

## URGENT APPEAL - THE OBSERVATORY

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**New information**  
**UZB 002 / 1111 / OBS 131**  
Torture / Ongoing arbitrary detention  
**Uzbekistan**  
November 29, 2011

The Observatory for the Protection of Human Rights Defenders, a joint programme of the International Federation for Human Rights (FIDH) and the World Organisation Against Torture (OMCT), has received new information and requests your urgent intervention in the following situation in **Uzbekistan**.

### **New information:**

The Observatory has been informed by reliable sources about the torture of Mr. **Azamjon Formonov**, Chairman of the Syrdarya regional branch of the Human Rights Society of Uzbekistan (HRSU), during his detention in the 64/71 Special Regime Colony, one of the worst prisons of Uzbekistan.

According to the information received, on November 16, 2011, Mr. Azamjon Formonov was severely beaten up and tortured because he had refused to write an "explanatory letter", stating that he had never been tortured or beaten during his detention in the colony, that his rights had always been respected and that his health was good.

He was tortured during an hour by the Head of the Operations Division of the prison, Mr. Chavkat Vaysnyozov, who tied his hands before kicking him in the back, stomach and head. According to Mr. Formonov, a colleague of Mr. Vaysnyozov, Ms. Ablullaeva, was also present and observed the scene while he was tortured. He was threatened to death and coerced to write the letter, including through threats against his wife and children. He was accused to be an enemy of the nation and an agent of the European Union and the United States of America.

The Observatory strongly condemns those acts of torture against Mr. Formonov, which blatantly violate human rights standards and are strictly prohibited under international law, and asks the authorities of Uzbekistan to immediately conduct a fair and impartial investigation in order to identify all those responsible, bring them before a competent and impartial tribunal and apply to them the penal, civil and/or administrative sanctions provided by the law.

The Observatory urges the Uzbek authorities to release him immediately as his detention seems to merely sanction his human rights activities, and further deplores the continued detention of six other members of HRSU, namely Messrs. **Nasim Isakov, Zafar Rahimov, Yuldash Rasulov, Khabibilla Okpulatov, Alisher Karamatov** and **Gaybullo Jalilov**, who still remain today arbitrarily detained, notably despite the serious deterioration of their health, and calls for their immediate and unconditional release.

On a positive note, the Observatory welcomes the release on November 2, 2011 of Mr. **Jamshid Karimov**, a member of the Jizzakh regional branch of HRSU, also a journalist and correspondent for the Institute for War and Peace Reporting (IWPR) and for the website "fergana.ru", after being detained in a psychiatric hospital since 2006.

### **Background information<sup>1</sup>:**

Mr. Formonov had been arrested on April 29, 2006, together with another human rights defender, Mr. Alisher Karamatov, for refusing to stop his human rights activities. He was sentenced to nine years of imprisonment and was arbitrarily detained at the penitentiary colony U/Y a 64/71 in Djaslik (Republic of Karalpak) since 2009. He was reportedly tortured on several occasions due to his human rights work.

On January 22, 2010, Mr. Formonov was transferred for a few days to the remand centre U/Y a 6/SI-9 in Nukus (Republic of Karakalpak) to be hidden from the International Red Cross, which had organised a visit to monitor conditions in the prison, to prevent him from denouncing the abuses he had suffered from.

Mr. Nasim Isakov, a member of the Jizzakh regional branch of the HRSU, is detained since 2005 and held in prison colony U/Ya 64/3 in Tavaskai, Tashkent region. He was sentenced to eight years of detention for “extortion” and for “hooliganism”. As a result of the torture endured during his provisional detention in August 2006, Mr. Isakov suffers from constant headaches and difficult hearing. He requested medical care, but it is unknown if he has received any. No further information from him has been received.

Mr. Zafar Rahimov, a member of the Kashkadarya regional branch of HRSU, is detained since 2007 and was sentenced to six years of detention in October 2007.

Mr. Khabibilla Okpulatov, a member of the Ishtikhan regional branch of HRSU, detained since 2005 and held in the U/Ya 64/45 strict regime prison colony in Almalik, Tashkent region. He was sentenced in October 2005 to six years of detention for “slander for profit or for other base motives” and “extortion with aggravating circumstances”. Mr. Okpulatov was due to be released in August 2009, but the Navoy City Criminal Court extended his sentence by three years and eight days for alleged violation of detention centre regulations.

Mr. Alisher Karamatov, Head of the Mirzaabad regional branch of HRSU, is detained since 2006 and held in the U/Ya 64/18 medical facility until January 2011 when he was transferred to prison colony U/Ya 64/49 of Karshi. He was arrested on April 29, 2006, with Mr. Farmonov. He was sentenced to nine years of detention, for extortion. Mr. Karamatov was placed in an investigative isolation ward and was tortured. Agents put a gas mask on his head, which induced respiratory distress. He has lost almost half of his weight. He contracted tuberculosis while in detention. He was transferred to the prison hospital on October 2008, where he was forced to remain awake in the freezing cold for several hours.

Mr. Gaybullo Jalilov, a member of the Karshi regional branch of HRSU and a fighter for the right to freedom of conscience in Uzbekistan, who was sentenced on January 18, 2010 to nine years in prison for “infringement against the constitutional system of the Republic of Uzbekistan”, “production or dissemination of materials constituting a threat to public security and public order” and “founding, leading, participation in a religious extremist, separatist, fundamentalist and other forbidden organizations”, is held in the strict regime colony in Sadovyi, Tashkent region. On August 4, 2010, Mr. Jalilov received an extension of his sentence to an additional two years, one month and five days under Articles 159-3 and 244-2 Part 1 of the Criminal Code, based on a new witness testimony. On September 28, 2010, the Kashkadarya Regional Criminal Court upheld in appeal this sentence. Mr. Jalilov's health seriously deteriorated, and he now suffers from nervous breakdowns and kidney disease. In his youth, he had one lung removed and therefore cannot suffer being in a cold wet room. Although the court was informed of it, this was not taken into account. During the summer of 2010, Mr. Jalilov reportedly received a heavy blow with a baton to the ear by a colony warden after he refused to comply with the order to sing the hymn of the Republic of

<sup>1</sup> See Observatory Annual Report 2011.

Uzbekistan with others prisoners. It has been reported that he became deaf in both ears as a result of this assault. In May 2011, he spent ten days in the prison hospital for unknown reasons.

Mr. Jamshid Karimov was arrested on September 12, 2006 after he criticized his uncle, the President Islam Karimov, in several articles. He was sentenced on September 22, 2006 to a confinement in a psychiatric hospital. His health condition and place of detention, were kept secret for a long time. No news were received from him in 2010. According to information, he was detained in a psychological hospital in Samarkand in decent conditions.

**Actions requested :**

Please write to the Uzbek authorities and ask them to :

i. Take all necessary measures to guarantee, in all circumstances, the physical and psychological integrity of Messrs. Azamjon Formonov, Jamshid Karimov, Nasim Isakov, Zafar Rahimov, Yuldash Rasulov, Khabibilla Okpulatov, Alisher Karamatov and Gaybullo Jalilov and more generally of all human rights defenders in Uzbekistan;

ii. Release Messrs. Azamjon Formonov, Nasim Isakov, Zafar Rahimov, Yuldash Rasulov, Khabibilla Okpulatov, Alisher Karamatov and Gaybullo Jalilov immediately and unconditionally as their detention is arbitrary;

iii. Conduct a fair and impartial investigation into the above-mentioned allegations of torture and ill-treatment in order to identify all those responsible, bring them before a competent and impartial tribunal and apply to them the penal, civil and/or administrative sanctions provided by the law, in accordance with international human rights law, in particular the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishments;

iv. Ensure that an effective remedy as well as the right to full redress, including compensation, is granted to Mr. Azamjon Formonov;

v. Put an end to any act of harassment - including at the judicial level - against Messrs. Azamjon Formonov, Jamshid Karimov, Nasim Isakov, Zafar Rahimov, Yuldash Rasulov, Khabibilla Okpulatov, Alisher Karamatov and Gaybullo Jalilov as well as against all human rights defenders in Uzbekistan;

vi. Comply with the provisions of the United Nations Declaration on Human Rights Defenders, adopted by the General Assembly of the United Nations on December 9, 1998, in particular:

- its Article 1, which states that "everyone has the right, individually or collectively, to promote the protection and fulfilment of human rights and fundamental freedoms at the national and international levels",
- as well as its Article 12.2, which provides that "the State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually or in association with others, against any violence, threats, retaliation, *de facto* or *de jure* adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration" ;

vii. Comply with the provisions of the Document of the Copenhagen Meeting of the 2<sup>nd</sup> Conference on the Human Dimension of the Cooperation and Security Conference in Europe (CSCE) (1990), and guarantee the respect of human rights and fundamental freedoms in accordance with the Universal Declaration on Human Rights and other international human rights instruments ratified by Uzbekistan.

### Addresses :

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- Head of the Nukus City Department of Internal Affairs (police), Glave GOVD, Gorodskoi Otdel Vnutrennikh Del, ul. Biruni, g. Nukus, AR Karakalpakstan, Uzbekistan.
- H.E Ms. Goulнора Karimova, Ambassador Extraordinary and Plenipotentiary, Permanent Mission of Uzbekistan to the United Nations in Geneva, International Centre Cointrin (ICC), Bloc G (7th Floor), Route de Pré-Bois 20, 1215 Geneva 15, Switzerland. Fax: +41 22 799 43 02. Email: [uzbekistan@bluewin.ch](mailto:uzbekistan@bluewin.ch)

Please also write to the diplomatic representations of Uzbekistan in your respective countries as well as to the EU diplomatic missions or embassies in Uzbekistan.

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Paris-Geneva, November 29, 2011

Kindly inform us of any action undertaken quoting the code of this appeal in your reply.

The Observatory, a FIDH and OMCT venture, is dedicated to the protection of Human Rights Defenders and aims to offer them concrete support in their time of need. T

To contact the Observatory, call the emergency line:

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