

Tajikistan: Execution Moratorium Hopes

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Campaigners see proposed end to capital punishment for women as important step on road to death penalty moratorium.

The Tajik government's recent proposal to abolish the death penalty for women has stoked the debate over capital punishment.

The move is one of nearly 300 suggested amendments to the criminal code – around a fifth of which are designed to make punishments less severe – which the authorities have been discussing since the beginning of March.

International human rights organisations estimate that Tajikistan has one of the highest execution rates in the world – although recent state secrecy laws conceal the exact number.

But independent sources have revealed that last year over 100 death sentences were passed down in the former Soviet republic – the majority of which were carried out.

The news that capital punishment may no longer apply in certain circumstances has been welcomed by several local NGOs, including the Soros Foundation Open Society group, which has long campaigned against the death penalty.

Oinikhol Bobonazarova, head of its Tajikistan branch, described the proposals as a “bold move”, adding, “When [we] first raised the issue of abolishing or declaring a moratorium on the death penalty, a certain number of Tajiks thought this would be impossible – and many international organisations did not support us either.”

Supreme court judge Munnavarkhon Fayozova told IWPR that the proposal was the result of the efforts of international bodies and NGOs who demanded that the death penalty for women be abolished and that a moratorium on capital punishment introduced.

Currently, there are 15 classes of crime that carry death sentences – nearly twice as many as in neighbouring Uzbekistan, the only other Central Asian republic to retain capital punishment.

Campaigners feel that the plan to abolish capital punishment for women is the first step on the road to a moratorium on executions.

A major stumbling block in the campaigners' progress is the simple fact that few Tajiks support the idea of a moratorium. According to sociological surveys, held by various NGOs, more than 70 per cent are in favour of capital punishment.

As a result, the government is not yet prepared to follow in the footsteps of many other CIS countries put a halt to the practice.

Bobonazarova feels that the republic is facing a Catch-22 situation. “The main argument for keeping the death penalty is that society is not ready for it to be abolished – but it never will be, as long as the state does not take a step in that direction,” she argued.

The view is supported by many in the legal establishment. “Tajikistan, which proclaims itself to be a secular and democratic state, should follow one of the main principles of the universal declaration of human rights – and join those who oppose capital punishment,” said lawyer Zarif Gulomov.

Rakhmatillo Zoirov, a presidential adviser on legal issues, admits that his country’s criminal code is “draconian” in many ways. “In the near future, the Tajik leadership should try to make its criminal code more humane by limiting the number of articles that stipulate the death penalty,” he said.

Makmadali Vatanov, a senior official at the Supreme Court of Tajikistan, insisted, however, that capital punishment was not a commonly handed down, “It is mainly given for crimes such as premeditated murders – it is very rare for it to be handed down for the killing of only one person.

“Last year, in a suburb of Dushanbe, a family of 11 was murdered. The criminals did not even spare the baby who was sleeping in his cradle. The extreme brutality of such crimes often plays a part in delivering death sentences.”

Nargiz Zokirova is a journalist in Tajikistan.

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