

# AMNESTY INTERNATIONAL

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## Open letter from a coalition of non-governmental organizations to Emomali Rahmon, President of the Republic of Tajikistan

Emomali Rahmon  
Presidential Administration of the Republic of Tajikistan  
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734023 g. Dushanbe  
TAJIKISTAN

Dear President,

As more than 1300 cities around the world commemorate the first abolition of the death penalty by the Granduchy of Tuscany in 1786 on 30 November, we take the opportunity to welcome the fact that Tajikistan has not sentenced to death or executed anyone since the country's moratorium took effect in April 2004. Your leadership was crucial in introducing the moratorium and your speech to Parliament in April 2004 in which you stated that "*the right to life is natural, and nobody has the right to deprive any other person of this right*" was a strong statement in support of human rights protection in Tajikistan. Subsequently, the law "on the suspension of the application of the death penalty" was adopted by the *Majlis Namoyandagon* (lower house of parliament) and endorsed by the *Majlisi Milli* (upper house of parliament) in June and July 2004 respectively.

We welcome that your government has since taken steps aimed at the full abolition of the death penalty. In April 2010 you established the Working Group on the Study of Social-Legal Aspects of the Abolition of the Death Penalty in the Republic of Tajikistan (Working Group), which consists of key officials from the executive and the judiciary, as well as the Ombudsman. In his presentation on 5 October to the 2010 Review Conference of the Organization for Security and Co-operation in Europe about the death penalty, Jumahon Davlatov, head of the Working Group and Presidential Advisor on Legal Policy, stated that "we shall in the very near future arrive at its total abolition".

The organizations signing this appeal believe that the time is ripe to fully abolish the death penalty in Tajikistan. We are calling on you to use your leadership once again to make the prompt and full abolition of the death penalty and the ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights a priority on your government's agenda.

When the moratorium on death sentences and executions was introduced, domestic legislation, including the Constitution and the Criminal Code, retained provisions about the death penalty. By abolishing the death penalty and erasing legislation pertaining to it from its statute books Tajikistan would send a strong signal to the international community and the people of Tajikistan that it is fully committed to outlawing this cruel, inhuman and degrading punishment forever.

On 30 November 2010 over 1300 cities around the world are celebrating "Cities for Life -- Cities against the Death Penalty" and are expressing their affirmation of the value of life and their opposition to the death penalty. "Cities for Life -- Cities against the Death Penalty" is an annual event organized by the Rome-based Community of Sant'Egidio and supported by the World Coalition Against the Death Penalty consisting of numerous human rights organizations that are its associated members.

On 30 November human rights defenders in Tajikistan will join activists around the world to draw attention to the issue of the death penalty. They are planning to engage in a series of activities to raise

awareness about the importance of abolishing the death penalty, including on the radio stations *Asia plus* and *Imruz* and on the television channel *Safina*, and leaflets entitled "Say no to the death penalty" will be distributed to the population.

When the Universal Declaration of Human Rights was adopted in 1948, only eight countries were abolitionist for all crimes. As of today, more than two-thirds of the countries in the world have abolished the death penalty in law or practice. The world is in reach of 100 countries that have removed capital punishment entirely from their laws.

On 11 November 2010 the Third Committee of the United Nations General Assembly adopted a resolution on a moratorium on the use of the death penalty, the third since 2007, calling on member states "to establish a moratorium on executions with the view to abolishing the death penalty". The resolution was adopted by 107 votes in favour, 38 against with 36. The resolution is due to be endorsed by the UN General Assembly at its plenary session in December. Tajikistan's support of the resolution is an important reaffirmation of the authorities' commitment to the abolition of the death penalty, in line with the worldwide trend.

In Central Asia, there is also a clear trend towards abolition of capital punishment. Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan retained the death penalty when they gained independence from the Soviet Union in 1991. Today, Kyrgyzstan, Turkmenistan and Uzbekistan have abolished capital punishment for all crimes. Kazakhstan abolished the death penalty for ordinary crimes only.

The organizations joining this appeal oppose the death penalty unreservedly in all cases. Every death sentence is an affront to human dignity, every execution a symptom of a culture of violence, rather than a solution to it. The risk of error in applying the death penalty is inescapable, and, once made, irrevocable. We recognize the need to address serious crime all over the world, including murder. However, the death penalty will not provide a solution. There is no clear evidence that the death penalty acts as a more effective deterrent against crime than other forms of punishment.

The abolition of the death penalty would mark a historic step that would enhance fundamental human rights protection for future generations in Tajikistan. As the President of the Republic you have the power to take up this cause and to respond to this historic challenge.

Yours sincerely,

Amnesty International  
Bar Association of Sugd region  
Bureau of Human Rights and Rule of Law  
Center for Civil Society Development  
Centre for Human Rights  
Child Rights Centre  
Independent Center for Human Rights  
Inis  
Khoma  
Lawyers Association of the Pamir  
NOTA BENE  
Perspektiva+  
Penal Reform International  
Rights and Prosperity  
Society and Law  
Society of persons with disabilities of Dushanbe "IMKONIYAT"  
World Coalition Against the Death Penalty

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