

AMNESTY INTERNATIONAL

PUBLIC STATEMENT

ASA 30/4806/2016

13 September 2016

MONGOLIA: LOGISTICAL CHALLENGES SHOULD NOT DELAY ABOLITION OF DEATH PENALTY AND MEASURES TO COMBAT TORTURE

Amnesty International expresses its disappointment that Mongolia's new Criminal Code will not come into force until July 2017, a delay of nearly a year, and urges the government and the parliament to work together to reverse this decision.

Amnesty International last year welcomed the new Criminal Code which was adopted by the parliament in December 2015 and was due to become effective from September 2016. The new Criminal Code would remove the death penalty as a form of punishment and include a prohibition against torture which aligns with the Convention against Torture's definition of torture. These positive steps sent a clear message that the death penalty and torture have no place in Mongolia.

However, on 30 August 2016 the Parliament of Mongolia adopted a law which postpones the implementation of the new Criminal Code by a further ten months. The authorities stated that there was a need for more time to prepare for the implementation of the Code, including training law enforcement officers, producing rules and procedures, and strengthening relevant criminal justice structures to reflect the new Criminal Code.

Mongolia has an obligation to bring its domestic laws into line with international human rights treaties, which it has signed up to. This includes the Convention against Torture and the 2nd Optional Protocol to the International Covenant on Civil and Political Rights, aiming at abolition of the death penalty.

Amnesty International urges the Mongolian authorities to reverse the decision and swiftly abolish the death penalty in national legislation, while commuting any existing death sentences, and bring the Criminal Code into line with international human rights law and standards, including the prohibition on torture.

The decision to postpone the implementation of the new Criminal Code threatens to undermine the country's journey towards abolition of the death penalty, which the country began in January 2010 when President Tsakhiagiin Elbegdorj established an official moratorium on all executions as a first step towards the full repeal of this punishment. The subsequent ratification of an international treaty on the abolition of the death penalty further committed the authorities to remove from national legislation provisions allowing for the imposition of death sentences. Mongolia was set to become

the 104th country to have abolished the death penalty for all crimes.

Mongolia's journey towards abolition has been recognized by the international community and has given the country the opportunity to share its national experience of abolition with others – but Parliament's move has cast a shadow over these achievements. The Parliament's u-turn is a step backward on the path to abolition of the death penalty in Mongolia. Amnesty International urges the parliament to ensure the implementation of Mongolia's human rights obligations, including prohibiting torture and abolishing the death penalty as a matter of priority.