

UA 247/01

Death pen

TAJIKISTAN Mustofokul BOYMURODOV (m), born 1976
Sadriiddin FATKHUDDINOV (m), born 1979

Students Mustofokul Boymurodov and Sadriiddin Fatkhuddinov were sentenced to death on 13 July 2001, after two bomb attacks in the capital, Dushanbe. If their final appeal is rejected by the Collegium of the Supreme Court on 2 October their only hope will be clemency from President Imomali Rakhmonov.

The two students at the Islamic Institute in Dushanbe had been accused of causing explosions, including the October 2000 bombing of the Korean-run Grace Sonmin church in Dushanbe, which killed several church members, and a bomb attack on a shop in Dushanbe, whose merchandise had reportedly offended their religious beliefs.

They were reportedly sentenced to death by the Supreme Court after a two-month trial, on charges including "terrorism", "murder", "incitement of national, racial, ethnic or religious hatred" and "illegal possession of firearms and explosives". The court reportedly noted that the motive for the attack on the church was religious fanaticism.

Relatives and their lawyer say the men were innocent of the church bombing and have claimed that the men were ill-treated in pre-trial detention to force them to confess. Mustofokul Boymurodov's father, Abdukarim Kakharov, reportedly told the Tajik service of Prague-based Radio Liberty: "They took my son from his home at midnight, beat him with metal rods and pulled out his fingernails. I will protest against the sentence."

A member of the Grace Sonmin church, however, stated in an interview with UK-based Keston News Service on 16 July that the church believed the authorities had found the right people.

BACKGROUND INFORMATION

Fifteen crimes are punishable by death in Tajikistan. Amnesty International has documented 24 death sentences and three executions so far this year, but the true figure is believed to be much higher, as information on the application of the death penalty is regarded as a state secret, and the government does not publish comprehensive statistics on death sentences and executions. Relatives often do not know whether a death row prisoner is still alive. They do not know where the execution takes place and are not told where the body is buried. As a member of the Organization for Security and Co-operation in Europe (OSCE) Tajikistan is obliged to comply with the requirement laid out in Article 17.8 of the 1990 Copenhagen document to "make available to the public information regarding the use of the death penalty."

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

- urging the President to use his constitutional authority to commute the death sentences passed on Mustofokul Boymurodov and Sadriiddin Fatkhuddinov, and all other death sentences that come before him;
- 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;

- urging the authorities to order a prompt and impartial investigation into allegations that Mustofokul Boymurodov and Sadridin Fatkhuddinov were ill-treated in custody to force them to confess, with the results made public and anyone found responsible brought to justice;
- urging the authorities to impose a moratorium on death sentences and executions pending a comprehensive review of the death penalty.

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 it is advisable to leave your fax machine on auto-redial if possible):

President of the Republic of Tajikistan, Imomali Rakhmonov

734051 g. Dushanbe, pr. Rudaki 80, Apparat Prezidenta Respubliki; Prezidentu RAKHMONOVU I.Sh.; Tajikistan

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Telegrams: Prezidentu Rakhmonovu, Dushanbe, Tajikistan

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

Salutation: Dear President Rakhmonov

Minister of Foreign Affairs of the Republic of Tajikistan

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

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Salutation: Dear Minister

COPIES TO:

Ambassador of the Republic of Tajikistan to Russia

121069 g. Moskva, Skatertny per. 19, Posolstvo Respubliki Tajikistan, Poslu MIRZOYEVU R.Z., Russian Federation

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Chairman of the Supreme Court of the Republic of Tajikistan

734018 g. Dushanbe, ul. Negmata Karabayeva, d. 17; Verkhovny Sud; Predsedatelyu DAVLATOVU U.A., Tajikistan

Procurator General of the Republic of Tajikistan

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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 8 November 2001.