

# AMNESTY INTERNATIONAL

## PUBLIC STATEMENT

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### **Tajikistan: Time to Act on Promises to put an End to Torture**

#### **Tagoibek Sharifbekov: torture and other ill-treatment in pre-trial detention**

Days ahead of the visit by the UN Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment to Tajikistan, Amnesty International calls on the authorities of Tajikistan to ensure that thorough, impartial and independent investigations into all allegations of torture in detention are carried out and that the alleged victims of torture and their representatives are not harassed or punished for speaking out about police abuse.

In particular, Amnesty International is concerned with recent reports at the delay in launching a full, impartial investigation in the allegations of torture and other ill-treatment in the case of 31-year-old Tagoibek Sharifbekov and harassment after having lodged an official complaint about his treatment at the hands of police officers.

On 7 April 2012 Tagoibek Sharifbekov was detained by police in the town of Vakhdat on suspicion of stealing a mobile phone from his Afghan business partner. Tagoibek Sharifbekov claims that three police officers of the Vakhdat Department of Internal Affairs (OVD) illegally held him in an office at the police station while they tortured and beat him in order to make him confess in the presence of a senior investigator. Allegedly, electric shocks were applied to his fingers, and his head was submerged into a sink filled with water for 2 hours, with breaks so he did not suffocate, and he was kicked in the chest.

Reportedly, in the evening that day Tagoibek Sharifbekov was released, but his two passports were confiscated, and he was told to bring 1,700 somoni (350 USD) to the police station the following day. The victim of the theft allegedly told police that Tagoibek Sharifbekov was not guilty. A medical examination carried out on Tagoibek Sharifbekov on 10 April concluded that his injuries could have been caused by a hard, blunt object and that bruises and abrasions may have been caused by electric shocks.

On 14 April Tagoibek Sharifbekov's lawyer went to the Office of the Prosecutor General of Tajikistan, to lodge a complaint about the incident of torture. He provided documentation and requested that a criminal case be opened against the officers allegedly responsible. The complaint was considered by a prosecutor at the Police Complaints Department at the Office of the Prosecutor General, who conducted a comprehensive investigation, but transferred without explanation to a different employee of the same department. Amnesty International is concerned that the official who took over the case appears to be trying to pressurize Tagoibek Sharifbekov into withdrawing his complaint. The official reportedly summoned Tagoibek Sharifbekov and his mother to a meeting on 2 May and suggested he might have hit his head on the door of a mini-bus. The official also allegedly said that the conclusions of the medical examination would not be taken into account as it does not specifically conclude electric shocks were used. He continued saying that the senior police investigator allegedly responsible would continue working at the police and that Tagoibek Sharifbekov would be summoned for "constant" questioning. Tagoibek Sharifbekov's passports are allegedly still in this police officer's possession. The officer reportedly asked Tagoibek Sharifbekov to forgive him, but he refused.

Tagoibek Sharifbekov fears that there will be no effective investigation into the allegations of torture and other ill-treatment and he additionally fears he will be prosecuted for defamation. Amnesty International has previously expressed concerns at the use of or threat of using defamation laws by Tajikistani officials to silence critical reporting in ways which serve to silence the independent media and discourage victims of human rights violations from speaking out and seeking redress. In this regard, Amnesty International urges the swift implementation of President Rahmon's March 2012 call for defamation to be decriminalized and for the Ministry of Justice to draft relevant legislative amendments.

On 3 May Tagoibek Sharifbekov and his mother submitted a written complaint about the new official in charge of their case at the Police Complaints Department of the Office of the Prosecutor General, and are awaiting a response from the authorities.

Amnesty International's research shows that torture is an ongoing problem in Tajikistan, particularly in pre-trial detention where detainees are at particular risk of torture and other ill-treatment by law enforcement officers in order to get them to confess to crimes. A climate of impunity prevails, meaning that police abuse continues virtually unchecked. In 2012 the Tajikistani authorities have repeatedly declared their resolve to eradicate torture and ill-treatment, and have amended the Criminal Code to include a definition of torture in line with international standards.

In the light of these declared intentions to put a stop to torture Amnesty International urges the Tajikistani authorities to ensure that a prompt, thorough and impartial investigations are carried out into all allegations of torture and ill-treatment, including in the cases of Tagoibek Sharifbekov, Farhod Dadoboev, Nasim Salimzoda, Muhammadsharif Umarov, Ravshan Khollov, and Yosinjon Safarov. All law enforcement officers who are under investigation for having committed acts of torture and other ill-treatment should be immediately suspended from duty. Should there be credible evidence of responsibility or participation in acts of torture or ill-treatment suspects should be prosecuted in a fair trial and, if found guilty, given a punishment commensurate with the gravity of the offence.

Amnesty International also reminds the Tajikistani authorities that state party to the Convention on Torture undertake to protect those who complain about torture and other ill-treatment, and "ensure that the complainant and witnesses are protected against all ill-treatment or intimidation as a consequence of his complaint or any evidence given" (Article 13 of the Convention Against Torture)). It therefore urges the Tajikistani authorities to ensure that Tagoibek Sharifbekov and other alleged victims of torture and other ill-treatment suffer no persecution or threats resulting from raising complaints about ill-treatment.

**Further information:**

Public statement, *Tajikistan must implement recommendations to end torture*, EUR 60/001/2012, <http://www.amnesty.org/en/library/info/EUR60/001/2012/en>

Submission to the UN Universal Periodic Review, October 2011, EUR 60/006/2011, <http://195.234.175.160/en/library/info/EUR60/006/2011/en>

Public Statement: *Tajikistan: Defendants standing trial on extremism charges allegedly tortured in pre-trial detention*, 20 September 2011, EUR 60/005/2011, <http://www.amnesty.org/en/library/info/EUR60/005/2011/en>

Public Statement, *Tajikistan: A coalition of non-governmental organizations is calling on the government to end torture and fulfil its international obligations*, 26 June 2011, EUR 60/003/2011, <http://www.amnesty.org/en/library/info/EUR60/003/2011/en>

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