

PUBLIC

AI Index: EUR 60/01/99

EXTRA 90/99

Death penalty/Fear of execution

19 July 1999

TAJIKISTAN

Asadullo Allayevich SHOMATOV

Asadullo Shomatov is believed to be facing imminent execution in Tajikistan.

According to a representative in Tajikistan of the NGO Human Rights Watch, the Supreme Court of Tajikistan rejected an appeal against his death sentence on 4 July after re-examining the case. The sentence can apparently be carried out within a month of the appeal being turned down, unless the prisoner receives a presidential pardon. Asadullo Shomatov was convicted of "organizing a criminal group with the aim of transporting and selling narcotics" (Article 40 of the Tajik Criminal Code) by the Supreme Court on 7 May 1999. He has been unwilling to apply for a presidential pardon, on the grounds that this entails confessing to a crime of which he claims to be innocent.

Asadullo Shomatov is a police colonel, and at the time of his arrest in September 1997 he was First Deputy in the Department of the Interior of Dushanbe, the capital of Tajikistan. Although born in Uzbekistan, he is a citizen of Tajikistan.

There are allegations that Asadullo Shomatov's trial was unfair, on the grounds that there was insufficient evidence to support the charge; key evidence which would have exonerated Asadullo Shomatov was not considered; and witnesses and the judge were intimidated to ensure that he was found guilty.

Amnesty International opposes the death penalty in all cases and without reservation, on the grounds that it is a violation of the right to life and the right not to be subjected to cruel, inhuman or degrading treatment or punishment as proclaimed in the Universal Declaration of Human Rights. Amnesty International is appealing to the President of Tajikistan to exercise his constitutional authority to commute this death sentence.

BACKGROUND INFORMATION

In the first half of 1999 Amnesty International learned of six new death sentences handed down in Tajikistan. The organization also received unofficial reports that Abdulkhafiz Abdullayev, who was suffering from terminal cancer, was executed at the end of 1998, reportedly after Tajik President Imamali Rakhmonov turned down a clemency appeal (see Extra 12/98, EUR 60/01/98, 3 February 1998, and follow-up, EUR 60/02/98, 12 March 1998). Abdulkhafiz Abdullayev was the younger brother of Abdumalik Abdullojonov, a former prime minister and head of the Khujand-based opposition National Revival Bloc. The Bloc is excluded from the peace process which began after the five-year civil war formally ended in June 1997. Abdulkhafiz Abdullayev had been sentenced to death in March 1998 for his alleged involvement in an attempt on the life of President Rakhmonov.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in Russian or your own language:

- urging the president to use his constitutional authority and commute the death sentence passed on Asadullo Shomatov as well as all other death sentences that come before him;
- expressing concern at reports that Abdulkhafiz Abdullayev was executed at the end of 1998;
- urging that a moratorium be imposed on death sentences and executions pending a comprehensive review of the death penalty.

APPEALS TO:

President of the Republic of Tajikistan, Imamali Sharipovich RAKHMONOV
Respublika Tajikistan, g. Dushanbe, Apparat Prezidenta Respubliki
Prezidentu RAKHMONOVU I.Sh.

TAJIKISTAN

Telegrams: Prezidentu Rakhmonovu, Dushanbe, Tajikistan

Salutation: Dear President Rakhmonov

Procurator General of the Republic of Tajikistan, Salomiddin SHAROPOV
734022 g. Dushanbe, prospekt A. Sino, 126, Prokuratura Respubliki
Generalnomu prokuroru SHAROPOVU S.
TAJIKISTAN

Telegrams: Generalnomu prokuroru, Dushanbe, Tajikistan

Salutation: Dear Procurator General

Chair of the Clemency Commission of the Tajikistan Supreme Council
734051 g. Dushanbe, pr. Rudaki, 42, Komissiya po voprosam pomilovaniya
Verkhovnogo Soveta
Predsedatelyu
TAJIKISTAN

Telegrams: Predsedatelyu, Komissiya po voprosam pomilovaniya, Dushanbe, Tajikistan

Salutation: Dear Chairperson

COPIES TO:

Chairman of the Supreme Court of the Republic of Tajikistan, Ubaydulo. A.
DAVLATOV
g. Dushanbe, Verkhovny Sud Respubliki Tajikistan
Predsedatelyu DAVLATOVU U.A.
TAJIKISTAN

Chairman of the Tajikistan Supreme Council Committee for Legislation and Human Rights, Abdumannon KHOLIKOV
734051 g. Dushanbe, pr. Rudaki, 42, Komitet po zakonodatelstvu i pravam
cheloveka pri Majlis Oli
Predsedatelyu KHOLIKOVU A.
TAJIKISTAN

Minister of Foreign Affairs of the Republic of Tajikistan, Talbak Nazarovich
NAZAROV
734051 g. Dushanbe, Rudaki 42, Ministerstvo inostrannykh del
Ministru NAZAROVU T.
TAJIKISTAN

Fax: + 7 3772 23 29 64 / + 7 3772 21 02 59

and to diplomatic representatives of Tajikistan accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat,
or your section office, if sending appeals after 19 August 1999.