

Human Rights Watch

Torture, Former Combatants, Political Prisoners, Terror Suspects, & Terrorists

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Events of 2013

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Stopping Mass Atrocities, Majority Bullying, and Abusive Counterterrorism

Integrating Rights into a Post-2015 Agenda

Privacy in the Age of Surveillance

How Drug Criminalization Destroys Lives, Feeds Abuses, and Subverts the Rule of Law

President Emomali Rahmon was re-elected to a fourth term in office in November in an election that lacked meaningful political competition. Oinihol Bobonazarova, the only genuine independent candidate, was forced to exit the race prematurely in October after the authorities interfered with her campaign and intimidated her relatives and supporters. During the lead-up to the election, authorities widened a crackdown on freedom of expression, imprisoned opposition leaders, shut down a leading nongovernmental organization (NGO), and stepped up efforts to extradite political opponents from abroad.

The government also persisted with enforcing a repressive law on religion, restricting media freedoms, and pressuring civil society groups. There were widespread complaints by NGOs of the authorities use of torture to obtain confessions.

In positive developments, Tajikistan passed a long-awaited law on domestic violence and committed to accede to the Second Optional Protocol to the International Covenant on Civil and Political Rights on the elimination of the death penalty.

Authorities cracked down on government critics and the political opposition ahead of November's presidential election.

In February, former Prime Minister and one-time presidential candidate Abdumalik Abdullajanov, a refugee in the United States since 1994, was detained in Kiev on an Interpol warrant. Tajikistan sought his extradition on charges ranging from embezzlement to involvement in a plot to assassinate President Rahmon. Abdullajanov was released following an intervention by United Nations High Commissioner for Refugees.

In March, Salimboy Shamsiddinov, head of the Uzbek society of the Khatlon region, was reported missing after leaving his home in Qurghonteppa. The authorities declared that there was no sign that Shamsiddinov was beaten or kidnapped. In July, officials claimed that a body resembling Shamsiddinov's was found in a river in neighboring Uzbekistan, but Shamsiddinov's family stated they did not recognize the body from the picture they were shown.

In April, unknown assailants attacked Mahmadali Hayit, deputy head of the Islamic Revival Party of Tajikistan (IRPT), outside his home in Dushanbe. The attack happened days before the IRPT's planned 40-year anniversary convention. Hayit told Human Rights Watch that he had been under surveillance before the attack, and that unknown individuals in plain clothes were regularly coming to his home to inquire about his whereabouts.

In May, businessman and former Minister of Industry Zaid Saidov was detained at the Dushanbe airport on returning from a trip abroad. In April, Saidov had announced the creation of an opposition political party, New Tajikistan. Fellow New Tajikistan members believe that Saidov, currently on trial in a security services detention center on corruption, embezzlement, polygamy, and rape charges, was targeted for his opposition activity.

Also in May, Sherik Karamkhudoev, an IRPT leader from the autonomous province of Gorno-Badakhshan, was sentenced to 14 years imprisonment for participating in mass disorders in a closed trial. Karamkhudoev was reported missing in April 2012 after government troops launched a military operation in his home region. He resurfaced two weeks later in security services custody in Dushanbe. His lawyers and family publicly stated that he was tortured in pretrial detention.

In September, authorities in Dubai pardoned Umarali Kuvvatov, head of the opposition movement Group of 24, following 10 months of detention on a Tajik extradition request. Kuvvatov, who was detained in Dubais airport in December 2012, stated that he feared assassination were he to be returned to Tajikistan and is now in hiding outside Tajikistan. A former businessman with close ties to the Rahmon family, Kuvvatov believes he is being pursued because of his opposition activities and his knowledge of high-level corruption.

Despite reforms in 2012 to make the criminal codes definition of torture comply with international standards, torture remained an enduring problem in 2013. Torture is often used to coerce confessions and the right to counsel is routinely denied in pretrial custody. In January, UN Special Rapporteur on Torture Juan Mendez stated in his report on his May 2012 visit to Tajikistan that with regard to torture, numerous loopholes and inconsistencies persist in criminal procedure and law enforcement practices. In July 2013, the Coalition against Torture, a group of Tajik NGOs, reported that despite some reforms, claims of torture by detainees have increased since the beginning of 2012.

In January, a Sughd region appellate court upheld a lower courts decision to shut down a leading human rights organization on charges that appeared politically motivated. The group, the Association of Young Lawyers Amparo, had investigated torture and advocated for the rights of army conscripts. The Justice Ministry filed a motion to liquidate Amparo in June 2012, only weeks after an Amparo representative spoke publicly about the need to monitor severe torture and hazing in Tajikistans army.

While impunity for torture was still the norm, authorities took a few positive steps to hold perpetrators accountable. In May, an appellate court upheld a ruling requiring the Interior Ministry to compensate the widow of Safarali Sangov approximately US\$10,000 for damages relating to Sangovs death in police custody in March 2011, which human rights groups deemed to be the result of torture.

In May, a prison official was convicted of negligence in connection with the death of Hamza Ikromzoda, who had died as a result of torture in a Dushanbe prison in September 2012. Investigations against three others accused of involvement are still pending. Relatives reported that Hamzas body bore traces of torture, including burns from a heated iron.

Tajikistan further restricted media freedoms in 2013. Authorities periodically blocked access to independent websites and filed defamation suits against, or otherwise intimidated, critical journalists. While the 2012 decriminalization of libel was a step forward, Tajik law retains criminal sanctions for insulting the president or any government representative, creating a chilling effect on the freedom of speech.

In January, according to Internet service providers, the state telecommunications agency ordered the blocking of several websites, including Facebook and *Radio Ozodi*, the *Radio Free Europe* Tajik service. State Telecommunications Chief Beg Zukhorov stated that the sites were blocked at the request of the public and accused social media users of insulting respectable people.

Throughout the year there were also reports that access to YouTube had been blocked, including for several days in May after a video appeared on the site showing President Rahmon singing and dancing at his sons wedding.

In February, authorities denied journalistic accreditation to veteran journalist and former *Radio Ozodi* correspondent Abdukayumov Kayumzoda, known for his journalistic independence.

Also in February a Dushanbe court ordered the independent weekly *Imruz News* to pay approximately \$10,500 in civil libel damages and publicly apologize to the son of a high-ranking government official after the paper published a story questioning his early release from prison where he had been serving a nine-and-a-half-year sentence for drug trafficking.

On April 25 IPRTs website became unavailable to Tajik users for several weeks. In response to an inquiry regarding the blocking of the site, Telecommunications Chief Zukhurov denied government involvement. But a spokesperson for the Internet provider told an IRPT representative, You represent a political party; therefore, we can only say that the problem isnt with us.

Tajik authorities maintained tight restrictions on religious freedoms, including on religious education and worship. Authorities suppress unregistered Muslim education throughout the country, bring administrative charges against religious instructors, and have closed many unregistered mosques.

The government has increased the powers of the State Committee for Religious Affairs to enforce the countrys restrictive religion law and impose large administrative fines without due process. Authorities also maintained tight controls on those seeking to receive religious education abroad.

Rights groups, religious communities, and international bodies continued to criticize the 2011 highly controversial Parental Responsibility Law, which stipulates that parents must prevent their children from participating in religious activity, except for state-sanctioned religious education, until they turn 18.

Under the pretext of combating extremism, Tajikistan continues to ban several peaceful minority Muslim groups. Some Christian minority denominations, such as Jehovahs Witnesses, are similarly banned.

Although Tajikistan decriminalized same-sex sexual activity in 1998, lesbian, gay, bisexual, and transgender (LGBT) people are subject

to wide-ranging discrimination and homophobia. In 2013, Tajik NGOs documented several cases of police violence against LGBT people. LGBT people are especially vulnerable to extortion, fearing that their sexual orientation could be revealed to their family or employers.

In March, President Rahmon signed a law on the prevention of domestic violence. The law allows law enforcement officers, not solely victims, to initiate criminal charges. For years, civil society groups had been pushing the government to adopt such a law because of their concerns of the seriousness of the problem of domestic violence in Tajikistan.

In November, following the re-election of President Rahmon by an overwhelming majority, the Organization for Security and Co-operation in Europe election observer mission issued a statement finding that while the election had taken place peacefully, restrictive registration requirements resulted in a lack of genuine choice. The report also found that extensive positive state media coverage of President Rahmon provided him with a significant advantage, with widespread reports on election day of group voting, and indications of ballot box stuffing.

In a May visit, UN Assistant Secretary General for Human Rights Ivan Simonovic welcomed the countrys preparations to abolish the death penalty and expressed concern over the widespread problem of violence against women. While welcoming the Tajik governments willingness to cooperate with UN human rights mechanisms and to bring national legislation in line with international standards, Simonovic specifically called on the Tajik authorities to empower women by increasing their representation among the ranks of police officers and prosecutors.

During her November 2012 visit to Dushanbe, EU High Representative Catherine Ashton raised public concern with President Rahmon about the government forcing the closure of Amparo, the anti-torture NGO.

The United States embassy issued a statement in April regarding the beating of opposition leader Mahmadali Hayit, urging the authorities to conduct a thorough and impartial investigation. Also in April, for the second year in a row, the US Commission on International Religious Freedom designated Tajikistan a country of particular concern based on the governments systematic, ongoing, and egregious violations of religious freedoms.

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