

URGENT ACTION

MAN TO RETURN TO PRISON WHERE HE WAS BEATEN

A Turkmen citizen of Baloch origin faces imminent transfer to Ovadan-Depe prison in Turkmenistan. During his previous time at the prison he was regularly beaten.

Mansur Mingelov, 39, is serving 22 year sentence in LBK/11 prison in Seidi, Lebap province in north-eastern Turkmenistan. Mansur Mingelov was first arrested in connection to a criminal case involving his brother on 6 June 2012, a day after his brother was arrested. On 6 June Mansur Mingelov was allegedly beaten by officers of the State Service for Security Protection of Healthy Society of Turkmenistan (former State Drug Control Service). He also witnessed his brother being beaten by security services during interrogation. They were both sentenced after an unfair trial on 10 September 2012 on charges of involving minors in socially inappropriate actions, production and distribution of pornography, contraband, production or distribution of drugs under articles 156,164, 254 and 292 of the Criminal Code of Turkmenistan.

According to a confidential source, Mansur Mingelov denies all charges and maintains his innocence. He reports that he only saw his state-appointed lawyer twice, once when they first met and then during the trial itself. During the investigation and trial he was not allowed to call his relatives nor change his lawyer. After his arrest, Mansur Mingelov was forcibly moved to a regional drug rehabilitation centre and kept there for 15 days, and released on 22 June 2012. He then lodged complaints about his brother's torture and ill-treatment with the Prosecutor General's Office and the President of Turkmenistan. Two police officers were subsequently dismissed. From 25 June and up until 2 August 2012, when Mansur Mingelov was arrested again, he collected evidence of torture and ill-treatment from other individuals, most of whom were of Baloch origin living in Mary province, south-east Turkmenistan.

The terms of Mansur Mingelov's sentence stipulate that he serves one year in a high security prison. He served this in the high security prison Ovadan-Depe, and was transferred on 6 August 2013 to a prison in Seidi. He was reportedly subjected to regular beatings in Ovadan-Depe prison. On 11 April prison guards informed Mansur Mingelov to be prepared for another transfer to Ovadan-Depe prison, which was not part of the original sentence.

Please write immediately in Turkmen, Russian, English or your own language:

- Urging the authorities not to transfer Mansur Mingelov to Ovadan-Depe prison;
- Calling on the authorities to instigate a prompt retrial of Mansur Mingelov in line with international fair trial standards, including allowing him access to a lawyer of his choice;
- Urging the authorities to initiate a prompt, impartial and effective investigation into all allegations of torture and that any State Drug Control Service officers found responsible for torture and/or ill-treatment are brought to justice;
- Calling on the authorities to respect their obligations under international human rights law, including under the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, to ensure that no persons is subjected to torture and other ill-treatment.

PLEASE SEND APPEALS BEFORE 4 MAY 2014 TO:

Prosecutor General

Amanmyrat Khallyyev
Ul. 2005 (Seidi) 4
744000 Ashgabat, Turkmenistan

Salutation: Prosecutor General

President of Turkmenistan

Gurbanguly Berdymukhamedov
Presidential Palace
744000 Ashgabat, Turkmenistan
Fax: +993 12 93 5112 (please keep
trying between 10-1500 GMT)

Salutation: Dear President

And copies to:

Minister of Interior

Isgender Mulikov
Ul. 2033 (pr. Mahtumkuli) 85
744000 Ashgabat, Turkmenistan
Fax: +993 12 39 1944 (please keep
trying between 10 - 1500 GMT)

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

Mansur Mingelov has recorded 11 incidents of the torture and other ill-treatment from within the Baloch ethnic community in Mary province. He recorded the information on CD disks and sent them to the US Embassy in Ashgabat, the capital of Turkmenistan, the Organization for Security and Co-operation in Europe (OSCE) and the Prosecutor General's Office. According to Mansur Mingelov these reports of torture and other ill-treatment included allegations of law enforcement officers using chisels on detainees' bones, pulling of the scrotum with pliers, electric shocks, and the use of chair legs and plastic bottles for beatings. He described seeing a case with tools explicitly meant for torture at the State Service for Security Protection of Healthy Society of Turkmenistan in Ashgabat.

According to some Turkmenistani human rights defenders and journalists in exile, torture and ill-treatment is a major problem in Turkmenistan. However the climate of fear is such that few people dare report incidents of torture and ill-treatment that occur in detention, or even talk about it following their release from detention.

Credible reports received by Amnesty International describe prisoners serving life sentences being kept in shackles for lengthy periods of time and beaten regularly. The Turkmenistan Helsinki Committee, and other human rights defenders in exile, report that certain areas of Ovadan-Depe high security prison reserved for political prisoners were built with a maximum height of 1.5 meters in order to prevent inmates from standing upright. The Turkmenistani authorities have not reacted to repeated requests from the international community to improve the living conditions in this prison facility or to allow international monitors access to this facility.

There have reportedly been no cases of any criminal prosecutions for the crime of torture in Turkmenistan and similarly no cases where evidence obtained through torture or other ill-treatment has been excluded from court proceedings. In its Concluding Observations on Turkmenistan, the UN Committee against Torture (CAT) noted that "the absence of comprehensive or disaggregated data on complaints, investigations, prosecutions and convictions in cases of torture and ill-treatment by law enforcement personnel severely hampers the identification of possible patterns of abuse requiring attention", and recommended that the Turkmenistani authorities compile and provide clear statistical data on such issues.

Methods of torture and other ill-treatment reported to Amnesty International over the past ten years have included: pushing needles under fingernails; electric shocks; asphyxiation using a plastic bag or gas mask with the air supply cut; sexual violence; forcibly administering psychotropic drugs; beating with batons, truncheons, or plastic bottles filled with water; punching; kicking; food and drink deprivation; and exposure to extreme cold. Amnesty International has also received recent reports of beatings, rape and forced administration of drugs occurring inside prisons.

The European Court of Human Rights has noted the existence of numerous and consistent credible reports of torture and other ill-treatment against criminal suspects by members of the security services in Turkmenistan. In 2008 the European Court ruled in *Ryabikin v. Russia* that the applicant, an ethnic Russian citizen of Turkmenistan, would, in part due to his ethnicity, be at risk of torture or ill-treatment if returned to Turkmenistan where he would face a long period of detention in poor conditions and possibly held incommunicado.

In its Concluding Observations in June 2011 the UN CAT expressed concern at reports of violations of fundamental safeguards against torture such as the right of prompt access to a defence lawyer upon detention.

Name: Mansur Mingelov

Gender m/f: m

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