

Amnesty International Annual Report 2012 - Tajikistan

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Head of state: **Emomali Rahmon**

Head of government: **Okil Okilov**

Death penalty: **abolitionist in practice**

Population: **7 million**

Life expectancy: **67.5 years**

Under-5 mortality: **61.2 per 1,000**

Adult literacy: **99.7 per cent**

Safeguards against torture enshrined in domestic law were not always adhered to. Freedom of expression remained restricted. The authorities failed to effectively prevent and prosecute violence against women and to protect survivors.

Torture and other ill-treatment

Police and security forces continued to use torture and other ill-treatment with almost total impunity, despite changes to the law in 2010. The European Court of Human Rights issued emergency measures to prevent the extradition of a man to Tajikistan, due to the prevalence of torture in the country. At the end of the year the government announced its intention to amend the Criminal Code with a definition of torture, in line with international law.

- Safarali Sangov died on 5 March, four days after being arrested by police officers of the Sino District in Dushanbe. During the arrest, police reportedly beat him and other family members, including children and a woman who was four months pregnant. Following a public outcry and allegations that Safarali Sangov died as a result of torture at the police

station, two policemen were charged in March with "negligence" and one with "exceeding authority". However, the prosecution subsequently dropped the latter charge, stating that testimonies of Safarali Sangov's relatives were not acceptable as evidence. After a legal battle, the case was transferred to the General Prosecutor's office for review.

- The trial against Ilhom Ismonov and 52 co-defendants began on 11 July at Soghd Regional Court in northern Tajikistan. All were accused of membership of the Islamic Movement of Uzbekistan and of participating in organized crime. On 19 July, he and several others told the judge that they had been tortured in pre-trial detention. On 16 September, Ilhom Ismonov told the judge that he had been pressurized by officials to retract his earlier allegations of torture and other ill-treatment. He had not dared speak out earlier, fearing retaliation from law enforcement agencies. The judge ignored his statement. His confession, allegedly obtained under torture, was used as evidence against him. The Prosecutor requested a 12-year prison sentence. The case was ongoing at the end of the year.

Freedom of expression – journalists

Tajikistani and international human rights groups reported that independent media outlets and journalists continued to face criminal and civil law suits for criticizing the government or government officials.

- On 14 October, a court in Khujand in northern Tajikistan found BBC journalist Urunboy Usmonov guilty of complicity in the activities of a banned religious organization. He was sentenced to three years' imprisonment but released immediately under an amnesty. The Supreme Court dismissed his appeal on 30 November. Amnesty International believes that Urunboy Usmonov was targeted for his legitimate work as a journalist investigating the banned Islamic organization Hizb-ut-Tahrir. He had no access to a lawyer for a week after his arrest and there were allegations that he was tortured or ill-treated.
- Also on 14 October, another court in Khujand found journalist Makhmadyusuf Ismoilov guilty of libel, insult and inciting hatred. A writer for *Nuri Zindagi* (Ray of Starlight), he was arrested on 23 November 2010 in the Soghd region. Fellow journalists believed that the charges related to an article he wrote about the local authorities in Asht district, which accused some officials of corruption and criticized local law enforcement agencies. Makhmadyusuf Ismoilov was fined approximately US\$7,000 and banned from journalistic work for three years. In December, the conviction was upheld on appeal but the penalties were lifted.

Violence against women and girls

Violence against women remained a serious problem. A major factor contributing to the high rate of domestic violence was the failure of the state to take adequate measures to prevent illegal, early marriages. On 1 January, the minimum marriageable age was raised from 17 to 18 years by presidential decree. However, services to protect the survivors of domestic violence, such as shelters and adequate and safe alternative housing, remained insufficient. A draft law, "Social and Legal Protection against Domestic Violence" – which had been in preparation for several years – was presented to parliament in the autumn. It had not been discussed or voted on by the end of the year.

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