



**Civil Society Coalition
against Torture and
impunity in Tajikistan**

«STORIES OF BROKEN FATES AND TAKEN LIVES»

Dushanbe – 2022

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in Tajikistan

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TAKEN LIVES»**

*Twenty-eight real stories of victims of violence
and torture – stories of broken
fates and taken lives*

Dushanbe – 2022

ББК 67.99(2 тадж)+67.99(2)3

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This publication is updated and prepared with the financial support of Zigrig Rausing Foundation in the framework of «Supporting civil initiatives to prevent torture in Tajikistan» Project, the OSCE Programme Office in Dushanbe and the European Union in the framework of «Activities on protection against torture in Kazakhstan and Tajikistan» Project.

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From the Author:

Dear reader!

International norms and standards on human rights define the prohibition of torture as an absolute norm, which means «You must not torture! Never! No way!». At the same time, torture and ill-treatment have become commonplace not only during the arrest and investigation of crimes, but also firmly entered the practice of hazing in the army, which is called «bullying».

Today we present to your attention an updated book «Broken fates, taken lives...», which tells about the actual stories of victims of torture and ill-treatment in Tajikistan. The book is devoted to the memories of families of sons and husbands, who have been subject to violence and arbitrary actions of law enforcement and security forces of the country, their courage and perseverance.

Unfortunately, over the years, stories of torture and ill-treatment have not diminished despite the fact that torture was condemned at the highest level in our country, and despite all the efforts of social organizations and state structures working in this area.

We present to your attention the stories the Coalition of Civil Society Against Torture and Impunity in Tajikistan worked on. All stories are about pain, fear and impunity. In some cases the lawyers managed to suspend the case and and literally get an innocent person out of custody. In other cases they were able to bring to justice those law enforcement officers, responsible for the use of torture. But, sadly, there are cases where it was impossible to move forward for years.

The author of the book «Broken fates, taken lives» is a journalist Nargis Khamrabaeva* and photographer Nozim Kalanda-

* Nargis Hamrabaeva – a partner of the Coalition of Civil Society Against Torture and Impunity in Tajikistan, the author of the book «Broken fates, taken lives» (two editions, Coalition Against Torture and Impunity in Tajikistan and Office of Human Rights and Observance of Law), as well as the editor of a book «Case history of 13th soldiers, or lost dreams» (Public organization «Office of Civil Liberties»).

rov went to districts, met with victims of torture and their families, recorded their memories, empathized with their experiences, pain and hope. Read, support, say your «No» to torture and ill-treatment.

The original idea of the book belongs to the public organization «Office for Human Rights and Observance of Law». In this book, you can find an updated information on the stories that were in the first edition, as well as nine new stories for the period of 2016–2021.

We firmly believe that by engaging in a worldwide campaign against torture we can make a significant contribution to the fight against impunity in the world and in our country. And, we want to appeal to everyone once again: Say no to torture! Stop impunity!

Case history №1: Khurshed Bobokalonov

The story of 33-year old Khurshed Bobokalonov, a gifted and promising young oncologist, is not very different from many similar stories that occur during arrest or in detention. His death was as pointless as it was tragic.

It was a hot Saturday of June 27, 2009 and the country was marking the annual Day of National Reconciliation. The law enforcement officials patrolled the centre of the capital, Dushanbe. Many areas had been cordoned off and guarded because of a concert that was due to be held in the centre later that day as part of the festivities.

Khurshed, a handsome, athletic young man, left the gym carrying a sports bag. He started walking towards the carriageway of the city's main boulevard where he planned to flag a taxi to take him home. When a policeman shouted at him rudely, Khurshed felt it was beneath him to respond to this kind of discourteous treatment. Therefore, when police officers approached him demanding, in the same rude manner, that he show them the contents of his bag, he did not comply. Before long the young man was being pushed into a police car because – as they later alleged – «he resisted the attempts of the police to test him for alcohol intoxication». However, witnesses have said that the law enforcement officers were unable to subdue the Herculean young man and resorted to beating him with truncheons and fists. By the time the police car arrived at the police station Khurshed was dead.

The forensic medical examination concluded: «Kh. Bobokalonov's death was caused by mechanical asphyxiation as a result of blocked airways due to vomiting, as evidenced by vomit visible in the X-ray of the airways; of acute lung and heart emphysema (Tardieu's spot); increased hyperaemia of internal organs, anaemia of the spleen and numerous marks on the body». The examination further stated the following injuries: abrasions in the area of both shins and knee joints, on the outside of his right fist and on the left frontal and right parietal bones. The moist nature of the

injuries suggests that they «were caused by blunt heavy objects shortly before the moment of death.»

A few days later, on 6 July, the Prosecutor of the Ismoili Somoni District opened a criminal investigation into «death through negligence», a charge that carries a terms of imprisonment from two to five years. It seemed that justice was going to prevail and that the full weight of the law would come to bear on those guilty of the crime. However, two months' later the investigating officer suspended the investigation. Khurshed's mother and the family's lawyer persisted until the investigation was reopened in October, but a month later the prosecutor decided to close the case «as it was not possible to identify the individuals to be held accountable for Kh. Bobokalonov's death».



***Khurshed Bobokalonov's family, from left to right:
daughter, mother and son***

Following numerous appeals to the Prosecutor General's office, the investigation was reopened in November 2011 under the same article.

Gulchekhra Kholmatova, the lawyer representing the aggrieved party, reported that a histological analysis and a fresh forensic medical examination was carried out by independent

experts two and a half years later, as part of the reopened investigation. It found discrepancies with the results of the earlier examination. It further emerged that the Kh. Bobokhalov's blood tests had been destroyed and their results haven't been recorded in the archives, making it impossible to determine whose blood traces had been found on the clothes Khurshed was wearing at the time of his death.

All this suggests that the original forensic medical examination was not objective and that, based on its results, the investigation had followed a wrong track, that its results had been falsified and the original conclusion was wrong to conclude that Khurshed had choked on his vomit.

The report from the forensic examination states: «...The immediate cause of Kh. S. Bobokalonov's death was a fatal disruption of his heart's rhythm.... The following factors had contributed to the fatal arrhythmia: intense physical exertion; psychological and emotional stress; being held for approximately 5 to 6 minutes in a confined and partly enclosed space (a virtually unventilated section of the patrol van).»

In June 2013, three years after Khurshed's death, a reconstruction was arranged at the scene. The events of the tragic evening were reproduced: the same police van arrived and the same young people who had been with Khurshed at the time were present.

The only remaining hope was that Tajikistan's Prosecutor General will carry out an objective assessment of the new forensic examination, reassessing all circumstances of the criminal case and, conducting an impartial investigation of Khurshed Bobokalonov's tragic death so that the genuine cause of his death and the individuals responsible for it can be identified.

Alas... Those responsible for Khurshed's death have yet to be identified. Nobody has been punished for the police violence and abuse. In spite of everything, several years after the life of her only son was tragically cut short, his inconsolable mother hasn't lost hope that the case will be reopened and objectively investigated.

Saodat Kulieva, Khurshed Bobokalonov's mother, has been running from pillar to post at the Prosecutor General's office trying to get justice and ensure that the men she refers to as «executioners in uniform» are brought to justice. She states in one of her numerous appeals, dated April 2011: «...Not a single one of my requests to look into the criminal role played by officials of the Ministry of Internal Affairs (MIA) in my son's death, has received a substantive response. A year and ten months have passed since the tragedy, yet not a single official has been charged with a crime or, at the very least, with deliberate abuse of power. In fact, most of the investigation has been wasted on arriving at rushed conclusions, without any implications for the MIA executioners. I have been fobbed off with standard letters; the district prosecutor's office has been criminally inactive and has sabotaged the investigation. False witness statements have been passed off as truth. Steps were taken to cover up facts and circumstances of my son's death.

In my view, the job of the Prosecutor is to fight lawlessness, not to cover up infringements carried out by law enforcement officials but rather punish them with the full harshness of the law. My son's murderers, hiding behind the law and their high status, are guilty of the worst thing imaginable: of beating up and killing innocent people, undermining our faith in justice, protection of law and our belief that we live in a state of law rather than in a jungle where one has to fight for survival.»

I met Saodat Kulieva in January 2013. Her eyes are filled with unspeakable grief, devastation and tears. The following quote comes to mind: «A man who loses his wife is a widower. A woman who loses her husband is a widow. But there is no name for a parent who loses a child, for there are no words to describe this pain.»...

These days she lives in another, unreal world composed of memories of her son. Yes, that's all she has left, memories that bring pain but also give her strength to go on living and not give up.

Saodat pulls herself together and begins telling her son's story. «For me the year 1976 has special significance as it's the year my son, Khurshed, was born. His coming to this world had induced a state of euphoria in all of us – his parents and close relatives. He was an exceptionally beautiful child, surrounded by affection and attention, and very bright. By the age of five Khurshed was able to read and recite by heart, from beginning to end, poems by Korney Chukovsky, Agniya Barto and other children's writers. These days nobody bats an eyelid at seeing a 'precocious' preschooler. But back then it was quite rare. And Khurshed continued to be amazingly bright. In his early school years he was at the top of the class. I still have a paper medal he won in a contest for the cleverest child in class. His classmates unanimously voted for Khurshed. He was a member of a chess club from an early age and could beat his grandpa at chess; he played table tennis, took part in various sports competitions, played football.

Khurshed graduated from secondary school with good grades. He went on to study medicine, gaining a medical diploma. He loved his job. He would talk to me for hours about day at work had gone. He really felt for his patients and was able to talk about each of them in great detail for a whole evening and analyze the treatment. He had always been extremely open with me. I think we were great friends. I still cherish his school essay entitled «My Friend» in which he refers to me, his mother, as his best friend. Each word in this essay is precious to me.

It would be disingenuous for me to say that our life was completely unclouded, that my son had been an ideal child. Of course, there were moments when he did upset me with some thoughtless action, and sometimes we, his closest family, suffered most from things he had done. But we still loved him, nevertheless. I have kept only the memories that cheer me up. I can give you lots of examples of how much Khurshed cared about me and about his nearest and dearest. He made sure I didn't exert myself physically, cleaning or getting food from the market. He would rush to me with injections and medication whenever I was poorly.

What I found especially moving was that he had never forgotten my. Each year, first thing in the morning, he would bring me as many of roses as the number of my years. His 55 roses were the last...

At weekends he couldn't imagine not going to see his girlfriend who lives in a suburb. All these tokens of affection are very precious to me.

I will never forgive my heart for not feeling the pain my child went through just five minutes' away from my home. I reproach myself for having brought up my son to be proud, not to bow his head to anyone if he hasn't done anything wrong. Servility was alien to him, and he has paid with his life for his insubordination.

But perhaps, in spite of my love for Khurshed, I had demanded too much of him in my effort to bring him up as a real man. I had always longed to protect him from something. The way it worked in our house was that he always would tell me where he was going, when he would be coming back, even before going to the operating theatre he would let me know how long the surgery would take.

I know that when I talk about Khurshed it's all a bit muddled but I think my state of mind is understandable. It's hard for a mother to speak of her son in the past tense. To raise a son, an extraordinarily gifted professional, to bring him up in the best family tradition, a patriot of his country, a caring and loving family member, and to lose him to the lawlessness that reigns in our country, the corruption of the powers-that-be, that's impossible to come to terms with.

I live on thinking that the sun rises and sets, rain follows after snow, people around me hurry and bustle about, children laugh. Everything is as usual... It's as if nothing has changed in this world, yet my Khurshed is no longer part of it. He isn't and will never be. He will never come, he will never hug me and he will never say the word: «Mum...» And I, his wretched mother, am alive and haven't even lost my mind, except that my life has lost all its meaning. And my home, which he loved to visit so much, which used to offer him a peaceful shelter from everyday problems, this home has simply

ceased to exist. I am slowly dying of grief, and I am dying doubly because I have to go through this on my own.

Now, that my son has died a tragic death, I shall never be able to hold him in my arms, caress his head, say loving and affectionate words to him. I had often felt like doing that in his lifetime but I used to put on a strict face and talk to him as a completely grown-up man, always telling him what's right and what's wrong. I thought we had so much time ahead of us. My son had accepted these rules of our relationship and listened to me. I know my son understood that his mum loved him very much and wanted only the best for him. Particularly in the last few years Khurshed matured, and my soul rejoiced at seeing him turn into a decent human being, and although I wanted to praise him more often, yet again, I didn't want to overdo it and was sparing with praise.

Dear Lord! If in his lifetime it had ever occurred to me, even for a moment, that I might lose him!... We often get upset about daily squabbles. Please don't forget that your children are alive and well, that they need your love and understanding and you will understand how insignificant everything else is...

This tremendous grief has now helped me understand genuine human qualities and I would like to tell everyone who reads this: love your nearest and dearest every minute of your life.

On 27 June 2009 the life of my only child was tragically cut short. It was the blackest day, which has erased my entire life. Three years have now passed since I lost Khurshed. He was a nice, kind boy but his earthly life turned out to be too short. It's as if he had gone, closing the door behind him, leaving me all by myself, with all the words I hadn't said. He loved life, he loved us and wanted to be happy.

Khurshed has been laid to rest at the cemetery where my mother is buried. Thank God she never had to learn in what circumstances her beloved grandson has died. I often come here and feel his presence next to me, and that gives me strength to go on living, not for my sake but for the sake of his young children. The tragedy occurred on a Saturday and every Saturday when I come to see him, I say: «See you soon, my son, see you where

there is no pain and evil. Khurshed, we shall meet again in the best of all worlds, you have gone ahead before me, it was your fate to meet us all there – those of us who have buried you and those who killed you. I very much hope that the hands of those who killed you are stained with blood, and they won't be able to wash it away. I can't stand Saturdays now.

Khurshed managed to achieve a lot in his short life. He has left a nice memory in many people's hearts. His children – son Dier, a spitting image of Khurshed, and daughter Dinora – are growing up and they can always be proud of their father. Whenever I come into contact with anything that relate to Khurshed even in the most indirect way, I see the lovely image of my son – the baby, the school boy, the student, Dier's and Dinora's father – so close and yet so distant.

After burying my son (the funeral took place at his place of birth) I wasn't able to go back home for forty days. I decided straight away that the minute I returned I had see the image that is so dear to me. I asked my colleagues at work to have a huge, ceiling to floor portrait made of Khurshed, smiling, which should wait for me when I arrived. His photographs are on the walls and on display all around my flat. Now he is with me forever and I can see him all the time. I have kept his things ,which still smell of him. He is alive not only in every corner of my soul but in very corner of my home. Every time I cross the threshold of my home I immerse myself in endless memories of him.

In Islam, like in many other world religions, it is customary to visit the graves. Every time you come to a cemetery as a living person you try to comprehend the fact that death is inevitable for each and every one of us. Of course, Khurshed was perfectly aware of this and had accepted the transience of his existence in this «temporary world». That is probably why he was so recklessly courageous and terrifyingly just in the last minutes of his life, as he was confronted by blatant abuse of power, not ordinary abuse but a lawless abuse committed by an organized criminal group of state officials.

Browsing through the pages of his biography, I think that the most striking and tragic page shows the last minutes of his life, when the executioners in uniform were unable to break my son's will and force him to his knees in front of hundreds of onlookers.

I believe that, whatever the Almighty has decreed, it is WRONG for a grandfather to bury his grandson, for a mother to bury her son. I feel like shouting: it is WRONG to kill someone for insubordination.»

The criminal case into the death of Khurshed Bobokalonov was initiated on July 6, 2009. The investigation was closed and reopened several times. Persistent attempts of his mother and lawyers to find out what happened and who was responsible for his death were not successful. His mother realized that the authorities persistently fail to take steps to find the perpetrator/perpetrators and refuse to cooperate with her, by not sharing information about the investigation and not responding to the letters of her lawyer.

Having exhausted all the mechanisms for the protection of human rights in the Republic, Saodat Kulieva, on February 23, 2015, with the assistance of lawyers of the Civil Society Coalition Against Torture and Impunity in Tajikistan, submitted an individual complaint to the United Nations Human Rights Committee (UN HRC) against the Republic of Tajikistan to recognize the fact of the use of torture and cruel, inhuman treatment against her son Khurshed Bobokalonov, which subsequently led to his death.

On March 10, 2020, UN Human Rights Committee, having considered individual complaint of Saodat Kulieva, developed Considerations regarding the Republic of Tajikistan to recognize the fact of the use of torture and cruel, inhuman treatment by police officers against the victim Khurshed Bobokalonov, which were further forwarded to the Tajik authorities. Having received no response to this UN petition, Saodat Kulieva, on June 22, 2020, requested legal assistance from the public organization «Independent Human Rights Protection Center» in order to call on the Tajik authorities to respond and implement the UN Considerations.

On July 7, 2020, the lawyer Abdurahmon Sharipov addressed the Executive Office of the President of the Republic of Tajikistan and the General Prosecutor 's Office of the country with the request to provide information on the implementation of the UN HRC Considerations related to the criminal case into the death of Khurshed Bobokalonov. His request was first forwarded to the city Prosecutor's Office, and then to the Prosecutor's Office of Somoni district. Only on January 24, 2021, Prosecutor's Office of the capital provided Saodat Kulieva with a copy of the Order on the Termination of Criminal Proceedings (Dismissal Order) as of August 27, 2012.

On February 26, 2021, the lawyer drafted a petition to the General Prosecutor's Office of RT, requesting, on the basis of adopted recommendations of the UN Human Rights Committee, to revoke a Dismissal Order and conduct a new investigation into the fact of the use of torture against Khurshed Bobokalonov. «The Road to Calvary» of Kulieva and her lawyer continued and, in the end, A. Sharipov, having received no response to the petition, on behalf of Sodat Kuliyeva, a mother of Khurtshed Bobokalonov, filed a complaint to the Court of the Sino district, requesting, on the basis of UN HRC adopted recommendations, to revoke the Dismissal Order and conduct a new investigation into the fact of the use of torture against Khurshed Bobokalonov.

At the end of July 2021, the Court of Sino district, by its Resolution, rejected an appeal of Saodat Kulieva, mother of Khurshed Bobokalonov, for the annulment of the decision of the investigator to discontinue the investigation of a criminal case into the death of Khurshed Bobokalonov against police officers.

On August 6, 2021, on behalf of Saodat Kulieva, a cassational appeal was lodged with the Cassational Board of Dushanbe city court, requesting annulment of Sino district Court Ruling. On August 25, 2021 Criminal Cassational Board of Dushanbe city court, having considered the cassational appeal of S. Kulieva, left unchanged Sino district of Dushanbe city Court Ruling, as of 30.07.2021, rejecting S.E. Gulieva's petition on revocation of the decision of the investigator of General Prosecutor's Office of RT

to stop investigations into the death of Khurshed Bobokalonov due to the lack of evidence of a crime, committed by police officers.

To date, no one has been brought to justice for the death of Khurshed Bobokalonov.



Khurshed Bobokalonov

Case history №2: Ilhom Ismanov

Each story recounted in this book resembles the previous one in some way, while also being unique. Ilhom Ismanov's story is unique in that, after all the torment and pain he suffered he has SURVIVED. And that alone instills hope in his wife and two children, gives them strength to keep going until they are reunited.

But until that happens, 3 November 2010, the date Ilhom was abducted, will remain a nightmare for his family. It was a day that turned their lives upside down and destroyed all their plans and dreams. The abduction was planned in advance and undisguised: several masked people brandishing guns pulled a bag over Ilkhom's head right outside their house in broad daylight and forced him into a car.

Ilhom Ismanov's wife Zarina didn't sleep a wink that night. It wasn't until the following day that she learned that her husband wasn't held by an frightful imaginary gang but rather in the Regional Department for the Fight against Organized Crime (RD-FOC) in Khujand.

The family wasn't allowed to see Ismanov until 6 November... When they arrived Ilhom was not able to stand up or even move as his legs had been broken. Throughout the meeting with his wife Ilkhom remained seated in a chair, wearing only his underwear. An observant person, Zarina noticed that his fingers bore marks of being burnt by electricity and she also spotted strange cuts on his neck. But as soon as she leaned down to examine the wounds closer, she was unceremoniously led out.

That night Zarina couldn't get any sleep. The thought – «He's been tortured» – kept going around her head, tormenting her, yet there was nothing she could do to help him. Realizing how helpless she was made her feel even more terrible.

On 12 November, the tenth day of his de facto arrest, as Ismanov appeared before the Khujand City Court to be remanded in custody, he arrived in chains with a hood over his head. He could hardly walk on his broken legs, like a real martyr...

This was his first opportunity to meet his defence lawyer and show him the burn marks on his hands and tell him that boiling water had been poured over his head during interrogation. The lawyer immediately applied for a forensic medical examination but the court turned down his request. The following day the court remanded Ismanov in custody. A separate court ruling raised the unlawful actions by RДФОС officers.

Long weeks of pre-trial detention followed. Ilhom fell ill with pneumonia and bronchial asthma. In addition to food parcels Zarina now had to supply him with medication in the detention centre. Incidentally, the family provides all the medication for Ilhom until this day.

Zarina's heart sinks as she recalls what the defence lawyer told her after he first met Ilhom on 19 February 2011. Nobody else was present at the meeting and so Ilhom was able to describe exactly what happened while he was held by the RДФОС – he told his lawyer that the officers applied low frequency electric shocks to his body, that he had fainted repeatedly and was subsequently attached to a 220 volt socket... The pain was so excruciating that at one point, not able to take the torture any longer, he grabbed the electricity cable and struck himself on the chest. When he fainted, the police panicked and dragged him to a storeroom where they drenched him in cold water. They threatened him with reprisals if he complained about being tortured. On 19 April 2011, when his wife came to visit him, Ilkhom informed her that a prosecutor in the Committee for National Security building forced him to sign a statement that he hadn't been tortured under threat of torture.

As a matter of fact, Ilhom says he had been subjected to rather sophisticated forms of torture – his heels were beaten with batons, a bag was pulled over his head and tightened from both sides, making him faint with pain. And all this happened on a daily basis...

Numerous appeals against unlawful detention, use of torture and against being denied access to legal counsel brought no results. The response from the Department of Internal Security of the Sughd Regional Ministry of Internal Affairs said the allega-

tions of torture and being denied access to legal counsel had not been confirmed. RDFOC officers at the Sughd Regional Department of Internal Affairs were solely disciplined for a delay in filing the protocol of detention.

The ruling from the disciplinary proceedings states: «On 3 November 2010 Major Golib Nadirovich Kadyrov, special agent with the Regional Department for the Fight against Organized Crime at the Sughd Regional Department of Internal Affairs, brought I. Ismanov to the station and held him there until 10 November 2010 in contravention of the Criminal Procedures Code of the Republic of Tajikistan. G.N. Kadyrov had carelessly and unjustifiably delayed the examination of the case material, failing to act in a timely and lawful manner... Thee head of the same department, K. Nasimov, did not exercise oversight of his subordinates during the investigation; he failed to ensure they took lawful decisions in a timely manner and failed to ensure the errors committed by G. Kadyrov in the course of his work were eliminated. K. Nasimov and G. Kadyrov therefore deserve to be disciplined for a thoughtless discharge of their professional duties and unjustified delays in examining the materials of I. Ismanov's case.»

When the trial of the so-called Istaravshan 53 began in the summer of 2011, Ilhom was among the accused. He hoped the trial would provide an opportunity to draw the court's attention to his torture but his request was not heard. He was convicted of being a member of a criminal association and sentenced to eight years' imprisonment.

The lawyers ceaselessly fought for justice. Following an appeal hearing in the autumn of 2012 the report on Ilham's torture as well as 42 similar reports in this case were investigated. However, the Prosecutor General refused to pursue a criminal case in spite of visible traces of torture and other evidence. Nevertheless, the court of appeal reduced Ismanov's term of imprisonment to 6.5 years. Due to an amnesty that left only 2 years' imprisonment left.

Ismanov's wife Zarina keeps looking out of the window hoping that the long-anticipated day will come soon. Years ago she

also used to look out of the window of her flat, waiting for her husband to come back from Russia where he had gone to work. She recalls children's exclaiming with joy: «Daddy's back!» and Ilhon handing out presents and sweets.

«I keep thinking of these moments», – Zarina tells me. – «Sometimes I feel it will never happen again. What's happened to my husband has turned not only my life upside down. It has affected our whole family. Ilhomjon's mother is gravely ill, his father got seriously depressed and hasn't recovered yet. And I, too, have had heart problems because of what I've been through and what I've seen. Praise be to Allah, my mother has proved to be emotionally very strong and has shared the burden of everything that has befallen me and has been supporting me as best as she can.»

Zarina is convinced that all accusations against her husband are trumped up and unproven. «There is not an iota of truth in the accusations against my husband. They made him incriminate himself under horrendous torture. It's like the Russian proverb: 'You can't make an omelette without breaking a few eggs.' And my husband Ilhom Ismanov ended up being one of those eggs», – his wife said.

Zarina recalls the difficult time she went through when it all began. She was scared to let her son go to school on his own, she was getting strange telephone calls, kept hearing unusual rustling noises behind the front door, received provocative letters by e-mail.

«Our home was searched, I was questioned about the position in which my husband performs his daily prayers, where he goes and who he meets. Everyone who has ever been in touch with my husband was put under pressure. You see, he's such a sociable, cheerful and fair-minded person. He was never able to disregard other people's problems and always did his best to help. But when this tragedy happened many people stopped seeing us fearing the authorities, while others fled the town knowing what methods are used to interrogate people in the 'departments'. My older son has become very withdrawn, he doesn't go out at all. Seeing me in tears all the time made him realize something

terrible had happened to his dad. But Allah is merciful. His mercy is boundless, he gave Ilhomjon the strength to endure all the torture, to stay alive for the sake of his children, of his family. Now that it seems the worst is over what I worry about is that the worst may be yet to come. We are under constant pressure from the authorities, whenever there's the the slightest trouble in town we are under close scrutiny»,- Zarina tells me.

She also says that as a result of what happened to Ilhom her family has lost faith in the country that calls itself democratic and a state of law. «We have been exposed to blatant lies from the judges and the forensic experts. When my husband was only a suspect, he was taken to court to be remanded in custody, his hands and feet shackled, it was done to cover up the traces of torture. I saw everything with my own eyes. I see this picture all the time. The sense of injustice and especially of helplessness in the face of the tyranny of some state officials has left a painful mark in our hearts», the woman continues.

She now lives from one visit to the next. Before packing things for her husband into a chequered bag she always double checks that she has bought all his medication. «Whenever I visit my husband in prison and see him behind bars wearing the black prison garb I have only one wish – for this nightmare to be over»,- Zaira confides.

She dreams that when the two years are over the sun's bright rays will sparkle gain in her sons' curls and somewhere, in a far away country, they will happily call out again: «Daddy's back!»

In May 2015 Ilhom Ismanov was released after completing his term and immediately left for the Russian Federation together with his family.

Case Story №3: Safarali Sangov

The news of the death of 37-old Safarali Sangov from Dushanbe in March 2011 caused a nationwide outcry. Independent media reported that Sangov died at the Karabolo National Medical Centre four days after being brought there, in a coma and with numerous injuries to the body, from the Department of Internal Affairs Nr.1 of the capital's Sino district.

The dramatic picture of the day can be pieced together from accounts of Sangov's relatives who witnessed the events that reminiscent of a scene from a horror movie. On the first day of spring, 1 March, several plainclothes men barged into their flat and started to beat Safarali. They searched him without showing a search or an arrest warrant. When the men failed to find anything, one of them presented a police identity card, they handcuffed Safarali, shoved him into a car and took him away.

Safarali's relatives, confused and frightened as they had also been roughed up by the so-called guardians of order, were numbstruck. A few neighbours and assistants at nearby shop were also unwitting witnesses of the event. Frail Sarvinoz, Safarali's wife, took control of the situation. She flagged down a taxi and asked the driver to follow the LADA-2107 as it sped away. When she spotted the car parked outside the police station, she got out of the taxi.

At the police station an officer told Sarvinoz that her husband found in possession of a kilogramme of heroin. Refusing to believe his version of the arrest, Sarvinoz pulled herself together and brought her husband a hastily prepared lunch, as she knew that after a recent surgery he needed regular meals. She tried to explain to the police officers that Safarali had to eat and asked them to the food on to him but all in vain. Some time later she was told that Safarali had been arrested for hooliganism and would be released soon. Feeling slightly reassured the woman returned home, only to receive a phone call from friends telling her that Safarali suffered an epileptic fit during the interrogation and was taken to hospital.

Sarvinoz, accompanied by relatives, rushed to Karabolo where the doctors told her that her husband was unconscious and that they in the process of reanimating him, and that he was breathing through a machine.

She overheard the doctors saying that Safarali had «lots of fractures and was completely battered». One of them let slip that the new patient had a fractured hip joint, spine and nose; another said he had taken an overdose. As transpired later, he tested negative for narcotics.

Sarvinoz stood by the hospital window, praying to the Almighty to help her Safarali. While in the corridor she overheard some people having a lively conversation about a beating. She pricked up her ears and realized they were talking about Safarali and recognized the people who relished recounting it in detail as the policemen who had come to arrest her husband...

Safarali's condition improved on the next day and he started to open his eyes. Alas, the improvement proved to be only temporary. No sooner had Sarvinoz sighed a sigh of relief believing the crisis to be over, than on 5 March the medical staff gave her the sad news of Safarali's death. Sarvinoz had to lean on her relatives. She felt the ground caving under her feet as the doctor's words echoed in her head: «Safarali has died.» When she recovered somewhat his wife wanted to see the deceased but some policemen who were present blocked her way to the intensive care unit. Meanwhile Sangov's body was secretly taken out by the back exit and taken to the morgue for a post-mortem. Later on the body was handed over to the family to be buried.

What could have happened in the course of the few hours that passed between Sangov's arrest and the time he arrived at the hospital for reanimation, with multiple injuries? His relatives are certain that he had been subjected to brutal beating and torture at the police station.

The law enforcement officials presented a contradictory version of events: Sangov had allegedly committed suicide by throwing himself off the stairs at the police station and hitting his head against a wall. «He managed to escape and throw himself off the

second floor and when he was apprehended and taken back to the office he managed to break away again and smash his head against the wall, which resulted in the lethal injuries», – the prosecutor said in court.

That is to say, the official bodies concluded that Sangov was to blame for his own death and that the police officers were to blame only for not preventing it...

On 11 March, following the funeral and the first mourning rites, Sangov's widow received a certificate issued by the Ministry of Health National Centre for Forensic Examinations, bearing the same date. The the cause of death was given as brain damage. The expert conclusion was based on the post-mortem examination carried out in the morgue.

Soon afterwards the Sino District Procurator opened a criminal investigation into Sangov's death and accused two officers based Sino-1 Police station – senior criminal investigations department operatives Abdurakhmon Yakubov and Kodir Hasanov – of negligence. The Office for Human Rights and the Observance of Law, Amnesty International and a number of other NGOs urged the authorities to carry out a thorough investigation, ensuring an independent, impartial and fair trial and bringing those responsible to justice. However, the prosecutor put off taking action and did not respond to any requests from the lawyer and the aggrieved party. The lawyer was forced to demand that the investigation into the case be handed over to the Prosecutor General of the Republic of Tajikistan or the Dushanbe City Prosecutor. Eventually the case was handed over to the Prosecutor in the capital for further investigation. However, in July 2012 the case against Yakubov and Khasanov was dropped due to amnesty.

...Sarvinoz often remembers the year 1993. She had just finished technical college and was a trainee at TSUM, the capital's most prestigious shopping centre. They were introduced by Safarali's sister. It was fate, Sarvinoz now says. She immediately fell in love with the unassuming and shy Safarali. And he couldn't imagine his life without Sarvinoz either. A few months later the young man sent marriage brokers to the parents of his beloved.

Before long they celebrated their wedding, with guests wishing the newlyweds a long and happy married life.

In 1996 their son Sunatullo was born. Now he is in first year of a communications college. They dreamt of a daughter, and took in their niece Firuza at a young age, raising her as their own. «One child calls for another» the couple used to say, showering both children with the same parental love and care.

Sarvinoz tells me that theirs was an extended family and Safarali was the main breadwinner. His parents were elderly and he was basically the only person in the family who worked. They didn't starve but there were days when they had to tighten their belts.

Safarali worked at a local housing office in Dushanbe. But it didn't work out and in 1998 he went to Russia in search of work. There he toiled ceaselessly and tirelessly, saving every penny. He would spend all days on a construction site, then rush to a bakery in the evening to knead dough. He sent money back home regularly every month, knowing that he was his family's only hope. He even managed to put a little aside and took every opportunity to visit them at home.

However, the relentless work routine and constant economizing left took its toll on his health. Safarali developed stomach problems. In 2005 he returned to Tajikistan for good, underwent an operation and was strictly forbidden to do any hard physical work. But he couldn't stand being idle, and kept finding things to do: he would make a little extra driving a taxi or find other odd jobs.

For a year both he and his wife Sarvinoz worked in a shop, toiling from 8 am to 11 pm every day, without any days off. But the shop had to close down and Safarali started driving a taxi again.

One night Sarvinoz had an idea – if they started their own business they wouldn't have to depend on anyone else. Safarali supported her and they turned one of the rooms in their house into a shop, and started selling all sorts of things and making hot-dogs that became very popular.

Things began to look up for them, but exactly a year ago problems the freshly-minted business couple started experiencing problems: one day the local policeman would come asking for a «share», the next the tax office would put pressure on them, then something else... Eventually Sarvinoz fell ill as well. Safarali was forced to bring in someone else to run the shop. They had run up some debts when they started the business and couldn't give it up completely.

Sarvinoz recalls with a tender smile: «He always helped everyone as much as he could. He was generous with his help, never expecting anything in return. He never harmed anyone. He was very loyal to me and to his whole family: he never went out after shom (the evening prayer), and when he did he would always tell me in advance. He always preferred to be with his family and spend time with us.»

Eventually our conversation touches upon the fateful 1 March 2011. «It was a day like any other, we had no foreboding of the tragedy that was about to befall us. My husband woke up, had breakfast and went out. I followed him and saw him washing the car. He used to call his car arusak (my little bride). When I asked him why he was washing the car so early in the morning, he said he wanted to clean up his arusak and trade it for a newer one. When he finished cleaning the car, he went to the car salesman and asked me to get his bath ready so that he could clean up when he returned and go to wish his nephew happy birthday. We were always astonished that Safarali remembered everyone's birthdays in our extended family, he never forgot to congratulate anyone. Around 9 am he left in his car. My niece Makhina later told me that a distant relative, Kuvvatali, who did car toning, dropped by after my husband had left and asked where Safarali was. Kuvvatali then asked Makhina not to tell anyone that he had come by and asked about Safarali», – Sarvinoz says.

Meanwhile Safarali traded his Leganza for an Opel. As the Opel wasn't operational Safarali phoned his nephew and asked him to help him haul the car to a garage. After they hauled the car to the garage, Safarali got hungry. He invited his nephew to come

back home with him for a snack but the nephew said he was busy and left. As Safarali walked home thinking about his next plans, Kuvvatali suddenly ran out of the park and started telling him that the new car needed to be toned. He went on and on at Safarali who tried to chase him away like a troublesome fly. Outside our house he met some neighbours and started asking them about life and health, as is our Eastern custom. Kuvvatali used the moment to step aside and phone someone, saying: «He's here». A few moments later several plainclothes men swooped in and got hold of Safarali. He escaped and ran into the yard of his house but the strangers caught up with him, started beating him and took him away...

«And you know happened next»,- Sarvinoz said with sadness, tears swelling in her eyes. But the memories were obviously so fresh and the pain of her loss so great she couldn't stop the tears from rolling down her cheeks.



Living with the irreplaceable loss

I handed her a paper tissue and was about to stop the interview but the woman pulled herself together and continued: «Two years have passed and I still can't get over it, I still feel lost somehow... I'm in a very bad way. People say that time heals everything, that it's the best doctor. But, for some reason, time has no sympathy with me and does nothing to heal my wounds. What will become of my son, what will become of us? We have lost our support. All the burdens of life that have landed on my shoulders after my husband's death are negligible compared to what I have lost – my support and my better half...»

When the book was being prepared, it became known that widow Sangova sue out to obtain monetary compensation from the Ministry of Internal Affairs of Tajikistan for non-pecuniary and pecuniary damage due to the loss of a sole breadwinner. The court ordered the law enforcement agency to pay the woman 46,500 TJS (around 10,000 USD).



Thinking about the future, but already without Safarali

Case history №4: Bahromiddin Shodiev

Dushanbe, 17 October 2011. On that day three plainclothes policemen, accompanied by the local precinct police inspector, apprehended 28-year old Bahromiddin Shodiev in the entrance to his block of flats and drove him to the Shomansur District police department in the capital. Some time later the police phoned the mother of the detained and demanded that she bring 800 somonis, money she was supposed to have paid that day at the clinic where her son was undergoing treatment. Bahromiddin had been addicted to drugs for a long time and on that morning, after a particularly bad night, had persuaded his mother to take him to the rehab clinic. He had apparently mentioned the existence of the money at the police station. The policemen told Shodiev's mother that the money had been stolen and would have to be kept at the police station as evidence.

The woman had only one wish – that her son is released – and so she went to the police station immediately and gave the officers 800 somonis. She didn't understand legal matters and that is why it didn't occur to her to ask for a receipt. Incidentally, no trace of this money has ever been found and she has never seen it again.

Shodiev was held at the police station for three days and during this time his family was not allowed to see him. On 20 October the detainee was taken, unconscious, to the reanimation unit of the Karabolo National Medical Centre. Parental consent was needed for emergency operation surgery to treat a grave traumatic brain injury. The police was compelled to inform Shodiev's mother that her son was critically ill in hospital.

A day after the operation Bahromiddin regained consciousness and was moved to a general ward where he remained under police surveillance. The whole time he was there his mother didn't leave his bedside and Bahromiddin, as if sensing these were his last moments with his mother, gave her affectionate hugs and pulled her ear the way he used to when he was a little boy. A

strange premonition wrung her heart but she tried to chase the black thoughts away.

Throughout this period mother and son practically didn't part. Fighting weakness and pain, Bahromiddin wanted to tell her a lot, but his mother was worried about his condition and begged her son not to talk too much and not to exert himself.

In spite of that he told his mother about the brutal beating by the police who had tried to make him confess to crimes he had not committed. He told her he had been given electric shocks while his mouth was covered with tape so that no one could hear his scream. Speaking in half whispers, Bahromiddin told his mother that, while more or less unconscious, he nevertheless heard the policemen say to each other: «If necessary we'll say the detainee was injured when he threw himself out of the second floor window of the police station.»

The policemen on duty overheard this conversation and got visibly agitated. As soon as the mother said goodbye to her son and left the ward, he took off a shoe and hit Shodiev across the mouth.

The next day Bahromiddin told his mother what had happened and begged her to stop visiting him at the ward for fear that «they would beat him again». A few days later his condition deteriorated and he was taken back to the reanimation unit. On 30 October he died without regaining consciousness.

Newspapers reported the tragic incident, demanding a response from the law enforcement agencies as well as a thorough investigation. In an official statement the Tajikistan Ministry of Internal Affairs claimed that Shodiev had thrown himself out of the second floor window after being detained and brought to the police station. Bahromiddin's relatives are convinced that this is a lie and that the young man had suffered brutal beating and torture at the police station.

On 4 November 2011 Tajikistan MIA announced that three officers had been fired from the Shohmansur police station as a result of an internal enquiry relating to the death of the detained Bahromiddin Shodiev. The deputy chief of the police station had

been demoted and his immediate superior received a severe reprimand.

A criminal investigation was opened against police officer Abdurahmon Dodov who was in charge of investigating the crimes Shodiev had been accused of, as well as against two other police officers.

Local human rights organisations got involved at this stage and called for a fair investigation. They concluded that «this was not the first time the authorities had officially claimed that a detainee had died in an attempt to jump out of the second floor window of the police station.»

By then human rights organizations were the only hope left for the relatives of the young victim. The Office for Human Rights and the Observance of Law provided them with a pro bono lawyer. The uneven fight with the powerful apparatus began. The defence lawyer tried to have the charges re-qualified from «negligence» to «abuse of power» but in vain.

A few days after the court case opened on 17 February 2012 the judge sent the case back to the prosecutor for additional investigation at the request of the aggrieved party's lawyer. In the course of the fresh investigation one part of the case relating to two police officers, was dropped «due to the absence of a crime». As a result police officer Dodov was the only one who stood trial. He was found guilty of negligence resulting in the death of the detained Bahromiddin Shodiev and sentenced to two years' imprisonment in a corrective labour colony.

Gulchehra Holmatova, the lawyer representing the aggrieved party, called the court verdict «unjustified and unlawful». In a media interview she said: «The charges brought against the defendant were wrong right from the. Furthermore, two other policemen remain unpunished, the charges against them dropped as their actions were found not to have amounted to a crime.»

«Bahromiddin was my first child»,- remembers his mother, Niyozbibi Burieva.- «From the moment he was born, on 2 July 1983, he was a beautiful baby. The doctors were so taken by the

beauty of this child I had to put special beads on his little hand against evil eye.»



Bahromiddin's mother and niece

She recalls that Bahromiddin was an affectionate little boy, very attached to his mother. He loved to pull at her ear with this little hand while falling asleep and stroke her cheeks as he woke up. He loved his little brethren – stray dogs and cats. «They, too, are living beings and they also feel the tiniest pain», little Bahromiddin used to say, protecting the animals from his naughty peers.

From an early age the boy loved to drum the rhythm of music on anything he could get his hands on: a book, the kitchen counter or the window-sill, and the whole family enjoyed the pleasant vibe. The father had no choice and had to buy Bahromiddin a tavlak, a traditional sheepskin drum. «My son was in first grade and his joy had no bounds, – Niyozbibi recalls. – Everyone thought he would grow up to be a real tavlak player.»

But it wasn't to be. In addition to Bahromiddin, the family raised four other children. With each passing year it was getting more and more difficult to make ends meet and the family budget was getting increasingly tight. In 2001, when he was barely eighteen, Bahromiddin and his mother left for Russia in search for work, as thousands of other young Tajiks before them.

Later on he returned home to unemployment and no prospects for the future. A trusting young man, he fell under the influence of some dubious characters and became addicted to drugs. Short of money to feed his habit, without known how it happened, Bahrom committed a theft. He was imprisoned and released in an amnesty. Another sentence for theft followed. This is a brief summary of these feverish years of Bahromiddin's life. But there were good times, too – he got married, his first child was born...

In October 2011 Bahromiddin begged his mother to give him a last chance to resume normal life and asked her to pay for treatment in a rehab clinic. But then ill fate interfered with his plans...

«I find it very hard to recall those days that robbed me of my son», – says his mother. – «Yes, he had stumbled in his life but that not a reason for the police to frame him, blaming him for 21 (!) counts of theft, in order to increase their crime solving rate at the expense of those who are weak and have previous convictions. Torture is the easiest way of obtaining a confession and closing a case. And Bahromiddin fell victim to this system.»

In November 2013, Ismoili Somoni district court of Dushanbe ordered the Ministry of Internal Affairs to pay 14 thousand somoni (at that time about 3 thousand US dollars) to the mother of Bahromiddin Shodiev for moral and physical damage. In February 2014 the prosecutor's office of Ismoili Somoni district tried to challenge the court's decision, though this initiative was rejected by the appeal board of the City Court.

Case history №5: Ismoil Bachajonov

The young woman in a traditional scarf browses through family photos: «This is us in the main square of the capital city, this is us with our first child, here are our three children...»

She pauses to collect herself, overwhelmed by memories and tears. Savriniso Gulova's life is no longer the same. She was deprived of her bit of family happiness and is now a widow. In January 2011 her husband, 32-year old Ismoil Bachajonov died in SIZO (detention facility) Nr.1 in Dushanbe as a result of physical violence.

In 2009 Bachajonov was sentenced to 6.5 years' imprisonment for illegal possession of drugs and was serving his term in a strict regime penal colony. In 2011 the prison authorities decided that because of «systematic regime violations» he should serve the rest of his sentence in a high-security prison.

Bachajonov was transferred to the SIZO pending transfer to the appropriate type of prison. According to the SIZO officials Bachajonov voiced his dissatisfaction and complained about the court decision changing the conditions of his imprisonment, and was therefore beaten up, allegedly with a view to educating him.

His injuries proved fatal and he died on his way to a medical centre.

Savriniso told me that she was watching TV with her children when the phone rang. A prison official asked the woman to come immediately to the SIZO where Bachajonov had been transferred, saying her husband was in grave condition.

«He was already dead by then but I wasn't told. The whole family knew except for me. I left the older children at home and went to the house of my mother-in-law, carrying my youngest son; it was his first birthday. All my sisters-in-law were there and everyone was crying. I said, let's get a taxi and go to SIZO, Ismoil is very ill. One of my sisters-in-law came up to me, hugged me, and said, weeping: «Be strong, your husband is dead». I fainted and dropped the child. They revived me with valerian drops. I kept thinking: «How can he be dead?? I only talked to him yesterday and he didn't complain about anything», – Savriniso recalls those tragic events.

When Ismoil's body was brought home and she lifted the shroud, she felt unwell – his whole body was covered in dark blue bruises, his arms, particularly his left one, were swollen beyond recognition and his nose was damaged. People who helped bury him later told Savriniso that the wound on his head kept bleeding during the funeral, staining the shroud...

The Prosecutor General opened a criminal investigation into the case, which concluded that several officials were guilty of his death.

In September 2011 three officials of the Ministry of Justice SIZO went on trial. Two of them were convicted of deliberate infliction of grievous bodily harm resulting in death by negligence and of abuse of power. They were sentenced to eight years' imprisonment but their sentence was reduced to six years under amnesty. A third defendant was found guilty of negligence and sentenced to three years' imprisonment but his sentence was revoked under amnesty.

...Like many other girls in the countryside, Savriniso completed only six years of primary education. As she had never had a job, her husband was the only breadwinner, working as a welder at Sultoni Kabir, a major building materials shop in the capital. He would bring bags full of groceries from work every day...



Routine life of Bachajonov's family

Following her husband's death she had to economize on everything, subsisting solely on the benefits for the loss of the breadwinner for four persons, amounting to 316 somonis, i.e. around 65 USD.

«What does 316 buy these days? My daughter starts school this year. I keep wondering how to feed my children, how to buy them clothes to wear to school, where to get the money»,– the woman laments.

She can't look for a job as the children are still small, the youngest being only three and the older ones seven and six. «Flour, oil, fruit – that's basically all the benefit will buy. We can't afford any other groceries»,– says Savriniso.

Life was getting increasingly difficult and in the spring of 2012 Savriniso appealed to the court for compensation of material and moral damage resulting from the death of the only breadwinner.

In June 2012 the Somoni District Court in Dushanbe heard the case of Ismoil Bachajonov's wife, who demanded compensation from the penal institution. Later on, on the initiative of the plaintiff, the Tajik Ministry of Justice Directorate of Correctional Affair, the matter was settled out of court and she received a mere 30,000 somonis, i.e. 6,000 USD in compensation.

The woman hopes she might soon be able to make some extra money working from home but in order to do that she will have to learn a trade – train as a hairdresser, cook or a seamstress. Many international organizations run similar programmes for women in reduced circumstances and Savriniso hopes that someone will respond to her need and offer her training, which will ensure her a stable income in the future.

«My husband was a good man»,– she recalls warmly.– «We had been together for eight years and he had never hurt me. He always gave me presents on my birthday – even if the money was tight, he never forgot to mark the occasion, giving me at least irinki (women's outdoor slippers popular in the countryside).»

«I remember the time I was expecting our first child. He was so happy when the contractions started! He drove me to the hospital and went around telling everyone that he had become a happy fa-

ther! But it turned out it was false labour and I was sent back home. As I went to the shops the next day for some sugar, the cashier looked at me and said: 'What's happening? I thought you've given birth already!' It took another two days for our son Ibrohim to come into this world. My husband came to collect me from the maternity clinic with flowers, a cake and champagne», – the woman told me.

Then their daughter Noziya and son Isroil were born. Ismoil loved them very much and tried to make sure they grew up wanting nothing. He was happy to have a large family, three children. His own childhood was quite lonely as he had only one half-brother on whom his mother and step-father doted. Ismoil was simply ignored. He grew like grass, trying not to draw attention to himself. That is why I can imagine how he felt when he hugged his children in the evenings, saying: «I've always been alone! I'm so lucky to have you now!»

These days Savriniso has to be both dad and mum to their children. But the youngest son still asks from time to time: «Where's my daddy? How come other children have a daddy and I don't? Let's go to the bazaar and get a dad.»



Children left without paternal affection

«His brother and children then tell him off. They show him Ismoil's photos and tell him: 'Here's your dad'», she says.

Savriniso is raising her children to be hard working and to appreciate the value of education. «My oldest son is now in second grade. When he comes home from school he takes out his exercise books, tells his young sister, who will start school next year, to sit next to him and starts to teach her the alphabet, writing and counting. He never goes out at all, while other boys in bunk off school and wander around the neighbourhood looking for scrap metal to sell», – Bachajonov's wife told me.

She finds comfort in her oldest son's words: «Don't worry, Mum, when I grow up I will look after you and my little brother and sister. We'll be fine.»

Case history №6: Dilshodbek Murodov

In March 2009 a court convicted 46-year old Dilshodbek Murodov of selling drugs illegally and sentenced him to six years' imprisonment.

He began to serve his long sentence. Everything, including one's life, was strictly regimented in prison. Prison made Dilshodbek realize that you value freedom least when you are free and most once you have lost it. He awaited his release patiently. His mother forgave her only beloved son and helped him to cope with the hardship of imprisonment.

6 August 2009 was Dilshodbek's birthday. Certain that his mother would come and visit him, he started waiting for her as soon as he woke up. When she arrived he was in good spirits, had no complaints and confided in his mother that, having served in the army abroad, he might be released early.

However, three days later, on 9 August, Murodov's mother was told that her son died on the 8 August. A medical report she received later stated that Dilshodbek Murodov's death was caused by heart failure.

The prison administration told the family that traditional religious funeral ablutions and rites had been performed and recommended that they should bury him without opening his shroud. They went as far as making the mother give an oral promise as a condition to releasing Dilshodbek's body.



Photos of the son are always in a prominent place

The official statement ref. 5/1/3-B-13 issued on 14 August 2009 by the Directorate of Correctional Institutions (DCI) of the Ministry of Justice gives the following explanation of the circumstances of prisoner Murodov's death: «On 8 August 2009 at approximately 13:00 pm prisoner D.G. Murodov went to the toilet where he lost his balance and fell forward. As a result the left side of his face hit the concrete floor, causing physical injuries. He recovered and when other prisoners came up to him offering help he said he was all right and able to walk. However, after a few steps he tripped and fell onto the concrete floor of the toilet, injuring his head and elbow joints. He was then taken to the medical centre for treatment. After being given first aid and being medication D.G. Murodov's condition began to stabilize. While out walking, prisoner D.G. Murodov felt unwell and his nose started bleeding. Murodov was given an injection, which helped raise his blood pressure. He was transferred to the Tajik Ministry of Justice central DCI hospital where an examination found scratches on his left foot, hand and left cheek that were not threatening to the

prisoner's life or health. The rest of his body was examined but no signs of injury or any other serious symptoms were detected. The doctors tried to improve his condition but failed and prisoner D.G. Murodov's died.»

Dilshodbek's mother thought there was something strange about this version of his death, particularly since it contradicted the earlier report in which «heart failure» was given as the cause of his death. That is why she broke oral promise she had given and lifted the shroud in the morgue, to find numerous signs of beating on his body. She immediately captured them on her mobile phone camera.

Dilshodbek Murodov's mother appealed to the President of the Republic of Tajikistan demanding that a criminal investigation be opened and those responsible be brought to justice. Her appeal was passed on to the Prosecutor General of the Republic of Tajikistan who opened a criminal investigation on the charge of «inflicting grievous bodily harm resulting in the victim's death».

On 2 October 2009 Murodov's body was exhumed. A forensic medical examination found all his limbs to be intact, and discovered only a crack on the back of his head, caused by a hard blunt object or by a fall from the height of a human body. On 20 December 2009 the investigating prosecutor closed the investigation on the grounds that no crime had been committed.

Muratov's mother wasn't informed of this decision until early February 2010. She wrote to the Prosecutor General asking for the investigator's unlawful decision to be revoked and the investigation to be reopened. The Prosecutor General's office revoked the investigator's decision and sent the case for further investigation to the same agency that had taken the decision to close the criminal investigation in the first place, i.e. the special prosecutor responsible for prison oversight. The criminal case was closed again without any additional investigation on the grounds the «no crime was found to have been committed».

A fresh appeal against the unlawful closing of the criminal investigation voiced a lack of confidence in the special prosecutor's office and the aggrieved party requested that the case be handed

over to the Prosecutor General of the Republic of Tajikistan. The appeal was granted and the investigation was reopened.



Murodov's family fought for a justice to the end

Murodov's mother reported that an investigator from the Prosecutor General's office told her in a meeting that her son had died on 8th August rather than on the 7th August.

Following a request of the mother's lawyer the case was examined again, including an examination at the scene, which ruled out the version of events whereby grievous bodily harm resulted from a fall from the height of a human body.

The investigation established that the administration of the correctional institution had failed to provide proper oversight; had been negligent in the discharge of its duties, and had attempted to cover up the fact that the prisoner had been the victim of a serious crime, which resulted in his death on the premises of an institution in its jurisdiction. Yet no action with regard to the administration of the penal colony has been taken to this day.

The lawyer has requested, among other things, an investigation into the actions of the medical staff of the prison medical facility, who had knowingly carried out a fake examination to determine the cause of death of prisoner D. Murodov, as well as officials of the Main Directorate of Correctional Institutions of the Ministry of Justice of the Republic of Tajikistan, who failed to prevent the prisoner's death.

On 6 February 2012 the Prosecutor General of the Republic of Tajikistan requested the case file and handed it over to an investigating team at the Investigating Directorate of the Prosecutor General of the Republic of Tajikistan. Since then Murodov's relatives or their lawyer have not received any information on the progress of the investigation.

I am sitting with the first newsreader of Tajik TV, Lubat Burhanova, Dilshodbek Murodov's mother. I had never expected to meet the TV idol of the 1980s under these circumstances, or to conduct an interview whose focus would be not her brilliant professional career but rather her only son who had died tragically in a prison colony...

She arrives carrying heavy bags containing photographs of her son, meticulously sorted, some in beautiful velvet frames, as well as documentation on Dilshodbek's army service abroad.

In 1982 he was called up to do his two-year military service. He was sent to Bagram in Afghanistan, and assigned to an intelligence unit. When his counter-intelligence company was besieged in Panjshir only 23 people survived, including Dilshodbek.

The words from the famous song, «An intelligence officer's life is as short as a wrestling match», – suddenly pop into my head. I force myself to focus on Lubat Burhanova's story. – «People in our neighbourhood have several sons, none of them had been in the army and my son was the only one in our block who had served. And he ended up in Afghanistan. It's really sad that he survived the war in Afghanistan only to be killed in peacetime by prison guards», – she continues, holding back tears. And she adds: «If things had turned out differently Dilshod could have had the rank of a general today!»

It turns out that in 1984, following exemplary service with the counter-intelligence, Dilshodbek was invited to attend a four-year course at the USSR KBG University in Moscow. «People came to our house, explaining that after graduation Dilshod would be sent to work abroad, given a flat, but I said no...», his mother recalls, apparently still cursing herself for that decision.

She tries to give a logical justification: «You see, when I graduated from secondary school I asked my father, the famous Soviet intelligence officer Rahim Burhanov, for advice on what to study. And he told me: 'Pick any profession but I want you to know that I am categorically against artist, lawyer, soldier and diplomat'. These words became a kind of motto of our family.»

Rahim Burhanov's father was the first ambassador of the Bukhara National Soviet Republic to Germany Mirzo Abdulvohid Munzim and he had taken his son, along with 45 other children to Germany, where he went to school and became completely fluent in German. Rahim Burhanov later became «the Tadjik Captain Stierlitz»^{**}: he managed to infiltrate the Nazi intelligence and pass on information on Wehrmacht plans to Russian agents. Burhanov was promoted to the rank of SS-Sturmbannführer and was in a hospital in Karlovy Vary when the war ended. He was the one who had detained the Soviet traitor, general Vlasov, and personally reported it to Stalin. Burhanov received numerous decorations from the Soviet government and by a decree of the President of Tajikistan he was posthumously awarded the Spitamen Award of the first degree.

Alas, Dilshodbek was not meant to follow in his illustrious grandfather's footsteps. He was never told about the tempting offer from the intelligence service. Following his mother's advice Dilshodbek went to study medicine and became a doctor. «Now I can't go past the university's medical department without tears. The sight of students in white gowns makes me weep...» says the distraught woman.

^{**} Famous fictitious Soviet intelligence officer from the TV series *Seventeen moments of spring*.

She says her two children – her son Dilshodbek and daughter Gulyuzor – were fortunate enough to understand what the words happy childhood mean. «I used to travel all over Russia for my job, bringing them the best clothes, lovely toys and tasty sweets. They grew up healthy, without even seeing the inside of a doctor's surgery or a hospital.»

That is why she is outraged at the prison doctor's diagnosis of «heart failure» as she believes that Dilshodbek was an absolutely healthy man and if he had suffered any heart problems he would certainly not have been sent to Afghanistan.

At the beginning of 2013, when she started losing hope that justice would be done and the officials punished, the unhappy mother wrote a letter to the UN Secretary General Ban Ki Moon. «I have attached to my letter several photos of my son, taken before he was buried and showing marks of beating, with detailed comments on each photograph. Now I'm waiting for a reply», – she says.

Dilshodbek's two children – eight-year old daughter Jononhon and six-year old son Komronbek – are now growing up without father. They don't yet understand what had happened to their father and why he is not with them...

The 81 years old mother of Dilshodbek Murodov, Lubat Burkhonova passed away on 2 July 2016 in Dushanbe. Recently she had serious health issues, suffering a stroke after the death of her son.

In March 2016 Lubat Burkhonova appealed to Ismoili Somoni district court for compensation of moral damage resulting from the death of the only breadwinner – her son Dilshodbek Murodov. She demanded a compensation of 334,950 somoni from the Main Directorate of Correctional Institutions of the Ministry of Justice of the Republic of Tajikistan.

However, on 16 June 2016, Ismoili Somoni district court of Dushanbe rejected the appeal for moral damage, claiming that the investigation previously failed to identify persons accused in the death of Murodov.

Based on this fact the Prosecutor General of Tajikistan had launched a criminal case under part 3 of article 110 of the Criminal Code (causing serious bodily harm that caused the death of the victim).

The investigation into the criminal case was suspended for four times and for the lack of evidence, and after repeated appeals was reopened again though the court decided to dismiss it based on the ground that the investigation failed to identify the guilty person.

Case history №7: Ismonboy Boboev

19 February 2010. Under-terred by the cold weather, a crowd of men began to gather in Isfara's main mosque for Friday prayers. Among those hurrying to the mosque was 30-year old Ismonboy Boboev, who had returned from Russia a week earlier to visit his parents. He was deeply religious and always made sure he prayed five times a day, whether in Moscow, where fate had taken him, or in his hometown of Isfara.



Ismonboy Boboev

However, two officers of the Regional Department For the Fight against Organized Crime of the Tajikistan Ministry of Internal Affairs, the so-called 6th department, blocked his way and took him away, saying he was suspected of belonging to the banned religious extremist party Hizb-ut-Tahrir.

Ismonboy hoped that, once at the police station, he would be able to prove that he did not belong to the banned movement and that he would manage to join his friends who were expecting him in a tearoom after the prayers. They were going to prepare genuine Sughd plov in honour of Ismonboy's arrival and have a good chat.

However, an hour and then two went by and Ismonboy wasn't coming. His friends, by now seriously worried, rang his mobile phone. There was no reply. Only after the tenth ring someone who said his name was Firdavs picked up the phone and said Ismonboy was being taken to the 6th department in Khujand, and switched off the phone. The friends rushed to the house of Ismon-

boy's parents. The aromatic plov stayed on the tablecloth in the tearoom, untouched...

Ismonboy's father explains that a mere mention of the 6th department was enough to fill the locals with horror. «Locals never stopped telling stories about officials picking out young men who had just come back after working away from home, beating them up and demanding a specific amount of ransom, 2,000 to 7,000 dollars. It was a reliable scheme: nobody wanted to end up in prison on charge belonging to an extremist organisation or to be subjected to horrific torture, so people handed over the money they had worked so hard to earn», - he says.

When Juraboy-ako learned the ominous news from his son's friends he rushed to the house of the father of Firdavs Shokirov, the RDFOC officer who had answered Ismonboy's mobile phone. He promised to call Firdavs and help them sort things out. When this was agreed, Juraboy went back home but couldn't settle. Through people he knew he managed to find out the phone number of the regional RDFOC commander. He rang him and agreed to meet him the next morning for a talk. Just in case Juraboy-ako got 7.5 thousand dollars ready.

When he arrived at the 6th department building the next morning he saw a crowd of people. Heads of the regional law enforcement agencies were also there. Someone said Ismonboy had died...

Back at home, when the body was being washed, he noticed electric shock burns on the fingers and huge bruises on the legs...

The first forensic examination, carried out 20 days after the funeral, showed that Bobev died of mechanical asphyxiation caused by a retracted tongue. The results of a second forensic examination, carried out on the father's behest in late April 2010, came closer to the truth: the man had died from an injury by electric current. In other words, Ismonboy had really been tortured by electric shocks and it was the electric shocks that had caused his tongue to retract.

On 25 March 2010 the Sughd Regional Prosecutor opened criminal investigation against RDFC officers Manuchekhr Akbarov and Firdavs Shokirov under Article 104 (murder), Article 3,

Para 316 (abuse of power), Article 4 Oara 247 (fraud) and Article. 2 Para 250 (extortion) of the Tajik Criminal Code.

However, on 25 June 2010 the criminal investigation was suspended due to the «illness of the suspects Akbarov and Shokirov». In the meantime Shokirov had voluntarily resigned from the Ministry of Internal Affairs agency, while Akbarov was promoted, becoming deputy commander of the Sughd Region RDCP. He was subsequently appointed to a leading position in the Khatlon Region law enforcement agencies. Between June 2010 and August 2012 the investigation stalled.

On 20 August 2012 Prosecutor General of the Republic of Tajikistan revoked the decision of the Sughd Region Prosecutor to suspend the investigation as unlawful. This happened due to active pressure on the part of the aggrieved party's lawyers who filed an individual complaint with the UN Human Rights Committee in July 2012. The complaint was registered and the government, as party to the UN treaty, was requested to provide a clarification with regard to this case within six months. As a result the investigation into I. Boboev's death was reopened.

Ismonboy's relatives and his lawyers were encouraged by the news. However, in late November 2012 Juraboy Boboev was notified by the Sughd Region Prosecutor that the criminal investigation had been suspended due to the illness of both suspects. No explanation was offered as to what illness had «incapacitated» Akbarov and Shokirov, even though the «sick» Akbarov still holds a position of responsibility in Khatlon...

The wound left by his son's death is still fresh in Juraboy Boboev's heart and it is not likely to heal any time soon. Ismonboy was his firstborn, followed by two little sisters and two little brothers. His father recalls that Ismonboy was very mature for his age and had provided support to his parents from an early age. He always took the right decision and was blessed with an enterpreneurial instinct and grasp. «Our family has never lacked for anything but nevertheless I have brought up my children to appreciate the value of a piece of bread, to be self-sufficient and independent», – Mr. Boboev tells me.

In 2000 Ismonboy first travelled to Moscow with his uncle to find work. He was 20 years old. At first he worked as driver's assistant, then he found a job on a building site, and afterwards he donned an apron and started selling dried fruit. Winning over Russia's capital wasn't easy but fortune seemed to smile at him.



Ismonboy with a daughter

He was beginning to do better and could afford to visit his parents two to three times a year, take his family on holidays to warm climes and make big purchases. Ismonboy moved his wife and two young daughters to Moscow. Within ten years the simple boy from Isfara managed to acquire Russian citizenship for himself, his wife and children.

«You should have seen the presents he had bought for his daughters. Now I understand that they were his entire life. For example, he once gave them golden jewellery, not really suitable for little girls. Now they guard it as jealously as the memory of their

father. And of course gold doesn't succumb to time, it doesn't spoil», – says Juraboy Boboev.

Once Ismonboy was well established he brought his two younger brothers to Moscow as well. «I was always amazed at how smart he was, I don't think I would have managed to do as well as he did. Many Tajiks go to Russia for work, some are much older than my son but few had been as successful as Ismonboy», – the father continues his account.

He tells me that Ismonboy's empathy had no bounds. He would help his fellow-countrymen who had fallen on hard times far away from home. Many of them attended the funeral sharing stories of how he had helped them, stories his parents had never heard before. As his father says, Ismonboy always followed the proverb: «Do good and throw it in the water.»

«We miss them very much, he was the most special of all my children. My soul is still in torment... And since the justice system in our country is corrupt, I hope God's judgment will punish my son's murderers», – Mr. Boboev hopes.

The investigation into the criminal case was suspended for six times allegedly due to the suspects sickness, and is continued for the seventh year. In April 2015 the case was transferred from the Investigation Division of Sughd Prosecutor's Office to the Investigation Department of the Ministry of Internal Affairs of RT with flagrant violations of jurisdiction being passed from one structure to another over the years. The jurisdiction violations were appealed to the General Prosecutor's Office of the RT. The same body also received a complaint filed by the lawyer on ineffective investigation, as well as lack of proper prosecution supervision over the investigation.

In 2012 the UN Committee against Torture in its concluding recommendations to the Government of the Tajikistan expressed its concerns about the course of the investigation into the death I. Boboev. The UN Committee against Torture continued the correspondence with the Government of Tajikistan until 2016 when it was requested by the Independent Centre for Human Rights Protection to suspend correspondence and consider this case based on the merits.

Case history №8: Hamzali Ikromzoda

In September 2012 virtually all independent Tajik media reported the horrific death of 27-years old Hamzali Ikromzoda in detention. The press coverage included photos of the numerous injuries on the body, one clearly showing the outline of an electric iron. Many of my colleagues said the terrible sight of these pictures made their blood run cold. Hamzali's relatives are convinced he was a victim of torture and abuse.

His parents were more than certain that the crime was committed by officials at the Ministry of Justice Correctional Colony Nr.3/1 in Dushanbe where the young man had been serving time. They told journalists that the prison staff had been extorting money from the prisoner and his relatives and that eventually they were short of money and were unable to pay the required amount. The parents learned there was an argument between the officials and their son, and the next day, on 19 September, they were notified of his death. A forensic medical examination was carried out immediately but the parents were not allowed to witness the obduction.

The official version said that Hamzali Ikromzoda was found hanged on his own shirt. Prison staff removed the noose and started administering first aid but it was too late. «In particular, on doctors' advice, they placed plastic bottles with hot water all around the prisoner's body, including his armpits, knees and head, which resulted in marks reminiscent of burns. In this way, the doctors struggled to save his life for around half an hour. After his pulse disappeared, the medics tried to reanimate him by administering electroshocks, which also left marks in the chest area», – this how Bahrom Abdulhakov, Deputy Head of Directorate of Correctional Institutions (DCI) of the Ministry of Justice, explained the injuries on Ikromzoda's body.

However, the family does not accept the assertion that the burns on Hamzali's body were caused by first aid and the injuries on his chest were the result of their son being attached to a breathing apparatus.



Thinking of her son

The lawyer for the aggrieved party, provided by the Office for Human Rights and the Observance of Law, filed a complaint with the Special Prosecutor's office, the Prosecutor General's Office, the State Committee for National Security and the Ministry of Internal Affairs, demanding that a thorough, independent and impartial investigation be carried out and those responsible are brought to justice.

On 1 October 2012 a criminal investigation was opened into the death of Hamzali Ikromzoda on charges of «negligence». A forensic examination did not confirm that torture had occurred. The experts stated that it was a self-inflicted death by hanging.

On 3 October the lawyer met a man who serves his sentence in the same prison and who witnessed Hamzali's death. The parents say he is one of many witnesses who saw that the prison guards subjected Hamzali to a brutal beating because of a conflict with the colony officials, and later locked him in a punishment cell where they continued abusing him. However, the lawyer did not manage to obtain any information from the witness as the

meeting was held in the presence of the prison officials and staff of the Correctional Institutions Directorate. The lawyer's request to be allowed to speak to her client in private was ignored.

«We grew up in a big family, our parents had 10 children – six brothers and four sisters», – says Amirali, Hamzali Ikromzoda's brother. – «Our family home where we grew up is in Hirmanak, a settlement in the Gissari District. Many of us still live in this house with our families. We miss Hamzali very much. He was the most understanding, open and sincere of us all.»

Amirali told me his elderly parents still haven't recovered from the blow and that every night, when the family gathers, the father asks his sons about the progress of the investigation into Hamzali's death and inquires if there are any news. When he hears that no progress has been made, he sinks into a long silence, his brows knitted.

Amirali also told me that from an early age his brother had always defended anyone who had been wronged. At school he would stand up for a poor friend who was teased because of his threadbare clothes and when he grew up he would stand up for those who were weak and unfortunate. «Hamzali would give his soul for justice», – my interlocutor says.

His relatives recall that Hamzali was very hard-working. «From an early age we had to help our parents to tend to the apple orchard, we had 80 trees there that rewarded our loving care with a great crop of exquisite tasting fruit. We used to help out in the mill, watching grain turn into freshly milled flour. Hamzali's help in any kind of work was indispensable», – his brother says.

He wasn't afraid of hard work and spent eight years working at a market in Russia, later he transported huge trunks of goods from China. By the way, it was in Russia that Hamzali met his love – a Russian girl who gave him a son, Alisher. The boy now lives with his mother in Irkutsk and is in second year at school.

«Two years ago a black cloud entered Hamzali's life. He was arrested, charged with robbery, extortion and unlawful ownership of a hunting rifle, and sentenced to 8.5 years' imprisonment. He phoned us from prison, trying to cheer us up by saying he had six

years left but that he was determined to endure being tested by fate and be released from prison», – Amirali continues.

After the funeral a Russian boy, Zhenya, Hamzali's friend from Russia, came to visit. «As soon as he learned that Hamzali had died he bought a ticket and flew over. You have to admit that these days even relatives cannot always attend funerals or weddings in another city and here's this stranger from far away Russia. When he heard the story of Hamzali's death, Evgeny kept saying he didn't believe that he could have taken his own life», – says Amirali.

The brother says Hamzali's body had been covered in wounds – heavy burns around his ribs, back, neck, haematomas on his back and legs, injuries to his head. «This doesn't really look like suicide. But how can we prove that now that there is no justice anywhere and money is the measure of everything?» asks Amirali.

In August 2013, Rustam Toshtemirov, Head of the Penal colony Nr.3/1 of the Main Directorate of Correctional Institutions of the Ministry of Justice of the Republic of Tajikistan, whose name mentioned among others on the case of Ikromzoda's death, was removed from his post and transferred to a correctional institution 3/7 Main Directorate of Correctional Institutions of the Ministry of Justice of the Republic of Tajikistan, where the former law enforcement staff serve their term.

This transition happened despite the fact that in September 2012 Head of the Main Directorate of Correctional Institutions of the Ministry of Justice of the Republic of Tajikistan Izzatullo Sharifov promised the relatives of the deceased convict Hamza Ikromzoda to dismiss Rustam Toshtemirov, regardless of the forensic results.

Case history №9: Abduvahob Kayumov

This woman is wearing mourning dress for a year, since she buried her eldest son, though every morning she is expecting the gates open and he is entering, so handsome and young, saying: «Mom, I'm back!». Sometimes in her dreams, he says the same words: «I came back, here I am!», and she hugs and kisses him, feeling the warmth of his hands, and once awaking she realizes that it was just a dream. He will never return, and this makes her conditions ever more painful.



Grief-stricken mother...

Abduvahob Kayumov, a native of Jamoat Khistevarz, Bobodzhon Gafurov district of Sughd region dreamt about the military academy and becoming a professional officer, and therefore the next day after turning 18, on 5 of May 2015 he voluntarily surrendered to the local military commissariat. On 11 of May he was taken to Dushanbe, and two weeks later his parents arrived in the capital for the Oath of Enlistment Ceremony.

If fate had decided otherwise, and Abduvahob's dream came true, what a handsome cadet would the Military Academy get! Strong young man, 181 cm tall and with big muscular shoulders. His parents could not stop admiring him – he looked so serious and matured during the Oath Ceremony!

«We talked to the commanders and they thanked us for raising such a good son, assured us not to worry about him. They spoke so politely. We left with the peace of mind», – says Zarina, Abduvahob's mother.

On Saturday, 4 of July, Abduvahob was assigned to the military unit #2747 of the Border Troops SCNS RT in Panj district. «He phoned us immediately upon arrival in Panj, he said that there are another 11 conscripts arrived together with him and asked not to worry», – continued his mother.

The next day, 5 of July, Ensign Khisrav Odinaev who was senior on duty that day, arbitrarily left from the Unit, and senior conscripts Sergeant Shukhrat Yakubov and Ismoil Mamadyorov decided to take advantage of this circumstance. They ordered the new conscripts to gather immediately after lunch, at 13 o'clock, in the barracks, where instead of resting they lined them for inspection. Those who were late for the fake combat formation were severely beaten.

Mamadyorov and Yakubov beat their fellow soldiers with a wooden stick at the back. Flying into a rage Mamadyorov started to beat the late comers for the second round causing Kaymov injuries incompatible with life. Abduvahob lost consciousness and died on the way to the hospital. According to the results of forensic medical examination, his death was caused by multiple injuries from blows with a blunt object, and fractured cervical vertebrae.

«Abduvahob called us that day, just half an hour before the lunch, at 11:30a.m. At 12 o'clock they had a scheduled dinner, and they started to beat him at 13:00 p.m., immediately after the lunch. On 6 of July they brought our son, his body was covered with bruises, with fractured neck vertebrae», – says the unfortunate mother, who got a nervous tic after the tragedy, and now is

going through therapy. Even now, telling the story of her son, she again and again passes the tragedy through herself and tears begin to flow from her eyes straight at her son's portrait, which she holds in the hands and her lips began to twitch sharply. I stopped the interview and hold her hand. Silence. During these few minutes each of us is deep in our thoughts. She might thought of turning the time back and she would never let her son to join the Army which takes persons alive full of health, and return the lifeless body; while I was thinking when these horrific cases of «hazing» in the military will end, which stain not only the military, but also the State which they are supposed to protect?

While we were sitting in silence, Abduvahob's father Abdusalom Kayumov returned from cemetery. A few years ago, his son, planted some trees near the graves of his grandmother and uncle, and now lying himself in the shade of these trees. Mother has never visited her son's grave. She cannot, faints immediately. She refuses to believe that her beloved son is dead.



Father left to care for the grave of his son

She cannot even enter the yard of the unfinished house, where Abduvahob was supposed to bring his bride after the wed-

ding. The house is very close to his parent's home, there is a big lock on the gates. Abduvahob was in love with his neighbor, his classmate, and was going to marry her. The young lady recently married, but every time she comes to visit her mother, she makes sure she greet Abduvahob's mother.

«If only I could close my eyes and imagine that this is a nightmare. That my son is here, in the house next door lives with his wife, and I babysit my grandchildren. But I got the bitter fate ..».- says Zarina with sorrow in her voice.

....A criminal case was launched against Yakubov Shuhrat and Ismoil Mamadyorov for Deliberate infliction of grievous bodily harm and violating the Rules of Conduct prescribed by Military Regulations in governing relations between military men not subordinated to each other. The service Ensign Khisrav Odinaev, who unlawfully left his post was charged for Negligence.

The court found Shukhrat Yakubov and Ismail Mamadyorov guilty and sentenced them to 17 and 16 years in colony, respectively. Ensign Khisrav Odinaev was sentenced to two years' imprisonment in a penal colony.

Case history №10: Parviz Dustmatov



He had only three months before returning home

Parviz had only 2 months left before the completion of his service. However, instead well- matured son, his mother received

his body for burial. The 18-year-old Parviz Dustmatov graduated with honors from high school in his native Jamoat Khistevarz, Bobodzhon Gafurov district of Sughd region and dreamt about the Police Academy. The boy was short heighted and was missing only centimeters to achieve his dream.

«Well, Mom, I would rather join the army. You'll see, two years will pass quickly, and I could grow a bit. And it a try again to enter the Academy!» – said Parviz to his mother. She did not argue with him, approving her son's decision.

His mother remembers that very well, 1 of October 2013, when the whole neighborhood gathered to bid farewell to Parviz. The older neighbor blessed him before the journey wishing him to return home safe and sound. Thus the young man voluntarily surrendered to the military commissariat.

He served in a military unit in the Kurgan-Tube for more than a year, twice came home for vacation. In fact he had grown up for this period, got stronger! He was bringing a lot of pictures of his life in the army. Here he is surrounded by his fellow servicemen, this picture is taken during the trainings, with a machine gun in his hands, all grown up!

Later he was transferred to the border, to relatively cold after the Vakhsh valley and a distant Darvoz. Apparently due to the climate change, Parviz caught a cold and was lying in the hospital for a while. After long sleepless nights in thoughts of her son's health, his mother decided to visit him. It was March 2015. She hardly found the military unit where Parviz was serving, and found some peace once she saw him. If only she knew that this was their last meeting, she would never let his go...

The spring passed quickly and summer came. Parviz was doing very well; he had already adapted and had only three months before the end of his service. Early in the morning of July 13, 2015 the barracks was still asleep. What Parviz was dreaming about that summer morning? Perhaps he dreamed how his returning home, hugging his father and mother, inhales the smell of his native village, and such delicious homemade bread, baked specially for him by his mother? Perhaps he saw himself as new

cadet of the Police Academy greeted Head of the Academy for beginning a service in the law enforcement bodies...

Rainbow dreams were unexpectedly interrupted when his fellow soldier Farrukh Bozorov shouted in the ear of sleeping Parviz to wake up. Parviz almost jumped on the bed and asked him to stop yelling starting a verbal quarrel between the young men and Farrukh quickly left the barrack. «Thanks God, he came down» – thought Parviz and closed his eyes in slumber since he still had few minutes before getting up. Suddenly, Farrukh took a knife and thrust it into his colleague's chest in the very heart of Parviz.

Later, in the court, he will swear that he did not want to kill Parviz, and did not even realize how rashly he took a knife... But for us this wild case is a clear indication of hazing in this Unit where neither the Duty officers no senior officers controlled the soldier's behavior, which eventually resulted in murder.

According to Parviz mother Mukarrama Dustmatova her son was alive for about one and a half hours, and during that time there was a chance to save him.



Inconsolable mother at her son's grave...

According to Shohin Hafizov, Commander of the Military Unit of the Defense Ministry in Sagirdasht, due to the absence of a helicopter they failed to take Parviz to the capital's hospital in time. The soldier was taken to a local hospital, but there was not the necessary conditions and medical equipment. His heart stopped.

That's how the family was hit by unexpected grief. On a sultry July day the Defense Ministry car stopped at the gate of the house in Jamoat Khistevarz and the body of 20-year-old Parviz was handed to unfortunate parents with the words «Everything in the hands of the Almighty».

«He had 80 days before the end of his service. I raised a son, he voluntarily joined the Army to pay his duty to the motherland, and the Motherland returned me his lifeless body. How can we trust the government? How can we send our sons to the army?»- says Dustmatova Mukarrama.

According to her, after the funeral, she again went to Sagirdasht, but no one gave her clear answers to what happened that tragic morning, and how could it happen at all?

«I saw the initial results of forensic medical examination, while there were different results in the court. We were not aware of our rights, turned to a lawyer too late, but still Farrukh Bozorov was sentenced to 8 years in prison. And what do we get?? Nobody will return our son»,- says the grief-stricken mother of Parviz.

We talked with her in the yard of their home. On the couch – there were army photos of Parviz, a lot of pictures. The mother gently touches each, peers, and tears are flowing on her cheeks. Bitter mother's tears. What words of comfort can be found in such moments? Personally, I had a lump in the throat, could not say a word. Silence...

– Look, do you see this new house? This was supposed to be Parviz and his future wife's house. We wanted him to marry this summer, but instead will hold his death anniversary.

The house was supposed to be a surprise for her son. The house was built long time ago, right here, next to his parent's home, in the same yard. But it was fully refurbished shortly before Parviz's death.

- Can I see it? – I asked Parviz’s uncle, who is sitting with us.
- Oh sure. Here the living room, this is a bedroom, this room was assigned for his future children. And there is a kitchen and a bathroom. You see how much love we allocated in this house, everything was thought in very details.

Indeed, the spacious and comfortable rooms, beautiful furniture and all necessary appliances – no different from the capital apartments.

- Do you know, when Parviz came home for the last time, he noticed the relatives preparations for his future wedding and jokingly asked his grandfather: «Have you already found a bride for me too?».

The heart of the poor grandfather could not stand – he died three months after the death of his beloved grandson. For more than a year the mother’s heart is tearing with pain too...

Case history №11: Umar Bobojonov



Umar was supposed to have a bright future

The death of a young man in the custody of Vahdat police station allegedly at the result of torture was broadly discussed in public. This case received a lot of attention from both local and foreign media which called the 23-year-old Umar Bobojonov the victim of a covert campaign against wearing a beard. However,

even after almost a year the perpetrators haven't been established yet.

The 66-year-old Mahmadsaid Bobojonov, Umar's father, greeted us in his modest apartment in the normal four floors apartment building in Vahdat. It is always very hard to interview parent, who lost a child... While this time the situation is event more difficult. A short silence was interrupted by Mahmadsaid, handing us the latest pictures of his son, made in the hospital, «Look, there is a visible shoe imprint on Umar's face. He was severely beaten in the police station for wearing a beard. They broke his left jaw, two ribs, his face was covered with burses. Even public's enemies are not treated like this!»

Umar Bobojonov was in labor migration in St. Petersburg, where he combined work and study at the law faculty in one of the city's universities. He was not at home for three years, but last summer decided to visit relatives. His father said that he wasn't wasting any minute, helping about the house and tried to meet with his classmates during free time. And on that tragic day, 29 August, he was meeting with his friends, when they were approached by several police officers.

– They started to harass him for wearing a beard and forced him into the car to take him the police station. According to Umar's friends, Umar tried to oppose the illegal actions of the police. Since he was studying law, he was very well aware of his rights. Such a behavior apparently irritated the police officers.

Even today, it is very painful for Akai Mahmadsaid to remember that fatal day for his son. On 29 Umar he was taken to the intensive care unit of a local hospital, relatives were hoping for his recovery. However, the injuries were so severe that on 4 September he died without regaining consciousness. It is very hard for the family to accept that until today nobody was brought to justice yet.

– The case was railroaded very quickly and the official version state that my son was allegedly drunk, was brawling in the city, and that during the detention he fell and hit his head on the curb, which subsequently led to his death. But that is not true!

According to him, everyone in the neighborhood knew that Umar never drink, never break the peace around and never had problems with the law.

– I do not believe the examination that identified alcohol in my son’s blood. It is easy to obtain a fake expertise these days. In this case why the forensic examination did not identified that his left jaw and his ribs were broken? If somebody else had committed such crime, he would have been immediately detained and sentenced to a lengthy term.

The case was taken up by the lawyers of the Civil Society Coalition against Torture. According to one of the lawyers, Khudoydod Yermatov, mentioned that on 1 September 2015 the Prosecutor’s office of Vahdat launched a criminal case under Article 110 Part 1 (unintentionally inflicting serious bodily harm) of the Criminal Code and initiated a preliminary investigation.

«That means the criminal case was opened on the third day after the incident. Investigation started immediately after the criminal case was launched and at the moment I represent Bobojonov», – says Yormatov.

According to the forensic examination’s conclusion, Umar Bobojonov’s death was caused by brain injury.

Later, on September 5 the charge was changed to «inflicting serious bodily harm resulting in death» (Article 110, part 3 of the Criminal Code).

At the moment, the testimonies of Umar’s friend (S.Z.) present very big importance for the investigation as well as other witnesses.

«The initial medical examination of S.Z. did not identify the fractures ribs. However, he had been complaining over pains in the hip and was not able to sit in one position for a long time; it was evident even during interrogations. Later it was decided to conduct a new examination which found two closed fractured ribs. The forensic examination rated the injures as moderate. Unfortunately, S.Z was not recognized as a victim by the investigation. The lawyer filed a complaint to the Prosecutor General’s Office and waiting for positive results».

According to Khudoydod Yormatov after almost a year since the investigation hasn’t identified the perpetrators.

«In spring the investigation tried to identify individuals involved in Bobojonov's beating. At the moment, the witnesses identified three employees of Vahdat police station. One of them, the officer of the Department to combat drug trafficking, in interview with local media outlet mentioned that during the detention Umar allegedly dropped his body back and hit on the concrete curb; however this version refuted the injuries, which were fixed on the front part of the head and body. Investigative actions are continuing», – he said.

With regard to the investigation, on some point it carried not very efficient. «We managed to get acquainted with the case only after filing a complaint to the Prosecutor General's Office», – said Yormatov.

Lawyers appealed to the President and the Commissioner for Human Rights and are hoping that they will be able to affect the course of the investigation and bring the perpetrators to justice.

As a result, the investigation lasted for more than six months and was suspended due to the failure to identify a person which is to be held accountable, while Umar was not recognized as a victim in the criminal case.



Memories with tears

Case history №12: Shahbol Mirzoev

He is luckier than others – despite the humiliation and serious injury he received in the army, he survived. Although he is now chained to the bed and relatives are allowed to roll Shahbol just for two hours a day in a wheelchair, he's alive! Despite the disability and miserable, degrading disability benefits, he's alive! And he hopes for the best, making progress during the daily trainings, whichever he can afford – doctors predict that in two years he will be able to stand on his own feet.

The story of Shahbol Mirzoyev, an ordinary conscript who served in Tajik Army and had been subjected to ill-treatment by fellow Senior Officer, shocked many people.

It's been more than two years, and he still remembers that tragic day, because of which he is still in the hospital and have a long treatment course ahead.

In 2013, the 22-year-old Shahbol Mirzoev wanted to join the Khujand's Airport Custom service upon graduating from the Law faculty of Khujand University of Commerce. However before that he was required to serve one year in the Army. That's how he voluntarily jointed the military service. Shahbol was sent to the training Unit of the Border troops of Tajikistan, located in the Rudaki district. 7 months of military service passed in no time. It was March 2014, behind was the harsh winter and he only few months before demobilization. But everything changed in an instant.

On 6 of March, Shahbol woke up with unbearable tooth pain and turned to the infirmary of the military unit 2620 in Rudaki district. According to the official version, Senior paramedic Usman Gairatov, who was on duty that day, instead of taking care of the patient started to insult him and required to perform degrading ritual for young conscripts. When the young man ignored the provocation, the medical attendant grabbed and threw him on his back on the floor. Doctors diagnosed him with a fracture to the fifth spinal disk, damage to various organs, dysfunction hips with urinary tract overlap. Thus, instead of demobilization, he had hos-

pital wards, numerous operations, unbearable pain and future in a wheelchair.

Immediately after the accident, father the disabled soldier appealed to President Emomali Rahmon with official letter, in which he asked to take personal control over the investigation process and bring the perpetrators to the justice.



Shahbol was very healthy before the accident

Perhaps as reaction to the letter, on 14 of March 2014, Military Prosecutor of Dushanbe garrison initiated a criminal case against Usmon Gayratov under Article 373 part 2 «Violating the Rules of Conduct Prescribed by Military Regulations In Governing Relations Between Military Men Not Subordinated to Each Other» of the Criminal Code. Later, the investigation added another article of the Criminal Code – 127, Part 1 (Leaving in danger).

The court hearings started in June 2015 a trial was held. Usman Gairatov was accused in abuse of powers and violation of statutory regulations. Along with Gairatov the court took measures against the paramedic of the Rudaki Military Unit Gulrukh-

sor Shirinova, who was accused of negligence for deliberately leaving her post that day.

During the trial, Shahbol's fellow soldiers confirmed that was beaten by Gayratov, while Muzaffar Najmiddinov, doctor from the National Medical Center stated that Shahbol Mirzoyev was in very bad conditions when he was delivered at the hospital and had almost no chances to survive.

On 19 June 2014 the Military Court of Dushanbe Garrison sentenced Usmon Gayratov to 9 years in prison, and Gulrukhsor Shirinova to 1.5 years of corrective labor with confiscation of 15% of her salary. However, under the recent amnesty dedicated to the 20th anniversary of the Constitution the sentences were reduced by one third, from 9 to 6 years for Gayratov while Shirinova was completely pardoned.

One could wonder what had Shahbol to go through these two long years. Endless hospital wards – first at the National Medical Center, then in Moscow, where his family had to take for surgery using the money they received selling the house in the Asht, and later were hit again – pneumonia and intensive care in the Sughd regional hospital, and currently is being treated in the regional hospital.

In spring 2015, Military Court of Dushanbe Garrison ordered The Border Troops to pay Shahbol's family the amount of 100 thousand somoni as a compensation for physical damage and 20 thousand somoni for moral damage. In fact, the amount doesn't commensurate with the costs, the family already spent, however Shahbol was not able to receive even this amount – on 6 of August 2015 the Military Collegium of the Supreme Court overturned the court decision and requested the Military court to reconsider the case. According Shahbol's father, Numon Mirzoyev, the court sent a request the clinic in Moscow to present all receipts and documents confirming the surgery and treatment costs in Moscow.

We paid a visit to Shahbol on June 2016. Hospital ward in the regional health-care facility for physiotherapy, where he stayed for almost a year, was the second, and rather the first, after sale

of their house in Asht, home of Mirzoev's family. There were all the necessary dishes and utensils on the table, the electric stove and a refrigerator nearby, the second bed for family members, who took turns to take care of Shahbol. TV was on the wall and a bathroom was in the same room and a balcony.

Shahbol gave us a smile and even sat up. I saw his pictures a few months after the tragedy – very thin guy was looking at me from the picture. When I was a kid I saw such people in photos of Auschwitz victims. «He used to be a big guy. His weight was 82 kilograms, – his mother, Zaituna Mirzoeva, joined the conversation. – After this incident, he lost a lot of weight. His weight was around t 50 kilograms. Now, he gained 6–7 kilograms.» And indeed, he looked much better; he smiled, talked; he got some feeling back in his legs; he could sit in a wheelchair for two hours a day.

Unfortunately, Shahbol never got back on his feet. On the night of 1st of February 2021, he died in one of the hospitals of Khujand.

Case history №13: Firdavs Rakhmatov

It was a hot morning of June. Dilorom, accompanied by her little daughter, went to the market to buy groceries for a dinner she hosted that day. They had relatives to come on and she tried to make sure that she is not missing anything from the grocery list she made in a rush. After all, hosts in the East are very generous. On the way home, she bought some medicines for the middle son, a serviceman, who was on leave for 10 days, due to the health conditions.

– My elder one, Firdavs, has not called me yet, – she thought.

The 22-years-old Firdavs Rakhmatov, a student of the 4th course of the Correspondent Department of Khujand State University, almost an expert on telecommunications, was forcibly drafted to the army a month before, on May 7, 2015. His parents tried to request a delay for his conscription, since they already had one son the army, but were refused. They merely mentioned a word about the unlawful actions of the military commissariat officers, out of fear. Thus he was sent for the military service. Since Firdavs had a very good command of the Russian language, and had a good knowledge in IT, he easily managed to get the position of clerk at the headquarters of the Military Unit #04080 of the Defense Ministry in Kanibadam. Such a rapid promotion of a young conscript made the older servicemen to envy.

Soon, in June, the old-timers got a chance to take over when the troops were taken to Isfara for trainings. It was Sunday. Despite the existing rules and in violation of the Charter, the Duty Officers deliberately left their position and old-timers decided to line the solders. They managed to gather 23 new recruits after the lunch and took them 100 meters away, out the cameras site. While one of the old servicemen was hedging, the others forced the young men to line up and started to heat them one by one – in the stomach, and across the throat with legs and a rifle butt. Among the newcomers there was a man of strong physique, a true athlete, who also fainted after the heat. However this did not stop the old-timers who splashed his face

with water, pat on the cheek, and once he got conscious put him back to the line.

At the end they decided to punish four new recruits who had «rebukes» in a special way. Firdavs was one of them. At the result of the beating he fell and wheezing whispered that he can't breathe and is going to die, while was only told: «Do not full us, dude». They kept beating him and Firdaus fainted. One of the conscripts shouted to call a paramedic, but he was not allowed to do so. They waited for twenty minutes before they turned for medical help. The doctor only had to register the soldier's death. The old servicemen strictly forbid the recruits to reveal the truth and quickly «concocted» a legend – Firdavs allegedly fell and died of a stroke.

Commanders decided to hand over the soldier's body at night, in order not to cause resentment among the people.

...It was getting dark when Dilorom and her husband went out to see off their guests. They were in a very good mood and warmly welcomed the neighbors, sitting outside who strangely stared at Dilorom... She felt somehow uneasy and again thought about Firdavs, who has not called her that day. But she drove away all the bad thoughts. They went home and together cleaned up from the table and began to prepare for bed. And suddenly an unexpected knock at the door, so anxious, as if those who stood on the other side of the door, came up with a bad news. «Your son, Firdaus died. Here is his body», – these words heated Dilorom. «How?? Why??» – she could whisper and fell unconscious.

It's been a year since this tragic day, her wounded mother's heart no longer knows peace and tranquility, and previously lovely face has a frozen print of sorrow now.

«The night they brought my son, disguised as a new uniform, since his own was covered with blood. There were representatives of Hukumat, military commissariat, neighbors, police, and ambulance. The neighbors received the information earlier that day, but did not dare to tell them about it. Everyone was shocked by what they saw. Firdavs' head was bandaged with a black plastic bag and was covered with hat on top of it. The whole body is

sewn. The military unit decided to conduct the examination without the parent's permission. When they unbuttoned his shirt everyone gasped in horror – the whole body was in bruises, in one place, there was even the imprinted trace of military shoes», – says Dilorom, not holding back tears.



Mother refuses to believe that Firdavs is gone

The next day the commanders of the unit came to the funeral. The mother ran to them asking how they could let such thing to happen, to what they just coldly said that, this was a hot day, your son got sunstroke, fell down and died.

«The medical conclusion was stating the same. We decided that we cannot leave it like this and immediately after the funeral, my husband write an appeal to the Military Prosecutor's Office, which launched the investigation. Every second day we had visited the prosecutors, asking about the investigation progress. However, dissatisfied with its progress, we appealed to the Prosecutor General's Office. They sent a representative. The investigation took for a month. Twenty-two conscripts were questioned

as victims. A criminal case was launched against three servicemen – two sergeants and one soldier. Disciplinary actions were taken against three officers of the Military Unit for the negligence, although later they were released from criminal liability. The doctor of the Military Unit, responsible for the false medical conclusion of the death cause, also got away from prosecution.

As a result, on 1 October 2015 the Court sentenced sergeants Rabboni Sulaymonov and Komron Rakhimov to 18 and 17.5 years of imprisonment and soldier Ayom Nazarov – to 17 years of imprisonment in penal the colony of a strict regime...

Later on 5 August 2016 the Dushanbe Garrison Military Court had finished the review of Firdavs Rakhmatov's parents appeal. The court partially satisfied Rakhmatov's claim and obliged the Ministry of Defense of Tajikistan to pay 5,000 Tajik Somoni, (700 USD) for non-pecuniary damages to the parents of the deceased soldiers. The lawyers filed an appeal against the court decision.



At the grave of her son...

Case history №14: Shamsiddin Zaydullov



Shamsiddin Zaydullov

The 25-year old taxi driver Shamsiddin Zaydullov was detained in April 2015 on suspicion in drug trafficking. Few days later he died at the temporary detention of the Drug Control Agency. His relatives assured that his death was caused by beatings and torture.

According to the victim's mother Tojiniso Karimova, her son worked as a taxi driver. On 8 April 2015, approximately at 18:00, while the young man was at work, he was approached by three unknown persons in plainclothes (later she learnt their names – Zafar, Umed and Firdavs) without introducing themselves opened the doors of his car, handcuffed him and started to beat him, what caused several of his neighbors to intervene.

One of the passer-by started to ask those people why do they beat and what they want from him, but they ignored her. Under the public pressure those three stopped beating Shamseddin and

detached the handcuffs. By that time Shamsiddin's parents arrived and together with neighbors took him home.

The same evening, 8 of April, around 20:00, Zaidulloevs' house was visited by the officers of the Drug Control Agency, who introduced themselves this time and were accompanied by the same men who earlier that day had abused Shamsiddin in his car – Zafar, Umed and Firdavs.

The Drug Control Agency officers asked Shamsiddin out, claiming to have evidences of his involvement in the crime without specifying which exactly. According to his mother in both cases they did not present an arrest warrant and took him to the building of the Drug Control Agency.

The next day, on 9 April, Shamsiddin Zaydullov's mother visited him in the building of the Drug Control Agency. She recalled: «When I petted his head he said I shouldn't touch the back of his head because it was swollen and painful. I asked him in a low voice whether he was beaten and he nodded».

«I kept asking him «If you guilty in something, better to admit it and serve your term in the prison, than to be beaten here. He said, «Mom, I'm just a driver, I am just taking the clients wherever they ask me to. I did not do anything». However, later we learned that a few days earlier, one of his clients had struck a deal on the drugs in his car, but for what my son lost his life?» – Continued Todjiniso Karimova.

On 10 April, when she again came to the building the DCA to visit her son, the investigator was not there. The next day on 11 April she was again refused to meet with Shamsiddin. In the evening Shamsiddin called his mother from the investigator's telephone and informed that he needs a lawyer and that during the remand hearing he was charged with «selling small quantities of drugs».

Parents of the alleged victim of torture along with the lawyer wanted to meet Shamsiddin on 12 April, however were not able to contact the investigator. Early on 13 April, around 06:30, when his parents arrived at the DCA office to pass food for their son, they were contacted the nephew who informed that Shamsiddin

died. His parents immediately rushed to the DCA office, where the woman asked to show her son, though one of the DCA officers said that Shamsiddin is alive and he is at the intensive care unit of the National Medical Center. When they arrived there they were redirected to the 15th corpsus of the hospital, where the morgue was located. On their way, they were called by one of the relatives who informed that Shamsiddin's body is at the morgue of Ministry of Interior (located at the territory of Medgorodok). Parents went there and identified the body of their son.

According to his parents his body was covered in bruises. His mother insisted on a forensic medical examination. She claimed that he never had any health issues and did not use drugs and she was and she was sure that he had died as a result of torture by the DCA officers.

Saimumin Kabirov, a lawyer, provided by the Civil Society Coalition against torture in Tajikistan, informed that the forensic examination concluded that the cause of death was pneumonia. and they provided the Coalition with several photographs as evidence. On 25 April, the General Prosecutor's Office opened criminal proceedings for «torture». On 13 May, the parents and the lawyer were given access to the results of the forensic medical examination that was conducted after the autopsy. However, Shamsiddin's parents did not agree with these results and petitioned for a new forensic examination. «According to the family and his colleagues, he never complained about his health. Moreover, he did not have any symptoms of pneumonia, that could easily be observed»- said the lawyer. In addition, few hours before his death, the doctors of the emergency ambulance, where he was taken by the DCA officers, found no signs of pneumonia. Upon arriving at the DCA Zaydulloev was also examined by the Agency medical personnel who reported about the satisfactory health conditions of the detainee.

According to the lawyer, on 14 May 2015, the Prosecutor General's Office ordered that an interdisciplinary forensic medical examination be conducted, which included the representatives of the Republican Forensic Center, health and defense ministries.

«On 27 May, exhumation of Zaidulloev Shamsiddin's corpse was held in my presence. According to the conclusion of the forensic medical examination, dated 3 August, serious injuries including four to five broken ribs and a fracture of his skull may have caused Shamsiddin Zaydullov's death. These injuries obviously received as a result of grievous bodily harm caused by the DCA officers, since on 8 April 2015 Zaidulloev passed the medical examination which proved his good health conditions and he did not complain about anything», – said Kabirov.

Meanwhile, the Drug control Agency has denied the involvement of its employees to the death of detained Zaidulloev. The official response of the DCA states the following: «On 12 April, around 14:00 Zaidulloev Shamseddin, who was detained by the Agency for involvement in drug business and was held in the detention center of the DCA, felt unwell and started shivering. The Duty Officers called Emergency ambulance which arrived in 20 minutes and after the examination reported that the detainee is a drug user and is in the situation of abstinence (withdrawals), and recommended to take him to drug abuse clinic.

The detainee was brought to the National Drug Treatment Clinic, where he received medical assistance. Zaidulloev spent two hours on a drip, and later was taken back the Emergency station for further examination. At the station, Zaidulloev went through full examination which excluded acute surgical diseases and was recommended to go through esophagogastrosopy, which was categorically refused by Zaidulloev and he even stated this in written. Around 23:15 he was brought back to the Agency, where he stayed in the chamber until the morning. The duty officers stayed next to the doors and had constantly been checking on his health.

Around 5:00 am, the duty officer informed that Zaidulloev's health got worsened and immediately called the Emergency which upon the arrival stated «death from heart failure».

The DCA immediately informed the Firdavsi district prosecuting and interior bodies about the incident. Prosecutors together with the forensic expert examined the body and prepared a pro-

tolcol which states that «no external signs of violent death were found», thus, excluded the fact of ill-treatment by DCA staff.

In addition, the Agency office is equipped with surveillance cameras, including both floors of the temporary detention center of the Agency, that allow for constant surveillance of all events occurring in the DCA.

In the course of investigation Zaidulloev confessed that he is heroin addict starting from December 2013. His mother informed that her son received medical treatment in the Republican Drug abuse clinic for heroin addicts about one and a half years ago.

On 4 May, in response to the petition of Mamarajab Odinaev, the lawyer of the Zaidulloev's parents, the Republican Drug abuse clinic provided a confirmation that Shamsiddin Zaidulloev was registered with drug abuse clinic from 9 April 2015. «Which means that he was registered with the clinic the very next day

after his detention by the DCA and was not previously registered with drug rehabilitation institutions», – said the lawyer.

The Prosecutor General's Office opened criminal proceedings under Article 143-1 of the Criminal Code, entitled «torture». However, On 23 December the Prosecutor General's Office closed the criminal investigation for «lack of evidence of a crime», which was appealed by his mother.

However, the petition on illegal termination of the criminal investigation into the death of her son petition was referred to other bodies



Parents mourning the death of thier son

and finally was submitted to Sino district court. Starting from April 2016 the lawyer had repeatedly appealed to the court to review the petition of Mrs. Karimovs, however, the court had prolonged the review due to the alleged delay from the Prosecutor General's Office to submit the case papers. On 18 October 2016 the District Court of Sino upheld the Mrs. Karimova's petition on illegal termination of the criminal investigation into her son's death and ordered new hearing on 27 October 2016.

«Nothing will bring my son back, but I would like to say one thing: It doesn't matter who our children are – be they thieves, robbers, or drug addicts, they will always remain beloved children for their mothers. No one has the right to beat them. The law presumes a punishment for a crime. Once he atones for the crime, he should come back to his family, his children», – said Shamsiddin's mother.

Case history №15: Shahboz Akhmadov



Shahboz Akhmadov

Night time apprehension

In 2018, Shahboz Akhmadov, 29-year-old resident of the Yavan district, was detained on suspicion of the knife injury of the fellow villager, which he did not commit. He was kept in the police department for four days; he was electrocuted, beaten, threatened with rape in order to get confession. Shaboz did not stand torture and signed the paper, but on the fourth day they identified a person suspected of a crime. The guy was released, but none of the criminal investigators, who tortured him, has yet been brought to justice.

* * *

July 16, 2018. 02:00.

– Shahboz! Shahboz! Get out of bed, son of a b***!

Shahboz narrowed his eyes while being half asleep, not understanding what was going on. In the yard of his house there were several men, one of whom was yelling and calling his name. Then he came up to the window, smashed out the window with one movement of his hand and shouted:

– Get up, I said. You are coming with us. We are from the police.

– What?! Where are we going?

– Don't ask too many questions.

Nematullo, the older brother of Shahboz, came out of his room because of the noise, and asked uninvited guests to provide documents. They didn't even care to listen. They broke into Shahboz's room and literally dragged him out of bed.

– We need to figure something out and then we will let you go, – said one of the men.

They pushed Shahboz into the car. His brother went with them, but he was not allowed to pass the gates of the police department.

The guy was led to the second floor, the office was opened, and the first thing that happened was a hard blow on his head.

Listen, bastard. A young man was attacked tonight. He was stabbed. You did it. Did you understand?

– I didn't do anything. I came home from work at 6 pm, had a dinner and went to bed early, because I was so tired.

– You did it. Unclear?

– I didn't...

Shahboz was pushed to the wall, one of «guardian of order» put his foot between the legs of the guy and put a lot of pressure on the genitals.

– Hey, it's called «Mercedes»! And this is the pressure on the pedal of the car!

He pushed it even harder. It was so painful that it became dark in Shahboz's eyes. But he endured and did not confess to the crime. There were several other police officers in the office who laughed, while watching humiliation.

That was just the beginning. Shahboz's hands were twisted back, handcuffed, his head was wrapped with wet floor washing cloth and taped on top. Two men were holding him, and one man connected his fingers to the wires and electrocuted him. Several people kicked him at the same time.

After the exhausting torture, Shahboz, who was barely breathing, was placed on the stomach on the tables and they took down his pants.

- So, you're not going to confess? Then we're going to «kick your ass», - said one of the policeman, and began to unbutton his pants.

- No! Not that! I'll sign whatever I need.

The torturers slipped him papers, and then they took him to the crime scene and told him what he should say during investigative actions, showed him how he «stabbed» with the knife, where he then «dumped» the evidence.

However, on the fourth day, the victim, who had been hospitalized with stab wound, woke up from a coma and did not identify Shahboz as the attacker, and the alleged perpetrator was immediately apprehended.

On the evening of July 20, Nematullo received a call from the police department asking him to come and get his brother. On the following day, Shahboz filed a complaint with the Public Prosecutor's Office regarding the illegal detention and use of torture, with reference to Sayed Kodirov and Muhammad Tolibzoda. However, he was told that he should not complain and they promised to dismiss those responsible police officers from their positions. They refused to initiate proceedings.

The brothers took Shahboz to the hospital for a forensic examination. According to the forensic expert's opinion, the «physical injuries on Sh. Ahmadov's body as scratches are not connected to any health issues as these injuries do not present grounds for short-term disability and do not inflict harm for health». However, the brothers photographed and videotaped marks of torture on the face, head and fingers of Shahboz.

On September 19, 2018, the General Prosecutor's Office of Tajikistan revoked the decision not to institute criminal proceedings of the allegation of torture against Shahboz Ahmadov. The Yawan Public Prosecutor's Office in Khatlon Oblast was instructed to conduct a further verification of local resident's arguments and a week later, criminal proceedings were instituted against local police officers, Kodirov S. and Tolibov M., according to ch.2, p.«b» of Article 143, Note 1 (Torture) of the Criminal Code of RT.

Those responsible for illegal detention and torture should have been brought to justice and receive just punishment. However, in January 2019, the Prosecutor's Office of Khatlon Oblast discontinued the investigation of a criminal case against two officers of Ministry of Internal Affairs Department of Javan district due to the failure to prove their guilt.

«In the course of the investigation, the involvement of Muhammad Tolibov and Sayed Kodirov in the commission of the crime was not confirmed. By the order of the investigator the criminal case against them has been dismissed», – reported at the Oblast Prosecutor's Office.

The Coalition's lawyer sought to appeal the ruling and to have the investigation reopened, but it was all in vain. The suspects of a serious crime are still at liberty and even more so, according to some data, continue to work in the internal affairs agencies.

«There is no justice! Who will be held liable for my brother's illegal detention, who was kept in the police department and tortured for three days? And, you know, I've heard that stabbing attack was again blamed on an innocent man, who was charged with a two-year suspended sentence, and the real criminal moved outside of the republic», – said Nematullo, brother of Shahboz.

Case history №16: Faizali Latipov



Faizali Latipov

«It's so scary, mom»

A 28-year-old resident of Kulyab, Faizali Latipov, went to Russia to earn money after school graduation, and a few years later, in February 2018, he received a call from the Kulyab police department and they requested him to fly back home to testify in the criminal case of participation in a terrorist group on Syrian territory.

Shocked by this, Faizali bought a ticket on the same day and flew to Kulyab. Faizali went immediately from the airport, not to his family, but to the Ministry of Internal Affairs Department of Kulyab region. He was held there, in violation of all the rules, for more than 72 hours, which was the basis for the suspicion of torture.

And then there was a trial and Public Prosecutor requested a 14-years sentence for the guy. But, thanks to the intervention of

the Coalition's lawyer, the case was referred for further investigation. 1 year and 4 months later the case was dismissed for lack of evidence and Faizali was released. However, those responsible for illegal detention and alleged torture remained unpunished.

* * *

– Mom, it's so scary when you're innocent and you're in custody and they make you confess to a crime.

– My dear son, it's all behind us now, – mother was holding Faizali tight, as if she was afraid to be separated again.

– Mom, It's scary I've wasted one year and four months of my life but I could earn money in Russia and support you during this time. You are all lived, barely making ends meet, but you were still able to bring me parcels.

– Son, thank God, it's all over.

– If it wasn't a lawyer, I could easily go to jail. Fourteen years, Mom!

– Faizali, you still go through this, you talk about it every day. My poor son. You're here, at home, all is well.

– You know what is the scariest part in all this? No one was brought to justice. And they can convict any other innocent person just like that, you know? – Faizali's eyes were filled with tears, and he reached into his mother's shoulder and wiped out his eyes by palm.

* * *

Faizali Latipov, like thousands of other inhabitants of Tajikistan, left to work immediately after school graduation. He worked, sent money to his family, until one day police officers of MIA Department of Kulyab region of Khatlon Oblast called him and said to come back to Tajikistan. He had to testify in a criminal case as he was allegedly suspected of being a member of a terrorist group in Syria. This is a very serious charge and one can get a heavy prison sentence. And the basis for this was a photograph of Faizali with the «suspected bearded guy» on social media. It will be found out later that the «bearded man» and himself were

absolutely innocent, but back then the policemen threatened Latipov – «if he doesn't show up at the Police Department of Kulyab region, he will be on a wanted list and prosecuted». And then, in a gentle tone, they said, boy, don't worry, we will ask a few questions and let you go. So, on February 25, 2018, Faizali flew from Moscow to Kulyab. His mother met him at the airport and together they, as law-abiding citizens, went directly to the police department of the Kulyab region.



Faizali Latipov

Despite promises and, violating the rules, Faizali was detained and held in the office for three days. When his mother asked what her son was suspected of, no clear answer was given. Then she became suspicious and applied to the Coalition against Torture to obtain legal aid for Faizali.

The lawyer started to act, filed a complaint with the General Prosecutor's Office concerning the illegal detention, which gave a reason to think about the possibility of torture and ill-treatment against suspected Faizali Latipov. The complaint from the Gen-

eral Prosecutor's Office was forwarded to the Prosecutor's Office of Khatlon Oblast, and then to the court of Oblast level.

The first criminal trial against Latipov was scheduled on May 1, 2018, however, for unknown reasons, the accused was not brought before the court on that day. The case had to be adjourned. Fayzali's relatives started worried at the court. Firstly, they said pretrial detention center of Kulyab doesn't accept food for Faizali, and secondly he wasn't brought to court. «I'm sure he continues to be tortured and forced to incriminate himself. Please, do something», – the mother of Faizali begged the lawyer.

On the same day, a lawyer made an allegation of torture against his client and filed a complaint with Prosecutor's Office of Oblast.

The trial was constantly adjourned and it was not until early September when the hearing resumed. At the request of the lawyer, a forensic psychiatric examination was conducted on September 25, 2018, and as a result of which Faizali was found mentally fit, with no any mental disorders, but psychological imbalanced with regard to torture and unwarranted criminal prosecutions.

On 27 September further hearing was held and court declared the trial to be over. The hearing of arguments was open. Public Prosecutor requested 14 years of imprisonment for Faizali Latipov. In turn, the lawyer asked the court to issue a verdict of not guilty. So, the court adjourned until 29th of September.

On the appointed day, the judge, having heard the last plea, retired into chambers. There was a heated atmosphere in the courtroom. But the judge came back and referred the criminal case back for further investigation.

The lawyer filed complaints with the General Prosecutor's Office due to the use of torture, requesting the dismissal of the criminal case and the release of his client.

The lawyer further questioned the objectivity and impartiality of the investigation after the verbal statement of investigator, who conducted additional investigation, and according to him, despite the lack of sufficient evidence against the prosecution,

he intended to send the criminal case back to the court when the investigation is over.

It also turned out that the investigator deliberately altered the neighbor's testimony against Faizali. The witness filed a complaint with the Public Prosecutor's Office in Kulyab region based on the grounds of unlawful acts of investigator.

These circumstances helped to refer the case back to the Investigation Department of the Ministry of Internal Affairs for further investigation and making legal decisions. In April 2019, the investigator dismissed the criminal case for lack of evidence, and Faizali was released from custody.

This terrible Case history lasted for him exactly one year and four months. However, the consequences of that horrible period of his life are still evident – he quickly becomes annoyed and he often has insomnia. And it's hard for him to realize that someone decided to ruin his life and escaped unpunished.

Case history №17: Farkhod Goibov

Beaten half to death

Penjikent, Yori village, Kolhozchiyon town. This is where Farkhod Goibov lives, who in September 2015, after a conflict with a distant relative of district police officer, was taken to the police station and severely beaten by two «guardians of order». He admitted in a hospital in unconscious condition, where he was diagnosed with a ruptured kidney that was removed during surgery. One more minute and Farkhod would pass away.

Both policemen were found guilty of intentional infliction of serious harm to health and exceeding their official powers; and sentenced by the court to 8.5 years of imprisonment. Their sentences were later reduced to 5 years. In 2018, the Ministry of Internal Affairs of Tajikistan paid Farkhod Goibov a compensation in the amount of 10,000 TJS.



Farkhod Goibov

* * *

– Why? Stop it! Stop it! – Farkhod closed his head with his hands, trying to escape the fists. They started hitting him in the back. It was painful, and he gritted his teeth as hard as he could. Another blow... Farkhod felt like the earth was drifting away but strong hands picked him up and put him back on his knees.

– Bring the money, and the conversation will be brief.

– I have no money. Not a penny, – whispered Farkhod and fall down on the floor.

They brought him back to life and took him to the outpatient clinic and then to the hospital. Farkhod fall unconscious again there. He regained consciousness few days later in the hospital ward. Without a kidney.

* * *

1st of September, 2015. It was warm and sunny morning. Beloved first-grader daughter, with white bows wrapped in her braids, was going to school. My wife was getting hot fresh bread (lepeshka) out of the oven and tea was cooling down in a bowl.

– Daughter, hurry up. Come, eat with me, and then we will go. I'll take you to the school. I have a lot to do today.

Farkhod was making money for living by transporting passengers on his minivan. This «iron horse» was quite old, but at the very least it fed his large family. A wife and four young children – a reason why he got up at the crack of dawn to earn money to obtain a livelihood. When he had to come home with empty hands, and there were days like this, he felt guilty. But that day promised a good earning – he had to transport a newly married couple to a distant village, however, upon arrival, he was told that they would pay him few days later.

In the evening, Farkhod returned home, tired and upset, and on the way he met a friend, he hasn't seen for ages, from the nearby village. They decided to have some shots in his minivan and went to the next store to buy a bottle of alcohol. They chat about life and had a small-talk. They had shots and ate pieces of baloney as an appetizer. Then they had shots again.

They recalled some old grudge, and one thing led to another and they ended up having a serious argument. Taken alcohol darkened their mind and men started getting involved in a heated discussion. A friend took a cell phone out of his pocket and, while getting confused, somehow dialed the number from the third attempt.

– Tohir-aka, there is an asshole here I am fed up with...

Farkhod started the car, drove him home, pushed him out of the car, and, swearing at anything and everything, went home.

Half an hour later, the police inspector came to his house with his assistant, asking him to go to the police station. They started beating Farkhod in the car: by elbow in the side and by fist on the head. The beatings continued at the police station. They've been beating him for hours – from 6 p.m., till 12 p.m. Farkhod couldn't take it and asked them not to hit him anymore, and the policemen asked for money and made fun of him, punching him in the side or in the back.

When he fell on the floor, the torturers became frightened and started whipping him in the face. Farkhod came to his senses a little bit, but felt a hell of a pain, coming from somewhere inside.. They decided to take him to the village outpatient clinic. He received a pain killer shot over there, but the pain just got worse and his stomach started to swell. The paramedic advised to urgently take the patient to Penjikent. The half-asleep on-duty staff member of the emergency room at the city hospital started registering a new patient, he slowly prescribed him to do some tests and examination.

Farkhod couldn't bear it and fall unconscious on the couch.



Farkhod Goibov

* * *

- Doctor, how long have I been in the hospital?
- Exactly 10 days. I had to remove a kidney. A nurse will be here soon to give you injections.

According to the forensic report, as of September 11, 2015, Farkhod Goibov was seriously injured – he had bruises on his chest, groin and in the area of removed kidney on the right side.

Farkhod stayed in the hospital for almost a month and after being discharged he filed a complaint with the Public Prosecutor's Office against two policemen, who mutilated him. Six months later, the torturers were detained, but even before the trial, their families begged to withdraw an application and even offered money.

- I didn't take a dime from them. I don't want their money. I want one thing – just retribution, – said Farkhod.

The court sentenced Tohir Khudoiberdiyev, district inspector of Kolhozchiyon of MIA Department of Penjikent, and Matlub Ravshanov, operational officer of MIA Department of Penjikent, to

8,5 years of imprisonment. They later received an amnesty and their sentences were reduced to 5 years, and thanks to the next amnesty they were released completely.

Coalition lawyers helped Farkhod to prepare a claim to obtain compensation from the Ministry of Internal Affairs of RT in the amount of 645,000 TJS, however, the claim was only partially successful. Farkhod Goibov received compensation for moral damage in the amount of 9,000 TJS and for material damage in the amount of 1.1 thousand TJS.

«It has been almost six years since then, but I still suffer psychologically and physically from what happened,– says Farkhod.– I get so annoyed, I want to be alone. Every six months or so, I have to get a therapy, which costs at least 3,000 TJS. Fortunately, my farther and brothers help. I can't go to Russia to work and support my family because physical work is not advised for me. And the only question I have in my head is – «Why did they do that to me?».

Case history №18: Khairiddin Amonov

Deaf wall

36-year-old, resident of Zafarabad, Khairiddin Amonov has been in labor migration in Russia since 2013. In January 2018, law enforcement officials contacted him by telephone and reported that he was suspected of having murdered his neighbor, which happened in 2010, and if he does not come to testify, he will be on a wanted list.

A few days later, Khairiddin was detained immediately upon arrival at the airport. After being electrocuted, he confessed to the crime and was sentenced to 11 years. The petition of a lawyer on bringing to the responsibility of persons involved in the illegal detention and use of torture was rejected.

January, 2018.

– Khairiddin Amonov? Come back to Tajikistan to testify the murder of your neighbour and you will go back, otherwise we will put you on a wanted list.

«What shall I do? And why did they suddenly recall this murder of 2010? I remember they took fingerprints from almost all villagers, and they've got mine, too. Oh well, I wanted to save money to buy a plot of land and only then come back home», – Khairiddin was thinking about this trip for some time and eventually decided to fly to Khujand.

...In 2010 the whole village was shocked with the news about the murder of an old man, who was seemingly harmless. If it wasn't for the persistent smell of alcohol, which was his constant companion. Also, the locals were saying he was running a crack house in his apartment.

Back then almost all the villagers had their fingerprints taken, including Khairiddin's, but the suspect was never found, and the case was suspended. Everyone forgot about this event.

In 2014, Khairiddin flew to Novosibirsk to work days and nights to save up for a plot of land.

...The flight attendant has announced that the plane is landing and they need to fasten their seat belts. Khairiddin's thoughts were about Margarita and children – he was glad he got a chance to see them and imagined hugging them at the airport, because his wife promised to meet him there. But unexplained anxiety was in the heart.

The plane landed on the runway, and the passengers became impatient to pull their luggage from the top compartment, despite the flight attendants' announcement to remain seated until the plane stops completely. The plane finally stopped, but the doors didn't open for a long time. The passengers were nervous, the flight attendant asked the passengers to return to their seats. The door opened and several airport police officers went on board, came to Khairiddin and told him to keep his mouth shut. They handcuffed him and took him out.

* * *

On January 25, 2018, upon arrival to the Khujand airport, Khairiddin Amonov was detained by airport police officers and handed over to MIA Department employees of Sughd Oblast, headed by criminal investigator Ganisher Khamdamov. Those in turn took him to the police station in Buston town (actual airport location).

Khairiddin was taken to an office, where four police officers in civilian clothes, were already present. «The husband then said that they were beating him for half an hour by hands and feet all over his body to make him confess to the murder. On that night he was not allowed to fall asleep, and he was asked to stand with his hands up. Four police officers've been watching him, and if he falls asleep and his hands went down, then he was punched in the face. He was not allowed to drink, let alone to eat. A detention protocol was also not drawn up», – told Margarita, wife of Khairiddin.

On the next morning, on 26th of January, Ganisher Hamdamov, together with a colleague, took the detainee to Zafarabad district. On their way, they stopped and provoked an incident in order to initiate administrative proceedings against him for misde-

meanor. They took him to the district court for an arrest warrant. Khairiddin claimed at the court that he had been tortured, but the judge ignored his statement and it was not recorded in the trial records. He was arrested for six days.

He was then taken back to the police station in Buston. In the office, several police officers, headed by Ganisher Hamdamov, insulted him by using curse words, threatened to rape his wife and sisters if he did not confess to the murder. Khairiddin denied involvement in the crime. Then police officers put a bag over his head, tied his hands, tied wires to his fingers and toes and electrocuted him. The detainee shouted loudly from that sudden, severe pain, and «guardians of order» demanded to confess to the murder. Khairiddin denied everything.

The policemen then attached the wires to the genitals. It was the strongest pain and he felt like the heart was about to burst into a thousand little pieces. They repeated it several times over the course of three hours. «Confess! Say that the old man attacked your mother and sister, and you killed him to protect them».- The voices of the policeman echoed in the ear. Khairiddin was shaking his head. «Add some voltage»,- said one of them. His whole body was shaking like a death convulsions. Unable to withstand the pain, Khairiddin wanted to shout «Okay! I will sign!» but the tongue did not succumb, he could not say a word. Then he affirmatively shook his head. Torture stopped...

A year later, a trial was held. During the court hearing, Khairiddin alleged the use of torture by employees of the Ministry of Internal Affairs Department of Sughd Oblast, in particular Ganisher Khamdamov. He didn't see or know any other people, so he couldn't name them. Khamdamov was called to court, but he denied his guilt. «That's it. The court did not even order an investigation of the torture claim. Moreover, Khairiddin's fingerprints mysteriously disappeared from the case, which were taken in 2010, and in 2018 forensic experts concluded that those prints were not authentic. In fact, there was no evidence of my husband's involvement in the murder, the whole case is thinly veiled»,- said Margarita.

The court found Khairiddin Amonov guilty of murder and sentenced him to 11 years of imprisonment. The amnesty reduced the sentence to two years.

The lawyer tried to appeal against the verdict of the court, tried to initiate criminal proceedings against officers of MIA Department of Sughd Oblast for unlawful detention and use of torture, tried to bring to justice forensic experts of the MIA Department of Sughd Oblast, but everywhere there was a refusal and the same answer «the arguments of the lawyer were not confirmed». Fahriddin Amonov, Khairiddin' brother, complained to the General Prosecutor's Office and presidential administration but he run full force into a brick wall.

«Now I live with my parents, I barely manage to raise two children, 9 and 10 years old. They grow up not knowing father's affection and love. Who will give them their lost childhood back? Who will take a responsibility for our broken dreams?» – cried Margarita...



In anticipation. Mother of Khairiddin Amonov

Case history №19: Khasan Yodgorov

Crying under the bridge

In 2017, Khasan Yodgorov, Tursunzade resident, spent six months in pre-trial detention facility on a murder charge and was released after the real killer was caught. Hassan is disabled from a young age and has a prosthetic limb on his left leg that makes the young man limp a little.

He signed a confession, not withstanding the refined torture at the police department. The trial of those policemen responsible for torture continued until June 2021. The Supreme Court of Tajikistan sentenced three police officers, accused of torturing Khasan Yodgorov, to long prison terms: Eraj Naimov, lead investigator of particularly important cases of Criminal Investigation Department of the Ministry of Internal Affairs of RT was sentenced to 10 years of imprisonment; Saadi Davlatmurodzoda, Chief Criminal Investigation Officer of the Criminal Investigation Unit of MIA Department of Tursunzade, was sentenced to 12 years of imprisonment; Sherali Azizov, lead investigator of the settlement level police department was sentenced to 13 years of prison colony.

* * *

– Just don't electrocute me again! No, no, no!! I can't take it!

The dark face of the man seemed as pale as a wall, and drops of sweat appeared on his forehead that blended together and ran down to his ear and neck, the lips quivered nervously.

Sharofat, a thin middle-aged woman, ran into the room. Red hair with silver strands was showing from under the scarf, and her naturally dark eyes seem light-brown. These deep-set eyes radiated kindness. It was probably the most expressive part of her face, all ruddy.

– Son, you had another nightmare... I'm here. I'm here. Don't be afraid. It was a night dream. Open your eyes, son.



Khassan Yodgorov still hasn't gotten over everything what happened

Sharofat grabbed her son's arm, and she wiped the sweat off his forehead with the sleeve of a cotton print dress.

- Mom, this dream again! - Again!

- All right, all right, calm down, son. I'm here with you. No one will ever hurt you again.

Khassan lifted up on the bed, first he put his right foot on the floor and then carefully put the left foot, an iron one.

- Khasanjon, I'll get you a drink. I'll be quick.

The man grabbed his head with both hands and closed his eyes. There was a silence in the room, which was disturbed by the chunking sound in the kitchen.

Once again, he was going over the events of four years ago, after which his life became a hell.

...On the night of November 6-7, 2017, a waiter was killed in Tursunzade. They brutally executed him with a knife and took

away his mobile phone and a golden bracelet. On November 7, 10 men in civilian clothes broke into Hassan's house in Tursunzade, where he lived back then, and without introducing themselves, twisted his hands, bent his head down and took him away. All of this happened in front of a frightened wife and two young children.

– I haven't seen my son since then. I found out later that on the second day in the police department he received an administrative arrest for 10 days for allegedly showing resistance to the law enforcement officers, and during that time he was tortured and forced to confess to something he had not committed – told Sharofat Narzykulova, Khassan's mother.

Khassan is having a hard time recalling torture, he gets nervous, he stutters.

– On the first day, I was forced to lay down on the floor, a police officer put his foot on my back between the shoulder blades and grabbed the back of my head and hit my head on the floor a few times. They forced me to confess, but I didn't want to confess something I haven't done.

During the night, Khassan was handcuffed and they hung him up so that he could stand with his hands up all the time and they kept him like that till morning.

On the second day, Khassan was taken to court and on the basis of a fictional report of the alleged resistance shown to law enforcement bodies personnel, the judge S. Radjabzoda ordered the administrative arrest of Yodgorov for 10 days. The judge ignored what he said about being tortured.

The young man was periodically taken from the temporary detention facility to the offices, threatened and continued to be beaten. They wanted him to confess to the murder, but he kept quiet.

Then the «guardians of order» decided to act in a different way – they summoned Tojiniso, Khassan's wife, to the police department to draft an explanatory note. But, «correct» explanatory note. A police officer demanded her to state that Khassan was not at home on the day of murder but she said that her husband didn't go anywhere. Then an employee hit her head with a big magazine

and threatened to rape her, to send her to prison, and that her kids will be raised in an orphanage. But the woman endured all that abuse and did not slander her husband.

Then they brought Khassan's 7-year-old daughter to the police station and interrogated her without her mother or a psychologist being present. After that, the child began to pee during the night.

On the fourth day, the investigator of Tursunzade Prosecutor's Office, P. Shernaev, and three other police officers went to Yodgorov's house and without showing any search-warrant they started going into the rooms and looking for things.

Khassan's mother said she'd call the General Prosecutor's Office by hot line and complain about an unauthorized search, and then they left.

- Then it was decided to electrocute me. At first, I was able to withstand the current, although I was tortured for 35 minutes, and every minute felt like a year. It's terrible when you feel like your bones are about to break and your veins are about to burst.

According to Khassan, the policemen tried to make it appear like he was tortured by the security agency: they put him in a car, put a bag over his head and said they were taking him to the State National Security Committee but they were circling around the city and going back to their police department and torturing him.

The period of Yodgorov's administrative arrest was coming to an end. In the evening, he was put in a convoy car and taken to Dushanbe city.

On one of the city's avenues, under the bridge, they put a bag over his head and took him to a certain building. They pushed him inside, put him down on the floor, wrapped his fingers and toes with wires and electrocuted him. This time, they tortured him longer, connected wires to the genitals.

- This lasted for several hours. I thought I was going to die. I was suffocating and I passed out. They punched me in the face, brought back to senses, and the torture continued. I couldn't take it anymore...

So, a confessional statement was on the table of «rogue police» and the case could have been closed. A camera crew of the Ministry of Internal Affairs Press Centre immediately went to Tursunzade and filmed a hot pursuit solved crime. There was Khasan, who repeated in front of the camera the phrases he learned by heart at night. He told how he «killed» and then «robbed» the victim.

He was sent to the detention center and the trial and presumably several years of imprisonment were ahead, but soon they apprehended the real killer of the waiter.

On May 15, 2018, the case against Khasan Yodgorov was dismissed and he was released. The young man was incredibly happy, couldn't get enough fresh air, couldn't be happier to meet his family, but he was consumed by pain. Why did he, an innocent man, spend more than six months in custody? Who will take responsibility for his damaged reputation, when he was forced to slander himself and looked like a murderer on TV in the country? Who will pay for the ill health, deformed spleen because he was beaten?

On the following day, May 16, he went to the Public Prosecutor's Office to file a complaint to prosecute three employees MIA Department of Tursunzade, who tortured him, i.e. Sherali Azizov, Eradj Naimov and Saidi Davlatmurodzoda (forensic medical and psychological reports confirmed that Khasan was tortured).

In October 2018, criminal cases were initiated against them, including under the article «Torture». The policemen were detained and they were at the detention center until June 2021. In June 2019, the case was referred to the Supreme Court after investigation, and two years later the verdicts were announced.



Khassan Yodgorov

* * *

– Mom, let's go, I'll show you something – said Khassan on the way back home after the Prosecutor's Office on the second day after he was released.

They came to one of the city avenues and went under the bridge.

– I was brought here, they put a bag over my head, and then they electrocuted me. I couldn't take it anymore and I slandered myself.

A grown up man couldn't stop crying, his mother gave him a hug and they both cried out loud. Vehicles were passing by; a driver pulled over and asked if he could be of any help, but a mother and a son couldn't say a word... they've been standing, hugging and crying.

Case history №20: Saidamir Sufiev



Saidamir Sufiev's grave

Suicide letter

Vose district. Relatives of Saidamir Sufiev live here. He committed suicide in 2017 as he was unable to withstand psychological pressure at the district police department. A policeman threatened to send him to jail for a crime he didn't commit. To date, no one has been prosecuted for causing him to commit suicide.

– Forgive me, my family, but I can't live like this anymore,– Saidamir whispered to himself, after writing a long letter on the pages of school notebook. «In my death I ask to blame Bakhrom Hikmatulloyev, investigator of the Vose District Police Department»,– he repeated a phrase from the letter, while turning the rope around, with his trembling hands.

Family members had to come back home soon, so Saidamir decided to hurry up. He climbed up the wooden chair, made a

loop in the rope, tied it to the hook on the ceiling. He stretched it and tested it for strength...the chair fell on the hay almost silently...

It was cold and damp November and the barn was damp and uncomfortable. The wind, like a playful demon, opened and shut the old wooden door with squeaks...

February 2016. One year and nine months before the tragedy, Saidamir was driving home, and suddenly, out of nowhere, a man's silhouette appeared in front of him. He pulled over, but he hit a stranger. He ran out of the car, bent over the pedestrian, trying to see the severity of the injuries. Saidamir smelled a persistent smell of alcohol.

It was a fellow villager, Sukhrob, a local alcoholic, who found an easy way to make money in order to buy another bottle. He used to suddenly pop up in front of a passing car so that it could slightly hit him, without serious injury, and he could get money from the driver for «treatment».

That was the case this time. Saidamir put him in his car and drove him to the hospital. The doctors already knew the patient, and quietly gave him a prescription.

Several months passed. There was no work in the village and Saidamir went to the capital to live with his sister and worked as a day laborer. He was a good electrician, but the money he earned was barely enough to live on. Besides he had to support his daughter, who left her tyrant husband and now lives with two young children in his house in Vose.

November 29, 2017. The day was a bit off for Saidamir. He spent the whole day at the labour market from and came to his sister home without any earning. He received a phone call. A police officer from Dangara called him and said that his daughter Gulbahor was suspected in stealing money from mother-in-law and requested her to immediately return to Dangara and bring children back, otherwise, they will both be in troubles. In upset feelings, he sat down on the floor and didn't know what to do.

Gulbahor didn't have a good life with her husband. They constantly had conflicts in the family and she often left her husband

to live with children in her father's house. Last time when she left home with kids, her husband's relatives reported to the police that she stole 1,000 TJS.

Saidamir went to Dangara, where he was interrogated by Kurbon Zoirov, operational officer of local MIA Department, who threatened him and his daughter with criminal punishment.

In a depressed mood, Saidamir went to Vose to see his daughter, but he received a phone call again. It was Bakhrom Hikmatulloev, a police officer of Vose district, who said that on November 19th his fellow villager, the same Sukhrob, was hit by the car to death and that Saidamir is one of the suspects in the hit-and-run accident. The operatives ordered him to come to the police station to testify next morning. The criminal investigation officer didn't even listen Saidamir's objection as he was in the capital for months and physically could not hit anyone, and so he hung up.

November 30, 2017. At 9:00 sharp Saidamir was in the office of Bakhrom Hikmatulloev at the district police department and he left around noon. What was going on there is now unknown, but in his suicide letter, Saidamir mentioned that Bakhrom Hikmatulloev threatened to send him to prison for ten years for a fatal hit-and-run. There was nothing mentioned about being tortured or beaten in the letter and no signs of violence were found when the body was washed. Most likely, psychological threats and the prospect of being in prison were so intimidating for 53-year-old man, respected in the district, that he couldn't stand it and committed suicide.

On December 20, 2017 Prosecutor's Office of Vose district initiated a criminal case under the Article «Causing someone to commit suicide» and acknowledged the sister of the deceased as a victim, however, four months later, the investigator of the Public Prosecutor's Office suspended investigation of the case due to the failure to identify person to be prosecuted as an accused.

According to the lawyer of victim, after applying to the General Prosecutor's Office, the Prosecutor's Office of the Khatlon Oblast reopened the investigation into her brother's suicide, how-

ever, at the end of October 2018, it suspended the investigation again by using the same wording.

Saidahmad Sufiev, brother of the deceased, said that they had contacted the General Prosecutor's Office and the Presidential Administration on three occasions, with the request to conduct thorough investigation and bring the perpetrator to justice, but there was no progress. «There is no justice in our country»,-he waved his hand.

May 2021. The house of Sufiev family is under construction. Saidamir's brothers and nephews demolished the barn, where after the tragedy, strange sounds were often heard, similar to the sound of old squeaking door.



Saidahmad Sufiev

Case history №21: Komil Khodjanazarov

A tragedy on a family holiday

In August 2017, members of the Security agencies in Sughd Oblast detained a 31-year-old resident of Shaidon village, Asht district, Komil Khodjanazarov, after a picture of him with guys was posted on social media, and there was a former member of the Islamic Renaissance Party (banned in Tajikistan) among them.

Komil Khojanazarov was tortured at the district police department and forced to give false testimony against a former member of the banned party, and then the beating continued at the Security Agency Department of Asht district. He was released, but he was constantly threatened and followed. Unable to withstand pressure, in October 2017, Komil committed suicide. Shortly before his death, he recorded a video accusing law enforcement officers of cruel torture.



Komil Khojanazarov's father shows pictures of torture marks on his son's body

Later, sentences were announced against a staff member of the State National Security Committee of Asht district, Muhammad Naimov, and two employees of the Ministry of Internal Affairs Department of Sughd Oblast, Latif Yuldoshev and Shuhrat Shahsuddinov.

October 9, 2017.

Komil had another sleepless night and didn't notice it was morning.

«My life has become a nightmare. Why? I've been tortured, I've been threatened, I've been beaten, I've been forced to vilify my friend... He was imprisoned, and three of his children are now starving. What have I done! What have I done!» – Komil blamed himself and hated himself because he was forced to slander his friend. «But how to withstand torture, when it is impossible to endure, and moreover they threatened to rape me?» – His thoughts were confused, he recalled the terrible experience he went through and the morning surveillance by two men in civilian clothes.

«How long will it continue? It's unbearable. They called me again the other day, I will have to go. Will they torture again? What do they all want from me? They will not rest until I'm in jail», – Komil grabbed his head with both hands. He wanted to scream out loud because of his tragedy, but he suppressed his feeling of fear, pain and despair.

– Honey, we need to go to see mom. Do you remember it's her birthday today? – his wife put her hand on Komil's shoulder.

– Yes, of course, I do. Get ready.

... There was no one in the house of the mother-in-law, and all the relatives were going to come in the evening for pilaf. Komil's wife began to peel carrots for the main holiday dish, singing something quietly. Komil decided to help and took a knife from his wife.

– Yes, I'm going to go check on the daughter.

The sharp blade of the knife shined. Komil grabbed the handle and once again he felt trapped, crushed and trampled. The tears were treacherous, and he began to suffocate in despair, and

the words turned around in his head: «You are a terrorist, and people like you don't come out alive» In the mirror glaze of steel he saw his reflection and thought, as if he was talking to himself: «Yes, you are at the celebration today, and Abdurrakhmon is in jail now, because you are a whistle blower». Komil looked at his reflection with hatred.

«Why? Why? Why?» – he screamed furiously and cut his left hand with knife.

In this moment his wife came in and took the knife from his hand. A bowl of carrots fell over with a bang on the floor.

– Komil, what have you done?

– She quickly grabbed a napkin and put it on his bleeding hand.

– No, I can't live like this anymore. I can't!

Komil pushed his wife away, took a bottle of vinegar on the shelf, opened it instantly and made a big sip...

The guy was taken to the hospital by the «ambulance», and he died on the same night...

* * *

Murod Khodjanazarov, father of Komil, still recalls the tragedy of his son with trembling voice, and his mother, respected in all of Shaidon, aunt Shakaroi, cries tirelessly and in her prayers she asks for one thing only – no, not the punishment for the guilty ones, but the peace for the soul of her beloved son.



Komil Khodjanazarov

«It all started when, in the summer of 2016, my son and his fellow villagers went on a picnic and he took a picture with them. Someone posted it on social media, and law enforcement officials grew suspicious as Abdurakhmon – former member of Islamic Renaissance Party of Tajikistan was with them, and all the guys had little beards. On August 19, 2017, my son received a call from Shamsudinov Shukhrat, an employee of the Department of Internal Affairs of Sughd Oblast and summoned him to the Prosecutor’s Office of Asht district. They kept him there for five hours, called him «namozhon» (believer, reciting prayer), «terrorist», asked about Abdurakhmon, against whom criminal proceedings were instituted under Article «Extremism» (Article 307.1 «Public calls for extremist activities»). They took his phone, passport and tablet and let him go, by saying they’d call if they need to», – told Murod Khodjanazarov.

Four days later, on August 23, Parviz, a criminal investigation officer of the Ministry of Internal Affairs Department of Asht district, called Komil and summonsed to the police department.

Latif Yldoshev, Ehson Ermamadov, Officers of the Department of Internal Affairs of Sughd Oblast and Parviz, criminal investigation officer of the Ministry of Internal Affairs Department of Asht district took him from there by car to the police department in Buston (former Chkalovsk).

«My oldest son, Muhammadrasul, waited for him at the gate of the Department. Komil said that they asked him about camping trips together, other members of Islamic Renaissance Party of Tajikistan, asked if he had been offered to become a member of the party. Son said that in 2016, after Eid Kurbon holiday prayer, neighbors and classmates decided to go to the recreation area, where they cooked meals, played volleyball, and climbed mountains. He said it was out of question to join Islamic Renaissance Party of Tajikistan, and Shamsuddinov Shukhrat and two other of his colleagues reacted with suspicions and aggression – they hit his head several times, twisted hands and choked, kicked him in the stomach», – told Kamil's farther.

According to him, they demanded his son to say that Abdurakhmon encouraged him to join Islamic Renaissance Party of Tajikistan, and thereby, the party allegedly wanted to increase their ranks and seize power in Tajikistan. Komil denied and that's why he was illegally detained, without a protocol on detention, till late at night and he was beaten.

On August 24, Latif Yuldoshev and Shukhrat Shamsuddinov, employees of the Department of Internal Affairs for Sughd Oblast, demanded from Muhammadrasul, Komil's brother, 15,000 TJS for his release, otherwise they would «mutilate» him.

Muhammadrasul explained that they were unable to pay this amount because the family had a big debt after their mother's surgery. The amount was reduced to 10,000 and later to 6,000 TJS. Khojanazarov's family borrowed this money and handed over personally to Yuldoshev and Shamsuddinov.

However, the summons for interrogation continued. On August 25, Komil was summoned to the Buston Ministry of Interior Department. Police officers requested him to confess that he had been encouraged to join Islamic Renaissance Par-

ty of Tajikistan in 2016–2017 (In 2015, the party was declared illegal in Tajikistan and its activities were banned) but Komil denied it. He was beaten by a baton on his shoulders and legs, threatened that they would take him to the basement and do «something horrible» to him. Komil broke down and signed a false statement against Abdurakhmon Masoliev. The boy was released, but they warned him that they «will call him again, if needed».

Since then Komil didn't feel like himself anymore. He became more self-contained and silent. And he has got a guilty conscience for perjuring an innocent man Abdurakhmon and his three young children will be growing without a father.

Komil took his home camera and recorded a video of torture and blackmailing offenses, committed by police officers of the Ministry of Internal Affairs Departments of Sughd Oblast and Asht district. This video will be discovered by family later...

In few days summons repeated. On October 2, he was called by the Chairman of Jamoat, where Mukhammad Naimov, an employee of the State National Security Committee Department of Asht district, was waiting him.

He took him to the office and conducted a long interrogation. Father, having learned about this, immediately came to the office building and waited for Komil in the yard. Komil came out limping; he was very depressed psychologically and there were tears in his eyes. Komil told his father that Muhammad Naimov had handcuffed him, put him in a chair and beat him with baton on his knees, kicked him in the chest and called him a «terrorist». Father suggested to do forensic examination but the guy refused.

After that, secret spying on Komil, telephone tapping, and strange calls continued. Unable to withstand all this, and being in a deep depression, the guy committed suicide.

In 2018 two employees of the Ministry of Internal Affairs Department of Sughd Oblast, Shukhrat Shamsudinov and Latif Yuldoshev, were found guilty of torture, illegal detention and fraud and sentenced to 13 and 12 years of imprisonment, while Mukhammad Naimov, an employee of the State National Security

Committee Department of Asht district was found guilty of torture and sentenced to 12 years of imprisonment.

Lawyers also helped victims to claim compensation from the Ministry of Internal Affairs and the State National Security Committee for moral damage in the amount of 6,000 TJS. Compensation for loss of breadwinner was also claimed from these agencies in favor of Komil Khojanazarov's minor children in the amount of 5,000 TJS.

«Thanks to the lawyers of Coalition against Torture, who brought the perpetrators of torture to justice and they were sentenced, my son's name became free from all accusations», – said Komil's father, wiping his tears.

Case history №22: Tolibjon Dustov***



Tolibjon Dustov

Harsh summer of 2017...

July 25, 2017.

It was a record heat morning in Shaartuz. Tolibjon Dustov decided to pass the time with his friends in a bar.

When he was leaving the bar, he was attacked by several men, one of whom hit him on his head with a fist and pushed him in a silver-coloured BMW, with tinted windows.

Tolibjon did not know that Halimjon Saidulov testified against him, with whom he occasionally smoked marijuana in the same bar.

The day before, the same BMW came to the house of Khalimhodja, Mahmaddullo Idiev, the Head of the Anti-Drug Unit of the

*** Tolibjon Dustov's family refused to meet with journalists. The Case history is based on the case of lawyer of the Coalition of Civil Society against Torture and Impunity in Tajikistan.

Ministry of Internal Affairs Department of Dusti district was there, together with subordinate police officers. They took Saidulloev to the police station and started beating the detainee, coercing into confession about his «supplies» of marijuana. Khalimjon confessed and pointed at Dustov, who sometimes consumed it himself. Idiev requested Khalimjon to call Tolibjon and ask him to get marijuana for 100 TJS. He offered to come to the bar tomorrow afternoon»...

Idiev, in violation of the law on investigative activities, did not document received information and decided to carry out «control purchase». He gave Khalimjon 100 TJS and said: «Tomorrow we'll go to Shaartuz, call your Tolib and give him money, the rest is none of your business».

Khalimjon did everything, and when he gave money to Tolibjon, a number of people, who accompanied him from Dusti to Shaartuz, attacked them, handcuffed him and put him in Opel and Tolib was pushed inside of BMW.

He didn't see what was going on in the car. The only thing he noticed – three other police officers got in BMW with Tolib. They were inside the car for an hour and a half, and when the door of the car opened, Halim saw Tolib, who «was all red».

It turns out that police officers ordered Tolib to call the supplier of marijuana, but, without waiting for him to arrive, they headed to Dusti.

On the way to Kabodiyon the car stopped and Idiev got out of the car and started talking to someone on the phone but some time later someone shouted from BMW «Go quickly, he doesn't feel well.»

After that the car started off abruptly and drove towards the hospital, and they put Halim in another car and took him to the Ministry of Internal Affairs Department of Dusti district.

He was again beaten and forced to write an explanation that he was in a car with Dustov and that «he died himself». Later, in the Prosecutor's Office, Halim will write down the truth, and someone in the Prosecutor's Office would even advise him to run away, so that «policemen won't get him».

His family found Tolibjon in the morgue of Kabodion district hospital. There were extensive bruises on the face, on the left side of the head of deceased, according to doctors. The membrane of the left ear was ruptured and the blood was constantly oozing from there.

Autopsy was conducted without informing the family. Family members were not present during the autopsy and didn't receive results of expertise.

According to the policemen, who took Dustov to the hospital, he was still alive and they forced doctors to give him an injection. As written in the forensic report, the cause of death was mechanical asphyxiation. «Dustov was taken to Kobadion hospital while still alive and vomiting mass was in his naso-pharyngeal area», – wrote forensic expert. But the doctors deny it and say that Dustov was already dead when he admitted to hospital: «They forced us to give him an IV injection but we said «look, it's not working, he's dead».

Dustov's dead body was taken home, and since it was late at night, they decided to bury him early in the morning. Relatives washed the body in the local mosque, which was, according to them, «all in blood», and took him to the deceased mother's house. Tolibjon's grief-stricken mother spent the whole night sitting next to her son's body. «Sometimes it seemed to me that he was smiling at me, – said this old woman to a lawyer. – He was about to wake up».

«He left alive and healthy this morning, and then he was brought home beaten up, not breathing. Why? He didn't hurt anyone. Smoked marijuana? So what? Is it allowed to kill someone without a trial? – asked Tolibjon's mother. – They said a number of other young men were detained on that day, either from Kumsangir or Pyanj. They detain guys and demand to bring money. I have no money, but I have a house, I would give it to them and they would spare life of my boy.»

«They took his phone, clothes. They only gave me his slippers. Why? He was bleeding from his ear during the whole night. In the morning, before the burial, mullah said that he should be

washed again, – cried his mother. – On the next day my family and I filed a complaint with the Prosecutor’s Office and the General Prosecutor’s Office. And, we have not been able to obtain justice for so long».

According to Coalition of lawyers, it became involved in this case on August 7, 2017. Numerous requests were made to the Public Prosecutor’s Office of Kabodiyon and Shaartuz Oblast and the General Prosecutor’s Office. At the request of lawyers, the Office of the Prosecutor General of Tajikistan initiated proceedings for the death of Tolibjon Dustov under article 316, para.3, of the Criminal Code of RT (exceeding official powers) against the staff of the Ministry of Internal Affairs Department of Dusti district. In December 2017, Mahmaddullo Idiev, a Senior Police Lieutenant, was formally charged. Although, Prosecutor’s Office denied requests of relatives and lawyers to initiate proceedings against the policemen who’ve been beating Dustov, under another article – «Torture».

On June 20, 2018, a trial was scheduled, but the defendant did not show up. The lawyer filed a petition for changing the pre-trial restrictions, criminal investigation and compulsory process of the defendant. The court considered this petition and fully satisfied it. According to the definition of the court, Idiev was placed on a wanted list and his pre-trial restrictions changed to arrest.

Allegedly they are still looking for him, but Tolib’s relatives do not believe in that, and in order to avoid further traumatizing the mother, they refuse any contacts. Coalition Against Torture and Impunity hopes that the Ministry of Interior can truly defend the «Honor of its uniform» and take effective measures to apprehend Idiev.

Case history №23: Afzal Dodomatov



Mother of Afzal Dodomatov

«Stolen» happiness

«Here's a problem» – thought Afzal when he was pulled over, at 3 a.m. by the traffic police at the post of exit from Dushanbe. Before he could unfasten his seat belt, he saw a man in civilian clothes, who ran to the car, hit the side window and yelled «Open!».

«Calm down, I'll open it now», – Afzal shouted and started rolling down the window. He immediately got hit in the nose. Then he got hit again in the temple. Afzal blacked out. Several men in civilian clothes pulled him out of his car and started beating him in front of three traffic police officers.

«Who do you think you are?» – screamed the one, who hit the window of his car.

* * *

At the end of February 2019, Afzal Dodomatov, a staff member of traffic police, was approached by his classmate with a request to help his friend in Moscow, whose «Audi» car was stolen. The car «was spotted» in Tajikistan – GPS tracker, installed by the owner, showed that «Audi» is in the yard of a multi-storey house on Navoi Street of the capital.

Afzal, who at this point, was a staff member, decided to assist in this matter and return the car to its rightful owner. He was given a second car key, license plates and the original VP (vehicle passport). On the night of March 6–7, Afzal put the license plates, sent from Moscow, on the car, started the engine of «Audi» with the second key and drove the car out of the yard. He had to drive the car to the border with Uzbekistan, but was stopped by traffic policemen on the way from Dushanbe.

It turned out that a new «owner» Saidmurod Hussein was following the car, who introduced himself to the traffic police inspectors as the Public Prosecutor's Office employee. He saw out of the window that the car was taken from the yard and reported on hijacking to the police duty station. On the way, he took several friends and a police officer and went to the traffic police post, where Afzal was pulled over.

Neither the on-site inspection report, nor the protocol on detention, or other required documents were drafted by any of the police officers at the place of detention of Afzal Dodomatov.

Saidmurod Hussein got inside of «Audi» and drove to the Department of Internal Affairs in the capital. Afzal was taken to this Department in a different car by police officers, who've been beating him, along with the «owner» of vehicle, at the traffic police post.

Afzal was taken from the city Department to the Sino-2 Department of Internal Affairs. The Head of the Criminal Investigation Unit of the Department of Internal Affairs, Alijon Azizzoda, who was on duty that day, also started beating Afzal, threatening to pin three hijackings on him. «And if you won't take charge of three hijackings, I will pin the murder of a woman on you», – shouted Azizzoda to the detainee.

But Afzal, despite the dizziness and pain, continued to deny charges against him. He started feeling bad and then an official of the Motor Vehicle Search Department of the city's traffic police received an order to take Afzal to a hospital and fix his nose, which was broken during the beating at the post.

When the man was brought back from the hospital, his mother, Sodomatova Matluba, was there, who went to the head of the Internal Affairs Department and demanded to stop beating her son and ensure his right to be assisted by a lawyer.

After completing all initial investigations on the same day, the internal affairs officers handed over materials concerning Afzal to the City Prosecutor's Office, but before that they took him to the forensic examination.

In accordance with forensic report, Afzal had multiple soft tissue bruises on his body and head, broken nose bones, closed craniocerebral injury, concussion of the brain, bleeding in the eye.

Despite visible signs of beatings, officials of the Prosecutor's Office of Dushanbe city qualified Afzal's actions as arbitrary, without paying any attention to the signs of torture and poor health of the detainee. According to this Article, Afzal could get off with a conditional term or a fine, but Saidmurod Hussein testified to the theft of a large sum of money, which was handed to him in the evening of March 7 and which he left in the glovebox of «Audi», when he got in the car at the traffic police post. The Prosecutor added two more articles to Afzal – theft and misappropriation of documents.

Afzal's mother, dissatisfied with the actions of lawyer she had hired, sought legal assistance from Coalition Against Torture. On June 10, 2019, a lawyer filed a complaint of torture and ill-treatment by the police, and forwarded it to the General Prosecutor's Office.

His complaint was forwarded to the Dushanbe Prosecutor's Office and then to the Prosecutor's Office of Sino district. By this time, murder related criminal proceedings have already been initiated, against the Head of the Criminal Investigation Unit, Aziz-zod, who also took part in the beating of Afzal, and the investiga-

tor of the Investigative Department of Prosecutor's Office of Sino district made «unfavorable» decision.

The lawyer appealed the ruling and filed a new application with the General Prosecutor's Office, requesting the annulment of the decision and instituting proceedings for ill-treatment against Afzal.

Afterward, Afzal's mother and lawyer went to various offices on several occasions seeking for justice, but, at the end of November, Afzal was sentenced to 9 years in a penal colony, for former law enforcement officers, where, ironically, he was serving a sentence with the convicted murderer, Head of Criminal Investigation, Azizzod.

Afzal's mother, together with a lawyer, is now going to appeal the decision of an investigator of General Prosecutor's Office to discontinue part of the materials of criminal case against police officers for having committed acts of torture – «due to the lack of elements of crime in their actions».

«I believe,– says Mavlyuda Dodomatova,– there is supreme justice and everyone will get what deserves. My son is innocent, and all his so-called crimes are an attempt to help people, whose car was fraudulently stolen from Russia, and now someone is driving this car in Tajikistan. If not now, but someday it will «come back» to these «rogue policemen», who beat up my son, and those, who ruined his life».

Case history №24: Akmal Davlatov

On April 17, 2014, Farrukh Davlatov – a sergeant of 2850 troop unit of border troops of the State National Security Committee of RT, deployed in Matcha district, summoned three soldiers, who were transferred to the unit the day before, and ordered them to stand in line and then he started beating them in the abdomen.

Akmal Davlatov was the third in the line. After being hit hard, Akmal fall down and began to choke. All fellow officers rushed to help the soldier, but all was in vain – he continued to suffocate. Akmal Davlatov died on the way to the hospital. According to the forensic report, the death was due to mechanical asphyxiation, caused by vomiting. According to the investigation, he was beaten right after the army dinner.

On 19 June 2014, the military court of the Khojand garrison sentenced Farrukh Davlatov to 9 years of imprisonment.



Relatives of Akmal Davlatov

Case history №25: Abdurasul Nazarov



On May 7, representatives of the Coalition of Civil Society Against Torture and Impunity in Tajikistan arrived in Kulyab to visit the parents' home of Abdurasul Nazarov, who died on March 28 this year, allegedly as a result of torture at the Ministry of Internal Affairs Department of Sino-2 in Dushanbe city.

Just recently, the family held a 40-day memorial for the deceased and didn't recover yet from this unexpected grief.

The mother Savlatbi sat us down on the curpachi, started talking about Abdurasul, but it was hard for her and she bitterly sobbed every other word:

– Abdurasul was the second child in the family. When he was five years old, my husband died. I was left with four kids, the youngest was about two years old.

In order to feed them, I had to work as a cleaner, even though I was a housewife and my husband used to support the family. Children grew up and they became my support, started earning money for living. Abdurasul worked as a car mechanic in Dushanbe city. He went to the capital with his wife and two children because there was no job here in Kulyab. And suddenly, out of the blue, I was informed about his death. Why did I work so hard to raise my son? Was it in order for someone to kill him during the peace time? Abdurasul Nazarov was arrested on March 28, 2018 on suspicion of drug trafficking according to the testimony of his nephew, who was arrested with a shipment of hashish. He confessed that he had purchased drugs from his uncle. Two employees of the Ministry of Internal Affairs Department of Sino-2 immediately detained Abdurasul in the middle of the street and brought him to the Department. The next morning, relatives were called from the National Health Centre (Karabolo) and were told to come and take the body of their relative. What happened during these few hours will be discovered during the investigation. But Abdurasul's family believes that he was the victim of torture, there were bruises and blood all over his body. In addition, at the reception of Karabolo medical facility, Nazarov's family was told that Abdurasul, with signs of clinical death, was brought from the Ministry of Internal Affairs Department of Shno-2 on the evening of March 28, 2018.

Abdurahmon Nazarov, who worked at the auto-service in the 46th micro-district, was detained in his house on March 28 by two employees of the Ministry of Internal Affairs Department of Sino-2 of Dushanbe city. According to Sadbarg Bobokhohonova, the widow of Abdurahmon Nazarov, that's how police officers, who were wearing civilian clothes, introduced themselves. The body of Abdurahmon Nazarov, with signs of beatings and torture, was given to his family by doctors of Traumatology Department of Karabolo Hospital on the evening of March 29. They were told at the medical facility that already dead body of Nazarov was brought from the MIA Department of Sin-2.

«When we came to take the body, I saw men who detained my husband and took him to the police station. They've been standing and watching what was going on. The doctors said they were the ones, who brought the body to the hospital... we found numerous marks of beatings and torture on the body and face of the husband», said Sadbarg Bobokhohonova in a conversation with Radio Ozodi.

The MIA Department of Sino-2 denied that Abdurahmon Nazarov was beaten by police officers. And it refused to have a follow up conversation later with Radio Ozodi due to the absence of management at the MIA Department.

Abdurahmon Nazarov used to live with his family in one of the city's hostels for the last 12 years in Dushanbe. Two of his children became orphans.



The funeral of Abdurahmon Nazarov took place on March 30, 2018 in Kulyab

Case history №26: Farrukhjon Khaytaliev

Farrukhjon Khaytaliev had 8 months of serve left in Army. He was called up for military service by Temurmalik district military Commissariat in October 2014 and was sent to the troop unit 2620 of border troops of State National Security Committee of RT, and was later transferred to the troop unit 2847 of the same troops, located in Rudaki district.



Parents of Farrukhjon Khaytaliev

During his service, he and other conscripts were regularly beaten by fellow officer Alikhon Tuichiev, who was drafted into the Armed Forces six months earlier.

On January 11, 2016, A. Tuichiyev, beat up F. Khaytaliev once again, allegedly for educational purposes, as he was talking while studying in the classroom. On that same night, but already inside the barracks, the old man beat up Farrukhjon with the butt of a rifle.

After these beatings, the young man felt very ill, he could not even stand on his feet and laid down in barracks. No one examined the soldier for a whole week and he was not provided with medical care.

On January 18, when Farukhjon became very ill, he was taken to the medical unit. On January 20, the soldier passed away.

In May 2016, soldier Alikhon Tuychyev was found guilty of violation the rules governing relations between military personnel and intentional infliction of grievous bodily harm and was sentenced to 14 years of imprisonment in a maximum-security correctional colony.

Two officers – Head of Border Post of troops unit 2847 of border troops of SNSC of RT, Captain Sufi Sufiyev and his deputy on personnel issues, Lieutenant Boburjon Ortukov, were found guilty of abuse of authority and sentenced to 4 years of deprivation of liberty to serve a sentence in a maximum-security correctional colony.



Case history №27: Maksud Nosirov



On January 27, 2014, a number of soldiers from the border observation post of the troop unit 2857, stationed in Spitamen

district, lined up young soldiers, who already had six months in service, and began to beat up each soldier on the throat and other parts of the body «for educational purposes».

After beating soldiers, Maksud Nosirov fainted and was taken to the dormitory of the barracks, where he died, without coming round.

On the basis of a forensic report, Maksud Nosirov died as a result of grievous bodily harm.

Criminal proceedings were initiated against four senior officers, and all of them were sentenced by the court for terms of 5 to 7.5 years.



Case history №28: Uktam Igamov

Uktam Igamov, resident of Tursunzade, died on June 2, 2016 at the pre-trial detention center in Khujand, allegedly as a result of ill-treatment by law enforcement officials.

On September 29, 2016, the Khujand city court rejected the appeal of lawyer Dilafruz Samadova to initiate criminal proceedings for torture and illegal detention of Igamov.



Uktam Igamov was detained on May 19, 2016 based on charges of committing a crime of an extremist nature. On May

28, he was transferred from the temporary detention facility of the State National Security Committee of Sughd Oblast to the Khujand remand centre. However, on 2 June, unconscious, he was admitted to the intensive care unit of the regional hospital, where he died on the same day.

The cause of death, according to doctors, was bleeding of the oesophagus and liver failure.

Uktamjon Igamov had hepatitis «B» with transition to cirrhosis of the liver, he needed to take medications and receive dietary special nutrition. However, he was not provided with the necessary medical care. In the last days of his life he was in a very bad condition: he barely walked, right foot was swollen.

The forensic examination recorded the fracture of the ribs and bruises on the body of Igamov. Moreover, there are testimonies of Igamov's complaints about being beaten by police staff members. Igamov's brother also testified that Uktam was detained and beaten while being under investigation on charges of committing a crime under Article 307(3), paragraph 2 of the Criminal Code of RT.

A lawyer in her complaint referred to the use of torture against her client, illegal detention, non-provision of required medical care, when he was at the pre-trial detention center, violation of the complainants' right to an effective and timely investigation, as well as a violation of procedural rights.

However, the court found the complaint groundless and rejected the request to institute criminal proceedings for torture.

«There is a need to remind that Article 18, paragraph 2, of the Constitution of RT states that no one shall be subjected to torture, cruel or inhuman treatment. During the trial, court and the Public Prosecutor's Office, while refusing to institute criminal proceedings, brought their main argument that the cause of death of Uktam Igamov was his illness. Yes, we're not arguing with that. But who was beating him when he was under investigation? Why was Igamov left without the necessary medical care, which could possibly have caused his sudden death after detention? Why did the court allow him to be subject to pre-trial restriction as arrest,

although Igamov was seriously ill and needed constant care and medical attention? In this case many questions remained unanswered and no objective and comprehensive consideration was given», – says Dilafuz Samadova.

Notes:



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Co-operation in Europe
Programme Office in Dushanbe

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