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Tajikistan: Lethal Secrets

Secret executions after unfair trials take place every year in Tajikistan. Many of those sentenced to death allege they were tortured and their relatives receive so little information about their fate, that they often don't know if they are alive or dead, said Amnesty International in a report released today.

'Relentlessly cruel and arbitrary,' is how the report "*Tajikistan: deadly secrets. The death penalty in law and practice*", describes the pattern of the secret use of the death penalty that Amnesty International has been able to discover in the face of official secrecy.

The organization knows of 133 people who have been arrested on capital charges, convicted and sentenced to death since 1998, 29 of them in the first six months of 2002. Seven people are known to have been pardoned over the past four years and 17 executed. Amnesty International believes that in all probability the others are also dead. Due to official secrecy laws, the true figure of sentences and executions is likely to be higher.

"There are signs that President Imamali Rakhmonov may be using the so-called international 'war against terrorism' as a pretext for settling scores with former civil war opponents," said Nicola Duckworth, Europe Program Director. The death penalty has also been used extensively in cases with no visibly political dimension.

None of the prisoners sentenced to death in Tajikistan received a fair trial, according to evidence presented in the report. For example, defendants have been denied access to lawyers, senior state officials have publicly proclaimed defendants guilty before the start of their trial, and courts have ignored torture allegations. In some cases death penalty trials have been held in secret.

"Given that the Tajik criminal justice system does not meet internationally agreed standards for a fair trial, the risk that innocent people will be sentenced to death is enormously high," said Nicola Duckworth. "Tajikistan's flawed legal system and its traditionally widespread recourse to the death penalty make this an alarming trend."

In all cases where Amnesty International has detailed information, people sentenced to death claim they were tortured. Allegations have included torture by ferocious beating; rape with a truncheon, penis or other objects; and electrocution of the ears, fingers, toes and anus.

Several prisoners have named the same investigator, but no action has apparently been taken to

examine the truth of their allegations. On the contrary, courts have admitted confessions extracted under torture as evidence and used it to condemn prisoners to death.

Families of death row prisoners are kept in a state of uncertainty about the fate of the person they love, often discovering that clemency was refused only when the prisoner has been removed without warning to the place of execution, and often when they are already dead.

"Relatives of death row prisoners are subjected to a form of mental cruelty, very close to torture," said Nicola Duckworth.

They have no right to see the condemned person to say goodbye before the execution and are deprived of all rights once the prisoner has been executed -- such as the opportunity to collect the prisoner's belongings, or the body for reburial. They are not even told where the grave lies.

"Tajikistan has subscribed to the international system for the protection of human rights," stated Nicola Duckworth, "but blatantly undermines it". At least four people have been executed although the UN Human Rights Committee had requested a stay on their execution to examine their case.

Amnesty International calls on the Tajik authorities to commute all death sentences and to place a moratorium on executions.

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