



Attachment 4_2-2

Local and international civil society organizations call on Central Asian states to end torture and impunity

On 26 June 2014, the International Day in Support of Victims of Torture, a coalition of human rights organizations is urging the five Central Asian governments to publicly and unequivocally condemn torture and to demonstrate their commitment with follow up actions.

In December 1997, the United Nations (UN) General Assembly proclaimed 26 June the International Day in Support of Victims of Torture, a day to speak out against the crime of torture, and to honour and support victims and survivors around the world.

According to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Convention against Torture) that entered into force exactly 27 years ago, on 26 June 1987, torture is absolutely prohibited under international law and cannot be justified under any circumstances.

All Central Asian states are parties to the Convention against Torture and have thus committed themselves to protect anybody under their jurisdiction from the crime of torture. They have also taken further positive steps, for example by introducing legal amendments aimed at strengthening safeguards against torture. However, **torture continues to plague the Central Asian societies. It is widely used across the region and impunity for torture is widespread. Human rights defenders record hundreds of cases involving torture or other ill-treatment across the region every year.**

In all Central Asian countries torture and ill-treatment mainly take place during the first hours of detention when detainees are often held incommunicado, without access to legal counsel and medical personnel. But people held in detention centres and prisons also report torture and other ill-treatment at later stages.

For example, in October 2013, police of Uzunkolsky District in Kostanay Region in the North of **Kazakhstan** suspected Ruslan Baymagambetov of having stolen 120.000 Tenge (approx. 480 EUR) and a case of beer. According to the Kostanay branch of the Kazakhstan International Bureau for Human Rights and Rule of Law, whose lawyer represented Ruslan Baymagambetov in court, three police officers beat him severely in his face and chest in order to extract a confession. They twisted his arm behind his back and forced him to bend down. They made him undress, threatened to rape him with a rubber stick and continued beating him on his head, chest and hands. When he fell down as a result of the beatings they kicked him all over his body. On 17 March 2014, the three police officers were sentenced to prison terms ranging between two and two-and-a-half years of imprisonment.

The NGOs issuing this statement are concerned about the failure of Central Asian authorities to conduct prompt, thorough and impartial investigations into all allegations of torture and other ill-treatment resulting in impunity of the perpetrators in the vast majority of cases.

In June 2010, four days of violence between ethnic Kyrgyz and ethnic Uzbeks in the cities of Osh and Jalal-Abad in southern **Kyrgyzstan** left hundreds dead, thousands injured and hundreds of thousands forced to flee their homes. There were scores of reports of torture and other ill-treatment by security forces during the violence and its aftermath. However, to date the authorities appear to have done little to carry out effective investigations into these allegations and to bring the suspected perpetrators from among civilians as well as security forces to justice. Relatives of ethnic Uzbek detainees are still reluctant to submit complaints to police and prosecutors about their torture and other ill-treatment for fear of reprisals.

NGOs are aware of many cases where people died in police detention and their relatives have been seeking justice for years.

For example, tomorrow, 27 June 2014, will be the fifth anniversary of Khurshed Bobokolonov's death. Five years ago, the senior oncologist left his house in Dushanbe, **Tajikistan**, to celebrate his 33rd birthday with friends. On their way home he and his friends were stopped by police of Ismoili Somoni District who took them away in a police car. Later that night the family learned that Khurshed Bobokolonov was dead. The autopsy of 28 June 2009 concluded that he died of asphyxiation as a result of blocked airways due to vomiting. Medical experts recorded a number of bruises on his body, which may have been caused by heavy blunt objects shortly before his death. Persistent attempts by his mother and lawyers to find out what exactly happened and who is responsible for his death have come to nothing. The investigation was closed and reopened several times. His mother has found the authorities reluctant to take action to identify the culprit/s and uncooperative, failing to provide her with information on investigative activities or to reply to letters from her lawyer. To this day no one has been held accountable for Khurshed Bobokolonov's death.

Human rights activists and lawyers defending torture victims are at risk of repercussions for their work in all Central Asian countries. Relatives and victims of torture who speak out about the problem are also at risk of reprisals. In many cases activists are closely monitored by the authorities; they are subjected to excessive checks and in some cases NGOs have been threatened with closure of their organizations as a result of their human rights work. In **Turkmenistan** no independent human rights group is able to operate openly at all and citizens monitoring and reporting about human rights violations risk torture, ill-treatment and imprisonment.

In June 2012, Mansur Mingelov and his brother were detained on drugs-related charges in Mary province, south-east of **Turkmenistan**, and reportedly beaten during interrogation. When Mansur Mingelov was released 15 days later he complained to the authorities about the ill-treatment and started collecting evidence of torture and other ill-treatment of other individuals, most of whom were of ethnic Baloch origin living in Mary province. These included allegations of police pulling detainees' scrotums with pliers, and subjecting them to electric shocks. He forwarded the information to foreign diplomats and the Prosecutor General's Office of Turkmenistan. Shortly afterwards he was re-arrested and sentenced to 22 years' imprisonment in a blatantly unfair trial in September 2012 on what he alleges to be spurious charges of "involving minors in socially inappropriate actions" and the production and distribution of pornography and drugs.

The NGOs issuing this statement are also concerned that in the name of national security and the fight against terrorism, certain CIS countries, particularly **Kazakhstan**, the **Russian Federation** and **Ukraine**, have forcibly returned numerous suspected members of banned Islamic groups or parties to **Tajikistan** and **Uzbekistan**. Many of them were subjected to torture upon return. Under international human rights law, in particular the Convention against Torture, states are prohibited from sending anybody against their will to another country where there is a real risk that they will be subjected to torture or other ill-treatment.

In two separate incidents at the beginning of June 2014, Uzbekistani national security officials are believed to have abducted Mirsobir Hamidkoriev and his partner Eleanora Isaeva in Moscow and forcibly returned them to **Uzbekistan**. Mirsobir Hamidkoriev, an Uzbekistani film producer and businessman, had applied for asylum in the **Russian Federation** and on 12 May 2014, Zamoskvoretsky District Court in Moscow had ruled that the Federal Migration Service should recognize him as a refugee. He is wanted by Uzbekistan on charges of setting up a religious extremist organization in 2009. Eleanora Isaeva, also an Uzbekistani citizen, is believed to have been targeted to increase pressure on Mirsobir Hamidkoriev to confess to the accusations and extract information from him. Both are at serious risk of torture in Uzbekistan. There are credible allegations that – as in similar previous cases – the Russian authorities colluded with the Uzbekistani security officials in facilitating the abductions.

For further information, please contact:

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