

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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Tajikistan: Amnesty International welcomes Tajikistan's support of several important recommendations on torture and ill-treatment and urges the authorities to implement these without delay.

Human Rights Council adopts Universal Periodic Review outcome on Tajikistan

Amnesty International welcomes Tajikistan's support of several important recommendations on torture and ill-treatment and urges the authorities to implement these without delay.¹

Tajikistan has taken a first step by introducing draft amendments to the Criminal Code to bring the definition of torture in line with Article 1 of the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. It should now prioritize the implementation of recommendations to eradicate torture and other forms of ill-treatment,² and to ensure prompt and credible investigations into all allegations of torture, including deaths in custody.³

Amnesty International welcomes Tajikistan's support of recommendations to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.⁴

Amnesty International welcomes Tajikistan's support of recommendations to ensure detainees have access to legal and medical assistance when in custody,⁵ and to bring the Criminal Procedural Code in line with the Body of Principles for the Protection of All Persons under any form of Detention or Imprisonment.⁶ We regret, however, Tajikistan's rejection of a recommendation to open all detention facilities for unrestricted monitoring by independent international and national monitoring bodies.⁷

Amnesty International's research shows that torture is widespread in Tajikistan, particularly in pre-trial detention facilities. People suspected of supporting banned Islamic groups are at particular risk. A climate of impunity for such abuses by police and security forces prevails. We therefore deeply regret Tajikistan's rejection of recommendations to ratify the Optional Protocol to the Convention against Torture.⁸

Amnesty International is concerned that Tajikistan considers as already implemented a recommendation on the use of statements obtained under torture as evidence in legal

¹ A/HRC/19/3, recommendations 88.23 (Czech Republic, Australia), 88.24 (Canada), 88.25 (Brazil), 88.26 (Slovakia), 88.27 (Indonesia) and 88.28 (UK).

² Ibid., recommendations 88.25 (Brazil), 88.26 (Slovakia) and 88.28 (UK).

³ Ibid., recommendations 88.24 (Canada) and 88.26 (Slovakia).

⁴ A/HRC/19/3/Add.1, recommendation 90.10 (Czech Republic, Switzerland, Hungary, Belgium, France)

⁵ Ibid., recommendation 90.35 (Turkey).

⁶ Ibid., recommendation 90.30 (Czech Republic).

⁷ Ibid., recommendation 90.33 (Canada).

⁸ Ibid., recommendations 90.1 (Czech Republic, Poland), 90.2 (France), 90.3 (Estonia, United Kingdom), 90.4 (Switzerland), 90.5 (Costa Rica), 90.8 (Brazil), and 90.12 (Argentina).

proceedings.⁹ While the Tajikistani Code of Criminal Procedure requires such evidence to be declared inadmissible, we are concerned that judges frequently ignore allegations of torture. Amnesty International calls on Tajikistan to adopt legislation preventing statements made by detainees without a lawyer present from having probative value in court, except as evidence against those accused of torture.

Background

The UN Human Rights Council adopted the outcome of the Universal Periodic Review of Tajikistan on 14 March during its 19th session. Prior to the adoption of the report of the review Amnesty International delivered the oral statement above. Amnesty International also contributed to the information basis of the review through its submission on Tajikistan: <http://www.amnesty.org/en/library/info/EUR60/006/2011/en>

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International Secretariat, Amnesty International, 1 Easton St., London WC1X 0DW, UK
www.amnesty.org

⁹ A/HRC/19/3, recommendation 89.1 (Mexico).