

PUBLIC

AI Index: EUR 60/003/2004

UA 154/04

Fear of imminent execution/torture

26 April 2004

TAJIKISTAN

Rachabmurod Chumayev (m), aged 25
Umed Idiyev (m), aged 23
Akbar Radzhabov (m)
Mukharam Fatkhulloyev (m)
Ibrogim Khusseyenov (m)
Todzhiddin Butayev (m), aged 26
Akhmaddzhon Saidov (m)
Savridin Pirov (m)

The eight men named above are believed to be in imminent danger of execution.

The men, all members of an armed group, were sentenced to death in February 2003 on charges of terrorism, banditry, illegal possession of firearms, hostage-taking and murder.

On 25 April, relatives of Rachabmurod Chumayev and Ibrogim Khusseyenov went to the investigation-isolation prison no. 1 in Dushanbe to leave parcels for their sons. However, the guards only accepted the parcel from the Khusseyenov family and told them that Rachabmurod Chumayev, Umed Idiyev, Akbar Radzhabov and Mukharam Fatkhulloyev had been taken to the execution site the previous day. It is not known whether these four have already been executed, and the other four could also be executed at any time.

The relatives of two of those reportedly taken for execution on 24 April had lodged complaints with the United Nations Human Rights Committee (HRC) alleging violations of the International Covenant on Civil and Political Rights. The HRC informed the relatives that it had urged the authorities of Tajikistan on 22 January and 13 April respectively to stay the executions of Rachabmurod Chumayev and Umed Idiyev while it considered their cases. The HRC has also intervened on behalf of Todzhiddin Butayev and Ibrogim Khusseyenov.

On 17 November 2003, the Supreme Court reportedly turned down appeals against the death sentences of Rachabmurod Chumayev, Ibrogim Khusseyenov, Todzhiddin Butayev and Akbar Radzhabov, but overturned the death sentence of at least one other member of the group, Bakhrom Sadullayev.

Rachabmurod Chumayev was detained by law enforcement officers on 22 June 2001 and kept in a police station in the central district of Dushanbe, where he was reportedly tortured and ill-treated. According to his father, "[He] was beaten with truncheons, then electric shocks were applied to vulnerable parts of his body to force him to sign a 'confession'." Rachabmurod Chumayev reportedly had no access to a lawyer for his first month in custody, and was then given a state-appointed lawyer who, the family claimed, did not present a strong defence case.

Relatives of Todzhiddin Butayev, Umed Idiyev, Ibrogim Khusseyenov, Akbar Radzhabov, and Akhmaddzhon Saidov also claimed that the men had been tortured and ill-treated while they were in custody awaiting trial.

The men were members of an armed group headed by Rakhmon Sanginov, a former commander of the United Tajik Opposition (UTO). The UTO had fought against government forces during the Tajik civil war that formally ended in 1997. Rakhmon Sanginov and other members of his group died in clashes with government forces in June 2001, which started after the group had taken hostages in a village outside Dushanbe and demanded the release of UTO supporters. Dozens of survivors, including the men named

above, were arrested and tried. Other members of the armed group were sentenced to prison terms up to 25 years.

Supporters of the UTO, and the Tajik government, have previously accused each other of breaking regulations agreed under the amnesty which helped to end the civil war. Accusations and retaliations by both sides have frequently resulted in abductions and killings.

BACKGROUND INFORMATION

Since 2001 at least five men have been executed despite requests by the UN Human Rights Committee to suspend the executions.

Executions are carried out in secret in Tajikistan. Relatives are not informed of the execution date, or the place where executions take place. The Tajik authorities also treat statistics on the application of the death penalty as a state secret. Amnesty International learnt that at least 34 death sentences were handed down in 2003. In October 2003, the president submitted amendments to the law on official secrets to parliament, which would have abolished the secrecy surrounding the death penalty. Regrettably, none were passed.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English, Russian, Tajik or your own language:

- urging the President to use his constitutional authority to commute the death sentences of Todzhiddin Butayev, Rachabmurod Chumayev, Mukharam Fatkhulloyev, Umed Idiyev, Ibrogim Khusseyenov, Savriddin Pirov, Akbar Radzhabov and Akhmaddzhon Saidov, and all other death sentences that come before him;
- reminding the authorities that the United Nations Human Rights Committee requested them to stay the executions of Rachabmurod Chumayev, Todzhiddin Butayev, Ibrogim Khusseyenov and Umed Idiyev;
- urging the authorities to carry out a prompt and impartial investigation into allegations that Todzhiddin Butayev, Rachabmurod Chumayev, Umed Idiyev, Ibrogim Khusseyenov, Akbar Radzhabov, and Akhmaddzhon Saidov were tortured and ill-treated while in custody, with the results made public and anyone found responsible brought to justice;
- expressing sympathy for the victims of crime and their families, but pointing out that the death penalty has never been shown to deter crime more effectively than other punishments, and is brutalizing to all those involved in its application.

APPEALS TO: (Please note that it can be difficult getting through to fax numbers in Tajikistan. If a voice answers, repeat 'fax' until you hear the signal; otherwise please leave your fax machine on auto-redial if possible. Fax machines may be switched off outside office hours – six hours ahead of GMT)

President of the Republic of Tajikistan

g. Dushanbe; pr. Rudaki 80; Apparat Prezidenta Respubliki; Prezidentu RAKHMONOVU I Sh; Tajikistan

Telegrams: Prezidentu Rakhmonovu, Dushanbe, Tajikistan

Faxes: +992 372 21 25 20 / 21 18 37

E-mails: primer@pds.td.silk.org (if your e-mail bounces, please send it as a fax if possible)

Salutation: Dear President Rakhmonovu

COPIES TO:

Minister of Foreign Affairs of the Republic of Tajikistan,

734051 g. Dushanbe; Rudaki 42; Ministerstvo inostrannykh del; Ministru NAZAROVU T.; Tajikistan

Faxes: + 992 372 23 29 64 / 21 18 08

E-mails: dushanbe@mfaumo.td.silk.org (if your e-mail gets returned, please send it as a fax)

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 7 June 2004.