

## Tajikistan

**IHF FOCUS: freedom of expression and the media; judicial system and independence of the judiciary; fair trial and detainees' rights; torture, ill-treatment and police misconduct; conditions in prison; religious intolerance; freedom of movement; asylum seekers; death penalty.**

Tajikistan's involvement in the international counter-terrorism coalition, which was initiated by the United States in the wake of the September 11 events, resulted in increased international involvement in the country. However, unfortunately, this involvement did not have as positive an impact on the human rights situation in the country as was expected.<sup>1</sup> As in previous years the authoritarian regime of President Imomali Rahkmonov severely restricted the rights and freedoms of its citizens in 2002.

During the year, three private radio channels were granted licenses to broadcast in the capital, Dushanbe. An allegedly politically motivated criminal case against Dodojon Atovullo, an exiled opposition journalist, was also dropped. However, while these developments were welcome, the government continued to seriously impede freedom of expression and the media in numerous ways and journalists regularly engaged in self-censorship.

The judiciary did not enjoy any true independence and the rights of those charged with criminal offences were routinely infringed upon. In particular, it was disturbing that courts frequently failed to take into account allegations that defendants had been tortured in pre-trial detention and admitted as evidence confessions extracted by coercion. There were numerous reports of cases where criminal suspects were convicted and given harsh sentences, including the death penalty, on the basis of confession made under torture. Thus, the danger that innocent people be imprisoned, placed on death row, or even executed in the country was extremely great.

In most cases, those guilty of torture were not prosecuted or punished. However, in July, in a case that set an important precedent, nine high-ranking law enforcement officials were convicted of using torture to force criminal suspects to confess to crimes they were falsely charged with. The IHF hopes that this verdict was the first step toward an improved process of accountability.

Prison conditions remained degrading for inmates and the death rate among prisoners was high. The authorities continued to treat information on the use of the death penalty as classified, but observers reported that death sentences were imposed and executions carried out at an increasing rate. The relatives of those on death row were typically not informed about the situation of their loved ones, including when and where their executions took place.

The president depicted the fight against "terrorism" and "religious extremism" as a key priority of the government, and used this argument to justify increasingly restrictive policies against Islamic opposition movements and institutions. In particular, in the northern Suhgd region, the authorities took measures to close down mosques, dismiss Islamic leaders, and imprison religious opponents. The growing pressure that Muslims experienced also had negative implications for other faith communities.

Some 9,000 Afghan refugees were repatriated from the Tajik border, where they had been marooned in miserable conditions since late 2000. With reference to security concerns, the Tajik authorities had refused to allow the refugees into Tajik territory. In spite of strong criticism from UNHCR, the government also continued its policy not to officially recognize any refugees and

---

<sup>1</sup> For more information see the chapter on Human Rights Abuses in Central Asia and Chechnya: the International Response After September 11 in IHF, *Anti-Terrorism Measures, Security and Human Rights – Developments in Europe, Central Asia and North America in the Aftermath of September 11*, April 2003, at [www.ihf-hr.org/viewbinary/viewdocument.php?doc\\_id=928](http://www.ihf-hr.org/viewbinary/viewdocument.php?doc_id=928)

deported two smaller groups of Afghans who were already within Tajik territory back to Afghanistan, to possible persecution.

In May, the government set up a commission to consider the implementation of international human rights obligations in the country. Different working groups were charged with preparing national reports under those international human rights conventions that Tajikistan has ratified and that require state parties to submit regular reports.<sup>2</sup>

### **Freedom of Expression and the Media<sup>3</sup>**

The laws of the country protected freedom of expression and the media in accordance with international standards. However, in reality, these laws were not effectively implemented and journalists faced serious obstacles in their work.

Firstly, journalists experienced great difficulties in obtaining information from government bodies and departments. By law, all public organizations were obliged to grant the media access to all non-classified material that they produced. However, no sanctions for failures to comply with this obligation were foreseen and government officials frequently refused to provide journalists with the information they requested.

Secondly, the government continued to enjoy a monopoly of the printing industry, which made it virtually impossible for independent publications to be published. Although censorship was outlawed, the state-owned Sharki Ozod printing house routinely censored articles critical of government policies.

Thirdly, the government continued to arbitrarily deny broadcast licenses to independent television and radio stations. A vast majority of the independent stations that were allowed to operate were based in the northern part of the country and were accessible only to a limited audience. For many years, only state-owned stations have operated in the capital, Dushanbe, but at the end of the year one independent radio station was able to take up broadcasting.

- In July, the government decided not to grant a broadcast license to an independent radio station, Asia Plus. The decision came almost four years after the radio station applied for the right to start broadcasting in Dushanbe and the sole motivation for the refusal was that it was “unnecessary” to have another radio station operating in the capital. However, in an unprecedented move, the president intervened in the case and three weeks later the decision was reversed. Thus, Asia Plus was granted the right to go on air as the first independent radio station in Dushanbe. Reportedly, two other independent radio stations – *Asia-FM* and *Vatan* – were also subsequently given broadcasting licenses in the capital, but they had yet to take up broadcasting as of the end of the year.<sup>4</sup>

However, undermining the progress represented by these developments, the government also stepped up its control of broadcasts by independent television and radio stations during the year. In February the state committee for television and radio reportedly ordered the country’s independent television stations not to broadcast any programs that they had not produced themselves. According to

---

<sup>2</sup> As of the end of 2002, Tajikistan had not submitted a report under any other UN Convention that it is party to other than under the Convention on the Rights of the Child. Information from Tajikistan to the IHF.

<sup>3</sup> Unless otherwise noted based on Committee for the Protection of Journalists (CPJ), “Tajikistan: CPJ sends letter to foreign minister requesting information on press freedom abuses,” May 8, 2002, at [www.cpj.org/protests/02ltrs/Tajik08may02pl.html](http://www.cpj.org/protests/02ltrs/Tajik08may02pl.html); International Press Institute (IPI), *2002 World Press Freedom Review: Tajikistan*, March 2003, at [www.freemedia.at/wpfr/world.html](http://www.freemedia.at/wpfr/world.html); and information from Tajikistan to the IHF.

<sup>4</sup> CPJ, “Tajikistan: Independent radio station denied licensed,” July 19, 2002, at [www.cpj.org/news/2002/Tajik19july02na.html](http://www.cpj.org/news/2002/Tajik19july02na.html); “Tajikistan: Asia Plus to receive radio license,” July 31, 2002, at [www.cpj.org/news/2002/Tajik31july02na.html](http://www.cpj.org/news/2002/Tajik31july02na.html); and information from Tajikistan to the IHF.

international media watchdogs, this policy threatened to force many independent television stations out of business since these often have limited funds to produce their own programs and to a large extent, rely on programs imported from other countries, including Russia.

Fourthly, defamation and insult remained criminalized under the country's penal code. Distributing information considered to defame a person's honor or to abase his or her dignity was punishable with up to two years of imprisonment and insults or slander targeting the president could result in up to five years in prison. International media organizations severely criticized these penal code articles, stressing that they granted the government extraordinary opportunities to repress "offensive" reporting.

Finally, although the penal code particularly criminalized obstructing a journalist's professional activities, government officials continued to intimidate and harass critical journalists with impunity. In particular, journalists who reported on issues such as organized crime, drug trafficking, official corruption, and unpopular government policies were subjected to retaliatory attacks.

- In late October, SM-1, an independent television station that operated in the northern city of Khujand, broadcasted a documentary program critical of the conscript methods used by the military. According to the program, the regional military branch used special squads to track young men and forcibly recruit them for military service. A senior military official who was interviewed in the program denied these allegations. Shortly after the program was broadcasted, three male journalists employed by SM-1 and TRK-Asia who had been involved in the production of the program<sup>5</sup> were forcibly conscripted for military service at one of the army bases in the region. In addition, the SM-1 director received a phone call from a high-ranking military official who threatened to kill him and close down the television station.<sup>6</sup>
- In late November, the mayor of the city of Shakarbek Samadov in the Suhgd region, reportedly summoned representatives of Simo, an independent television station, to reprimand them regarding a program that the television station recently had broadcasted. The program in question dealt with a local teachers' strike and criticized the fact that the teachers had not received any salary for five months. The mayor found that the program was "tendentious" and based on troubling "insinuations," and threatened to "take measures" against the television station should it ever engage in similar reporting again.<sup>7</sup>

As a result of the pressure that the country's media worked under, self-censorship was widespread. There were also reportedly cases where media outlets imposed sanctions on or fired journalists who were responsible for distributing sensitive information even before the authorities had reacted to the publication or broadcasting of this information.

- In a positive development in June, all charges against the exiled journalist Dodojon Atovullo were dropped. Atovullo is editor and publisher of *Chroghi Ruz*, a Russian-language newspaper, which is published in Moscow and distributed across Central Asia. He has repeatedly engaged in reporting critical of the Tajik government. In April 2001, in an allegedly politically motivated case, Atovullo was charged with the crime of slandering the president and inciting ethnic, racial, and religious hatred. Shortly thereafter, Atovullo fled from the country to Germany. In July 2001, as he was on his way from Germany to Uzbekistan, he was detained at the Moscow airport. The Russian authorities held him for six days while considering an extradition request from the Tajik authorities but eventually released him. Atovullo welcomed the decision to close the criminal case against him but said

---

<sup>5</sup> The documentary program was a co-production of SM-1 and TRK-Asia.

<sup>6</sup> Reporters Without Borders, "Tajikistan: Three journalists drafted into army by force; editor gets death threat," November 7, 2002, at [www.rsf.org/article.php3?id\\_article=4255](http://www.rsf.org/article.php3?id_article=4255); CPJ, "Tajikistan: Three journalists forced into military service," November 8, 2002, at [www.cpj.org/news/2002/Tajik08nov02na.html](http://www.cpj.org/news/2002/Tajik08nov02na.html); and information from Tajikistan to the IHF.

<sup>7</sup> Information from Tajikistan to the IHF.

that he was hesitant to return to Tajikistan: “The authorities may allow me to go back, but only in return for my silence.”<sup>8</sup>

### **Judicial System and Independence of the Judiciary<sup>9</sup>**

The judiciary remained highly dependant on the executive branch. The country’s courts were not sufficiently funded and a lack of technical resources, such as computers, often slowed down the processing of cases. Judges received very low salaries (on average €10-20 per month) and as a result many of them readily accepted bribes.

A judicial reform has been under way in Tajikistan for several years already. In 2002, the work on a new Criminal Procedure Code progressed considerably, but the members of the working committee charged with drafting the code continued to disagree on basic questions, such as whether the power to issue arrest warrants should be transferred from public prosecutors to the courts.

### **Fair Trial and Detainees’ Rights<sup>10</sup>**

Due process and fair trial rights were seriously infringed upon in Tajikistan. Defendants were not always granted prompt access to a lawyer and law enforcement officials sometimes sat in on the conversations between lawyers and their clients. During trials, courts usually presumed that defendants were guilty and regularly rejected petitions made by the defense. Courts also regularly failed to pay attention to allegations that defendants had been subjected to torture while in pre-trial detention and admitted as evidence confessions that had been extracted from defendants in the absence of their lawyers. Witnesses were rarely provided adequate protection. When courts did not find sufficient evidence to convict a defendant they often remitted the case for additional investigation instead of acquitting the defendant.

According to Tajik law, legal proceedings should be conducted in the Tajik language or – exceptionally – in the language spoken by a majority of the population in a particular region. If the defendant does not speak the language used during the proceedings, he or she is entitled to a court-appointed interpreter. However, the services offered by such interpreters were often of very poor quality, as the appointed interpreters were unfamiliar with legal terms and were unable to explain the court proceedings to defendants.

Formally, all court proceedings were open to the public. However, in a number of cases independent monitors were not allowed to be present in the courtroom. There were, for example, cases where the authorities used security arguments to justify holding trials in penal colonies and denied access to monitors because the colonies were “closed zones.”

Only lawyers who were members of state-controlled bar associations or had been licensed by the Ministry of Justice were allowed to offer legal aid to defendants. Reportedly, only 27 privately employed lawyers had successfully passed the examination that was required to receive a license. As a result, most defendants received counsel from lawyers representing bar associations whose independence from state authorities was not guaranteed.

Defendants who could not afford to pay for legal assistance themselves were entitled to receive services by a publicly remunerated lawyer. In several cases, local authorities were late in paying lawyers who rendered such services. In general, lawyers enjoyed low prestige in the country.

---

<sup>8</sup> CPJ, “Tajikistan: Government drops charges against exiled Tajik journalist,” June 26, 2002, at [www.cpj.org/news/2002/Tajik26june02na.html](http://www.cpj.org/news/2002/Tajik26june02na.html); and IPI, *2002 World Press Freedom Review*.

<sup>9</sup> Based on information from Tajikistan to the IHF. See also Torture, III-Treatment and Police Misconduct and Death Penalty.

<sup>10</sup> Based on information from Tajikistan to the IHF.

Legal proceedings were often very lengthy and there were no effective mechanisms to ensure that court decisions were implemented. During the year, the Council of Justice, a body charged with reviewing complaints filed by citizens, received a total of 467 communications from citizens. Out of these complaints, 278 were related to how courts and judges handle cases, while some 100 were related to long delays in the execution of verdicts.

### **Torture, Ill-treatment and Police Misconduct<sup>11</sup>**

Tajikistan ratified the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment and Punishment in 1995. Torture was also penalized under the country's criminal law, but this legislation does not define the crime of "torture."

As in previous years, criminal suspects were often subjected to physiological and physical abuse in 2002. While suspects suffered abuse at all stages of detention, the problem was most acute during the initial phases of investigation. In particular, law enforcement officials frequently used torture against persons who were suspected of grave crimes punishable with harsh prison sentences or the death penalty. In a typical pattern, Ministry of Interior officials interrogated suspects in the absence of their lawyers and intimidated and abused them until they confessed to the crimes they were charged with. The torture methods used included threats to harm relatives, beatings, rape, and electric shocks.

Many law enforcement officials were apparently of the opinion that the use of coercion was a natural part of their job. An official at the district prosecutor's office in Dushanbe was, for example, quoted as saying: "Yes, sometimes we have to use force against detainees, but what else are we supposed to do if they do not want to confess that they have committed crimes?" This attitude was at least partly due to a lack of professional training and lack of knowledge about acceptable forms of investigation.<sup>12</sup>

Torture victims were often reluctant to file formal complaints, fearing even worse treatment during their remaining time in detention. As courts also frequently dismissed torture allegations, the perpetrators were rarely brought to justice.

According to official information, legal proceedings were initiated against a total of 188 law enforcement officers during the first nine months of 2002. These officials were charged with various offences related to the execution of their professional tasks, including the use of violence and torture. However, it was believed that the figures represented only a small fraction of the total number of offences committed by law enforcement officials on duty.

- In an unprecedented case in late July, the Supreme Court found nine law enforcement officials from Khujand in the Suhgd region guilty of torture. Among those convicted were the deputy head of the regional police department, the head of the regional criminal investigation unit, the head of the Khujand police, and several Ministry of Interior officials. The officials were sentenced to 3-7 years in prison on charges of abuse of power, unlawful detention, falsification of evidence, and use of physical violence to force suspects to give false testimony. The charges against the officials were related to the investigation of a political assassination case in which six suspects confessed after being subjected to abuse, including exposure to a liquid pepper solution, extraction of finger and toenails, and electric shocks to their genitals.<sup>13</sup>

---

<sup>11</sup> Unless otherwise noted, based on information from Tajikistan to the IHF.

<sup>12</sup> Institute for War and Peace Reporting, Nargiz Zakirova, "Tajik Officials Convicted of Torture," *Reporting Central Asia*, No. 139, August 20, 2002, at [www.iwpr.net/index.pl?archive/rca/rca\\_200208\\_139\\_2\\_eng.txt](http://www.iwpr.net/index.pl?archive/rca/rca_200208_139_2_eng.txt)

<sup>13</sup> Information from Tajikistan to the IHF.

## Conditions in Prison<sup>14</sup>

Most penal institutions were seriously overcrowded – up to 30 people were accommodated in cells designed for a maximum of three people. The physical conditions in the institutions were also dire and as a rule, cells were not adequately lighted or ventilated. The prisoners were given scant amounts of food and enjoyed limited access to medical service.

As a result of the harsh conditions, most prisoners suffered from various diseases. In particular, tuberculosis was rife and since those who were infected with tuberculosis normally were not isolated from other prisoners, the disease spread rapidly. Those tuberculosis patients who were eventually taken into prison hospitals also did not receive proper treatment or medication. According to unofficial information, hundreds of prisoners died every year because of tuberculosis and other diseases as well as from poor nourishment and lack of medical treatment. In addition, torture was a persistent problem in the penal institutions.

In July, a working group was established to consider a reform of the country's penitentiary system. The working group proposed *inter alia* that jurisdiction over penal institutions, including investigation isolators, be transferred from the Ministry of Interior to the Ministry of Justice. This would be a welcome reform in line with international standards.

## Religious Intolerance

### *Muslims*

During the year, members of the Islamic opposition and members of Islamic institutions were subjected to increasing pressure from the authorities. President Rakhmonov publicly accused the Islamic Renaissance Party (IPR), which formed a key part of the opposition forces during the 1992-1997 civil war, of "religious extremism." He also claimed that such extremist ideas were advocated in the country's mosques.<sup>15</sup> With reference to the fact that three residents of the Suhgd region were among the Al Qaida fighters held at the US military base at Guantanamo Bay in Cuba, the president identified this region as a hotbed of Islamic extremism.<sup>16</sup>

Numerous Islamic leaders were subsequently dismissed from their posts in the Suhgd region because they allegedly were members of IPR. In an unprecedented move, dozens of mosques were also closed down in the region. The official motive was that the mosques were operating illegally. However, mosque leaders claimed that the authorities had prevented them from obtaining registration.<sup>17</sup> According to the Keston Institute, the country's religion law did not require religious communities to be registered with the authorities in order to conduct religious ceremonies, although government officials often interpreted the law in this way.<sup>18</sup>

Moreover, the Suhgd region was considered the national center of the banned Hizb-ut-Tahrir movement, which advocates the establishment of an Islamic state in Central Asia. This movement was depicted as a major threat to national security although there was no convincing evidence to show that any of its members had ever used violent methods. Increasingly greater numbers of the movement's members were arrested. Those arrested were typically put on trial in proceedings characterized by serious irregularities and were sentenced to lengthy prison terms of up to 18 years. Since 1996, several

---

<sup>14</sup> Ibid.

<sup>15</sup> RFE/RL Newslines, July 15 and 24, 2002.

<sup>16</sup> RFE/RL Central Asia Report, Vol. 2, No. 27, July 18, 2002.

<sup>17</sup> Human Rights Watch World Report 2003, at [www.hrw.org/wr2k3/europe12.html](http://www.hrw.org/wr2k3/europe12.html); and Institute for War and Peace Reporting, Nargiz Zakirova, "Tajikistan: Crackdown on Imams," *Reporting Central Asia*, No. 147, September 18, 2002, at [www.iwpr.net/index.pl?archive/rca/rca\\_200209\\_147\\_1\\_eng.txt](http://www.iwpr.net/index.pl?archive/rca/rca_200209_147_1_eng.txt)

<sup>18</sup> Keston Institute, "Tajikistan: Further Mass Closures of Mosques," *Keston News Service*, October 21, 2002.

hundred Hizb-ut-Tahrir activists have been imprisoned in the country; most of them are under the age of 30 and of Uzbek nationality.<sup>19</sup>

### *Other Religious Communities*

The intensified efforts by the authorities to combat “religious extremism” also had negative effects on non-Muslim communities. In particular, in the Suhgd region, the authorities increased their control over Christian communities.

- In August, the administration of the city of Chkalovsk in Suhgd decided that a local Evangelical Christian Church and a Korean Protestant Philadelphia Church were not allowed to hold religious services in the homes of their members. This decision was in clear violation of article 21 of the country’s religion law, which explicitly safeguarded the right of citizens to conduct religious ceremonies in private homes. The two Protestant communities in question were reportedly granted registration only on condition that they rent a designated building from the local authorities to use as a church. However, the buildings they were offered were not suitable for this purpose, therefore their members continued to meet in private homes. The local authorities insisted that the two communities were under legal obligation to meet solely at the addresses where they were registered.<sup>20</sup>

### **Freedom of Movement**

In August, the government cancelled the requirement for citizens to have exit visas when they travel abroad. This decision was aimed at enhancing citizens’ freedom of movement.<sup>21</sup>

### **Asylum Seekers**

In April, an operation to return Afghan refugees who were accommodated in temporary camps at the Tajik border was launched. These refugees had fled an advance by the Taliban forces in northern Afghanistan in late 2000 but had not been allowed to enter Tajikistan. As a result, they had been stranded in precarious and sometimes life-threatening conditions on islands in the river Pyandj. Two weeks after the repatriation operation began about 9,000 refugees had been returned.<sup>22</sup>

Some 3,000 Afghan refugees remained within Tajik territory. As the Tajik authorities suspended all refugee-screening procedures in 2000, these persons lived in a legal limbo. In two cases severely criticized by UNHCR, the Tajik authorities deported groups of Afghan refugees back to their home country. In September, a group of nine persons was sent back to Afghanistan, and in November another group of five persons was forced to return. According to UNHCR, all of those who were returned were in danger of being subjected to persecution in Afghanistan because of their possible association with the previous regime.<sup>23</sup>

### **Death Penalty**

---

<sup>19</sup> *Human Rights Watch World Report 2003*; and Institute for War and Peace Reporting, Vladimir Davlatov, “Tajikistan: Islamic Radicals Lying Low,” *Reporting Central Asia*, No. 119, May 10, 2002, at [www.iwpr.net/index.pl?archive/rca/rca\\_200205\\_119\\_4\\_eng.txt](http://www.iwpr.net/index.pl?archive/rca/rca_200205_119_4_eng.txt)

<sup>20</sup> Keston Institute, Igor Rotar, “Tajikistan: ‘Illegal’ Ban on Home-Based Meetings,” *Keston News Service*, September 4, 2002.

<sup>21</sup> Information from Tajikistan to the IHF.

<sup>22</sup> *Agence France Press*, “9,000 Afghan refugees return home from Tajik border camps – report,” April 20, 2002.

<sup>23</sup> UNHCR, “Afghans deported from Tajikistan,” September 20, 2002; and UNHCR, “Tajikistan: UNHCR protests further Afghan deportations,” November 22, 2002.

The authorities continued to withhold comprehensive statistics about the use of the death penalty. However, available information suggested that the number of imposed death sentences increased from the previous year and clearly exceeded 100.<sup>24</sup> During the year, at least 28 executions were carried out, while six people sentenced to death reportedly were granted clemency or had their sentence commuted into long-term imprisonment.<sup>25</sup> A considerable number of those sentenced to death or executed had been charged with political offences.

Under the country's penal code, 15 crimes were punishable by death, including murder, rape, terrorism, illegal distribution of drugs, and assassination attempts against public figures. The death penalty could not be imposed on pregnant women or people under the age of 18. The government was reportedly considering reducing the number of penal code articles carrying the death penalty. However, as of the end of the year, a concrete proposal to this end had yet to be presented.<sup>26</sup>

In a report published in September 2002, Amnesty International concluded that none of those who had been sentenced to death in the country since 1997 had received a fair trial. Those given death sentences had routinely been denied access to a lawyer, had been proclaimed guilty before their trial was opened, and had been convicted on the basis of confessions extracted under torture. In light of this pattern, the organization concluded that: "the risk that innocent people will be sentenced to death is enormously high."<sup>27</sup>

Family members of people on death row did not normally receive any information about their loved ones, and therefore, lived in a constant state of uncertainty about whether they were still alive. Family members were also routinely denied the right to say goodbye to death row prisoners as well as to collect their belongings and prepare their bodies for burial following the execution. In some cases family members were not even informed where their loved ones had been buried.<sup>28</sup>

- On March 1, a Dushanbe court sentenced Abduali Kurbanov to death on charges of "aggravated murder" and "illegal harboring of weapons." The proceedings against Kurbanov raised serious fair trial concerns. According to Kurbanov, he was pressured into confessing to the murder of three people while in pre-trial detention. He claimed that police kicked him, beat him with truncheons, suffocated him, and applied electric shocks to him in order to force him to plead guilty to the three murders, which he had witnessed and volunteered to provide evidence on before he was arrested. Kurbanov's mother supported these allegations by stating that her son had scars on his head and neck and that some of his ribs were broken when she visited him in pre-trial detention. Kurbanov's lawyer was reportedly not allowed to meet privately with his client prior to the trial and all the petitions he raised during the proceedings were rejected. Moreover, the interpreter appointed to assist Kurbanov, who is Russian-speaking, was reportedly not present in court, even though the trial was conducted entirely in Tajik.<sup>29</sup>
- According to unofficial sources, Dovud and Sherali Nazriev were executed on June 21 although their case was pending before the UN Human Rights Committee.<sup>30</sup> The brothers were sentenced to death in May 2002 on charges of attempting to assassinate the Dushanbe mayor. The charges against them were allegedly fabricated and motivated by the fact that they had fought on the side of the opposition forces during the 1992-1997 civil war. The brothers had

---

<sup>24</sup> Information from Tajikistan to the IHF.

<sup>25</sup> Amnesty International (AI), *Concerns in Europe and Central Asia, July-December 2002*.

<sup>26</sup> Information from Tajikistan to the IHF.

<sup>27</sup> AI, *Tajikistan: deadly secrets. The death penalty in law and practice*, September 2002, at [http://web.amnesty.org/aidoc/aidoc\\_pdf.nsf/index/EUR600082002ENGLISH/\\$File/EUR6000802.pdf](http://web.amnesty.org/aidoc/aidoc_pdf.nsf/index/EUR600082002ENGLISH/$File/EUR6000802.pdf)

<sup>28</sup> Ibid.; and information from Tajikistan to the IHF.

<sup>29</sup> AI, *Tajikistan: deadly secrets. The death penalty in law and practice*, September 2002.

<sup>30</sup> Ibid.



also allegedly been ill-treated in pre-trial detention.<sup>31</sup> In January 2002, the UN Human Rights Committee admitted the case and requested the Tajik authorities to stay the execution for six months while it examined the case. After it was reported that the Nazriev brothers had been executed, the UN Human Rights Committee and the OSCE immediately asked the Tajik authorities to clarify the fate of the brothers. However, the Tajik authorities failed to provide any consistent information on the case. Initially, the government reportedly stated that it had “no information at its disposal” regarding the brothers. At a later stage, some government officials claimed that the brothers had been executed but only after the deadline set by the UN Human Rights Committee had expired. However, they did not produce any evidence to support this claim.<sup>32</sup>

---

<sup>31</sup> For more background information see IHF, *Human Rights in the OSCE Region: the Balkans, the Caucasus, Europe, Central Asia and North America, Report 2002 (Events of 2001)*, at [www.ihf-hr.org/viewbinary/viewdocument.php?doc\\_id=89](http://www.ihf-hr.org/viewbinary/viewdocument.php?doc_id=89)

<sup>32</sup> AI, *Tajikistan: deadly secrets. The death penalty in law and practice*, September 2002.