

PUBLIC

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Imminent execution/unfair trial/torture/  
ill-treatment

17 July 2001

TAJIKISTAN

Dovud (33) and Sherali Nazriev (35)  
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Dovud Nazriev and his elder brother Sherali, who were sentenced to death in May 2001, could be executed at any time unless the president grants clemency. They were convicted for attempting to assassinate the mayor of Dushanbe, but there are reports that they are innocent, sentenced after an unfair trial, and that they were ill-treated in custody.

Deputy Security Minister Shamsullo Jabirov was killed when his car was blown up in the capital, Dushanbe, on 16 February 2000. The mayor of Dushanbe, Makhmadsaid Ubaydullayev, who was travelling with him, was slightly injured.

According to unofficial sources, there are conflicting explanations of the bomb attack. Some say it was in fact an attempt to kill Makhmadsaid Ubaydullayev, organised either by President Rakhmonov and his supporters, who wanted him dead because he had become a serious competitor for power, or by relatives of people allegedly killed on Makhmadsaid Ubaydullayev's orders who wanted revenge. According to these accounts, Shamsullo Jabirov was not the target of the attack.

The brothers were sentenced to death on 11 May 2001 by the military board of the Supreme Court. According to his wife, Dovud Nazriev said in court: "We are innocent. It's better to commit suicide than to be slaughtered by you like cattle." The brothers reportedly applied to the President for clemency on 14 May, but have had no reply.

Dovud Nazriev's wife told Amnesty International: "Dovud was lying at home with 'flu [on the day of the explosion]. If he had gone to the bazaar or somewhere that day, I wouldn't be so convinced that he didn't do it, but he was in the house all the time. Our neighbours can confirm that he was at home, but they were not called as witnesses." One of the brothers' lawyers reportedly told an Iranian radio station on 12 May that he regarded the trial as unfair and that he believed the investigation had been one-sided.

On 15 July demonstrators in their home town of Vanj reportedly protested the two brothers' innocence and demanded their release. Exiled Tajik journalist Dodojon Atovulloyev told Amnesty International on 16 July: "Especially in high-profile cases like this one the authorities have to arrest someone to show that they are doing their job. I think these two men have nothing to do with the assassination attempt. Those who actually organized the incident have not been found. Makhmadsaid Ubaydullayev is so powerful that no lawyer would dare to challenge him." Dovud Nazriev's wife believes that the charges against the men were political, fabricated to punish them because they fought against pro-government forces during the Tajik civil war of 1992-97.

There are a number of reports that the men were ill-treated in custody awaiting trial. Dovud Nazriev's wife told Amnesty International: "I visited Dovud and Sherali several days after the trial. I saw cuts on Dovud's arm and bruises on his chest. He said he had been beaten before the trial. Sherali had bruises on his legs, and his back had cuts. I also think that

they drugged Dovud. And they didn't give him any medical help, although Dovud is an epileptic. "

#### **BACKGROUND INFORMATION**

Fifteen crimes are punishable by death in Tajikistan. At least 24 people have been sentenced to death since the beginning of 2001. However, the exact figure is unknown as information on the practice of the death penalty is regarded a state secret, and the government does not publish comprehensive statistics on death sentences and executions. Relatives often do not know whether a prisoner is still alive on death row; 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."

Tajik law enforcement agencies routinely deny detainees such basic rights as free choice of a lawyer, and are known for systematic ill-treatment or torture of detainees. Judges are under constant political pressure from the authorities, which has severely eroded judicial independence.

#### **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 handed down on Dovud and Sherali Nazriev, as well as all other death sentences that come before him;
- expressing concern at allegations that the men's trial did not meet international fair trial standards;
- urging a prompt and impartial investigation into allegations that Dovud and Sherali Nazriev were beaten while in custody, 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

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

**Faxes:** + 992 372 21 25 20 / + 992 372 21 18 37

**Telegrams:** Prezidentu Rakhmonovu, Dushanbe, Tajikistan

**E-mails:** primer@pds.td.silk.org

**Salutation:** Dear President Rakhmonov

#### Procurator General of the Republic of Tajikistan

734043 g. Dushanbe, prospekt A. Sino, 126, Prokuratura Respubliki; Generalnomu prokuroru; BOBOKHONU, B.; Tajikistan

**Telegrams:** Generalnomu prokuroru, Dushanbe, Tajikistan

**Salutation:** Dear Procurator General

#### 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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**COPIES TO:**

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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 27 August 2001.