

**Statement  
by the Press Service of the Office of  
the Prosecutor General of Uzbekistan**

ENGLISH only

On the results of the investigation and court hearings of the events in Andizhan

Based on arguments presented both in articles and publications, the following has been established:

1. Arrests of the participants of the events in Andizhan were conducted in strict accordance with the requirements of the Criminal Procedural Laws on the basis of the collected evidence. Facts of illegal arrests were not established.

Each attorney who represented interests of the defendants was chosen directly by the latter immediately since the moment of the arrest with no restrictions imposed on the work of the attorneys.

According to Articles 46 and 50 of the Criminal Procedural Code (CPC) of Uzbekistan, defendants have the right to choose or deny an attorney. However, neither during the investigation, nor at the court hearings did the defendants make petition to deny their attorneys or have them replaced.

According to Article 53 of the Criminal Procedural Code of Uzbekistan, choosing a defense line is an exclusive right of the attorney, and any interference into the attorneys work was not established.

2. During both the investigation and court hearings the defendants made confessing statements that in many details were in line with charges brought against them. Allegations that the defendants' statements were derivatives of the prosecutor opinion are ungrounded since charges, in accordance with the norms of the CPC, are brought on the basis of all collected evidence, including statements of defendants.

To plead guilty or make any other statement, according to Article 46 of the CPC, is an exclusive right of defendant.

At the same time, according to Article 55 of the CPC, avowal lessens the measure of penalty.

Neither during the preliminary investigation nor at the court hearings did the defendants and their attorneys appeal or make statements on their being pressured in any form. Each defendant was medically examined. Based on the examination, no evidence of physical abuse was established.

During questioning at the court hearings the defendants were repeatedly asked by the Court Chair whether they had been pressured. The defendants persistently gave negative answers.

3. The court hearings were monitored by 42 local and 53 foreign media, 10 representatives of international human rights and other organizations, more than 20 representatives of embassies and foreign diplomatic missions accredited in Uzbekistan.

Law process, as a preliminary investigation of these events, went off in a full compliance with the norms of the criminal-procedural legislation and all conditions to

the defendants to realize their rights, stipulated in the Criminal-procedural Code of the Republic of Uzbekistan, were created.

During the court hearings, the victims, civil plaintiffs, their representatives, witnesses after the interrogation, as well as correspondents of local and foreign mass media, representatives from law enforcement and other non-governmental organizations were present. Arguments on that the court was full of officials from National Security Service in “civil attire” is considered to be ungrounded and proves the intend of the authors and publications to slander the court proceedings by any inadequate means.

Concerning the absence of relatives of defendants in the court, it is necessary to mention that the Supreme Court notified in advance about the beginning of the proceedings, and the people, who wished to take part in the process received full access to the court building. But, there were no appeals from the relatives of defendants to participate in the process.

**4.** Apart from the confessed evidences by the defendants, the court thoroughly, fully and objectively investigated many other evidences, which assisted in reestablishing the picture of the tragic events in Andizhan.

Particularly, 128 victims and their representatives, 50 civil plaintiffs, 103 witnesses were interrogated. The films, attached to the final expertise, based on video-films, recorded by the terrorists themselves, audio-cassettes of negotiations between Mr. Z.Almatov, the Minister of Interior, and Mr. S.Begaliev, Governor of the Region, with Kobil Parpiev, the leader of the bandits, and terrorists, tens of slides with photos, seized in the process of investigation, were demonstrated

Besides, presiding judge of the court announced 274 conclusions on various types of expertise, carried out within the criminal case.

In the course of examination of the presented evidences at the open trial proceedings, the guilt of the defendants was fully proved.

**5.** Measures undertaken by the law enforcement bodies to prevent the acts of terrorists had a responsive character and were used in the framework of such generally accepted notions of the criminal law as “ultimate necessity” and “necessary defense”.

Until the terrorists left the Administration building, the Government forces did not undertake any actions aimed at blocking the “meeting”.

While moving along the Chulpan street, at the cross of Bukhara and Nayman streets, the terrorists opened the fire towards the soldiers, who were there for the purpose of providing security for the population against probable violence by the terrorists. The soldiers did not prevent them to move. Failing the demand to stop the fire, criminals, firing disorderly, shot dead 12 hostages and 38 civilians.

In response, militaries opened aimed fire on militants.

During the Andizhan events, guns were used only to neutralize violent actions of the militants’ violence, to repel their armed attacks, to localize the negative consequences and to liquidate militants.

**6.** Crimes of May 12-13 were committed on the territory of the Republic of Uzbekistan, and in accordance with the articles 3 and 4 of the Criminal Procedural

Code and the article 11 of the Republic's Criminal Code they are under jurisdiction of the Republic of Uzbekistan.

According to the Constitution any interference to the internal affairs of the Republic of Uzbekistan is the violation of Uzbekistan's inviolability and integrity and it is infringement of its sovereign rights.

At the same time, besides the Parliamentary Commission of the Republic of Uzbekistan, the process of the preliminary investigation was observed by the working group consisting of representatives of the diplomatic corps accredited in Uzbekistan that in fact played the role of international observers.

**7.** M.Zakirova's statement is a subjective biased interpretation of the Andizhan events and it is fully disproved by the evidences collected within the criminal case.

In spite of the assessing the statements made by all of the participants of the process, some foreign media representatives try to rely in their articles on those made by witnesses like Makhbuba Zakirova. Naturally, M.Zakirova did not testified impartially in the court because four of her relatives were members of the religious-extremist movement "akromiylar" and they actively participated in the terrorist acts in Andizhan. Currently, two of them are in Romania, one is at large and the other one is under investigation.

On the other hand, M.Zakirov's testimony in the court once more time highlights the objectivity of the court and disproves any demagogical allegations that the court was staged.