# World Report 2013 - Tajikistan


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The human rights situation in Tajikistan remains poor. The government persisted in 2012 with enforcing a repressive law on religion, and introduced new legislation further restricting religious expression and education. Authorities restricted media freedoms and targeted journalists for their work. Domestic violence against women and children and torture remain widespread human rights concerns.

Tajik authorities took positive steps during the year, including accepting a visit by the United Nations special rapporteur on torture. They also removed slander and insult from the criminal code, making them misdemeanors subject to fines. However, the government also restricted space for free expression, further tightening restrictions on religious practice, and denying the National Movement of Tajikistan, a new political party that had called for reducing presidential powers and reducing the presidential term from seven to five years, the right to register.

In July, dozens of deaths and numerous injuries were reported in Khorog, the provincial capital of Gorno-Badakhshan, after the Tajik government sent troops to the southeastern region to arrest those responsible for the fatal stabbing of the local state security chief. By late July, official sources reported that 17 government soldiers, 30 gunmen, and 20 civilians had died in the violence, but independent sources reported greater numbers of casualties among the general population. Human Rights Watch has not been able to verify the casualty reports.

**Criminal Justice and Torture**

Torture remains an enduring problem, and is used to extract confessions from detainees, who are often denied access to family and lawyers in pre-trial custody. Despite periodic discussions with the International Committee of the Red Cross (ICRC), authorities have not granted ICRC access to places of detention.

While torture is practiced with near impunity, authorities took a few significant steps in 2012 to hold perpetrators accountable. In early 2012, Tajikistan's criminal code was revised to include a definition of torture in line with international law. In March, authorities announced they would implement some of the recommendations on torture from the UN Human Rights Council's (HRC) Universal Periodic Review (UPR), including ensuring access for detainees to legal and medical

assistance when in custody; and amending the criminal procedural code to ensure that the identity of law enforcement officers involved in arrests is recorded.

In September, authorities instituted the first-ever criminal prosecution under the newly amended article on torture. A court in Khatlon province sentenced police officer Mashraf Aliyev to seven years' imprisonment on charges of "torture" and "abuse of powers." Prosecutors charged Aliyev after Khoushvakht Mahmadsaid, a minor who was a suspect in a theft investigation, was found hanged at home in the village of Kulobod following torture and beatings that his family and lawyers allege Aliyev used to extract a forced confession.

Nongovernmental organizations and local media also reported on the death in September of Hamza Ikromozoda, 27, at the central detention center in Dushanbe. Relatives report that his body, which was returned to them on September 21, bore traces of torture, including burns from a heated iron. The center's officials refused to explain the cause of Ikromzoda's death to reporters, while a representative of the Penitentiary Control Board said "nobody tortures anyone in Tajik jails."

In October, a court in northern Tajikistan granted a Ministry of Justice petition to shut down one of Tajikistan's leading human rights organizations on charges that appeared politically motivated. The group, the Association of Young Lawyers (Amparo), investigates torture and serves as an advocate for the rights of army conscripts and other vulnerable groups. The rights group was shut down on what appear to be minor charges, including allegations that the group was conducting activities outside the province where they were originally registered and illegally operating a website.

For several years the group has been an active member of the Coalition against Torture, which brings together several leading Tajik civil society organizations that collect and report on torture allegations from across the country, and jointly encourage the government to meet its international commitments to end the practice.

Beyond investigating cases of torture, Amparo also conducted summer camps for youth to raise awareness about constitutional protections and international human rights norms. The Ministry of Justice filed a motion to liquidate Amparo on June 29, the day after ministry officials visited the group's Khujand office to conduct an unannounced, wide-ranging audit. The visit came just weeks after a representative of Amparo spoke publicly about the need to monitor reports of torture and severe forms of hazing in Tajikistan's army at a civil society seminar organized by the European Union in Dushanbe.

**Freedom of Media**

In 2012, Tajikistan witnessed further restrictions on media freedoms. Authorities frequently blocked access to critical websites, and continued to intimidate journalists. While July's decriminalization of libel was a step towards freedom of speech, the new legislation retained criminal sanctions for insulting the president.

Beginning in March, authorities ordered internet providers on several occasions to block access to independent local and international news and social networking sites. Following the publication of a critical article, the government blocked the Russian analysis site *zvezda.ru*. Three news sites that subsequently published the article were also blocked, as was Facebook, following user discussions deemed overly critical of the government.

In July and August, armed clashes in Gorno-Badakhshan prompted authorities to restrict, and at some points completely shut down, internet and telephone communications. News sites including the independent news site Asia Plus, as well as the BBC, RIA-Novosti, *Lenta.ru*, and *Centrasia.ru* that reported on the violence were blocked. Access to YouTube was also blocked after videos of demonstrations were posted.

Despite the absence of a clear definition of libel under Tajik law, state telecommunications chief Beg Zukhurov announced in July the formation of a "citizens' organization" to monitor online publications and websites for insulting or libelous content.

Journalists continue to suffer threats and violent attacks. On May 8, two unknown assailants beat unconscious Daler Sharifov, a state television reporter and host of the anti-corruption NGO, Step by Step. Also in May, two other journalists, Ravshan Yormakhmadov and Salim Shamsiddinov, were beaten in attacks that appeared to be connected to their work.

**Freedom of Religion**

Tajik authorities further tightened restrictions on religious freedoms, and due to newly adopted legislation, the government now extends far reaching controls over religious education and worship. According to a statement that the international religious freedom watchdog Forum 18 issued in August, authorities continue to try to suppress unregistered Muslim education throughout the country, brought administrative charges against Muslim teachers, and closed unregistered mosques.

In May, authorities closed the Muhammadiya mosque, one of Tajikistan's most popular, which is run by the family of Haji Akbar Turajonzoda, a theologian and charismatic leader during the country's civil war in the mid-1990s.

Authorities added further punishments, through changes to the administrative code that were enacted in July, for violating Tajikistan's restrictive religion law and increased the powers of the State Committee for Religious Affairs to administer punishments without investigation by police or prosecutors. The new provisions impose significant fines on those violating the religion law's tight restrictions on sending citizens abroad for religious education, teaching religious doctrines, and establishing ties with religious groups overseas.

The steady tightening of state controls led rights groups, religious groups, and international bodies in 2012 to continue to criticize the highly controversial Parental Responsibility law, which President Emomali Rahmon signed in August 2011. The law stipulates that parents must prevent their children from participating in religious activity, except for state-sanctioned religious education, until they are 18 years old.

Under the pretext of combating extremist threats, Tajikistan continues to ban several peaceful minority Muslim groups. Some Christian minority denominations, such as Jehovah's Witnesses, are similarly banned. Local media continued to report on prosecutions of alleged members of Hizb ut-Tahrir and the Islamic Movement of Uzbekistan.

**Women's and Children's Rights**

Women and girls in Tajikistan continue to face gender-based discrimination and violence at home. Despite a draft law that has been under discussion for many years, the government has yet to adopt a law prohibiting domestic violence.

In July, the country's Organization for Security and Co-operation in Europe (OSCE) mission hosted a meeting where civil society representatives spoke about the growing number of domestic violence cases, and the difficulties of holding perpetrators accountable and ensuring that victims can access courts. One major obstacle, for example, is the legal requirement that victims, rather than police or prosecutors, collect evidence of the domestic violence they have suffered before authorities will initiate charges.

**Key International Actors**

UN Special Rapporteur on Torture Juan Méndez visited Tajikistan in May 2012. In a statement issued at the end of his mission, Mendez reported that "pressure on detainees, mostly as a means to extract confessions is practiced ... in various forms, including threats, beatings (with fists and kicking but also with hard objects) and sometimes by applying electric shock." The statement added that Mendez was "persuaded that [torture] happens often enough and in a wide variety of settings that it will take a very concerted effort to abolish it or to reduce it sharply."

In June, the EU organized a civil society seminar in Dushanbe focused on torture, and submitted the resulting recommendations to the government.

In March, in response to the worsening climate for religious freedom, the United States Commission on International Religious Freedom (USCIRF) downgraded Tajikistan from its "watch list" of violators of religious freedom, naming it a "country of particular concern." The commission censured Tajik authorities for "systematic, ongoing, and egregious violations of freedom of religion or belief," stating that Dushanbe "suppresses and punishes all religious activity independent of state control, and imprisons individuals on unproven criminal allegations linked to religious activity or affiliation."

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