

AI Index: EUR 60/04/93

£TADZHIZIKISTAN

@Hidden terror: Political killings, "disappearances" and torture since December 1992

## 1 INTRODUCTION

In the remote former Soviet republic of Tadjikistan a human rights tragedy has been taking place almost out of sight of the rest of the world. Since factional violence erupted in May 1992, armed conflict between forces divided along both political and regional lines has left up to 20,000 people dead, according to official estimates, and has displaced over 600,000 people. Human rights abuses by the parties involved have been alleged throughout the period of armed conflict.

Scores of people, mostly unarmed civilians, are reported to have been extrajudicially executed by law enforcement officials since the entry into Dushanbe of forces subordinate to the government, or have "disappeared" since being detained by law enforcement bodies. The victims are reported to be mainly people originating from the Garm region east of Dushanbe, and from the Pamir mountains in the far east of the country, areas apparently believed by government supporters to be centres of opposition. The killings and "disappearances" are reported to have followed checks of identity papers on the streets or at the airport, or during house-to-house searches. People have reportedly been executed on the spot, or have been placed under arrest and their bodies found later in the street or in the city morgue, while the fate of other people who have been detained remains unknown.

Statements by officials have indicated that law-enforcement bodies have been authorized to operate a shoot-to-kill policy in situations where less extreme measures might be sufficient for the fulfilment of their duties. It has also been reported that in certain circumstances illegal possession of a firearm has been made punishable by death.

Prisoners are reported to be subject to torture in detention.

Amnesty International takes no position on the political objectives of the parties to the conflict in Tadjikistan. The organization works to oppose human rights violations falling within its mandate resulting from that conflict. Information about the extent of those violations is currently far from complete. This report focuses on grave human rights violations which have taken place mostly in the capital, Dushanbe, since the city fell to government forces in December 1992. Equally grave human rights abuses have been alleged by all sides during other periods of the conflict and in other locations, but to date it has been largely impossible for Amnesty International to obtain verification, or to identify and target the perpetrators of those other alleged abuses. The accountability of the Government of Tadjikistan for extrajudicial executions is not diminished by the commission of similar acts by armed opposition groups.

### Background

The Republic of Tadjikistan (formerly known as the Tadjik Soviet Socialist Republic) is in Central Asia, bordering China and Afghanistan. Its territory came under Russian domination in the 19th century. Following the establishment of Soviet power in Central Asia, Tadjikistan became part of Soviet Turkestan, which was constituted as an Autonomous Republic within the Russian Federation in April 1921. Tadjikistan became an Autonomous Republic within Uzbekistan in 1924, being upgraded to a Union Republic in 1929.

The republic's population of around 5.1 million is about 59 per cent Tadjik (an ethnically Iranian group, speaking a form of Farsi, they are ethnically distinct from the Turkic peoples native to the rest of Central Asia), 23 per cent Uzbek and 10 per cent Russian. The ethnic Tadjik and Uzbek populations are predominantly Sunni Moslem, although the Pamiri people (sometimes referred to as Mountain Tadjiks)

of eastern Tadjikistan are Shi'as of the Ismaili sect. Under Soviet rule Tadjikistan was the poorest and most economically underdeveloped republic, with high unemployment and housing shortages. In February 1990 rioting in the capital, fuelled by ethnic tensions and economic problems, cost at least 25 lives.

On 25 August 1990 Tadjikistan proclaimed its sovereignty and the primacy of the republican laws over USSR laws. In the aftermath of the failed coup in Moscow in August 1991, independence as the Republic of Tadjikistan was declared on 9 September 1991. Later that month a decree banning the republican Communist Party, issued by Acting President Kadreddin Aslonov, produced a backlash by communist deputies in the Tadjik Supreme Soviet (parliament) who voted to replace the President, overturned the ban on the party and declared a state of emergency. This coup collapsed after a week in the face of a mass sit-in by demonstrators in Dushanbe. The state of emergency was lifted and the Communist Party was suspended, although it was restored soon afterwards as the Socialist Party, reverting to its original name in January 1992. A presidential election in November was won by former Communist Party leader Rakhmon Nabyev, who had been made acting President following the removal of Kadreddin Aslonov.

Tadjikistan's independence was recognized internationally following the dissolution of the Soviet Union at the end of 1991. Tadjikistan became a member, with 10 other former Soviet republics, of the Commonwealth of Independent States (CIS). Tadjikistan became a member of the Conference on Security and Co-operation in Europe in January 1992 and the United Nations in March 1992.

The civil war

In May 1992 rival demonstrations by supporters and opponents of President Rakhmon Nabyev erupted into violence in Dushanbe. This forced the President to include representatives from the opposition Democratic Party and Islamic Renaissance Party in a coalition government. The demonstrators in Dushanbe had been divided along regional and clan as well as political lines, and while the situation in Dushanbe stabilized, the south of the country immediately erupted into armed conflict which pitted the neighbouring Kulyab and Kurgan-Tyube regions against each other. There were allegations of the deliberate targeting of non-combatant civilians by both sides in the conflict during this period, although there are no reliable estimates of the numbers of victims. Tens of thousands of people fled their homes.

Fighting escalated after President Nabyev was forced by his opponents to resign in September, and in late October forces from Kulyab loyal to the ousted President briefly occupied central Dushanbe before being expelled by forces loyal to the government of acting President Akbarsho Iskandarov. In an attempt to stop the civil war that government resigned in November and a special session of Tadjikistan's parliament, still communist dominated, was convened in the northern city of Khudzhand. This dismissed Iskandarov and installed Imamali Rakhmonov as chairman of parliament and head of state (the office of President was abolished). Forces apparently supporting the Islamic elements in the outgoing government refused to relinquish control of Dushanbe, which was besieged by forces from the south of the country loyal to the new government created by the Khudzhand meeting. After fierce fighting Dushanbe fell on 10 December. As of March 1993, sporadic fighting between government forces and Islamic armed groups was continuing in mountain areas east of Dushanbe.

Government sources put the death toll from the civil war at around 20,000. Over 600,000 people, more than one tenth of the population, are estimated to have been displaced, including tens of thousands who fled to neighbouring countries, including Afghanistan.

## 2 AMNESTY INTERNATIONAL'S CONCERNS

Extrajudicial executions and 'disappearances' following the fall of Dushanbe  
Amnesty International is deeply concerned that scores of people, most of them unarmed

civilians, are reported to have been extrajudicially executed by law enforcement officials since the entry into Dushanbe of forces subordinate to the government installed in Tadzhikistan in November 1992. Amnesty International is also concerned for the safety of a number of people who are reported to have "disappeared" since being taken into custody in Dushanbe and elsewhere by pro-government forces. The victims are reported to be mainly people originating from the Garm region east of Dushanbe, and from the Pamir mountains in the far east of the country, which is known as the Gorno-Badakhshan Autonomous Region. It is alleged that these areas are believed by government supporters to be centres of opposition. Journalists identified with the opposition have also been targeted.

Amnesty International uses the term "extrajudicial executions" to describe deliberate and unlawful killings by state agents acting outside the framework of the judicial or legal system. The term distinguishes such killings from the judicial death penalty – a sentence imposed by a court after a prisoner has been convicted of a crime for which this penalty is provided in law. Amnesty International also opposes the judicial death penalty in every instance.

The "disappeared" are people who have been taken into custody by agents of the state, yet whose whereabouts and fate are concealed, and whose custody is denied. "Disappearances" cause agony for the victims and their relatives. The victims are cut off from the world and placed outside the protection of the law; often they are tortured; many are never seen again. Their relatives are kept in ignorance, unable to find out whether the victims are alive or dead.

Killings and "disappearances" in and around Dushanbe are reported to have followed checks of identity papers by government forces during vehicle searches at road-blocks throughout Dushanbe, identity checks at the airport, or during house-to-house searches. Some people were reportedly executed on the spot. In one incident on 14 December 1992, witnessed by a French freelance journalist, three men in military uniform entered a bus at Circus Square in the eastern part of Dushanbe to conduct an identity check. They removed two young men who appeared to be Pamiris, took them over to a military truck standing nearby, and shot them. In a similar incident, which took place on the following day outside the cinema "Tadzhikistan" in Dushanbe, armed people in the uniform of the Ministry of Internal Affairs are said to have stopped buses and separated out Tadzhik citizens whose place of birth was listed in their internal passports as being in the Garm or Gorno-Badakhshan regions. Twenty people so identified were ordered to move to military vehicles and, when they refused, were reportedly shot dead on the spot. A number of individuals are reported to have been detained on the street, at the airport or in their homes and placed under arrest, and their bodies have been found later in the street or in the city morgue. The fate of other people detained in this way remains unknown.

The killings and "disappearances" are allegedly the work of forces of the Interior Ministry or of the People's Front of Tadzhikistan, a paramilitary group which took the leading role in the assault on Dushanbe in December and which has since been seconded to law enforcement duties. The People's Front draws its members principally from the Kulyab region and is led by Sangak Safarov, a convicted criminal who has spent a total of 23 years in prison for offences including murder.

Since December 1992 Amnesty International has obtained the names of almost 300 people who, according to unofficial sources, have been extrajudicially executed in and around Dushanbe by forces subordinate to the Government of Tadzhikistan, or who have "disappeared" after being detained by such forces. Based on the information it has received, Amnesty International is raising with the government selected individual cases, some of which are detailed below.

Extrajudicial execution: Muso Isoyev

Muso Isoyev, a well-known film actor of Pamiri origin who had taken part in April and May 1992 in the demonstrations against President Rakhmon Nabiyev, was reportedly

detained at the "Karabalo" bus-stop in Dushanbe on 18 or 19 December 1992 by men in an armed personnel carrier. He was placed under arrest and taken away to an unknown destination. On the morning of the following day Muso Isoyev's body, according to reports riddled with over 80 bullet wounds, was found on a street in Dushanbe's 65th *mikrorayon* (district).

Extrajudicial execution: Shogunbek Davlatmirov

Shogunbek Davlatmirov was reportedly summarily executed on 21 December 1992 at Dushanbe airport. The deputy director of the Tadzhikistan Consumers' Union, involved in trading agricultural produce, and of Pamiri origin, Shogunbek Davlatmirov was taken from a passenger aircraft bound for Khudzhand, reportedly by agents of the Interior Ministry. He was shot dead immediately afterwards.

Extrajudicial execution: the Rizvonov family

On the evening of 27 January 1993 people believed to be agents of the People's Front burst into an apartment on Firdousi Street in Dushanbe, home of a family of Pamiri origin, the Rizvonovs. They shot dead all seven members of the family present in the apartment, mostly women and children including a grandmother of 80 and a child of four years old. They also shot dead four other people, refugees from the civil war, who were staying with the Rizvonovs and whose names are not known.

Extrajudicial executions and "disappearances" at the Varzob state farm

On 25 January 1993 people believed to be agents of the People's Front detained a group of around 14 men at the settlement of Takob, on the Varzob state farm, north of Dushanbe. The corpses of 10 of these men were delivered to the Dushanbe city morgue on the morning of 28 January. The fate of the others remains unknown. A medical professional who saw the corpses in the morgue told Amnesty International that many of them showed signs of torture and mutilation: one of the victims, school-teacher Mukhatbatsho Abdulnazarov, had apparently been killed by having the top of his skull sliced off. Among the other victims were Amirsho Khovarshoyev and his son Asilsho, who came originally from the Rushansky district of Gorno-Badakhshan. Another son, Amonsho Khovarshoyev, was detained with them and is among those who have "disappeared".

`Disappearances': Rakhmatsho Khushbakhtov and Makhmadrakhim Mamadrizobekov

Rakhmatsho Khushbakhtov, a 45-year-old driver for the central pharmaceutical warehouse, was reportedly taken from his home in Dushanbe on 28 December 1992 by people who are believed to have been agents of the People's Front of Tadzhikistan. Student Makhmadrakhim Mamadrizobekov, from Gorno-Badakhshan, was similarly detained in Dushanbe in December by suspected People's Front agents. It is not known where either man was taken, and there has been no news of them since then.

Official statements about the security situation – State of emergency

Apparently in response to growing international criticism of the reported extrajudicial executions in Dushanbe, Imamali Rakhmonov made a statement in a nation-wide radio and television broadcast on 24 December 1992, the text of which was also communicated to the Secretary-General of the United Nations by Tadzhikistan's permanent representative to the United Nations on 30 December. The following is an extract from that statement:

"The government's ability to establish legality throughout the country, and in particular in the city of Dushanbe, is limited. Taking advantage of this, some groups are committing crimes, killing innocent persons and plundering the property of the population.

"I state with full authority that such criminal groups are enemies of the people and of the legitimate Government of Tadzhikistan. The Government of the Republic and its competent bodies are taking and will take strict measures to control them. Punishment for each person who commits a crime will be determined by the court, and no person or group of people has the right to administer mob law, since violence engenders more violence. In this connection, the Ministry of Internal Affairs, the

State Security Committee and other competent bodies of the Republic have been given the necessary instructions to pursue criminals, thoroughly investigate all incidents and assess them on the basis of the law. The self-disbanded courts and prosecutors' offices will be re-established and we hope that they will soon start work and will strengthen the foundations of legality.

"The goal of the criminal groups – which are posing as government forces, are murdering people on the basis of the region, nation or faith they belong to – is to undermine the authority of the legitimate Government.

"I should stress that the Republic of Tadjikistan, recognizing the Charter of the United Nations, the Helsinki Final Act, the Paris Charter and other international agreements, will build its internal and external policy on the basis of these instruments and will not allow human rights to be violated because of national, religious [or] racial affiliation."

In a statement on 3 February 1993 to the Russian *Interfax* news agency, Imamali Rakhmonov announced that Sangak Safarov intended to transfer the headquarters of the People's Front from Kulyab to Dushanbe and to examine allegations that the People's Front was involved in "marauding and robberies". In a further statement to *Interfax* reported on 16 February Imamali Rakhmonov announced that law enforcement officers had detained 20 people, described as "marauders", who had been "operating under the cover of 'membership' of the People's Front". *Interfax* reported that the authorities planned to televise the trial of these detainees "to show the people that the People's Front provides no shelter to criminals".

By decree of the Presidium of the Supreme Soviet a state of emergency was introduced in Dushanbe and surrounding districts on 7 January 1992. The decree imposed a night-time curfew, banned rallies and demonstrations, and restricted the movement of vehicles. It also authorized law enforcement officials to conduct inspection of motor vehicles and identity checks and personal searches of individuals.

Indications of shoot-to-kill policy by law enforcement officials

Amnesty International wrote in February 1993 to the Government of Tadjikistan expressing concern about recent statements by security officials concerning the activities of government security forces, which, as reported in the media, indicated that security forces had been authorized to carry out summary executions. The reports monitored by Amnesty International were as follows:

In mid-December 1992 Gulyam Babayev, military commandant of the town of Kurgan-Tyube, stated on national television in Tadjikistan that measures "up to and including execution on the spot" would be applied to "mafia-criminal structures, pillagers and marauders" because of the "complete paralysis of local law enforcement and judicial bodies".

On 6 February 1993 Sangak Safarov told journalists that in the areas of the Romit gorge and Komsomolabadsky district, east of Dushanbe, armed formations of the People's Front had orders to shoot on the spot "looters and marauders", and that they had "already had to carry out these orders many times".

Amnesty International is aware that many deaths have been reported in Tadjikistan as a result of clashes between government forces and armed opposition formations. Nevertheless, the organization is concerned that from the statements quoted above, it appears that members of the security forces and of the Popular Front were authorized to make intentional lethal use of firearms in circumstances where less extreme measures might be sufficient. Amnesty International is asking the Government of Tadjikistan to clarify whether the comments by the military commandant of Kurgan-Tyube and the head of the People's Front about such intentional lethal use of force represent official government policy.

Amnesty International regards deliberate and arbitrary killings resulting from inappropriate use of lethal force by law enforcement officials to be extrajudicial executions when they are condoned by the government. The organization is calling

on the government to take urgent and comprehensive measures to ensure that all law enforcement officials in the republic, and other persons seconded to law enforcement duties, are aware of and conform to internationally agreed standards on the use of firearms. Among other things these stipulate that law enforcement officials shall not use firearms against persons except in self-defence or defence of others against the imminent threat of death or serious injury, to prevent the perpetration of a particularly serious crime involving grave threat to life, to arrest a person presenting such a danger and resisting their authority, or to prevent his or her escape, and only when less extreme means are insufficient to achieve these objectives. In any event, intentional lethal use of force may only be made when strictly unavoidable in order to protect life.

Capital punishment for possession of firearms

Amnesty International also raised with the government in February its concern about a report by the *ITAR/TASS* news agency on 4 January 1993 concerning the program of the Government of Tadjikistan to confiscate firearms from the population. This report stated that people from whom arms had been confiscated and who were subsequently found to be illegally in possession of firearms would be liable to execution by firing-squad.

Amnesty International opposes the death penalty in all cases and without reservation, on the grounds that it is a violation of the right to life and the right not to be subjected to cruel, inhuman or degrading treatment or punishment as proclaimed in the Universal Declaration of Human Rights.

Amnesty International is calling on the government to confirm or deny the report by *ITAR/TASS*. If the report is correct, the organization is calling on the government to state under what legal provision possession of firearms has been made a capital offence; what are the trial procedures for people charged with this offence; what provisions are made to ensure that such people have access to a defence lawyer of their own choice; and what procedures are laid down for those convicted of this offence to appeal against their sentence and seek commutation.

Tadjikistan's criminal code already provides for capital punishment for a total of 18 peacetime offences.

Torture

The cases of Mirbobo Mirrakhimov, Akhmadsho Kamilov, Khayriddin Kasymov and Khurshed Nazarov

Amnesty International is concerned for the safety of political prisoners Mirbobo Mirrakhimov, Akhmadsho Kamilov, Khayriddin Kasymov and Khurshed Nazarov, who were arrested in January 1993 and were subsequently reported to be in detention in investigation-isolation prison No.1 of the Ministry of Internal Affairs in Dushanbe.

Amnesty International fears that they are being tortured in detention, and is concerned that they have been denied access to legal counsel.

Mirbobo Mirrakhimov is the former chairman of Tadjikistan's state radio and television company, Akhmadsho Kamilov is the former director of national television, and Khayriddin Kasymov and Khurshed Nazarov are television journalists. They fled Tadjikistan after government forces entered Dushanbe in December, but all were detained by local police in neighbouring states (Mirbobo Mirrakhimov in Ashgabat, Turkmenistan, and Akhmadsho Kamilov, Khayriddin Kasymov and Khurshed Nazarov in Osh, Kyrgyzstan) and were handed over to the Tadjik authorities. They have all reportedly been charged with "conspiracy to overthrow the government using the mass information media". Akhmadsho Kamilov, Khayriddin Kasymov and Khurshed Nazarov have reportedly also been charged with the theft of videotapes which allegedly contained evidence of torture and killings by forces loyal to the new Government of Tadjikistan, and which they were attempting to smuggle to the West via Russia. Mirbobo Mirrakhimov has also been charged with slander of a former speaker of parliament, a charge for which he had already been tried and given a two-year

conditional sentence in 1991.

It has been alleged that all four men have been severely beaten during interrogation: Khayriddin Kasymov has reportedly suffered a broken nose and had several teeth knocked out. Furthermore, it has been alleged that for long periods Akhmadsho Kamilov is not allowed by his interrogators to sleep or to sit. All four men have reportedly been denied access to medical treatment and to lawyers.

Amnesty International is calling on the Government of Tadjikistan to ensure that Mirbobol Mirrahimov, Akhmadsho Kamilov, Khayriddin Kasymov and Khurshed Nazarov are not subject to torture or any other form of ill-treatment, and that they are granted access to lawyers and medical treatment. Amnesty International has also protested to the governments of Turkmenistan and Kyrgyzstan about the arrest and repatriation of these men.

Evidence of torture prior to extrajudicial execution

Many bodies of alleged victims of extrajudicial execution which have been found in the Dushanbe city morgue are reported to show evidence of torture. A medical professional who gave Amnesty International an eyewitness account of conditions in the morgue in January and February 1993 reported that the most common form of torture in evidence was the tearing out of fingernails, but some victims had apparently had limbs deliberately broken, their ears cut off, or had been slashed with a blade horizontally across the face at eye level, apparently to blind them. The witness also told Amnesty International that some bodies showed evidence that barbaric methods of killing had been used: some victims had had their throats cut, had been partially skinned alive, or had apparently been burned to death.

### 3 AMNESTY INTERNATIONAL'S RECOMMENDATIONS TO THE GOVERNMENT OF TADZHIKISTAN

It is governments which have adopted and are bound by international human rights standards and governments bear a responsibility to ensure that these are respected at all times. Violence by opposition groups can never justify the abandonment of these fundamental principles. Abuses by such groups should never be used as a means to divert attention from, still less to justify, human rights violations by governments. Condemnation of abuses by opposition groups must stem from the same genuine respect for human life, security and liberty which also compels the highest standards of governmental observance of human rights law.

#### 1. Respect for human rights law

The Republic of Tadjikistan is bound by international human rights standards, including the International Covenant on Civil and Political Rights (ICCPR) and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, by virtue of its status as a successor state of the former USSR. Amnesty International welcomes the statement by Imamali Rakhmonov of 24 December 1992 concerning the recognition by the Republic of Tadjikistan of the Charter of the United Nations, but calls upon the Government of Tadjikistan to reaffirm explicitly that it is a party to individual United Nations' standards on human rights, including the ICCPR and the Convention against Torture.

Amnesty International welcomes the affirmation by Imamali Rakhmonov that the Republic of Tadjikistan is bound by the documents of the Conference on Security and Co-operation in Europe (CSCE), and calls on the Government to respect the detailed CSCE human rights commitments.

#### 2. State of emergency regulations

Any derogation from obligations relating to human rights and fundamental freedoms during a state of public emergency must remain strictly within the limits provided for by international law, including the ICCPR and CSCE commitments which Tadjikistan has expressly agreed to be bound by. Most importantly, the right to life and the right not to be tortured can never be suspended, not even during a state of emergency.

### 3. Government to exercise effective control to prevent abuses

(i) Those in charge of the security forces should maintain and where necessary strengthen strict chain-of-command control to prevent human rights abuses occurring. They must issue strict orders instructing their forces to abide by international human rights standards.

(ii) Any individual suspected of committing or ordering abuses such as deliberate and arbitrary killing, "disappearances" or torture should be removed from any position of authority and all duties in which he or she comes into contact with detainees or others at risk of human rights abuses. Such perpetrators should be tried for their actions.

(iii) Paramilitary forces operating outside the chain of command but with official support or acquiescence should be prohibited and disbanded, or else they should be fully integrated into government law enforcement structures with ensured chain of command. Members of paramilitary forces who have perpetrated human rights abuses should be brought to justice.

### 4. Extrajudicial executions

(i) The government should conduct prompt, thorough and impartial investigations into all allegations of extrajudicial execution; make the findings public; and bring perpetrators of extrajudicial execution to justice.

(ii) The government should publicly issue orders making it clear that law enforcement personnel are prohibited from operating a shoot-to-kill policy, and that anyone operating such a policy will be prosecuted. The government should ensure that law enforcement personnel use force only when strictly necessary and only to the minimum extent required under the circumstances. Lethal force should not be used except when strictly unavoidable in order to protect life.

The accountability of the Government of Tadjikistan for extrajudicial executions is not diminished by the commission of similar acts by armed opposition groups.

### 5. "Disappearances"

(i) Accurate information about the arrest of any person and about his or her place of detention, including transfers and releases, should be made available promptly to relatives, lawyers and the courts. Prisoners should be released in a way that allows reliable verification of their release and ensures their safety.

(ii) The government should ensure that prisoners are held only in publicly recognized places of detention. Up-to-date registers of all prisoners should be maintained in every place of detention and centrally. The information in these registers should be made available to relatives, lawyers, judges, official bodies trying to trace people who have been detained, and others with a legitimate interest. No one should be secretly detained.

(iii) The government should ensure that all people held in detention have the right to be informed promptly of the charges against them and to be granted immediate access to relatives, legal counsel and medical treatment.

(iv) The government should issue clear public instructions to all law enforcement officials to indicate that "disappearance" of prisoners or any other person is unlawful and will be punished.

(v) The government should conduct a full and independent investigation into individual "disappearances"; make the findings public; and bring those found responsible to justice.

### 6. The death penalty

Amnesty International is unconditionally opposed to the death penalty, which it considers a violation of the right to life and the ultimate form of cruel, inhuman and degrading punishment. The United Nations has endorsed the goal of worldwide abolition of the death penalty. In moving towards this goal, it is essential that internationally agreed safeguards and restrictions be observed in all countries



which have not yet abolished the death penalty. The reported introduction of capital punishment for possession of firearms suggests that some of these safeguards and restrictions may not be observed in Tadjikistan.

Most importantly, illegal possession of firearms is not an offence which warrants the death penalty, according to standards adopted by the United Nations Economic and Social Council (ECOSOC). The annex to the safeguards guaranteeing protection of the rights of those facing the death penalty, adopted by ECOSOC in 1984, states: "In countries which have not abolished the death penalty, capital punishment may be imposed only for the most serious crimes, it being understood that their scope should not go beyond intentional crimes with lethal or other extremely grave consequences."

Amnesty International also calls on the government to adopt the following measures in line with international human rights standards:

(i) To ensure that every prisoner accused of an offence punishable by death is afforded all facilities, including free access to a lawyer of his or her choice, for a fair trial before an independent, competent and impartial tribunal, and that the rights of the accused are protected at all stages of the judicial process.

(ii) To ensure that everyone sentenced to death has the right to seek pardon or commutation of sentence, and the right to appeal to a court of higher jurisdiction.

#### 7. Torture

No one should be tortured or subjected to cruel, inhuman or degrading treatment or punishment. Amnesty International calls on the Tadjik authorities:

(i) to put a stop to all acts of torture immediately, to publicly condemn torture and to issue clear instructions to law enforcement officials that torture or cruel, inhuman or degrading treatment or punishment are crimes punishable by law;

(ii) urgently to order an independent inquiry into all allegations of torture and other forms of ill-treatment, to make the findings public, bring those found responsible to justice, and provide adequate compensation to victims;

(iii) to ensure that detainees under interrogation are allowed prompt and regular access to a lawyer of their choice, as well as to relatives and to a medical practitioner on request.

**KEYWORDS:** EXTRAJUDICIAL EXECUTION1 / TORTURE/ILL-TREATMENT1 / DISAPPEARANCES1 / DEATH PENALTY / INCOMMUNICADO DETENTION / MEDICAL CONFIRMATION / ACTORS / BUSINESS PEOPLE / REFUGEES / TEACHERS / DRIVERS / BROADCASTERS / JOURNALISTS / FAMILIES / WOMEN / CHILDREN / AGED /ETHNIC GROUPS / ARMED CONFLICT1 / EMERGENCY LEGISLATION / SECOND GOVERNMENTS / MILITARY / PARAMILITARIES /