



AMNESTY INTERNATIONAL

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UZBEKISTAN: APPEAL CASE UPDATE

Saidzhakhon Zainabitdinov – Prisoner of Conscience

According to reports, human rights defender Saidzhakhon Zainabitdinov was sentenced to seven years' imprisonment in Tashkent on 5 January 2006, after what was effectively a secret trial. His current whereabouts are unknown. Amnesty International believes that Saidzhakhon Zainabitdinov is being punished for his legitimate human rights activities and continues to call for his immediate and unconditional release as a prisoner of conscience.

Saidzhakhon Zainabitdinov, the chairperson of the independent human rights group Apelliatsia (Appeal), based in the city of Andizhan, was arrested on 21 May 2005. A closed hearing on his case, at which his relatives and lawyer hired by his family were not present, reportedly began in Tashkent on 4 January 2006. Saidzhakhon Zainabitdinov's 75-year-old mother was told that she could attend the hearing, but was unable to do so as she was not told where it would take place. Saidzhakhon Zainabitdinov was convicted of several charges, including “slander” and “spreading information with the aim of causing panic”. The court verdict and sentence were not officially disclosed until February.



Photograph of Uzbekistani human rights defender Saidzhakhon Zainabitdinov in Andizhan, Uzbekistan, April 2005. © 2005 Private

BACKGROUND INFORMATION:

Saidzhakhon Zainabitdinov's arrest is apparently linked to his role in monitoring demonstrations in Andizhan, which escalated on 12-13 May and resulted in government troops reportedly firing on thousands of mainly unarmed and peaceful demonstrators. He was charged with serious offences including “terrorism”, which is punishable by death, according to the Criminal Code of Uzbekistan.

Saidzhakhon Zainabitdinov had attended the trial of 23 local entrepreneurs charged under various articles of the Criminal Code of Uzbekistan in connection with their alleged involvement with an organization by the name of Akramia, and he had acted as a representative for one of the accused men. It appears that it was the ongoing trial of the

entrepreneurs which triggered the demonstrations in Andizhan. The Uzbekistani authorities accused members and supporters of Akramia of attempting to organize the protests in Andizhan with a view to establishing an Islamic state in Uzbekistan. They also linked the movement to the banned Hizb-ut-Tahrir opposition party, which they categorize as a “terrorist” organization. The 23 men have denied being linked to any banned Islamic groups.

Saidzhakhon Zainabitdinov was present in Andizhan on 13 May and gave the international media an account of the events, providing a stark contrast to the official version of events. His account was widely cited by the international media in the days following the violence. He was arbitrarily detained by law enforcement officers on 21 May and was held in police custody in the Andizhan Regional Department of Internal Affairs. However, he was reportedly transferred to Tashkent sometime in July. Neither his family nor his lawyer were able to obtain any information as to his whereabouts in Tashkent.

According to information received from the Central Asia Human Rights Monitoring Programme of the Moscow-based non-governmental organization, Memorial, Saidzhakhon Zainabitdinov was allowed to call his family on 29 and 30 May 2005. During these telephone conversations he confirmed that he had been charged with “slander” (Article 139 of the Criminal Code), which carries a possible three-year prison sentence. The charge was reportedly related to an open letter about the trial of the 23 entrepreneurs in Andizhan which was published on the internet in April 2005. Saidzhakhon Zainabitdinov reportedly told his son over the telephone that he was being “treated correctly” and that he could be released on bail soon. At the beginning of July he was additionally charged with “terrorism” (Article 155 of the Criminal Code) and “spreading information with the aim of causing panic” (Article 244-1 Part 2 of the Criminal Code).

RECOMMENDED ACTION: Thanks to all who sent appeals on behalf of Saidzhakhon Zainabitdinov. Amnesty International will use longer-term campaigning methods to lobby the government of Uzbekistan for his release. If possible, please send appeals, in English, Russian, Uzbek or your own language:

- expressing concern at reports that Saidzhakhon Zainabitdinov was sentenced to seven years' imprisonment after a secret trial on 5 January, and that the judgment rendered in his case was not made public immediately;
- expressing concern that this constitutes a grave violation of Uzbekistan's international obligations to ensure fair trials, as a state party to the International Covenant on Civil and Political Rights (ICCPR);
- urging the Uzbekistani authorities to ensure that Saidzhakhon Zainabitdinov is allowed access to his relatives and to a lawyer of his choice;
- stating that Amnesty International considers Saidzhakhon Zainabitdinov to be a prisoner of conscience, imprisoned solely for carrying out his peaceful and legitimate human rights work, and calling for his immediate and unconditional release;
- urging the authorities to ensure that everyone, including human rights defenders, can peacefully exercise their right to freedom of expression in conformity with Article 19 of the ICCPR;
- reminding the authorities of the right of human rights defenders to carry out their activities without any restrictions or fear of reprisals, as set out in the United Nations Declaration on the Rights and Responsibilities of Individuals, Groups and Institutions to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms.

APPEALS TO:

President

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Salutation: Dear President Karimov

Minister of Internal Affairs

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Salutation: Dear Minister Matliubov

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Salutation: Dear Minister Mustafaev

Procurator General

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Salutation: Dear Procurator General

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and to diplomatic representatives of Uzbekistan accredited to your country.

PLEASE SEND ANY REPLIES FROM THE UZBEKISTANI AUTHORITIES AS SOON AS POSSIBLE TO THE INTERNATIONAL SECRETARIAT OF AMNESTY INTERNATIONAL (Eurasia Research and Campaign Team, Amnesty International, 1 Easton Street, London WC1X 0DW, United Kingdom)