

URGENT ACTION



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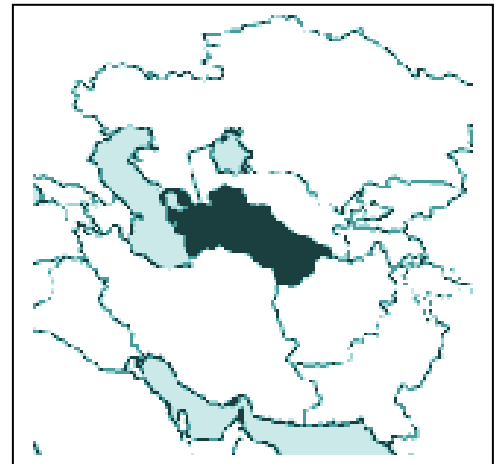
27 October 2009

UA 286/09 – Fear of torture/Possible prisoner of conscience

TURKMENISTAN

Andrei Zatoka (m), aged 53, environmentalist

Andrei Zatoka, a 53-year-old male environmentalist, was arrested by police in his home town of Dashoguz, northern Turkmenistan, on 20 October. He is believed to be held in a pre-trial detention center in the town, where he is at risk of torture or other ill-treatment. He may have been arrested to punish him for his peaceful work as an environmental activist.



According to witnesses, Andrei Zatoka was shopping in the market in Dashoguz on the morning of 20 October when an unknown man punched him. Andrei Zatoka tried to call the police, but two police officers standing nearby arrested the environmentalist instead and took him to a police station. He was then sent to a pre-trial detention center run by the Ministry of Justice, where officials told him that he would be held for 15 days for “hooliganism”. However, later that day he was told that he would remain in custody, as he was suspected of inflicting injuries of “medium severity” to the man in the market. The officials told him that this was corroborated by medical experts and two alleged witnesses. According to the Turkmen Initiative of Human Rights, “the vendors and customers in the market who saw the incident were not summoned as witnesses”. Amnesty International learned on 23 October that Andrei Zatoka had been charged with “intentional infliction of medium injuries”, which under Turkmen law is punishable by imprisonment for up to five years. It is not known when he will appear in court.

Environmental activists have been among activists frequently subjected to interrogation and other harassment by the authorities. In some cases they have been tortured or ill-treated, arbitrarily detained or imprisoned.

BACKGROUND INFORMATION

In December 2006, Andrei Zatoka was detained by police at the airport in Dashoguz for an alleged breach of public order. It was unclear what gave rise to this accusation. Andrei Zatoka had been preparing to fly to Turkmenistan's capital, Ashgabat, and then on to Moscow the following day, to meet with members of the global NGO, the International Social and Ecological Union, and to spend his holidays with his family in Russia. Subsequently he faced four charges, including unlawful acquisition or possession of weapons or explosives, and unlawful circulation of potent or poisonous substances. Amnesty International and many other international human rights organizations expressed concern that he was targeted to punish him for his peaceful work as an environmental activist (see UA 05/07, and follow-up). In January 2007, Dashoguz City Court convicted Andrei Zatoka and handed down a suspended sentence of three years' imprisonment. The suspended sentence was lifted as part of a presidential pardon of some 9,000 prisoners. However, since June 2008 Andrei Zatoka has been barred from leaving the country. As he has dual Turkmen and Russian citizenship and his children live in Russia, he has not been able to see them and other relatives in Russia for over

Amnesty International's mission is to undertake research and action focused on preventing and ending grave abuses of the rights to physical and mental integrity, freedom of conscience and expression, and freedom from discrimination, within the context of its work to promote all human rights.

two years. He wrote several letters to the Ministry of National Security and the Migration Service inquiring why he could not leave the country. However, he has not received any explanation.

In a letter written in June 2008 which Andrei Zatoka left with acquaintances in case of his arrest or enforced disappearance, Andrei Zatoka wrote that he thought he was being watched by security services and that he feared that the authorities might arrest him on trumped-up charges.

Andrei Zatoka moved with his family to Turkmenistan from the Russian Federation in 1982, and worked at Kaplankyr National Park in the north of the country until 1992. He is a member of the Council of the International Social and Ecological Union, an umbrella organization of over 340 environmental groups, mainly from the countries of the former Soviet Union. In Turkmenistan he co-chaired an environmental group, the Dashoguz Ecological Club, which opened in December 1992 but was closed down in 2003 as part of the government's clampdown on NGOs.

For many years, the people of Turkmenistan have suffered widespread and systematic violations of their human rights. The authorities have a record of clamping down on dissidents. In December 2006, hopes rose for a fresh approach to human rights, as President Gurbanguly Berdimukhamedov took power. However, his government has done very little to address the concerns of Amnesty International, other human rights defenders and the international community. Despite Turkmenistan's obligations under international human rights law, including its commitment to ensure freedom of expression and association, enshrined in the International Covenant on Civil and Political Rights, to which Turkmenistan is a state party, the authorities have severely restricted the activities of civil society activists and have closed down most NGOs. Opposition politicians have been forced into exile or faced imprisonment and persecution, and no independent political parties can operate openly in Turkmenistan.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible:

- urging the authorities to ensure that Andrei Zatoka is protected from any form of torture or ill-treatment, and that he is allowed regular access to a lawyer of his own choosing, and any medical treatment he may require;
- expressing concern at allegations that Andrei Zatoka was targeted because of his peaceful work as an environmental activist;
- noting that if this is the case, he is a prisoner of conscience, and must be released immediately and unconditionally;
- pointing out that Turkmenistan is a state party to the International Covenant on Civil and Political Rights, which guarantees the rights to freedom of expression and association;
- expressing concern about the continuing clampdown on dissent in Turkmenistan, which has led to many civil society activists, political dissidents, members of religious minority groups and their families being arbitrarily detained, tortured or ill-treated and imprisoned after unfair trials.

APPEALS TO:

President of Turkmenistan

Gurbanguly Berdimukhamedov
Presidential Palace
744000 Ashgabat
TURKMENISTAN

Fax: 011 993 12 35 51 12

Salutation: Dear President of Turkmenistan

Minister of Foreign Affairs

Rashit Meredov
Ministry of Foreign Affairs
83 pr. Magtymguly
744000 Ashgabat
TURKMENISTAN

Fax: 011 993 12 35 42 41

Email: mfatm@online.tm

Salutation: Dear Minister

COPIES TO:

Ambassador Meret Bairamovich Orazow
Embassy of Turkmenistan
2207 Massachusetts Ave. NW
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Phone: 1 202 588 1500

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PLEASE SEND APPEALS IMMEDIATELY.

Check with the AIUSA Urgent Action office if sending appeals after 8 December 2009.