

STOP THE SECRETS AND LIES

THE CAMPAIGN TO STOP TORTURE IN UZBEKISTAN

STOP ~~TORTURE~~

AMNESTY
INTERNATIONAL



A public billboard in Uzbekistan. It reads “The Constitution – a symbol of freedom”. That same Constitution prohibits torture. © Aleksey Volosevich



“EVERYONE WHO IS BROUGHT HERE IS FOUND GUILTY. THEY HAVE TO PLEAD GUILTY.”

- A prosecutor to torture survivor Vahit Güneş, referring to the National Security Service (SNB) detention centre

Security forces in Uzbekistan are torturing men and women to make them sign false confessions.

The brutality is unimaginable: electroshocks and beatings, rape and sexual humiliation. The aim is simple: make them sign their names. The result is clear: judges rely on these confessions to convict.

“[The security forces officers] handcuff people to radiators. I saw how they broke prisoners’ bones with baseball bats. At night I could hear people scream as if they were being attacked by wolves.”

- Vahit Güneş, torture survivor

The Constitution of Uzbekistan is clear on torture. “No one may be subject to torture, violence or any other cruel or humiliating treatment” reads Article 26.

But the reality is very different.

Uzbekistan is one of the most repressive and authoritarian states in the world. Anyone who doesn't conform to Uzbekistan's tightly regulated way of life risks being targeted. Surveillance is everywhere and whole families are threatened if a relative speaks out. In May 2005 the security forces killed several hundred mainly peaceful demonstrators in Andizhan. The authorities relentlessly pursue any dissent. Independent journalists and civil society activists are harassed; communications are tapped and even those human rights defenders who work in exile are monitored. Religious practice is controlled and Muslims are persecuted for acts such as attending prayer in unregistered mosques.

Meanwhile the authorities brazenly deny that torture is a problem, and the international community looks the other way, putting its own interests before the human rights crisis facing Uzbekistan.

FORCED TO SIGN YOUR LIFE AWAY

“I couldn't bear the torture that's why [I signed the confession]. If you don't believe me then look at my arm.”

- Torture survivor in court

Torture is used to extract confessions and to intimidate and punish detainees before they are charged or brought to trial. Courts rely heavily on these “confessions” to reach a verdict. Judges regularly ignore or dismiss allegations of torture or other ill-treatment, even when presented with credible evidence in court.

In 2014 a court sentenced two men to 10 years each in prison after convicting them of membership of an Islamist party, banned in Uzbekistan. Both men denied the charges and told the court that security forces had tortured them to sign false confessions by pressing their hands and feet against a hot stove and burning them as well as pulling out their fingernails and toenails. The judge listened silently and then admitted the forced confession as evidence.

WHO IS AT RISK?

Torture is endemic in the criminal justice system in Uzbekistan. While everyone who is detained by security forces is potentially at risk - including men and women charged with ordinary criminal offences, such as theft - there are some groups that are particularly vulnerable. These include individuals who have fallen out of favour with the authorities, e.g. former officials or police officers, and entrepreneurs. Men and women charged with

or convicted of “anti-state” and terrorism-related offences are also at risk. In particular this includes Muslims worshipping in mosques outside state control or under independent imams, members or suspected members of political opposition parties and banned Islamic movements or Islamist groups and parties, all of whom the authorities consider a threat to national and regional security.

LAWS ON PAPER ARE NOT ENOUGH

As with the Constitution, Uzbekistan's Criminal Procedure Code (CPC) makes provisions for addressing torture. It obliges law enforcement officers and judicial officials to consider the relevance, admissibility and credibility of evidence before placing reliance on it; and prohibits the use of unlawful pressure to extract testimony. Furthermore, in recent years several Supreme Court Directives have been issued, explicitly prohibiting the use of torture to extract confessions and the admissibility of such tainted evidence in court proceedings.

But these provisions have clearly been ineffective. The CPC should be amended to include express and comprehensive prohibitions on the use of torture and ill-treatment to obtain evidence and effectively preclude the admissibility of such evidence in court. Torture and other cruel, inhuman or degrading treatment are absolutely prohibited under international law, as set out in numerous international human rights instruments and treaties, to which Uzbekistan is party.

In 2006 Erkin Musaev, a former Ministry of Defence official, was arrested while working for a UN agency, and charged with spying and misusing UN funds, which he has flatly denied.

After he was detained, Erkin was interrogated by National Security Service (SNB) officers for ten days straight. During this time he was denied the right to contact his relatives or access a lawyer. He was subjected to psychological intimidation: his interrogators threatened to prosecute him for drug trafficking or involvement with militant Islamist groups unless he confessed to espionage. Erkin alleges that for the next month he was beaten during the day and interrogated at night. He claims that the SNB officers threatened to arrest his family and denied him the possibility of seeing his family for the following month while his bruises healed.

Erkin eventually signed a confession on the proviso that the SNB leave his family alone.

Erkin faced three separate trials, and in all of them the court admitted as evidence confessions that had been obtained after the security forces tortured him. The judge also refused him permission to call defence witnesses. Erkin was sentenced to 20 years in jail, where he remains.



ERKIN MUSAEV

“Words cannot express what we felt when we found out what had happened to him. It was grief, frustration, incomprehension and pain. But also – a determination to get justice.”

- Aidzhan Musaev, Erkin Musaev's father

(BELOW) Map of Uzbekistan and the region



SOME OF THE METHODS OF TORTURE IN UZBEKISTAN



Beatings with hands and fists, batons, rubber truncheons, iron rods and water-filled plastic bottles



Asphyxiation with plastic bags or gas masks placed over detainees' heads



Needles inserted under fingernails and toenails



Electroshock



Exposure to extreme temperatures



Deprivation of food and water



Sleep deprivation



Rape and other sexual assault of women and men



Sexual humiliation of women and men



Psychological intimidation



MUHAMMAD BEKZHANOV

Muhammad Bekzhanov, former editor of the banned opposition newspaper *Erk* (Freedom), is one of the world's longest-imprisoned journalists.

He has spent the last 16 years in prison for allegedly committing "anti-state" offences, despite claiming at his 1999 trial that he had been tortured in order to confess to fabricated charges. He stated that he had been beaten with rubber truncheons, suffocated, and given electric shocks. The court did not take any of the allegations into account: the trial flagrantly violated international standards of fairness.

"He was beaten so severely. They threw him on the floor, his right side was paralysed. His leg was broken and his arm was broken, teeth knocked out. He tells my mother "I am lying there in a pool of blood for at least a few days, no water, no food. I am trying to remember all the good things in my life, my children, my wife. And mentally I am preparing myself that I am going to die."

- Aigul Bekzhanova, Muhammad's daughter, describing some of the torture her father was subjected to in prison.



(ABOVE) Vahit Güneş reads Turkish newspaper articles about his detention, from the safety of his shop in Istanbul, Turkey. © Amnesty International

TORTURE IN DETENTION

"I was thinking 'yes that's the end. This is the end of my life'."

- Vahit Güneş

The SNB detention centre in Tashkent is one of the most notorious centres of torture in the country. Built in 2007, it's incredibly difficult to get access to: most lawyers and international monitors are denied entry, and many who make it out are afraid to give testimony.

One man who has spoken out about SNB detention is Vahit Güneş, a Turkish businessman who in 2011 was detained for 10 months, and tortured. According to Vahit – now safely in Turkey – torture happens everywhere in SNB detention. Men and

women are tortured in interrogation rooms, in bathrooms and showers, in punishment cells and in purpose-built torture rooms with padded rubber walls and sound-proofing.

"The walls of these rooms are insulated; they are soundproof. There is no lighting there. They put people inside and two masked men do whatever they want to do with them... There is a torture room on every floor."

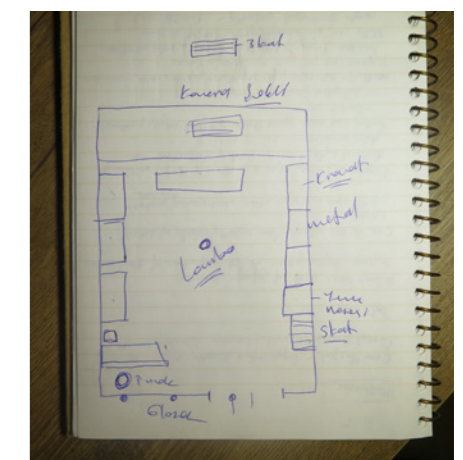
- Vahit Güneş

SNB officers regularly stripped Vahit naked in the bathrooms, forced him to bend over and beat and sexually humiliated him. They tortured him to force a confession to charges they had fabricated against him, which he eventually did.

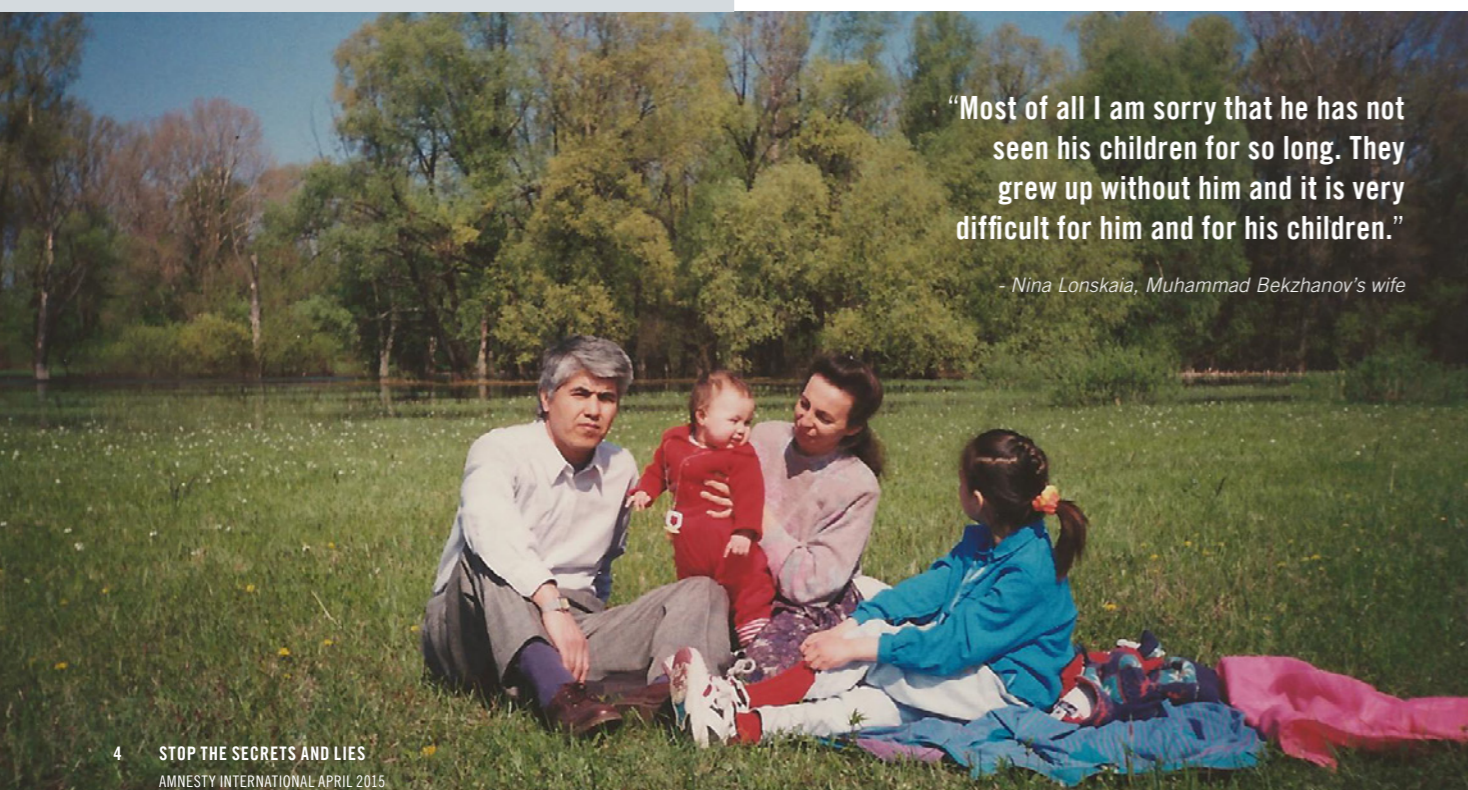
"What are you going to do other than sign the papers? Is there an alternative? You are captive there. You don't have any rights. Where can you file a complaint? What would happen even if you screamed? What would happen if you tried to call someone? Who would hear you?"

- Vahit Güneş

(BELOW) A satellite image of the detention centre in Tashkent where Vahit Güneş was tortured. The centre is effectively closed to outsiders and no photos can be taken. © Imagery courtesy of Google Earth and Digital Globe, 2015



(ABOVE) Vahit's sketch of his SNB cell. "The door was insulated. It was soundproof and really thick...They can see you from the outside, but you cannot see them...They put a peephole even near the toilet, so they can watch you... There is a light above. It is never turned off. It is on day and night." © Amnesty International



"Most of all I am sorry that he has not seen his children for so long. They grew up without him and it is very difficult for him and for his children."

- Nina Lonskaia, Muhammad Bekzhanov's wife

Muhammad Bekzhanov with his family. © Private

NO JUSTICE FOR VICTIMS

In Uzbekistan, those who complain of torture and ill-treatment never have their claims effectively investigated. And those responsible for torture are rarely if ever brought to justice. Torture continues unchecked and a climate of impunity prevails.

Since Uzbekistan has no independent mechanism to examine torture complaints, the prosecutor's office usually passes allegations to the Ministry of Internal Affairs or the SNB for investigation. But these are the very authorities that supervise those accused of torture.

**“I AM THE LAWYER,
I AM THE PROSECUTOR
I AM THE JUDGE...**

WE RULE HERE.”

- SNB prosecutor to Vahit Güneş

MURAD DZHURAEV

Murad Dzhuraev is a former member of the Uzbekistani parliament. In 1995 he was sentenced to 12 years in prison for allegedly committing “anti-state” offences, following an unfair trial. Before his trial, supporters claimed that Murad had been tortured in pre-trial detention to force him to confess to charges he and many human rights defenders claimed were groundless. They claimed that Murad was being punished solely because of his involvement in distributing the banned opposition newspaper, *Erk*.

In over 20 years, there has been no effective investigation into Murad's torture. At the same time, his prison sentence has been extended four times, each time for allegedly breaking prison rules, including for failing to change out of his slippers.

During all this time, Murad's health has seriously deteriorated: he is now barely able to speak, is almost blind and has lost most of his teeth. He has not had access to necessary adequate medical care and has spent long periods of time in solitary confinement.

Aidzhan Musaev © Private



“Immediately after [my son's] imprisonment, when I found out about all the lawlessness he had suffered, I started writing to the authorities. I spent a year trying to get an appointment with the Prosecutor General but he wouldn't see me. All my complaints to the Presidential Administration, the SNB, the Prosecutor General's Office, the Supreme Court and other authorities have only been met with heartless dismissals.”

- Aidzhan Musaev, Erkin Musaev's father

NATIONAL SECURITY AND HUMAN RIGHTS

Uzbekistan is a secular state with a predominantly Sunni Muslim population. The authorities tightly regulate religious practice, whether Islamic, Christian or other, and there are strict laws governing all aspects of religious life, including the private teaching of religion and religious dress.

The Uzbekistani authorities often invoke national security and the fight against terrorism to justify repressive measures against Muslims who worship in unregistered mosques, and actual or perceived members of

outlawed Islamist groups and parties. Those charged with “anti-state” and terrorism-related offences are, as a result, particularly at risk of torture and other ill-treatment by the Uzbekistani security forces.

While governments have the obligation to protect the rights and lives of their citizens, they must act in accordance with international human rights law and standards. The prohibition of torture and other ill-treatment is absolute and applies to everyone.



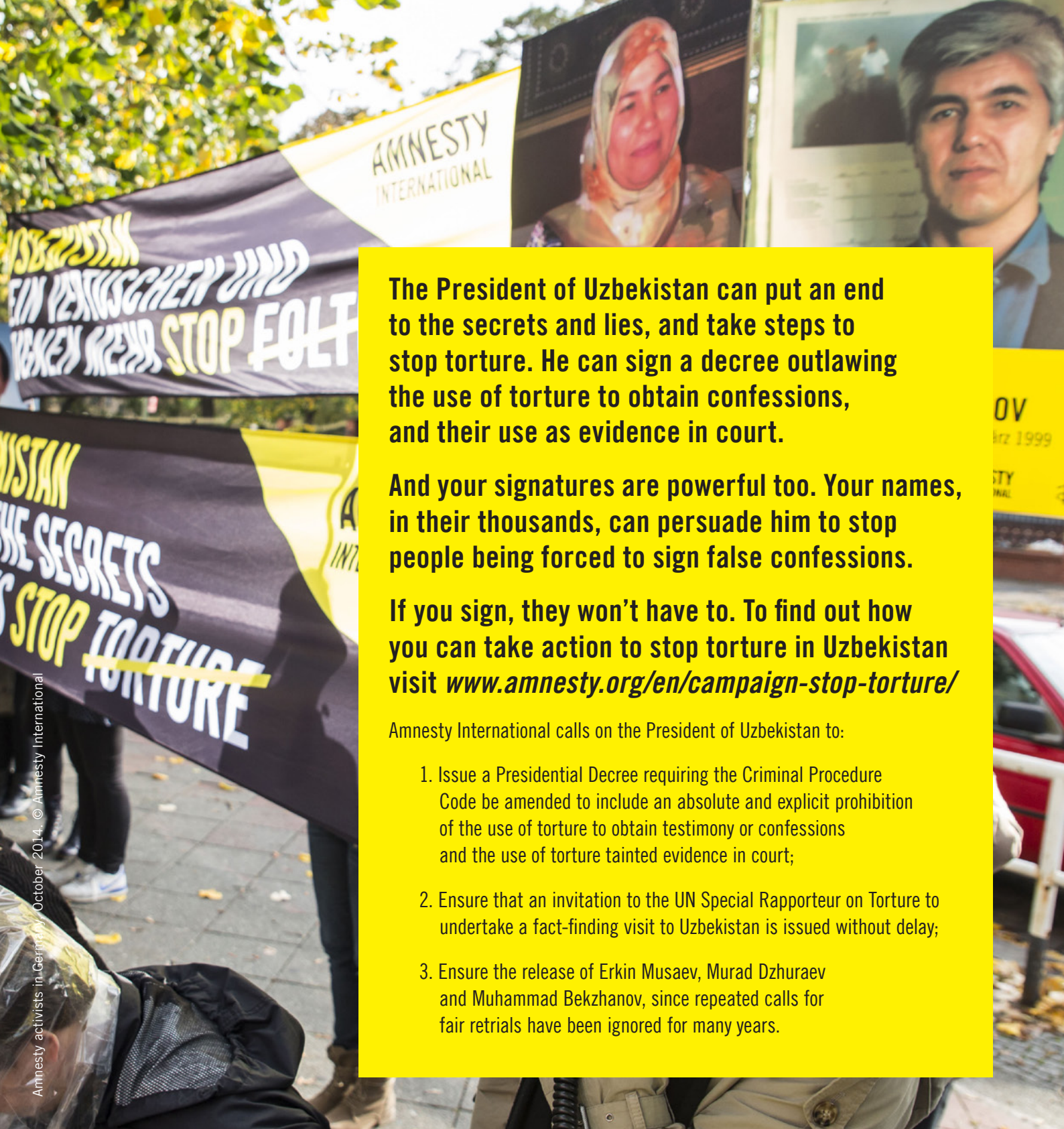
SECRETS AND LIES

The government of Uzbekistan denies all allegations of routine and pervasive torture and in defence, claims that the country is open to independent monitors. But this is simply not the case. Since 2003 the government has ignored repeated requests for an invitation by the UN

Special Rapporteur on Torture, and has denied receiving letters from Amnesty International requesting permission to visit. Other international organizations have been prevented from carrying out fully independent monitoring.

The truth is that Uzbekistan is closed to effective international scrutiny of its human rights record.

Amnesty activists in Latvia, October 2014. © Amnesty International



Amnesty activists in Germany, October 2014. © Amnesty International

The President of Uzbekistan can put an end to the secrets and lies, and take steps to stop torture. He can sign a decree outlawing the use of torture to obtain confessions, and their use as evidence in court.

And your signatures are powerful too. Your names, in their thousands, can persuade him to stop people being forced to sign false confessions.

If you sign, they won't have to. To find out how you can take action to stop torture in Uzbekistan visit www.amnesty.org/en/campaign-stop-torture/

Amnesty International calls on the President of Uzbekistan to:

1. Issue a Presidential Decree requiring the Criminal Procedure Code be amended to include an absolute and explicit prohibition of the use of torture to obtain testimony or confessions and the use of torture tainted evidence in court;
2. Ensure that an invitation to the UN Special Rapporteur on Torture to undertake a fact-finding visit to Uzbekistan is issued without delay;
3. Ensure the release of Erkin Musaev, Murad Dzhuraev and Muhammad Bekzhanov, since repeated calls for fair retrials have been ignored for many years.

Amnesty International has long campaigned against torture. In 1984, we led the way by campaigning for the UN Convention Against Torture. Yet today, many states continue to break the law and lie about it to their own people and to the world.

That's why we continue to campaign. With our Stop Torture campaign, launched in May 2014, we stand between the torturers and the tortured. We stand side-by-side with anyone who is at risk of torture and support them to claim their rights. But we cannot do this alone.

We need you to stand between the torturers and the tortured too, by learning the truth about torture and supporting the campaign.

www.amnesty.org/en/campaign-stop-torture/

Find out more in Amnesty's report *Secrets and Lies: Forced Confessions under Torture in Uzbekistan*

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(FRONT COVER) Letters written by torture survivors, smuggled out from prisons in Uzbekistan © Association for Human Rights in Central Asia

