

URGENT ACTION

DEMAND INVESTIGATION INTO TORTURE BY POLICE

Ilkhom Ismanov, who is being held by authorities in the Soghd region of Tajikistan, has stopped being tortured. An NGO in Tajikistan has said that the Urgent Action on 15 November played a crucial role in ending his torture. However, there is no indication that a medical examination has been conducted or that an investigation has been opened into the allegations of torture.

Ilkhom Ismanov disappeared on 3 November. On 4 November Ilkhom Ismanov's wife was told that he was being held at the Department for the Fight against Organized Crime (6th Department) of the Ministry of Internal Affairs in the city of Khudzhand, in the Soghd region, where he was reportedly tortured by police. At the court hearing on 12 and 13 November, in Khudzhand City Court, Ilkhom Ismanov was charged with "organizing a criminal group".

On 18 November Ilkhom Ismanov's wife told Amnesty International of his transfer to the investigation-isolation prison of the city of Khudzhand, a pre-trial detention facility, where he does not appear to have been subjected to further torture or ill-treatment. On 20 November Ilkhom Ismanov's lawyer was reportedly able to see her client for the first time since the hearing. However, according to Ilkhom Ismanov's wife, the lawyer has not been able to meet him one-to-one. Ilkhom Ismanov's wife was able to visit him on 20 November. She says she only saw her husband briefly and always in the presence of officers of the State Committee of National Security. She said: "No injuries were visible anymore on his body but he had difficulties standing. He is very frightened and his eyes are full of fear."

Neither the lawyer nor Ilkhom Ismanov's wife have been able to obtain any information as to whether an investigation has been opened into the torture allegations as well as the allegation that he was detained on 3 November rather than 9 November, as the police have insisted. According to the Tajikistani Criminal-Procedural Code detainees have to be brought before a judge to rule on their detention no later than 72 hours after their arrest.

A representative of the Centre for Human Rights of Soghd region said on 25 November: "Amnesty International's Urgent Action is really an effective tool to...stop torture. After...the action journalists and NGOs started calling. It drew the attention of the authorities and representatives of international organizations [to the case]."

PLEASE WRITE IMMEDIATELY in English, Russian, Tajik or your own language:

- Expressing concern at indications that no investigation has yet been opened into allegations that Ilkhom Ismanov was tortured or ill-treated by police from the Department for the Fight against Organized Crime (6th Department) of the Ministry of Internal Affairs in the city of Khudzhand, and that no medical examination has been conducted;
- Urging the authorities to promptly open an investigation into the allegations of torture or other ill-treatment;
- Expressing concern at indications that no investigation has yet been conducted into allegations that Ilkhom Ismanov was detained for six days longer than the lawful period before being brought before a judge, and urging the authorities to do so in due course;

PLEASE SEND APPEALS BEFORE 06 JANUARY 2011 TO:

The President

Emomali Rakhmon
Apparat Prezidenta Respubliki
Tajikistan,
or. Rudaki 80,
734023 g. Dushanbe, Tajikistan
Email: mail@president.tj

Salutation: Dear President

Minister of Foreign Affairs

Zarifi Khamrokhon
pr. Rudaki, 42,
734051 Dushanbe, Tajikistan
Fax: (992 37) 221-02-59
Email: info@mfa.tj

Salutation: Dear Minister,

Prosecutor General

Sherkhon Salimzoda
Pr. A. Sino 126
734043 g. Dushanbe
Tajikistan

Also send copies to diplomatic representatives accredited to your country. Please check with your section office if sending appeals after the above date. This is the first update of UA 238/10. Further information: <http://www.amnesty.org/en/library/info/EUR60/002/2010/en>

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ADDITIONAL INFORMATION

On 5 November, when Ilkhom Ismanov's wife and brother went to the detention facility in Khudzhand to provide him with food and clothing, a policeman reportedly asked them to bring some ointment for injuries and pain killers. Ilkhom Ismanov's relatives have been denied access to him many times, but they were able to see him twice. They said that he was unable to walk, had several cuts on his neck, his hands were bruised, his whole body was wet and there was water on the floor. His wife reported that when she asked to look at his feet police stopped the visit and escorted them out. When she asked the police what they had done to her husband they reportedly made fun of her and said: "You should say thank you to us that we showed you your husband. Now, go. We also need time to rest."

According to a source present at the court hearing on 12 November, Ilkhom Ismanov told the judge that he was tortured including by giving him electric shocks and pouring boiling water over his body. The judge reportedly turned down Ilkhom Ismanov's offer to show him evidence of torture on his body. The judge did not address the torture allegations and said that the lawyer should take it up with the police investigator. The judge ruled on 13 November that allegations that he had been detained since 3 November rather than 9 November, as the police had stated, should be investigated. According to the Tajikistani Criminal-Procedural Code, detainees have to be brought before a judge to rule on their continued detention no later than 72 hours after their arrest. The court announced that Ilkhom Ismanov was charged with "organizing a criminal group" (Article 187 of the Criminal Code of Tajikistan).

Reportedly, the consul of the Russian Federation who had repeatedly asked the Tajikistani authorities to meet with Ilkhom Ismanov shortly after he learnt of his detention, was granted access to him on 20 November. On 22 November the Embassy of the Russian Federation to Tajikistan contacted the NGO Centre for Human Rights of Soghd region and reportedly told them that they had received information from official sources in Russia that Ilkhom Ismanov had received a Russian passport based on false documents.

The lawyer has said that she signed a statement saying she would not disclose information about the criminal case against Ilkhom Ismanov, and as a result, little is known about the progress of the case.

Further information on UA: 238/10 Index: EUR 60/003/2010 Issue Date: 25 November 2010

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