

Mandates of the Working Group on Arbitrary Detention; the Special Rapporteur on extrajudicial, summary or arbitrary executions and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment

Ref.: AL UZB 2/2025
(Please use this reference in your reply)

5 May 2025

Excellency,

We have the honour to address you in our capacities as Working Group on Arbitrary Detention; Special Rapporteur on extrajudicial, summary or arbitrary executions and Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, pursuant to Human Rights Council resolutions 51/8, 53/4 and 52/7.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning the death in custody of Mr. Mukhammadkadir Pulatov on 15 February 2025.

According to the information received:

In December 2024, Mr. Mukhammadkadir Pulatov was convicted under article 277 of the Criminal Code of Uzbekistan for hooliganism and sentenced to three years in prison.

On 2 December 2024, he was sent to Almalyk prison.

On 14 February 2025, Mr. Pulatov informed medical personnel at the prison that he felt unwell and approached medical personnel multiple times. Reportedly, the authorities offered to transfer him to hospital but Mr. Pulatov refused. At 10.45 p.m., he allegedly indicated again that he was feeling unwell. It is not clear whether he was provided with first aid at this point. He was then transferred to the Central City Hospital of Almalyk and provided medical care. The time at which he was transferred has not been provided by the authorities, despite requests for this information.

On 15 February 2025 at 1.00 a.m., Mr. Pulatov died.

The Prosecutor General's Office reported that he died of a heart attack.

Mr. Pulatov was reportedly in good health in the weeks prior to the incident.

A post mortem was carried out by the Judicial Medical Expertise Unit of the Central City Hospital of Almalyk. Relatives were able to view the resulting document, but were not provided with a copy. Reportedly, an initial version of the post mortem observed possible drug poisoning in addition to a heart attack and pancreatitis. However, in the second version, the reference to drug poisoning was allegedly deleted.

It is unclear what other investigations have been conducted into the incident.

Reportedly, there have been two other recent deaths in custody in Uzbekistan.

Some previous cases of deaths in custody in Uzbekistan have reportedly been due to torture.

We would like to express concern about the death in custody of Mr. Pulatov and the alleged lack of independent, impartial, prompt, thorough, effective, credible and transparent investigation into his death.

Without making any judgment as to the accuracy of the information made available to us, the above allegations raise concerns about the implementation of the right of every individual to life as set out in article 6 of the International Covenant on Civil and Political Rights (ICCPR) which Uzbekistan acceded to on 28 September 1995 as well as article 7 on the right to not be subjected to torture or to cruel, inhuman or degrading treatment or punishment in addition to various articles of the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), which Uzbekistan also acceded to on 28 September 1995. We further note that they may be in contravention of the right to health, as set out in article 12 of the International Covenant on Economic, Social and Cultural Rights which Uzbekistan acceded to on 28 September 1995.

We would like to highlight that States have a heightened duty of care to take any necessary measures to protect the lives of individuals deprived of their liberty by the State given that by arresting, detaining, imprisoning or otherwise depriving individuals of their liberty, States parties assume the responsibility to care for their lives and bodily integrity. Loss of life occurring in custody creates a presumption of arbitrary deprivation of life by the State authorities, which can only be rebutted on the basis of a proper investigation that establishes the State's compliance with its obligations under article 6 of the ICCPR (Human Rights Committee, general comment No. 36).

Investigations into deaths in custody must meet international standards, including the Revised United Nations Manual on the Effective Prevention of Extra-Legal, Arbitrary and Summary Executions ([The Minnesota Protocol on the Investigation of Potentially Unlawful Death \(2016\)](#)). Such investigations must be independent, impartial, prompt, thorough, effective, credible and transparent.

We would also like to highlight to your Excellency's Government that the provision of health care for prisoners is a State responsibility. Prisoners should enjoy the same standards of health care that are available in the community (United Nations Standard Minimum Rules for the Treatment of Prisoners ([the Nelson Mandela Rules](#), rule 24)).

We note that in 2020, in its Concluding Observations on Uzbekistan ([CAT/C/UZB/CO/5](#)), the Committee Against Torture expressed serious alarm at "continued reports that torture and ill-treatment are frequently committed in prisons, by and with the consent and acquiescence of prison officials, in some cases resulting in death" (para. 37). It made a number of recommendations including in paragraph 40 that Uzbekistan:

- provide prisoners with adequate access to health care and bring all places of detention fully in line with the Nelson Mandela Rules.
- ensure that all allegations of torture and ill-treatment in places of detention are promptly, effectively and impartially investigated and that perpetrators are prosecuted, including by ensuring that family members are permitted the possibility of carrying out independent forensic examinations in all cases of death in custody.

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.
2. Please provide information on how deaths in custody are investigated in Uzbekistan and how this system complies with international standards including the Minnesota Protocol.
3. Please provide information on the specific steps taken to investigate the death of Mr. Mukhammadkadir Pulatov.
4. Please provide statistics on the number of deaths in custody by year that occurred in the last five years, the location(s) of detention in which they occurred and the cause of death identified during investigations.
5. Please provide information on whether officials responsible for investigations into deaths in custody are trained on the Minnesota Protocol.
6. Please indicate whether the Minnesota Protocol is available in Uzbek.
7. Please provide information on the steps taken to implement the recommendations related to deaths in custody made by the Committee Against Torture in paragraph 40 of the 2020 Concluding Observations.

This communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#) within 60 days. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the

accountability of any person(s) responsible for the alleged violations.

Further, we would like to inform your Excellency's Government that after having transmitted the information contained in the present communication to the Government, the Working Group on Arbitrary Detention may also transmit the case through its regular procedure in order to render an opinion on whether the deprivation of liberty was arbitrary or not. The present communication in no way prejudices any opinion the Working Group may render. The Government is required to respond separately to the letter of allegation and the regular procedure.

Please accept, Excellency, the assurances of our highest consideration.

Matthew Gillett

Vice-Chair on Communications of the Working Group on Arbitrary Detention

Morris Tidball-Binz

Special Rapporteur on extrajudicial, summary or arbitrary executions

Alice Jill Edwards

Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment

Annex

Reference to international human rights law

In connection with above alleged facts and concerns, we would like to refer your Excellency's Government to article 3 of the Universal Declaration of Human Rights which states that "Everyone has the **right to life**, liberty and security of persons". We also refer to articles 6 of the ICCPR which establish respectively the right to life. We refer in particular to the UN Human Rights Committee general comment No. 36 on article 6, which provides that individuals are entitled "to be free from acts and omissions that are intended or may be expected to cause their unnatural or premature death, as well as to enjoy a life with dignity."

In relation to the protection of the right to life, we underscore the importance of conducting investigations into all suspected unlawful killings in line with international standards, particularly the Principles on Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions and the Revised United Nations Manual on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions (the Minnesota Protocol on the Investigation of a Potentially Unlawful Death (2016)). =Failure to investigate and prosecute such violations is in itself a breach of the norms of human rights treaties.

Further underscoring the importance of effective investigation, we reiterate that, when the State detains an individual, it is held to a heightened level of diligence in protecting that individual's rights. Therefore, when an individual dies as a consequence of injuries sustained while in State custody, there is a presumption of State responsibility. In order to overcome the presumption of State responsibility for a death resulting from injuries sustained in custody, there must be a thorough, prompt and impartial investigation of all suspected cases of extra-legal, arbitrary and summary executions (principle 9 of the Principles of the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions).

The duty to protect the life of all detained individuals includes providing them with the **necessary medical care** and appropriate regular monitoring of their health, shielding them from inter-prisoner violence, preventing suicides and providing reasonable accommodation for persons with disabilities (UN Human Rights Committee general comment No. 36).

The **prohibition on torture and cruel, inhuman or degrading treatment or punishment** is absolute and non-derogable (UDHR art. 5; ICCPR arts. 7 and 2(3); Convention Against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment arts. 1, 2, 15 and 16).

State parties to CAT have overarching obligations to prevent torture and other cruel, inhuman or degrading treatment or punishment via effective legislative, administrative, judicial and other measures (articles 2 and 16), to educate and train relevant personnel on the prohibition (art. 10) and to keep all rules, instructions, methods and practices relating to interrogation, custody and treatment under systematic review (art. 11).

Attached to the peremptory and absolute prohibition of torture are obligations to investigate all acts of torture or other cruel, inhuman or degrading treatment or punishment, to prosecute or extradite suspects, to punish those responsible and to protect victims from reprisals and intimidation, and to provide remedies to victims. We refer your Excellency's Government to the comprehensive report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, on all aspects including good practices of States, relating to the investigation and prosecution of acts of torture and related ill-treatment (A/HRC/52/30). Such investigations are recommended to be carried out in line with the United Nations Manual on the Effective Investigations and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment ("the Istanbul Protocol" revised 2022 edition).