorities at the request of the Uzbek government. Later, nearly all returnees were sentenced to lengthy prison terms. For example, one of them named Rustam Akbarov received 17 years.

The International Red Cross: Well Intentioned but Unhelpful

On 11-12 March 2010 the heads of delegations Akmal Saeed said (and I quote): "Uzbekistan has opened access to the country's prisons for the International Committee of the Red Cross (ICRC). Uzbekistan is the only CIS country which has concluded bilateral agreements with the ICRC in 2002. During all this time, the ICRC has paid a total of 150 visits to prisons in the country. "

Indeed, representatives of the International Red Cross have been allowed in prison in Uzbekistan, but their visit to the tortured convicts did no good. To the contrary, they caused harm.

As proof, I want to tell about events that happened during the visits by the ICRC in 2004 and 2008.

According to the story of convicts, in November 2004 when representatives visited the ICRC women's prison, many of the prisoners were relocated to Tashtyurma.

All prisoners, who spoke during a meeting between representatives of the ICRC on the shortcomings and torture in prison were after held for long periods in detention centers and were subjected to merciless torture.

During a visit of the ICRC in March 2008 to a punishment colony where I was located, we gave them more than a hundred examples of the terrible situation in the colony, about torture. We told them that prisoners no longer believed in people.

But after representatives of the ICRC left, saying that they would return to the colony, the administration decided that all women prisoners, together with those who spoke with the international organization must constantly sing a patriotic song written by an 18 year old girl. When he had gone a month, the ICRC came to the colony, we told them about the ongoing torture. But the situation has not changed. As far as I know such a method of torture is still going on.

Harassment of civil society activists

At the outset I said that Uzbek officials claim improvements in human rights. For example, Akmal Saidov says (quote): "The charges in the suppression of civil society do not correspond to reality. Our government is to the contrary steadily expanding its support and assistance to civil society institutionsWe are a social equal partnership between the state and civil society, we do not want to dictate working conditions for civil society "(end quote).

Deputy Minister of Justice of Uzbekistan so speaks about the persecution of journalists and human rights activists (quote): "Information about the persecution of journalists and human rights activists in Uzbekistan is not true. No such statements and complaints apply to state agencies, including the Ministry of Justice. The right to the personal integrity of journalists and human rights is guaranteed by law "(end quote).

If the Justice Department can present no evidence of harassment of journalists and human rights defenders, then I present these facts for their edification.

The harassment of journalists and activists

Ezgulik is the only officially registered human rights organization in Uzbekistan. In recent days, against the officers of the organization, a criminal case was opened under Art. 139 and 140 of the Criminal Code of Uzbekistan.

The Case Habibullah Elmurodova:

On June 23, 2010, the lawyer and human rights of the Yangiyul district of the Tashkenstkoy area was arrested. He was indicted on thirteen articles of the Criminal Code, including extortion, falsification of documents and possession of drugs with intent to sell. According to the verdict he would be imprisoned for a term of 14 years. Recently, the Tashkent Province Criminal Court held the appeal hearing, which upheld the guilty verdict of the court. When there was the court hearing on appeal, Elmurodova declared a week-long hunger strike to protest against the excesses of the court.

The case of Abdullah Tojiboy angles, and others:

Civil society activists Abdullah Tojiboy, Victoria Bazhenov, Dmitry Tikhonov and Vladimir Khusainov appealed to the Tashkent City Khokimiyat for permission to hold a demonstration on Dec. 6, 2010 in Independence Square to mark the anniversary of the Universal Declaration of Human Rights. After unsuccessful attempts to obtain a permit, they picketed under the laws of Uzbekistan. They held placards on which were listed the various problems. On the same day they were accused of

committing an administrative violation under Article 201, part 1 of the criminal code of Uzbekistan. In its decision, Yunus-Abad district court in Tashkent said that they held an unsanctioned rally against the state and its officials. Abdullah Tojiboy, Bazhenov and Khusainova were fined exorbitant sums of money.

The activists who had decided to appeal the court decision were not provided copies of the case. They were not invited to the hearing of appeal on December 27. I should note that to picket is not an offense under resolutions of the plenum of the Supreme Court of Uzbekistan.

On December 6 at Independence Square another picket took place. Television journalists from the channel Yoshlar of the National Television and Radio Company of Uzbekistan, Malohat Eshonkulova and Saodat Omonova went to the picket, expressing their dissatisfaction with corruption and censorship on television. They were both fired from their jobs. They are still trying to get justice.

III. Uzbek refugees in Kazakhstan under the threat of extradition to a country where there is widespread systematic torture

Compiled by The Committee to Save the Refugees Facing Extradition from Kazakhstan to Uzbekistan

The arrests of Uzbek refugees in Kazakhstan

From 1 January 2010 in the Republic of Kazakhstan the *Law on Refugees* came into force and in accordance with this law the authority to determine refugee status shifted completely to the appropriate authorities of the Republic of Kazakhstan. Prior to that, UNHCR determined refugee status under its mandate. After that Uzbek refugees, even those who had UN refugee status, obliged to appeal to the Department of the Migration Police, formerly Migration Department of the Ministry of Labour and Social Security, in Almaty with the request for asylum.

June 9-11, 2010 in Almaty, Kazakhstan law enforcement agencies have arrested about 50 refugees. More than 30 of them were arrested on extradition request by the General Prosecutor of the Republic of Uzbekistan.

On 11 and 27 August 2010, the Kazakh Republican Central Committee for Determination of Refugee Status held offsite meetings and reviewed the case of these refugees and denied them political protection in Kazakhstan.

August 31, 2010, it became known that the head office of the UNHCR withdrew earlier decisions to grant of refugee status for the 17 arrested refugees.

September 8, 2010 senior assistant prosecutor of Almaty Tashkenbay Aubakirov told the public that the General Prosecutor of Kazakhstan made a decision on extradition of 30 refugees to Uzbekistan.

During 6-29 December 2010 in Almalinsky district court N2 in Almaty have been hearings on complaints of Uzbek refugees in the decision of the Department of the Migration Police in Almaty to refuse them refugee status. Court dismissed the complaint of Uzbek refugees and acknowledged the decision of the Department legitimate.

From February 15, 2011, the Almaty City Court hears appeals regarding decisions Almalinsky district court N2.

Once again about torture in Uzbek prisons

Many Uzbek refugees, who were arrested in Almaty for extradition, fled Uzbekistan in danger of unjustified imprisonment and torture, and some previously served sentence in prisons of the country or were detained by law enforcement agencies, and were subjected to torture and inhuman and degrading treatment. We believe that it is appropriate to quote here a few examples:

Otabek Sharipov, 1978, a citizen of the Republic of Uzbekistan, from Kashkadarya region, married, has 3 children, II group disabled.

In spring 2000, law enforcement agencies detained several students of the Tashkent Institute of Finance, who lived in a dormitory #3 of this Institute. Otabek Sharipov was also a student of this Institution, but lived in a rented apartment. In May 2000 Otabek Sharipov met one of the arrested Babur Djurayev, who came back from Prosecutor's Office. He admitted Otabek that he was forced

to testify against him and write that Otabek is "a member of the extremist movement." Babur advised Otabek to leave Uzbekistan, or hide, but Otabek without feeling any guilt continued his studies.

Otabek Sharipov combine work with study and worked in the insurance company Yulovchi. June 7, 2000 he was arrested in the workplace. He was brought to the Headquarters of the Ministry of Internal Affairs of Uzbekistan and 4-5 operatives began to question him. Suddenly one of them hit Otabek in the face, whereupon the others also began to beat him.

In the evening he was questioned by a senior investigator of the General Prosecutor of Uzbekistan Kalkon Juraev. Otabek Sharipov told him that he is not an extremist. K. Juraev threatened him that he will be taken to the basement and if he does not confess, he will not come out from there. At night Otabek was taken to a cell.

June 8 investigator K. Juraev came to Otabek Sharipov again. He advised Otabek to confess voluntarily. Otabek said again that he is innocent. Within 10 minutes after the investigator left, five operatives came in. They surrounded him from all sides and began beating him. It lasted about an hour.

Then he was shown pictures and asked whom he knows. Otabek said he does not know anyone. Operatives brought rubber truncheons and started beating him with them. Thus, he was beaten for another hour. Then the operatives went to lunch and guards took Otabek, who was covered in blood and could not walk himself, to the cell.

After 3-4 hours Otabek Sharipov was brought for questioning. When he again refused to confess, the operatives showed him a stick with nails protruding from it. He was told that if he does not confess, he will be beaten with this stick. He refused and they started to beat him with this stick. From beatings Sharipov had lost consciousness. He woke up in the cell and saw another man beside him. Otabek was so weak that he was not able to chew a piece of bread.

June 9 another investigator came and advised Sharipov to confess what he had refused. Then again the operatives came and beat him for a long time until he lost consciousness.

June 10 investigator Kalkon Juraev brought Omon Kudratov and Bahodir Abdunazarov to give evidence against Otabek Sharipov. Kudratov and Abdunazarov also were tortured. Their clothing was covered with blood, and they barely moved. They testified against Sharipov Otabek.

June 11 detectives continued the beating Otabek Sharipov. At this time, after beatings they began to lift him up and throw onto the concrete floor with his buttocks. The torture continued until he lost consciousness. On the same evening investigator Juraev brought Toir Saparov and Azamat to give evidence against Otabek Sharipov. Toir Saparov and Azamat refused to defame Sharipov, and by the investigator Kalkon Djuraev's order they were also tortured in the neighbouring room. When they were brought back, both of them were barely moving, their whole body had wounds, abrasions and bruises, and their clothes were covered with blood. Toir Saparov was only in his boxers. Sharipov saw burn wounds in the genital area of his body. It was evident that his genitals were burnt.

June 12 beatings continued. One of the operatives, who beat Sharipov, presented self as Ilhom. Ilhom beat Sharipov till unconsciousness while the rest were holding Sharipov. They threatened to rape him into back passage with truncheon.

Torture in the basement of the Ministry of Internal Affairs continued for about 15-20 days. Then Otabek Sharipov was transferred to the remand centre CI-1 Toshturma.

In CI-1 Sharipov Otabek was held in the so-called "press-cell", where three prisoners held in same

cell constantly beat him and mocked him. It lasted for three days. Only after operative Ilhom came to interrogate Sharipov and he said that he cannot stand more of this and will die soon, he was transferred to another cell.

After the torture Otabek Sharipov was left with broken rib, his hearing was affected, and he could not concentrate on things because of the severe pains affected him mentally.

December 11, 2000 Otabek Sharipov was sentenced to 9 years in prison. He served the sentence in UYA 64/47 in Kiziltepa city of Navoi region. In the colony he was tortured in form of beatings with truncheon the soles of the feet and other parts of the body. Along with other prisoners forced to march without interruption, and sing the anthem of Uzbekistan under the scorching sun. Prisoners who couldn't bear the heat of the sun and fell unconscious were beaten with batons.

Ahmad Boltaev, 1968, a citizen of the Republic of Uzbekistan, from Surhandarya region, married, has 5 children.

April 2, 2000 he was arrested by the Ministry of Internal Affairs of Uzbekistan in Tashkent. He was subjected to torture immediately after his arrest. 8-10 MIA operatives beat him with rubber truncheons for a long time, and then conducted a personal inspection and "found" heroin. After that, they began to beat his younger brother Rahmatulloh Boltaev. Operatives tortured both of them simultaneously. They inserted sharp objects under their fingernails. Unable to withstand this torture, Ahmad signed documents prepared by law enforcement officers.

April 3 prosecutor gave an arrest warrant and then Ahmad Boltaev was placed in basement of the Ministry of Internal Affairs of Uzbekistan. Everyday two prisoners, who work for operatives, beat him in the cell. In addition, the operatives themselves beat him with truncheons on the soles of the feet and other body parts at each interrogation. It continued until April 27-28. After that, he was transferred to remand centre CI-1 Toshturma, where the beatings continued further. During the continuous beatings Boltaev's teeth were knocked out.

May 15, 2000 Ahmad Boltaev was sentenced to 20 years imprisonment. August 1, 2000 he was transferred to a close prison in the village Zangiata in Tashkent region. There were beatings every day. According Ahmad Boltaev, he did not believe that he will survive.

September 27, 2000 he was transferred to UYA-64/71 in the village of Jaslyk Republic of Karakalpakstan. Immediately upon arrival at the prison all prisoners, including Ahmad Boltaev, were severely beaten with truncheons. The chiefs of the prison (first Bobojonov Omonkeldi later Kulumbetov Alihaydar) and UYA-64/71 guards constantly taunted prisoners. For example, when the chief Omonkeldi Bobojonov enters the chamber, all the prisoners there would have to kneel. If Bobozhonov did not like how someone from prisoners gets on his knees, he gave orders to beat him more.

"Since 2000, until December 2003, my life was under constant torture," - says Boltaev Ahmad.

After his release under the amnesty, he was constantly summoned for questioning by the local police and NSS departments, and subjected to various humiliations.

September 14, 2006 his following relatives were without any ground arrested and later sentenced to 7 years in prison:

Fakhriddin Boltaev (younger brother);
Abdulmannon Boltaev (his aunt's son, from mother side);
Pulat Qoraev (uncle, from mother side);
Khayrulloh Khurramov (brother in law).

Previously his following relatives were arrested and sentenced:

Hoshim Boltaev (his uncle's son from father side) - was sentenced to 3 years' imprisonment;
Amriddin Boltaev (his uncle's son from father side) - was sentenced to 3 years' imprisonment;
Alaviddin Boltaev (his uncle's son from father side) - is serving his sentence in prisons of Uzbekistan since 1999;
Rahmatulloh Boltaev (younger brother) - was under arrest for 40 days;
Hoshim Boltaev (elder brother).

Because of this Ahmad Boltaev was forced to leave Uzbekistan.

Bahriddin Nurillaev, 1983, a citizen of the Republic of Uzbekistan, from Kashkadarya region, married, has 2 children.

16 August 2009 his older brother Bakhodir Nurillaev was arrested. Policemen arrived to his house on three buses and five cars to arrest him. In the house beside Bahodir Nurillaev, his wife and his three young children were present. The beatings began already in the house in front of his wife and children. 4-5 policemen beat Bahodir and took him away with handcuffs, covered in blood. He was subjected to systematic and continuous torture in the basement of the Ministry of Internal Affairs of Uzbekistan for 3 months. The court sentenced him to 18 years imprisonment. Due to the fact that the beatings took place in the presence of his children during the arrest, they have subsequently developed psychiatric disorders. They stutter and rave at night.

In 2007 Yuldosh Rasulov was arrested who is husband of Bahriddin Nurillaev's elder sister and a member of the Human Rights Society of Uzbekistan (HRSU). During the investigation, he was subjected to torture. He was beaten by five police officers, and when he lost consciousness, they called ambulance. After the doctor helped him to return to consciousness, beatings continued. They have tied Yuldosh Rasulov's hands and feet, and dropped him onto the concrete floor after tossing him to a height of 1.5 meters. They have inflicted wounds on his body with sharp objects. The court sentenced him to 10 years imprisonment. This is the second arrest of Rasulov Yuldosh - the first time he was arrested on May 22, 2002. For 40 days he was tortured in the basement of the Ministry of Internal Affairs. Yunusabad District Criminal Court sentenced him to 7 years imprisonment. He was released by amnesty in January 2003.

Followings are close relatives of Bahriddin Nurillaev who were arrested and sentenced for 9 till 12 years of imprisonment:

Bekzod Nurillaev - 27 years;
Sunnat Nurillaev - 21 years;
Ravshan Nurillaev - 20 years;
Mirzod Nurillaev - 18 years.

All of them were tortured. They were inserted sharp objects under their fingernails, tortured by electric shocks, anally raped with rubber truncheon. Some of them tried to commit suicide, but failed to do so.

Ulugbek Ostonov, 1973, a citizen of the Republic of Uzbekistan, from Kashkadarya region, married, has 3 children.

In March 2004, the NSS, in order to detain Ulugbek Ostonov, detained and tortured his brother, younger brother of his wife, his older sister and her husband. They were beaten, strangled wearing on their head plastic bag.

At that time many relatives of Ostonov Ulugbek and their wives were arrested. In particular they have arrested Kahramon Temirov, Abdusattor, Ulugbek, A'zam, Mukhtor and others. They have also detained Hassan Temirov's wife, who is the sister of Ulugbek Ostonov's wife. During the investigation they have beaten them on daily basis, burned their genitals and subjected them to other forms of torture. Subsequently, they were sentenced to lengthy prison terms. They have released the women after 30-40 days of abuse and torture.

After this Ulugbek Ostonov was forced to leave Uzbekistan, and left for Russia.

In July 2009 in Tashkent Ostonov Ulugbek's younger brother Oybek, 1980, was arrested. He worked as a security guard at a cafe in Tashkent. He was detained by law enforcement officers from Kashkadarya region and taken away from Tashkent. Within three months his whereabouts was unknown. 3 months later, Oybek Ostonov's sister received a letter from the prison UYA 64/47 from him. During meeting with his sister, he told her that he was beaten during interrogation and was burned with boiling water. They wanted to get from him information on the whereabouts of Ulugbek. He was sentenced to 18 years imprisonment.

Based on the above examples, one can once again be assured that torture in the penitentiary system of Uzbekistan is widely practiced on a systematic basis. If the first two examples relate to the year 2000, the following incidents describe the situation of torture there in recent time. Therefore, it may be conclude that the use of torture by law enforcement bodies of Uzbekistan happens every day and everywhere.

Requirements of the competent authorities of Kazakhstan to the Uzbek refugees are impracticable

Uzbek refugees in Kazakhstan constantly state about the threat of torture against them in case of their extradition to Uzbekistan. But the Kazakh authorities represented by the Department of Migration Police, as well as the courts do not take their statements into consideration.

It is well known that no state shall expel, return or extradite a person to another State where there are substantial grounds for believing that he would be subjected to torture. To determine whether there are such grounds, the competent authorities shall take into account all relevant circumstances including, where appropriate, the existence of a consistent pattern of gross, flagrant or mass violations of human rights. This is stated in Article 3 of the "Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment", the resolution 39/46 adopted by General Assembly of UN on 10th December 1984.

Taking into account the numerous reports and records of human rights organizations, we can safely state that there is a consistent pattern of gross, flagrant or mass violations of human rights in Uzbekistan and the statements of Uzbek refugees in Kazakhstan are well-grounded.

But the Kazakh authorities refer to this differently. They consider claims of Uzbek refugees unfounded, just because the refugees cannot provide documented proof to the authorities that they were tortured in Uzbekistan.

It is impossible for the Uzbek refugees to fulfil this request, as even in Uzbekistan itself it impossible to prove appliance of torture immediately after it takes place. Authorities take all the possible measures to conceal it: the prisoners after torture are isolated from the outside world, they are not provided with medical assistance, etc.

The leadership of Kazakhstan and international organizations must find a way out for Uzbek refugees

In this situation, the competent authorities of Kazakhstan and international organizations represented in the Committee against Torture of the UN, the UN High Commissioner for Human Rights and UNHCR should find out way for Uzbek refugees who are facing the threat of extradition and torture.

We recommend that the authorities of the Republic of Kazakhstan to ensure non-refoulement of refugees and asylum seekers to Uzbekistan, where torture is practiced systematically.

If Kazakhstan, for whatever reason cannot grant asylum to these refugees, international institutions must intervene in the situation and work out alternative ways of solving this problem.

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IV. Two Case Studies of Harassment, Torture and Arbitrary Detention of Human Rights Defenders in Turkmenistan

Compiled by the Turkmen Helsinki Foundation

Case Study 1

Since 2003, Sazak Begmedova (born in 1928) has been located in "internal deportation." On August 31, 2003 the Turkmen authorities illegally, without charge, beat and expelled Sazak Begmedova from Ashgabat to the northern city of Dashoguz. During detention and later when after he tried to return to Ashgabat, the authorities accused him of dissent, of carrying on human rights activities. They accused his daughter and son-in-law of opposition activities. Officials who arrested him freely admitted that their actions stemmed from the order of the government of Turkmenistan.

Sazak Begmedov, a member of the Turkmen Helsinki Foundation and the "father" of the Turkmen human rights movement has suffered because of political persecution of the Niyazov regime begun in 2002. Soon after his internal deportation, he began to present a legal defense, but authorities threatened reprisals. On August 31, 2003 four police officers beat him in front of his neighbors and deported S. Begmedova from the capital to the northern city of Dashoguz. S. Begmedov was hospitalized because of injuries sustained in the beating. His legal appeal asserting illegal actions by the authorities did not to yield results. On January 2004 the fact of deportation was again re asserted as Begmedova was removed from a plane bound for Ashgabat. He was flying to a cardiology clinic on the direction of a physician.

Because of the repression, dozens of family members of Begmedova have suffered.

These constitutional rights and laws have been violated:

- 1) Violating of the law of Turkmenistan, Begmedov was detained without documentation and charges being brought forth.
- 2) He suffered inhuman treatment while in detention, beatings by the police. His demands to complain to the president and to human rights organs were denied by the police.
- 3) The right to receive medical care during detention was denied him.
- 4) He suffered illegal deportation and the long-term maintenance of de facto house arrest in deportation.
- 5) Freedom of movement was denied him.
- 6) He suffered the pressure of constant government-surveillance, telephone disconnection and wiretapping. He was required to systematically register with the police.
- 7) He was not informed of the date of his trial. He was deprived of private property.
- 8) His right to the presumption of innocence was violated.
- 9) All his formal complaints were dealt with, with bias and without accompanying evidence, thereby violating his right to appeal against unlawful actions by law enforcement authorities.
- 10) His family suffered politically motivated harassment and persecution on the basis of kinship.
- 11) He suffered an illegal deprivation of housing, property and savings.

Link to an Amnesty International press release on the matter:

<http://www.amnesty.org/en/library/asset/EUR61/007/2005/en/ef47886b-d4b3-11dd-8a23-d58a49c0d652/eur610072005en.html>

Case Study 2

Ogulsapar Muradova (58 years old) was a correspondent for the Turkmen service of Radio Liberty. Before that, she worked with the human rights group Turkmenistan Helsinki Foundation. In August 2006, she was convicted on politically motivated charges of illegal possession of weapons. This charge was reprisal for helping the French broadcasting stringer Galaxy Amandurdy Amanklychev and Sapardurdy Khajiev shoot a documentary about Turkmenistan.

Muradov was arrested on June 18 2006 along with Amandurdy Amanklychev and Sapardurdy Khajiev, who were also associated with foreign journalists. Initially they were accused of subversive activities, which authorities considered to be journalism and the promotion of human rights. In late August, all three two-hour closed trial were held in which they were convicted of weapons possession. Muradov was sentenced to six years, Amanklychev to seven years in prison.

On September 14, we became aware of the sudden death of Muradova in jail. According to relatives who received her corps, her body showed signs of violence, in particular the head wound, the strangulation marks and the bruises from skin injections. She also had a broken leg

Until now, authorities have not investigated the death of Muradova. Activists Amanklychev and Khajiev are illegally imprisoned. Their prisoners' rights are not enforced. The health of both is undermined.

V. Abuse in Turkmenistan's Penitentiary Facilities

Compiled by the Turkmen Initiative for Human Rights and the Turkmenistan Independent Lawyers Association

The full report can be found here: <http://www.chrono-tm.org/uploaded/1266867677.pdf>

Statistics:

There are 22 penitentiary facilities in Turkmenistan, which are comprised of 12 colonies (with various types of custodial regimes), 6 – SIZOs (pre-trial detention facilities), 2 - occupational therapy rehabilitation centers, 1 – in-patient hospital facility for convicts in custody and 1 penal battalion designed for military conscripts serving sentences.

The list of all facilities with their whereabouts and estimated capacity is attached to the report. In addition, there are temporary holding facilities in each police department, a total of 53. These facilities are under the jurisdiction of the Ministry of the Interior. One pre-trial detention facility and one IVS temporary holding facility are supervised by the National Security Ministry (NSM). The total imprisonment capacity in the existing colonies and prisons (excluding BLHK – penal battalion for convicted military personnel) is 8100 inmates. Prior to the amnesty act announced on December 2009 the inmate population in prisons and colonies in Turkmenistan totaled 26720 persons, i.e. 3.3 times more than the penitentiary facilities can accommodate. Assuming that Turkmenistan's population is as reportedly estimated at about 5 million people, the imprisonment rate - the number of inmate population in a selected country per 100.000 inhabitants - in Turkmenistan equals 534. To compare, in Kazakhstan this figure is 348, in Kyrgyzstan - 285, in European countries – 80.90 persons.

As is evident, Turkmenistan's imprisonment rate is considerably higher compared to the neighboring countries and several times higher than in countries in Western Europe. The aforementioned number of convicts (26720) does not include those kept in pre-trial detention facilities, IVS temporary holding facilities, occupational therapy rehabilitation centers and the penal battalion. It should be mentioned that the contingent of pre-trial detention facilities is predominantly made up of individuals who have already received a court verdict but who have not yet been transferred to colonies.

Therefore, despite the fact that following the aforementioned act of pardon held in December 2009 when 3934 persons were released, the imprisonment rate could not change considerably, since in the six pre-trial detention facilities, designed for the total of 1120 persons, virtually 3 to 4 times more inmates are being accommodated.

The attending staff members of the penitentiary institutions comprise 5000 employees. As a rule, military conscripts are employed as prison guards.

The equivalent of \$8 USD a month is spent by the government on each inmate.

Penitentiary Facilities Under Survey

Specially-designated facility BLK-4 in minimum security penal colony. The prison facility is located in the suburbs of the village of Akdash, 15 kilometers from the city of Turkmenbashi (formerly, the city of Krasnovodsk). This facility accommodates former law-enforcement officers from the Ministry of the Interior, including the fire fighting service, the Adalat Ministry (the Ministry of Justice), Public Prosecutor's office, courts, the National Security Ministry. Over the past 2 years the former heads of district, municipal and regional administrations as well as some former military officers have been undergoing a process of prisoner rehabilitation and correctional training in this correctional

facility.

The colony is relatively new – the construction works started in 1996. Back then one main building was constructed – a barrack for inmates. BLK-4 inmates were also involved in constructing other buildings inside the correctional institution. In 2006 this penitentiary facility with a capacity of 500 inmates was fully commissioned. This colony houses convicted persons serving sentences with minimum security, maximum security and special security regimes, though pursuant to the Turkmen legislation joint accommodation of prisoners with varying security conditions is not permitted.

The colony houses 1732 inmates, which is over three times the number of people they are designed to accommodate. Out of this, 535 persons have been sentenced to minimum security regime, 847 detainees – to maximum security and 350 convicts - to special security conditions.

Along with the main building which has cells for 4 to 6 persons, there are also separate houses with occupancy of 2-4 persons (for former high-ranking officers). Thus, “bosses” enjoy the privileges even here. However, this does not imply that all former bosses are serving their terms separately from the junior soldiers. A bribe paid to the prison head is essential. Those who have paid bribes are provided with more comfortable prison conditions.

However, the overall prison conditions do not meet any commonly-accepted standards. The rights of the inmates are grossly violated. Due to mass overcrowding, inmates diagnosed with TB and skin diseases are kept together with healthy detainees. As a result, many inmates get infected by those already infected. The prison administration fails to stop diseases being spread to healthy inmates due to the shortage of medical staff and unavailability of medication. The only thing implemented by the prison administration was to lift restrictions on receiving medical supplies from family members.

One of the wide-scale violations of convicts’ rights and freedoms is the use of violence and abuse by the colony staff and other individuals with the consent and often following the instructions of the colony’s administration. For instance, former police officer and senior lieutenant from the city of Turkmenbashi, Tirkesh Aymuradov, was repeatedly exposed to physical abuse both by the colony’s administration and fellow inmates. Aymuradov was put in the colony not for committing a crime but because he is a family member of the former attorney for the defense of the Balkan Public Defenders’ Office Kulieva. In her turn, she was sentenced to a term in prison on trumpeted-up criminal charges brought against her since she fulfilled her job functions in a diligent and honest manner, defending her clients, despite the pressure and intimidation exerted by the authorities.

Unable to tolerate the abuses, T. Aymuradov contacted the attorney for defense through his relatives. During the appointment with the complainant the attorney witnessed the abusive treatment inflicted upon his client: almost all his teeth were knocked out, he had a large number of scratch marks and bruises on his body and face as well as cigarette burns. The colony’s executives explained this by the fact that allegedly tooth crowns are not allowed in the colony whereas other bodily injuries were attributed to the stubborn and obstinate personality of the detainee, who reportedly provoked arguments with his fellow inmates which resulted in bodily injuries. After the attorney officially addressed the Public Prosecutor, who supervises the implementation of the laws in the colony, the abusive treatment against the convict stopped. It remains to be seen for how long.

A high death rate is reported in the colony. Over the past two years 13 people died: 7 convicts died as a result of fire and 6 inmates died of tuberculosis. One of the most important criteria for ensuring adequate prison conditions is providing inmates with personal hygiene facilities. This helps people in detention facilities to stay healthy and also ensure human dignity. However, the provision of hygiene products is below the basic requirements. Not all inmates are able to purchase hygiene items or depend on relatives to supplement adequate supplies. The colony

administration as well as other penitentiary institutions has no available financial resources to provide convicts with personal hygiene products as the funding is available only for the estimated number of detainees, i.e. 500 inmates.

The same situation applies to nutrition. The majority of convicts are poorly fed and suffer from malnutrition, since not every inmate has family members who have available cash to supplement food supplies to relatives in custody. Convicts lose weight largely due to the lack of nutrition.

According to one of the former inmates of this facility (former deputy prosecutor of the Lebap velayat T. Dzhanbaeva), during the time he spent in the specially-designated facility he lost 21 kilos due to scarce food rations. He thinks that his release from imprisonment saved him from starving to death.

The colony accommodates not only the former law enforcement officers entitled to special security regimes but also individuals who are required to be held under special control. Often, the colony accommodates so-called “untrustworthy political suspects”. Back then, the journalist N. Gerasimov was kept in custody in this colony

LBK-12 facility

Minimum security regime colony. The facility is located in the Lebap velayat (formerly, Chardjou region), in the desert, 6 kilometers from the town of Seidi (formerly, the village of Komsomolsky).

This penitentiary institution (popularly referred to as Shagal) is the largest in Turkmenistan in size and prison population. It is designed to accommodate as many as 2100 inmates. Currently, it houses 5700 detainees. Over 500 internal armed forces personnel, military conscripts and 270 staff members serve as colony security guards. Dormitories with iron bunk beds are located in the colony. The barracks, located 100 meters from each other have a housing capacity of 100 convicts.

Despite the minimum security conditions, i.e. the most liberal custodial regime for the inmates, who committed minor offences and were criminally prosecuted for the first time, prison conditions are very tough. The colony is based in the lifeless desert with winter temperatures reaching – 20° C, and in the summer heat waves up to +50° C.

Due to the harsh climatic conditions, overcrowding, the fact that prisoners diagnosed with TB and skin diseases are kept together with healthy inmates, scarce supplies of food, medications and personal hygiene products, the institution reports the highest mortality rate of 5.2% among the country's penitentiary facilities.

Here, similar to other Turkmenistan's penitentiary facilities, physical abuse is used against inmates by the colony personnel and other individuals with the consent and often following the instructions of the colony's administration. Primarily, detainees who were placed in the colonies for the first time and are consequently not aware of the unofficial prison rules, are subjected to violence. Such convicts, as a rule, complain about the abusive behavior of their fellow inmates and the lack of action undertaken by the colony employees rather than the abusive treatment by the colony staff.

Murat Mergenov, a resident of the Kazandjinsky district, was placed in the colony in May 2008 to serve his imprisonment term of 3 years. Here he found out that there are several inmate groups arranged by the tribal principle and that he should become a member of one of them. Mergenov was reluctant to join any groups. However, he was repeatedly subjected to psychological pressure and physical abuse by other convicts. The head of the colony did not respond to his complaints and Mergenov was forced to tolerate humiliating treatment and torture. Needless to say this is not the only case. There are Tekin, Emud and Tat tribe-based groups, the Tekin being the

most numerous and the most influential. Largely its powerful status is linked to the fact that the head of the colony belongs to the Tekin tribe. Real fights with knives and knuckles occur between the groups, which result in a high death toll among the prison population. In 2008 over 30 inmates died in such fights.

Similar to other penitentiary institutions, bribes are rampant. Primarily bribes are paid by the inmates' relatives to the colony senior managers: the head of the colony, his deputies, followed by department heads, section heads and senior officers, heads of the units and other staff members. The amount of a bribe depends on the services rendered as well as the job title. For instance, a bribe paid to the head of the colony amounts to \$100 and above, deputies may be entitled to a bribe of \$50 and above, while only \$10 and above can be paid to other personnel. At the same time, the services rendered can vary – they may include handing over food supplies to a convict, obtaining a visitation permit or even providing a work place to an inmate. The majority of imprisoned convicts are willing to get any job. In the colony there is a shop which restores old electrical engines by replacing the motor wiring. Last year a chain-wire manufacturing facility was opened in the colony, the equipment for this had been transferred from the demolished colony BLK/5.

DZK/8 facility

Female colony located in the city of Dashoguz, built in 1967. Currently it is designed to accommodate 700 inmates. At the time of the writing, it held 2010 female prisoners, including 780 women sentenced to minimum security regime, 1020 - to maximum security, 135 – to special security regimes and 75 female inmates – to the penitentiary regime. In other words, unlike other penitentiary institutions the inmates sentenced to 4 custodial regime types are accommodated (minimum security, maximum security, special and penitentiary regimes).

In the Soviet times the colony was relatively small in size and comprised of one building with a capacity of 250 female prisoners, but the occupancy rate did not exceed 40%. Another distinguishing feature was that only 10% of the entire prison population was made up of indigenous Turkmen females. In the meantime, women of Turkmen ethnicity account for 92% of all convicts.

The overwhelming majority of women are placed here for committing drug-related offences. Those account for 80% of the inmates. According to TIHR, in 2007 the Interior Ministry departments initiated criminal cases for drug-related offences against 3161 individuals, whereas the offices of the National Security initiated cases against 388 persons, with females making up the largest number. Theft and robbery are the second most common offences – 15%, followed by other offences - 5%. Nearly all women under trial explain their delinquent behavior and the offences they committed by their tough financial circumstances. They fail to find employment and have no other opportunity to earn a living except by selling drugs. This type of “business” is the most widespread among females. Drug dealers find unemployed women and the latter sell their merchandise for remuneration.

Bibigul Karadzhaeva, a native of the city of Turkmenbashi, was detained by officers from the Interior Ministry for selling a large drugs batch. Left alone with 4 minor children and without any means of existence, she had been looking for a job for several months. All her attempts to find employment did not bring about any results. Hired by a drug dealer, for over 12 months she sold drugs in small quantities, followed by large-scale drug trafficking and was subsequently detained.

During the court trial, she repented of her wrongdoings and said that she had even tried to earn a living by engaging in prostitution and committed the crime driven by extreme poverty. The judge sentenced her to 18 years imprisonment. Yet, as the majority of women, convicted for drug trafficking, B. Karadzhaeva was pardoned and released from imprisonment after less than a year.

The colony accommodates many females who were repeatedly sentenced for drug-related offences and were then pardoned. Releasing women from imprisonment, the Turkmen authorities refer to the humanity demonstrated by the government. In reality, the annual release of hundreds of women is a forced measure. The colony is unable to accommodate such a large number of inmates who are sentenced on an annual basis. Often, the number of female inmates released from imprisonment according to the presidential act of pardon, exceeds the colony capacity several times.

As regards the prison conditions, they differ little from the prison condition in male colonies, whereas conditions in the penitentiary facilities for women have their specific requirements. Since the colony holds three times the number of prisoners it is designed to accommodate, instead of the estimated capacity of 4 inmates, there are 12-14 female prisoners in each cell. Cells are equipped with only one bench-hole - open toilet and one wash basin. Female inmates are urged to stand in line to use the toilet and take turns sleeping in beds, in three shifts.

Only one day a week is envisaged for bathing and laundry, which is evidently not sufficient for women. Furthermore, there is a shortage of personal hygiene products since the government provides inadequate funding for these needs. It gets very hot in summer and extremely cold during the winter season. As a result, women suffer from various diseases including infections. Cases of tuberculosis are frequently reported. The annual mortality rate is 15 persons on average.

Accommodating juvenile girls together with adult females is one of the gross violations of inmates' rights. In Turkmenistan there is a juvenile colony, but it is designed to accommodate only juvenile males

Currently, DZK-8 accommodates 215 juvenile girls, who have predominately committed illegal drug trafficking offences and thefts of personal property. To compare, in 1989 the colony accommodated only 7 girls.

Special mention should be made of the specific feature of female inhabitants in the colony – prison conditions for women with children. Medical care in the colony is conventional – there are 2 paramedics and no OBGYN doctors. No proper conditions are provided for pregnant women, though if an expectant mother is due to give birth, she is transported to the municipal maternity home, which provides maternity care for women in normal conditions. After childbirth, both mother and child are accommodated together in specially-equipped rooms until the child turns 12 months. In these 2 specially-designated cells the conditions and nutrition are better compared to other cells, even though they do not meet generally accepted standards.

There are only 5 rooms for meetings between prisoners and relatives (2 rooms are about 3 m², others are 2.5 m²). Since this room is not large enough for all visitors, families are accommodated in the kitchen, store rooms and in the small aisle near the toilet. Visitors sleep on the ground. Sometimes the officers responsible for the meetings place two families in one room.

The colony runs an in-house clothes factory (policemen and inmates uniforms). However, due to the shortage of accessories, the shop often stands idle. Female prisoners are predominantly involved in cleaning lamb wool. Despite the specific character of the penitentiary facility, the use of physical abuse against the inmates by the colony administration and staff is typical in the colony. Cases of beating and rape of the inmates by the colony staff, the use of torture and psychological pressure are rampant. Such treatment of inmates results in frequent suicide attempts among the prison population. This reason was accountable for the death of 8 female convicts in the years of 2008-2009.

One of the former inmates, Svetlana Q, who spent 8 years in custody in the colony said that she and many other women were regularly subjected to physical abuse and psychological pressure without any grounds. She testified that almost all good-looking women were raped by the colony

staff. Upon leaving the colony, she was forced to emigrate fearing that she may again fall into the hands of the Turkmen justice system and be placed in the colony.

The colony also accommodates female relatives of the former high-ranking officials. For instance, a spouse of the former speaker of Turkmen Parliament Ovazgeldi Ataeva and the spouse of the former Prime Minister Ella Gurbanmuradova as well as the former Turkmenistan's Chief Public Prosecutor G. Atadzhanova. She is kept in custody in the facility, which accommodates inmates sentenced to lengthy imprisonment terms in the special regime colony.

Penitentiary facility MRK/16

Minimum security regime colony. Located in the town of Bairam-ali in the Mary velayat. Its occupancy is 800 persons but in fact it accommodates about 3700 inmates. Due to overcrowding and when the weather permits, especially in hot spring and summer months, the majority of inmates prefer to spend their days making themselves comfortable on the ground around the barracks. Since the barracks are very tiny and they accommodate 3 to 4 times more people than envisaged by normal standards, it is almost impossible to stay in cells in the summer heat even for a healthy person.

There are 14 visiting rooms to accommodate inmates with family members. However, there is an acute shortage of such rooms. Often the visits are arranged in the corridors in the presence of security guards, staff and other visitors.

To guarantee a meeting in a separate room, family members are forced to give bribes to the staff of the penitentiary institution. The average bribe amounts to 80 manats (equivalent to \$30). The nutrition in the colony is scarce and therefore relatives try to pass over more food products to inmates during visits or via food packages. They bring and send the following food products: vegetable oil, bread, fruit and vegetables, kaurma (small piece of deep-fried meat in melted fat. When fat solidifies, it prevents air accessing the meat, i.e. the meat is preserved and can be stored or a long time).

According to the inmates "the prison conditions are tough but you can adapt to them especially if you have available cash. If you have plenty of money, you can also order girls as well as alcohol and drugs."

Libraries, sports grounds and other recreation facilities are not available. Instead of the library the Rukhnama corner was set up which has sufficient copies of the same-name book, authored by S. Niyazov. According to former prisoners, previously many inmates borrowed the Rukhnama to demonstrate their model behavior and loyalty to the administration in the hope to be included in the pardon lists. In the meantime, the book does not enjoy any popularity.

Penitentiary facility BLD/4

Pre-trial detention facility (SIZO) under the jurisdiction of the Interior Ministry. Located in the city of Turkmenbashi. Estimated capacity of 200 inmates. Currently it accommodates 800 persons on remand or already convicted, who have not yet been transferred to colonies.

Juvenile inmates are accommodated together with the adult prison population. The staff of the pre-trial detention facility explains this by overcrowding. Special operation squadrons break into cells and beat inmates with rubber truncheons and handcuffs on a regular basis. The so-called "prevention" measures can be treated as mass violations of the rights and freedoms of detainees placed in pre-trial detention facilities. Such squadrons are based in the city of Ashgabat (Special Task Force under the Correctional Affairs Directorate under the Interior Ministry) and occasionally they pay visits to various penitentiary facilities, freighting inmates.

To illustrate, one of the incidents occurred in May 2009. The prevention campaign lasted for three days from 22 till 25 May. During this time, bodily injuries of varying severity were inflicted on 28 persons, 37 persons were moved to special isolation wards without any grounds and one detainee, E. Deryakuliev charged with disorderly conduct, died. His body was handed over to his family members five days after his death and natural death was indicated as the cause.

IVS temporary holding facilities

The most vulnerable are those who are placed in temporary holding facilities (IVS) under the jurisdiction of police departments. Pursuant to the criminal code, the police officers have the right to detain a person for 72 hours without bringing charges against a detainee. During this time the detainee is fully isolated and has no access to an attorney. Police staff members – especially authorized officers of the criminal investigation office, who are responsible for the prompt crime detection, use this time to coerce confessions from the suspect, sometimes to a crime the detainee did not commit. Confessions are extracted with the use of physical abuse.

During the first three months of 2009 alone there were reports that seven detainees died in the temporary holding facility as a result of abusive and violent treatment by police officers. In the aforementioned cases, the police officers, who were blamed for the deaths, were convicted in trials. It appears that the death toll among the detainees during interrogations was much higher, but apparently not all cases are reported.

Based on the results of the survey conducted among suspects placed in the temporary holding facility, every second person was exposed to varying types of abusive treatment and torture. Only a few detainees in the presence of an attorney for the defense complain about the police officers who exerted physical abuse and psychological pressure on them. Some share this only with their attorneys, but officially refuse to submit complains, many out of fear of the police.

In April 2009 the parents of a detainee (L) contacted an attorney with a request to render legal counseling to their son, who had been arrested by police officers and subjected to beatings and assault in the IVS temporary holding facility for two days. The parents found out about this from their neighbor – a staff member of the IVS temporary holding facility, who kindly asked them to withhold the source of information. During the visit, the detainee had marks from severe beatings, and he also confessed that for over 2 days he had been beaten by one of the officers from the criminal investigation department in an attempt to coerce a confessionary statement to a crime he had not committed. However, L. refused to submit an official application and a motion, since prior to the appointment with the attorney, he was threatened by the police officers. Thanks to the involvement of the attorney for the defense, the detainee was released but was placed in a hospital for a lengthy stay to treat kidney problems.

Additional information

During the country's time as an independent state, the authorities of Turkmenistan did not grant access to the International Committee of the Red Cross (ICRC) to penitentiary facilities despite the pledges of the Turkmen authorities and repeated requests from ICRC. For instance, in January 2009 the authorities of Turkmenistan adopted the recommendation, reflected in the UN Universal Periodic Review, clause 6. "to allow regular access of ICRC to prisons and detention facilities".

However, over the past year the situation has remained unchanged. No practice is in place where public commissions pay visits to penitentiary institutions with a view to monitoring the penal jurisdiction system.

So far, Turkmenistan has not yet adopted its Penitentiary Code, which according to the official

sources, it is still being drafted: "In the framework of law-making activities the interdepartmental commission is finalizing the draft Penitentiary Code, developed jointly with international experts in line with international standards, pertaining to penitentiary facilities."

Up to the present day, the administration of justice is guided by the Penitentiary Code which dates back to the Soviet time, numerous confidential job instructions of the Interior Ministry and the National Security Ministry, and verbal instructions of the Turkmen President, which are applied vis-à-vis selected individuals.

Pursuant to the existing laws, the custodial regime does not deprive one of the right to maintain contact with the outside world– visits and correspondence with relatives. Pursuant to Turkmenistan's laws an inmate placed in custody in penitentiary facility under a minimum security regime is entitled to 4 visits per year -2 short-term with family members and 2 long-term visits for duration of up to 3 days.

Conclusions

Overcrowding of penitentiary facilities in Turkmenistan is the outcome, on the one hand, of the high crime rate in the country caused by such social phenomena as drug abuse, unemployment among the general population and young people, and on the other hand, an extremely stringent Criminal Code and highly punitive methods applied by law-enforcement agencies. Turkmenistan's prisons and colonies house over three times the number of inmates they are designed to accommodate. This implies that the inmates are not only deprived of freedom, but also of adequate nutrition, rest and personal hygiene. In fact, penitentiary facilities have been turned into places, where people are not able to preserve their human dignity.

Furthermore, imprisoned individuals do not get access to proper nutrition, recreation, bathing and toilet facilities. Overcrowding of penitentiary facilities results in the fast spread of virulent diseases, from light forms of flu to aggravated forms of tuberculosis. The deficit of libraries and sports grounds, which prevents inmates from having normal recreational conditions, is detrimental to the physiological and physical conditions of inmates placed in custody.

The government provides insufficient funding to secure normal prison conditions. Inmates depend on their family members to supplement them with the majority of basic necessities, ranging from food supplies, clothes to bed linen and personal hygiene products.

Due to the shortage of premises, the prison administrations even if they are willing to, are unable to guarantee the number of family visits an inmate is entitled to, let alone to offer visiting arrangements under acceptable conditions. Denied access of public commissions to prison facilities has resulted in corruption and a complete disregard of the law in behavior towards inmates. Without paying a bribe via family members, prisoners cannot get access to things envisaged by the law, for instance work or parcels from relatives. At the same time, by paying a bribe to a security guard or staff member, an inmate can obtain items which according to the rules are forbidden in penitentiary facilities -for instance, cell phones, alcoholic beverages, drugs and many other things. In order to keep inmates in order and ensure constant fear among prisoners the administrations of prisons and colonies use such methods of punishment as placing the inmates in isolation wards or summoning security and special law enforcement squadrons, who without any grounds arrange mass beatings of convicts as a "prevention" measure.

Even a short-term stay of several months in the Turkmen penitentiary institutions, where often the prisoners sentenced for minor offences are accommodated together with recidivists, contribute to repeated offences committed by the inmates sentenced for imprisonment for the first time, who may end up in prisons and colonies. As demonstrated by other countries, "keeping behind bars individuals, convicted of minor offences only contributes to a rise in the number recurrent offences:

43% of former inmates commit repeated offences whereas the number of repeat offenders among those who were sentenced for alternative types of punishment, totals only 8%”.

VI. A Narrative of Torture and Detention in Turkmenistan

Prepared by Turkmen Initiative for Human Rights , 2007

The full report *Women in Turkmen Prisons* can be accessed: <http://www.chrono-tm.org/uploaded/3135097830880403.pdf>

We publish reminiscences of a woman, which went through all the circles of hell in the Turkmen prison. She still lives in Turkmenistan and she managed to pass these notes outside the country with a lot of problems and risk. We edited this material some, having removed from it those details, which could point at the author. Letters of the former prisoner (from Turkmenistan)

Shortly about myself. I will introduce myself as Bairamgul Annayeva – of all, what is described by me, this is the only invention, my assumed name, all the rest is true. My profession is a teacher. I graduated from the Institute as a specialist in Russian language and literature. I have been teaching at school for a long time. After the country declared independence, my specialization became unnecessary. I had to become a market salesperson transporting the goods from abroad – I had to survive somehow. I went to Iran twice. Business turned out profitable. Once I met my old acquaintance on the customs – Abadan, we studied together with her in the Institute, some time worked together, I knew her as kind, honest woman. She already had some experience in commerce, I trusted her in many things and we went together to get the goods. Before the departure she borrowed a certain sum of money in dollars from my brother.

The Arrest

I saw my husband off to Mary, to the mother. Exactly at 7PM, Abadan calls, invites for a tea: “Why are you being sad? Come here, lets chat...” I come, ring the bell. An unknown man opens the door.

- Are you Bairamgul?

- Yes.

- Come in, you will be a guest.

I come in. There are four more huge guys in the room. Abadan is all in tears. I can't understand what is going on, cast question looks at the men who have something in common with each other.

We leave with Abadan, accompanied by gloomily silent group of five. It is extremely dark outside. We hardly single out two cars with headlights turned off. We like thieves, maybe we got into the hands of some kind of mafia? None of them introduced themselves, but by the short phrases, which this people exchanged between themselves, I realized, that such is the behavior of the security officers.

We were seated into different cars with Abadan. Inside the car to our right and left there were huge thugs sitting. I can't understand where we are going. Feel anxious, no fear at all. I think that this all is some kind of misunderstanding. We were mistakenly taken for someone else and soon all will get clarified. What if those are Mafioso? But what would they take from us – poor people? If our husbands were millionaires! But they are down-and-outs.

The car slowed down near the Ministry of Interior, turned to the left. We enter the gates, which I used to passed by many times in my way to the market, they close right after we enter. We get out of the car. There is a yard, which resembles a well. Maybe it seems like it because of the night darkness. I am being brought inside, lead through the corridor – long, brightly lit. Abadan is being brought away to one of the offices, I am being led to another. I notice that there is no single man in uniform here, except for soldiers – everybody is wearing civilian clothes. That's when I felt as if I was a criminal. No, more likely, when I heard heartbreaking human scream, which was coming from somewhere in front. This was a scream of a man... Fear crept inside me... I am lead into the office, the door remains being open – some time later I hear Abadan's pleading voice, then her scream with moan and crying. I am shivering – I am trying to pull myself together. My guard, who

sits opposite of me – a strong man, having made sure that I heard the scream of my friend, orders the soldier, which is present there, to close the door. He sits by the computer and plays Tetris. I cannot see the monitor, but can hear the sound of cubes falling down. I am so tense that I remember hear and remember everything. I scream of a man comes through the closed door, loud cries of Abadan... I recall my son, that he likes to play computer games. Does he know where is his mother? When the husband is back?

Suddenly the door is wide open, the familiar thug bursts in, silently grabs me and literally drags me to the next office. Imagine, I weight a little over 60 kg with height of 170 cm, but I am like a toy in his clutches. He throws me into the open door and I, having flown about three meters, fall by the wall. Luckily I am ok, didn't hurt myself, but I pretend that it hurts very much. Although it did hurt, but morally... During all my life no one ever raised a finger on me.

I look around. I see a man lying on the floor with his face down, without a single movement, his hands are behind his back, he is handcuffed. He is bare feet, his underwear and pants are lowered at his knees. There is a police bludgeon and two plastic bottles filled with water lying in blood near him.

Why I was led in here? For torture? No, first, obviously, they decided to teach me threatening lesson. And it was taught in the Investigatory Unit of the Ministry of the National Security of Turkmenistan.

Interrogation

I stare. Somehow to her side, there is a woman sitting in the depth of the room, handcuffed with her hands behind the chair, half naked, without a bra. Her hair is messed, there are bleeding bruises under her eyes a size of a half face. I am pushed towards her. Oh, Allah, it is Abadan!... I froze in horror not believing my eyes. I am again pushed towards her, and was pushed so strongly, that I almost fell off the chair, near which there was her torn sweater.

I cannot say what was done to her but I was shivering, tears were running out of my eyes by themselves, from realization that I cannot help my friend. Her lips were swollen of beatings, her tongue hardly could move, her mouth was bleeding:

- Bairamgul-jan, dear friend, - she said quietly through tears, - sign everything they say. For me, for yourself... They will kill you...

Not understanding a thing I look at her, than at her torturer, who stood behind her back with a bludgeon in his hand, as if demonstrating his work.

- Sign, sign, - she continued, - that you brought two kilograms of drugs to Turkmenistan, three, however much they say... I have asthma, heart disease, I will die... I can not stand this anymore. Take a pity of your friend, dear Bairamgul, sign... Otherwise, I cannot endure...

- That is what we need, that you croak, - said the butcher, glancing at me angrily. Where will she get? If she does not sign, we will sign her off. You are healthy, as a cow, - he grabbed her by her hair and raised together with the chair.

- Our cardiologist said, that you do not have a heart disease, that you are faking... I know, I've worked through better than you, you'll endure everything. You, women are hardy as cats. You will carry on yourself a whole company of such as I am, and he, having grinned, swore dirtily.

With these words he turned back where, behind Abadan's back there was a usual old-fashioned cabinet. He opened it and I saw some brown machine with wires. There was something like clothes-pegs on the ends of the wires, but those were a little larger than wires and were made of metal. The butcher attached one behind her ear and forced me to put on a bra, which was lying near by on the floor, on my friend; the second clothes-peg he has slipped into her bra and have checked with a grin, whether it touches the body properly.

There was a second butcher opposite of Abadan. He had a wet towel in his hand. He said something, which I did not understand to the first one. Simultaneously to this Abadan started to shake – that is because the electric current was turned on – and she crashed down the floor together with chair. Poor thing, she was not crying, she was wheezing. I lean towards my friend, but get a hit to my face – I saw stars. I was hit by the one with a towel. I can't see anything. Maybe I got blind? There are no tears, I want to cry, to make them feel pity, to melt the ice in the cruel hearts of my torturers, but there are no tears. No. There is only one inescapable pain on the heart, I want to howl. But stop! Afterwards I felt sorry for a moment of a female weakness... But how much one wants to think of people in a good way.

The same was done to me as to Abadan. Not once I would fall down together with a chair and each time, when the torturer would change the voltage. And each time he would cuttingly repeat: - There is winter outside. Frost... But you will be warm... You will get warm! Ha-ha-ha! Our torturers were irritated that we would fall down after we were electrocuted – we had to be raised, seated back to the chair, again attach the clothes-pegs. Once again I fall down on the floor – and a hit to my stomach follows. I protect myself with the knees, but get the hit to the face. And each time: to the stomach, to the face... Nobody ever beat me, neither my mom, dad or my husband. And it turns out to be so humiliating, it is better to be electrocuted, to be tortured by electricity. The pain is not natural from it. It is more painful, more terrible, when you get beaten by a two-legged animal with appearance of a human being. Abadan was horrified by electrodes most.

Later I thought through the words of our butchers. They would kill us and would not knit their brow. I found out in the colony, that 80 percent of women went through the electrical torture. Some would get electrocuted into their vagina, and bludgeon would get inserted inside their anus. Isn't it some fascism? But his was just the beginning, there was more to come. This was just a warm-up, for the butchers have a whole night. The execution would be followed by the interrogation with explanations, and then again – the chair, clothes-pegs, legs, which each time aimed at the face, the stomach, the genitals... It was a conveyor of torture: me, Abadan, Iranian (that man lying on the floor turned out to be Iranian), which would be thrown cold water on and each time he would regain his consciousness, they would continue to beat him up. Abadan hears my scream and I hear hers and we both hear how Iranian Turkman screams: "Oh, Allah! What is this punishment for to me?".

I managed to think: Iranian is a foreign citizen, how come they can beat him up like this? If they treat him like this, it means that they can beat us to death... I would get 7 dark in the eyes, there was some ringing in the ears, some black shaggy monster would lure me somewhere, into a fathomless pit, boiling gulf. I feel I am fainting. I cannot write. It was scarier, more terrible in reality.

Recommendations

Recommendations to UN special mechanisms and bodies

- 1) The SR on the Independence Lawyers and Judges, the SR on the Issue of Torture, the SR on Freedom Religion and the SR on Human Rights Defenders should renew their calls to the Uzbek and Turkmen governments to invite visits.
- 2) The Working Group on Enforced or Involuntary Disappearances should demand that Uzbekistan investigate disappearance in association with the Andijan events.
- 3) The Working Group on Arbitrary Detention should create an independent report on cases in Uzbekistan and Turkmenistan.
- 4) The Special Rapporteur on violence against women should investigate the prison system in Turkmenistan and Uzbekistan: in particular the all women's prison in Turkmenistan.
- 5) The Special Rapporteur on Freedom of Assembly and Association should investigate ongoing issues regarding picketing and public demonstrations in Uzbekistan and Turkmenistan being used as the cause for blacklisting and imprisonment.
- 6) The Committee Against Torture should factor in new data emerging on prisons suggesting malnourished populations, overcrowding, a high prevalence of TB and lack of sanitation.
- 7) The Turkmen and Uzbek governments should be lobbied to stop torture and ill-treatment, to ensure for Habeas Corpus, for family visitations.
- 8) To strengthen the rule of law, law enforcement officers and officials in Uzbekistan and Turkmenistan involved in torture should be prosecuted, if not at home then in absentia by the ICC
- 9) UN bodies, most notably the Human Rights Council should call upon the Uzbek and Kyrgyz governments to acknowledge the crimes associated with the Andijan events and to prosecute those responsible for mass arbitrary detention and torture. The cases of those currently held should be re evaluated. Those missing should be accounted for.
- 10) The Kyrgyz, Kazakh and Russian governments should encouraged to stop allowing for the extradition of Uzbeks back to Uzbekistan where draconian sentencing is a certainty.
- 11) The UN should insist that in country reports submitted to UN committees by Turkmenistan and Uzbekistan, the authorities provide not only excerpts from the laws adopted in country, but also report the actual state of affairs and statistical data pertaining to the subject of the report.

Recommendations to the NGO Community

- 1) While there is an abundance of data on these issues coming from civil society in Uzbekistan, considerable work needs to be done to advance the cause of civil society in Turkmenistan. The international NGO community should work to forge closer ties with Turkmen activists both abroad and in Turkmenistan to provide financial assistance as well as a safe forum in real time and digital space for issues effecting Turkmenistan.
- 2) International NGO's such as Doctors Without Borders, the Red Cross, and international legal organizations, according to their field, should facilitate the investigation of crimes and issues such as the corruption and intimidation of professionals. Working in conjunction with the UN, international NGO's should demand accountability on the part of the Uzbek and Turkmen government for the crimes of torture, arbitrary detention, and enforced disappearance.
- 3) The international NGO community should increase efforts toward lobbying governmental bodies to not capitulate to placating rhetoric on the part of Uzbekistan and Turkmenistan, and to insist that all forms of cooperation, military, economic, are predicated upon the government of UZ and TK taking steps to insure that human rights commitments enshrined by the UN Charter and other multi national charters and agreements are honored.

Annex 1

List of participants and witnesses to the events of the 13th and 14th of May, who are currently imprisoned

Abdulayev, Abdujabor (sentenced for 8 years)	Mamazokirov, Zohidjon (sentenced for 16 years)
Abdullaev, Hayrullo (sentenced for 17 years)	Mamurov, Olimjon
Abdullaev, Nurillo (sentenced for 12 years)	Maqsudov, Jahongir (sentenced for 11 years)
Abdullaev, Ulugbek	Matxolikov, Mamatxalil (sentenced for 15 years)
Abdullaev, Zaynobiddin (sentenced for 1 years)	Mirzaboev, Bahodir (sentenced for 13 years)
Abdumalikov, Shuhrat (sentenced for 15 years)	Mirzaev, Barot (sentenced for 13 years)
Abdurahmonov, Rustam (sentenced for 16 years)	Mirzahmatov, Muhsinbek (sentenced for 17 years)
Abdukurimov, Sarvar (sentenced for 8 years)	Mirzaho'jayev, Ne'matillo (sentenced for 18 years)
Abduqodirova, Diloramhon (sentenced 12 years 10 months)	Mirzajonov, Qobiljon (sentenced for 13 years)
Achilov, Dilmurod (sentenced for 14 years)	Mirzakarimov, Bahtiyor (sentenced for 17 years)
Achilov, Dilmurod (sentenced for 16 years)	Muhammadiy (last name unknown)
Addulaev, Shuhrat (sentenced for 8 years)	Madaminov, Muhammadjon (sentenced 13 years 6 months)
Arifhodjaev, Dilshod	Muhitdinov, Xusanboy
Ahmedov, Ikromjon	Madaliev, Murodjon (sentenced for 4 years)
Ahmedov, Bahtiyorjon	Musahonov, Azizhon (sentenced 13 years 6 months)
Akbardadaev, Otabek (sentenced for 11 years)	Mutalliev, Ulug'bek (sentenced for 12 years)
Akbarov, Rasuljon	Muydinov, Bohodir
Akbarov, Rustam	Muydinov, Dilshodbek
Akbaralie, Akmal (sentenced for 7 years)	Muydinov, Payzillo
Abdukurimov, Anvar (sentenced for 9 years)	Nadirov, Hayotillo (sentenced 14 years 6 months)
Ashurov, Tohirjon (sentenced for 16 years)	Nadirov, Hikmatillo (sentenced 12 years 6 months)
Ashurov, Odil (sentenced for 7 years)	Nazarov, Javharillo
Asror (last name unknown)	Nematov, Rahimjon (sentenced for 16 years)
Atabaev, Adaham (sentenced for 12 years)	Nizomov, Iqbol (sentenced for 13 years)
Atabaev, Ravshan (sentenced for 12 years)	Nodirov, Dadahon
Atabekov, Anvarjon (sentenced for 17years)	Nodirov, Gulomhon (sentenced for 18 years)
Azimov, Avazhon (sentenced for 5 years)	Nosirov, Shuhratbek
Axunov, Komiljon (sentenced for 5 years)	Nuriddinov, Isomiddin (sentenced for 7 years)
Azimjonova, Muhabbat (sentenced for 6 years)	Omadillo (last name unknown)
Azimov, Abdulaziz	Orifjon (last name unknown)
Azizov, Ahmadali	Parpiev, Ahmadjon
Azizov, Ilyoshon	Parpiev, Qobiljon
Ashurov, Bahodir (sentenced for 7 years)	Pirmatov, Rasuljon (sentenced for 18 years)
Bahromov, Sotvoldi (sentenced for 15 years)	Qahhorov, Utkir
Bahtiyor (last name unknown)	Qambarov, Shavkatjon (sentenced for 5 years)
Berdimurodov, Adham (sentenced for 8 years)	Qayumov, Abdumuhtor
Berdimurodov, Akmal (sentenced for 8 years)	Qo'chqarov, Ibrohim (sentenced for 16 years)
Bakiev, Nohidjon (sentenced for 17 years)	
Bobojonov, Adham (sentenced for 4 years)	
Bobojonov, Biloldin (sentenced for 5 years)	
Boltaboev, Abdulahad	
Boltahodjaev, Farhod (sentenced for 16 years)	
Bozorboev, Arabboy	

Bozorov, Ulugbek (sentenced for 17 years)
Dadaboev, Jamoldin (sentenced for 14 years)
Dadabaev, Adhamjon (sentenced 15 years 6 months)
Dadahodjaev, Ne'matilloh (sentenced for 15 years)
Dilmurod (last name unknown)
Egamberdiev, Bahodir (sentenced 9 years 6 months)
Egamberdiev, Tolibjon
Egamberdiyev, Tavakkal (sentenced 14 years 6 months)
Ergashov, Abdulaziz
Ergashov, Nusratillo
Erkaev, Mamurjon (sentenced for 16 years)
Eshonov, Domlajon
Fozilov, Mirzabek (sentenced for 4 years)
Goipov, Tohirjon (sentenced for 7 years)
G'oziyev, Abdulhofiz (sentenced for 20 years)
Hakimov, Alisher
Hamidov, Abdurauf (sentenced for 15 years)
Hasanov, Ilhom (sentenced for 13 years)
Hasanova, Dilbarhon
Hojimatov, Tavakkal
Holmirzayev, Ravshanbek (sentenced for 15 years)
Holmirzaev, Bahtiyor (sentenced for 15 years)
Hudayqulov, Hayrulloh (sentenced for 14 years)
Hudayqulov, Ne'matilloh (sentenced for 18 years)
Hujaev, Shuhrat (sentenced 4 years 6 months)
Ibragimov, Abdumalik (sentenced for 8 years)
Imomov, Alisher (sentenced for 15 years)
Imomov, Sodiqjon (sentenced for 18 years)
Imomov, Yunusbek
Imonqulov
Isaqov, Qudratbek
Iskandiyarov, Zohirjon (sentenced for 18 years)
Ismoilov, A`zamjon (sentenced 7 years 6 months)
Ismoilov, Ibrohim
Ismoilov, Nozimjon
Ismoilov, Omadjon
Ismoilov, Qahramonjon
Ismoilova, Zamirahon
Jabborov, Nodirbek
Jalilov, Turdivoy (sentenced 12 years 6 months)
Jalilov, Zohidjon
Jalilov, Sherzod (sentenced for 14 years)
Ikromov, Jalol (sentenced for 16 years)
Jasur (last name unknown)
Jumaboev, Ro'zibek

Qodirov, Homidjon
Qodiro, Ismoiljon
Qodirov, Shavkat (sentenced for 10 years)
Qosimjonov, Abdurashid (sentenced for 15 years)
Qurbanov, Dilyorbek (sentenced for 7 years)
Qurbonov, Yahshivoy
Qurbonov, Mahmut (sentenced for 17 years)
G'oziev, Abdulhafiz (sentenced for 20 years)
Rahimov, Odiljon (sentenced for 13 years)
Rasulov, Mamirjon
Rasulov, Muminjon
Rasulov, To'lqinjon (sentenced for 16 years)
Saidamirov, Avazbek (sentenced for 14 years)
Saidamirov, Rustamjon (sentenced 6 years 6 months)
Sadirov, Dilshodbek (sentenced for 13 years)
Samatov, Olimjon
Samatov, Qobil (sentenced for 16 years)
Saydullaev, Dilshodho'ja
Saydullaev, Saidakbar (sentenced for 12 years)
Saydullaev, Saidolim (sentenced for 16 years)
Sharipov, Abdumalik (sentenced for 18 years)
Shokirov, Shavkatbek
Sheraliev, Abdurashid
Sherzod (last name unknown)
Shokirov, Shokirjon
Shokirov, Abdumalik (sentenced for 16 years)
Shokirov, Shavkat (sentenced for 4 years)
Shokirov, Hasanboy (sentenced for 6 years)
Sobirov, Tursunboy (sentenced for 7 years)
Sodiqov, Bahodir
SolievNabijon (sentenced for 15 years)
Soliev, Hasanboy (sentenced for 8 years)
Soliev, Husanboy (sentenced for 13 years)
Soliev, Uktamjon (sentenced for 17 years)
Sultonov, Aqlbek
Sultonov, Avazbek (sentenced for 12 years)
Sultonov, Shoyatbek (sentenced for 17 years)
Tirkashov, Rasuljon (sentenced for 17 years)
Tohirjon (last name unknown) (sentenced for 16 years)
Tojimatov, Fahriddin (sentenced for 7 years)
Tojihalilov, Abdulatif
Tojihalilov, Rasulbek
Tojihalilov, Umidjon (sentenced for 14 years)
To'laev, Shokir (sentenced for 11 years)
Toshpulatov, Hasan
Toshpulatov, Husanboy (sentenced 14 years 6 months)
Toshpulatov, Shuhrat (sentenced 14 years 6 months)
To'raqulov, Mansubek (sentenced 14 years 6

Kalandarov, Murodjon (sentenced 6 years 6 months)
 Kambarov, Avazbek (sentenced for 14 years)
 Kaminov, Najot (sentenced for 16 years)
 Karimov, Nizomiddin (sentenced for 1 years)
 Kasimov, Kozim (sentenced for 16 years)
 Kenjaboy, Holmatov (sentenced for 17 years)
 Kodirov, Abdulnosir (sentenced for 9 years)
 Kodirov, Abdumuttolib (sentenced for 8 years)
 Kodirov, Ilhom (sentenced for 8 years)
 Kodirov, Muhammadjon
 Kodirov, Muzaffar
 Kodirov, Hotamjon (sentenced for 16 years)
 Kodirov, Hokimjon (sentenced for 14 years)
 Komolhon (last name unknown)
 Kosimov, Abduvohid (sentenced for 5 years)
 Kuzinov, Halimjon (sentenced 15 years 6 months)
 Madaliev, Ibrohim (sentenced for 16 years)
 Madaliev, Ravshan (sentenced for 16 years)
 Mahmudov, Abduhakim (sentenced for 5 years)
 Mahmudov, Ahad (sentenced for 7 years)
 Mahmudov, Ahror
 Mahmudov, Hikmatulloh (sentenced for 14 years)
 Mahmudov, Umid (sentenced for 18 years)
 Maksadaliev, Anvarjon (sentenced for 17 years)
 Maksudov, Nasibullo (sentenced for 17 years)
 Mallaev, Hayitali (sentenced for 18 years)
 Mallaev, Hudoyberdi (sentenced for 17 years)
 Mallaev, Rustamjon (sentenced for 17 years)
 Mallaev, Sharobiddin (sentenced for 15 years)
 Mallaev, Suhbatillo
 Mallaev, Usmonali
 Mamadiev, Abdulaziz (sentenced for 15 years)
 Mamajonov, Anvarjon
 Mamayunusov, To'lqin (sentenced 15 years 6 months)

months)
 Tuhtamatov, Mirzaolimjon
 Turanboev, Abdurashid (sentenced for 14 years)
 Turdaliev, Nosir
 Turdiev, Bahtiyor (sentenced for 16 years)
 Tursunov, Hasanboy
 Turovov, Husan (sentenced for 18 years)
 Turg'unov, O'tkirbek (sentenced for 20 years)
 Ulugbek (last name unknown)
 Umarov, Bahtiyor (sentenced for 11 years)
 Umarov, Ibrohimjon (sentenced for 15 years)
 Umarov, Nodirbek (sentenced for 20 years)
 Umarov, Yunushon (sentenced for 14 years)
 Umirzakov, Zamonbek (sentenced for 14 years)
 Umirzakov, Yoqubjon (sentenced for 13 years)
 Usmonov, Odiljon (sentenced for 14 years)
 Usmonov, Alijon (sentenced for 11 years)
 Usmonov, G'anijon
 Usmonov, Habibullo
 Usmonov, Mashrabjon
 Valiohunov, Sanjarbek
 Valioxunov, Utkirbek (sentenced for 15 years)
 Vositjonov, Sodiqjon (sentenced for 14 years)
 Yuldashev, Anvarjon
 Yo'ldashev, Mirkomil (sentenced for 15 years)
 Yuldashev, Usmon (sentenced for 11 years)
 Yusupov, Shoxobiddin (sentenced for 16 years)
 Yusupov, Gulomjon (sentenced for 7 years)
 Yusupov, Ismoiljon (sentenced for 11 years)
 Ziyaxo`jaev, Abdulaxad
 Zohidbek (last name unknown) (sentenced for 14 years)
 Zokirov, Hayrullo
 Zokirov, Hokimhon
 Zokirov, Murodhon
 Zokirov, Sharobiddin

Annex 2

List of individuals who died from torture while under investigation or imprisoned whose bodies were returned to their families

1. Nodirov, Bohodirhon (Andijon)
2. Qodirov, Hoshimjon (Andijon)
3. Qo'chqorov, Abdurahmon (Andijon)
4. Ortiqov, Muhammadshokir (Andijon)
5. Hasanov, Shuhratjon (Qo'qon)
6. Ikromjon (last name is unknown) (Qo'qon)
7. Juraev, Ozodbek (Jalaquduq)
8. Turgunova, Ro'zihon (Andijon)
9. Umarov, Giyosiddin (Andijon)

Annex 3

List of individuals from Uzbekistan who have disappeared

Hamzaev, Hasanhon (from Qo'qon)
Holmirzaev, Muhiddin (from Andijon)
Jumaboev, Doniyor (from Andijon)
Ahmadkulov, Azam
Alimov, Erkin
Turabekov, Zamirbek
Bahodir, Mamathujaev
Ismoiljon (last name is unknown)
Musajon (last name is unknown)
Egamov, Abduvosit
Abdumajid (last name is unknown)
Isakov, Bahramjon (last name is unknown)
Bahramjonov, Bahodir

Annex 4

List of Individuals Who Died During the Andijan Events of May 13-14 2005

<p>Abdujabbarov Alisher Abdullaev Bohodirjon Kabilovich Abdullaev Nosirjon O Abdumo'minov Abdujabbor Ziyoviddin o'gli Abdunazarov Azizbek E Abdusamatov Abdurahim Hamidullaevich, Tashkent Azimov Turahon H., Azimov Turahon H Akbarov Gayrat Djabbarovich Akramov Hamidjon H Aliboev Alisher Aliboev Sayfullo Alimov Erkin T Arapov Husniddin Asadullaev Zokirjon Atabaev Shokir Z Ahmadaliev Jamoldin Ahmedov Odil Ahmedov Rasuljon H Ahmedov Shukur A Ayupov Zikirillo Bozorboev Arslon Baymirzaev Mashhurbek R Valiahunov Sanjarbek Valiahunov Utkirbek Vositjonov Kamardin Abduvahob o'gli Gapporov Muhammadjon Sh Djalolov Sardorbek S Dolimov Abdulaziz A Dolimov Hayotbek Mahmudovich Jabborov Tulkin M Zohidov Hidoyat S Ibragimov Abdulvohid Ibragimov Nizomiddin B Imamov Yunus Dultabasovich Islomov Arslon Abdulahatovich Yuldoshev Abdulfattoh Uzakovich Kadirov Abdulhafiz Abdumutalibovich Kadirov Ishak A</p>	<p>Madraimov Abdurahmon A Madrahimov Doniyorbek T Maksudov Nasibullo Nurullaevich Madaminov Sanjarbek Ro'zibekovich Mamadiev Muhammadaziz Tolibjonovich Mamajonov Yodgorbek R Mamajonov Muzaffar M Mamajonov Murodjon M Mamarasulov Abdulboki Boisjonovich Mamarizaev Akmaljon Mamatkulov Mahamat Mamatkulov Tursunboy Mamatov Ruzimuhammad Mansurov Ibrohim Mahmudov Boburjon Masharipov Yodgor Sabirovich Mirzaboev Umid Mirzakarimov Odiljon A Mirzaliev Nosirjon K Muydinov Dilshod Turgunboevich Muydinov Sardorbek Hamdamovich Muminjonov Ismoil Adhamovich Muminov Nurmuhammed Arabjonovich Muhiddinov Umid Nazarov Oybek T Nazarov Farhodbek A Nishonov Adaham Nishonov Anvar Nodirov Akram M Nodirov Rahmatullo Kutpullaevich Pulatov Hushniddin Ilyasovich Razzokov Farogiddin A Rahimov Aziz Rahmatov Artikboy H Rahmonkulov Shamshod Rahimjonovich Rahmonov Botirjon Sh</p>	<p>Urinboev Oybek H Usmonov Anvar E Usmonov Dilshod M Usmonov Farhod H Habibullaev Ismatullo Haydarov Mirzohid Valijonovich Haydarshin Shahroz Sh Hamidjonov Utkir Yuldashevich Hamrakulov Muhammadkobil Hasanov Sardorbek Hodjaev Bahrom P Hojimatov Uktam Sh Holmatov Sherzod Y Holmirzaev Muhitdin Muydinovich Holmuhamedov Oybek Sh Homidov Hursand K Hudoyberdiev Kozim F Husanov Odiljon A Shokirov Saidhon F Shokirov Sharif Bahramovich Shokirov Shokir Bahramovich Ergashev Botirjon Tursunbaevich Ergashev Jaborali Ergashev Raimjon H Yuldashev Oybek A Yusupov Ismoiljon Urmanovich Yakubov Rustamjon N Yakubov Sharobiddin Yasinov Botir Neopoznanniy mujchina 30-35 Neopoznanniy mujchina 25-30 Abdurahimov Fahriddin Mukimovich Abdurahmonov Musajon Akbaraliev Mahkamjon Sarimsokovich Abdullaev Utkir Akbarov R,J Akbarov D.T Alimov Askar Alimovich Artikov Sh.B</p>
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<p>Kazakov Kamoliddin J Kazakov Nozimjon Komilovich Kambarov Bahodir Kaminov Sherzodbek Najotovich Kamolov Sherzod Karimov Dilshod T Karimov Pozil U Karimov Shomurodbek M Kahhorov Ahmad N Kenjaev Akmaljon, nesovershennoletniy Kodirova Yorkinoy Koraboev Oybek A Kosimjonov Rashid R Kosimov Abdulvohid Kuziev Jasur H Kuziev Rahmon Ravshanovich Kuchkarov Ulugbek E Kushakov Abduvohid Abrorbek., voennoslujashiy Toshmatov Ihtiyor., sotrudnik UVD Turgunov Ilhom., sotrudnik And., turmi(UYA64/T-1) Usmonov Sodikjon., voennoslujashiy Hakimov Maruf., sotrudnik And., turmi(UYA64/tT-1) Hamrakulov Ulugbek., sotrudnik UVD Hoshimov Mash'al., sotrudnik UVD Shoburhonov Kodir., sotrudnik OVD Ergashev Alisher., sotrudnik OVD Mamasiddikov Zohid., sotrudnik And., turmi(UYA64/T-1) Mahmudov Sanjarbek., sotrudnik UVD., And., oblasti Muminov Gayrat E., voennoslujashiy Nosirov Nodir., sotrudnik OVD Rahmonov Adhamjon N., nachalnik nalogovoy inspeksii Ruziboev Rejabboy., voennoslujashiy Ruziev Davron., sotrudnik OVD</p>	<p>Rahmonov Nosirjon Rejabov Abidjon Ergashevich Rustamov Komiljon A Rustamov Orifjon Saydullaev Dilshod Ortikhujaevich Saydullaev Saidmurod Ortikhujaevich Samatov Olimjon Sarimsakov Mahkam A Soliev Abdulboki Soliev Ahrorjon A Soliev Oyatillo Dilmurod ugli Soliev Hamid V Sultanov Alisher Sh Teshaboeva Odinahon Tillaboev Kahorjon Tojiboev Ibrohim Tojiboev Yahyobek I Tojimov Sherzod Toshmatov Ma'mir Turabekov Zamir B Turabekov Hurshidbek Turgunov Sanatbek Oripovich Turgunova Ro'zaxon Turdiev Azamhon Tuktasinovich Turdiev Bahtiyor Tuhtasinov Nosir Umarov Alisher Umarov Boburjon Toshpulatovich Umarov Rahmatullo A Umrzakov Omad V Ilhom., voennoslujashiy Jalolov Halimjon., sotrudnik UVD., And., oblasti Juraboev Anvar., sotrudnik OVD Juraev Bahrom voennoslujashiy., kapitan(otkriv shego ogon po kolonne bejensev) Zohidov Shuhrat., sotrudnik OVD Karimov Otabek.I., voennoslujashiy Kirgizboev Rahmon., storoj voennoy trgovoy bazi Kodirov Abdulhamid., Voennoslujashiy Tovuldiev Yunusov Hasanboy., voennoslujashiy</p>	<p>Asadullaev Nodirjon Nuriddinovich Atamatov.Sh.Sh AhmadalievJaloldin Bobajonov A.J Bozorboev Arslon Mutalibovich Visokova S Zakirov H.Y Igamov A.T Irgashev .J.T Isaho'djaev Kodirhon Kodirov M.: Mamadieva D.H Matkulov T Mahsadaliev A.A Muhtorov B.A Nematov N.I Nodirov G.B Nodirov D.B Nuritdinov B.B Otabekov Anvar Mashrabboevich Otaboev Shokirjon Zokirovich Otaboev Sh.Z Pulatov Hurshid Ilyosovich Rashidova F.F Rudakov M.Y Tojihalilov R Turgunov R Turgunov Sanatjon Arabovich Umarov M.M Rahmonov Botirjon Sharipovich Ushakov Abduvohid Abdullajonovich Hamidov A.Y Shokirov Shokir Bahodirovich Eshonov Anvar Abdurahmonovich Akramov Abdurahim Aliboev Abdunosir Kobulov Ilhomjon UraimovAbdulvoqqos MallaevAskarali Hojimatov Abduvohid Ismoilov Muhammadjon Nizomjon Timirov Sarimsakov Akmal Kayumov Abdumajid Muydinov Dilshodbek Isakov Shukurullo Abdurahimov Ganijon.M., prokuror</p>
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Rustamov Muzaffar.,sotrudnik And.,turmi Sobirov Holmuhammad.,voennoslujashiy	Ergashev Jasur.,sotrudnik OVD(kinolog)\ Bahodirov Muhammadnosir.,sotrudnik OVD Davronov Nabijon R.,sotrudnik UVD	Arakulov Tolib.,komendant zdaniya hokimiyata Atabekov Anvar.,voennoslujashiy 34241,serjant
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