



Norwegian
Helsinki Committee

FREEDOM NOW

09.10.2019

URGENT STATEMENT

Uzbekistan: Cease intimidation of relatives of former diplomat Kadyr Yusupov

Uzbekistan must cease all pressure, including intimidation and threats, against the family members of Kadyr Yusupov – a former Uzbek diplomat currently being tried on dubious charges of treason, the Association for Human Rights in Central Asia (AHRCA), Fair Trials International, Freedom Now, International Partnership for Human Rights (IPHR) and the Norwegian Helsinki Committee (NHC), said in a press release today. The groups also called on the authorities in Uzbekistan to guarantee that all international fair trial standards are met in relation to the ongoing trial of Yusupov, and to ensure the safety of his family members, including his son Temur Yusupov, who reports ongoing harassment from the security services.

Closed court proceedings against Kadyr Yusupov began on 24 June 2019 at the Military Court in the Yunusabad district of Uzbekistan's capital Tashkent. The 67-year-old is being held in a detention facility of the State Security Service (SGB) and is accused of committing treason (Article 157 of the Criminal Code). The charges date back to 2015, although he last worked for the Ministry of Foreign Affairs in 2009 and has been in retirement for the last few years.

On 3 December 2018, Kadyr Yusupov was hospitalised after sustaining severe brain trauma and other serious injuries resulting from a suicide attempt, when he was found on rail tracks at the Pushkin underground station in Tashkent. Shortly after the suicide attempt, while Yusupov was in an extremely confused state, he reportedly cried out that he was a spy. Yusupov is suffering from a psychiatric disorder for which he takes regular medication. There are strong grounds to believe he is not fit to stand trial.

Yusupov's pre-trial detention has been marred by judicial violations: he was not allowed a lawyer of his own choosing from 10 December 2018 until 24 April 2019, access to essential medication was restricted, and there are credible allegations of torture and threats of sexual violence against him and female members of his family, as well as threats of arrest of his two sons.¹

The organisations signing this statement have learned that Kadyr Yusupov's youngest son - Temur Yusupov has been subjected to intimidation and surveillance, as well as restrictions on his freedom of movement believed to be in retaliation for his proactive role in defending his father.

On 13 December 2018, Temur Yusupov tried to travel to a neighbouring country but was refused permission to leave Uzbekistan by SGB officials who did not explain the reason for this decision. They asked him to sign a written undertaking not to travel abroad, after warning him that "things might get worse". SGB surveillance of Temur reportedly continued throughout December 2018.

The surveillance resumed again on 26 September 2019 after Human Rights Watch published a video report about Kadyr Yusupov which was widely circulated on social media.²

The pressure on Temur Yusupov has particularly intensified since 4 October, the fifth day of the court hearing in the case against Kadyr Yusupov. Temur received a warning from plain clothed SGB officials, who visited his relatives on 4 October after 9:00 p.m. and warned them: "Get Temur to calm down or we'll put him in prison. Let us finish the trial; make sure no one is invited to the next hearing".

The alleged SGB threats were in response to the fact that Temur had earlier informed a journalist from EurasiaNet and representatives of the U.S. Embassy in Tashkent about the hearing on 4 October, who then attempted to observe the trial, although they were denied access to the courtroom. The hearing was scheduled to begin at 3:30 p.m., but it was postponed due to the absence of the State Prosecutor, reportedly due to illness. Kadyr Yusupov, accompanied by his lawyer, had already been transferred from prison to the courtroom and sat in the cage in the defendant's box - which gives grounds to conclude that the hearing was cancelled at the last minute. A court official had previously told Kadyr Yusupov's relatives that they would be able to see him on the day of the trial - but they were finally denied a short meeting in what they interpret to be a sign of retaliation for Temur having invited western observers to the hearing.

"The lashing out against Temur Yusupov, apparently in retaliation for bringing western observers to monitor the court hearing against his father, is unacceptable and sows doubts about how deep reforms run in Uzbekistan", said Nadejda Atayeva, President of the Association for Human Rights in Central Asia.

On 7 October, Temur Yusupov lodged an official complaint with the Prosecutor General's Office outlining the need for urgent measures to be taken in relation to officers of the SGB who have been threatening to fabricate a criminal case against him. He called on the Prosecutor General's Office to bring the officials to justice for obstruction of justice, as well as cruel, inhuman or degrading treatment or punishment. The Prosecutor General's Office is yet to respond to the complaint.

¹ Human Rights Watch (2019), 11 June, <https://www.hrw.org/news/2019/06/11/uzbekistan-release-retired-diplomat> (Accessed: 8 October 2019)

² Human Rights Watch (2019), 26 September, <https://twitter.com/hrw/status/1177146590236217344> (Accessed: 8 October 2019).

Kadyr Yusupov's lawyer, Allan Pashkovskiy stated *"Justice has been undermined in my client's case – by the reports of torture, and by the intimidation and harassment of Temur Yusupov and his family by officials of the State Security Services."*

Over the course of his 27-year diplomatic career, Kadyr Yusupov held various posts, including that of the Permanent Representative of Uzbekistan to the OSCE Mission in Vienna. In retirement, he wrote analytical articles on the country's foreign and domestic policy.

At yesterday's hearing the judge granted a motion by the defence requesting that Kadyr Yusupov undergo a medical and psychiatric evaluation. The assessment will be carried out in a psychiatric ward where Kadyr Yusupov is likely to be held for a period of one or two months. While the medical evaluation is being conducted judicial permission will be required for visits from his lawyer. This is a worrying development that will prolong Yusupov's detention and further restrict his access to legal advice. We are also concerned that Kadyr Yusupov's family has not been able to visit him for the last 10 months since he has been in detention.

"Three years after the reform process began in Uzbekistan, the trial of Kadyr Yusupov clearly shows that the executive branch of power continues to exert pressure on the judiciary. The Uzbekistani authorities must take steps to address this and ensure that the threats against Yusupov, his family and his lawyer cease." said Brigitte Dufour, Director of International Partnership for Human Rights.