

12 September 2018

Warsaw, 12th September, 2018

Mr Ambassador Idibek Kalandar
Head of Delegation of the Republic of Tajikistan to the OSCE
Embassy of the Republic of Tajikistan
Hutweidengasse 47
1190 Vienna
Austria

Your Excellency,

We write to you at the opening of the Organization for Security and Co-operation in Europe's Office for Democratic Institutions and Human Rights (OSCE ODIHR) annual Human Dimension Implementation Meeting to express our grave concern about Tajikistan's respect for human rights.

As a member of the OSCE, Tajikistan is obligated to "respect human rights and fundamental freedoms" as outlined in Chapter VII of the Helsinki Act, however an unprecedented crackdown on civil society continues in the country.

Since 2014, the Tajik government has arrested between 100 and 200 political opposition leaders in what appears to be a coordinated campaign to dismantle and discredit peaceful political opposition. Among those most targeted are members of the Islamic Renaissance Party of Tajikistan (IRPT), the country's leading opposition party until the arrest of its senior leaders in September 2015, after which authorities outlawed the party and declared it a terrorist organization. The September 2015 arrests involved more than 14 senior figures of the party, including first deputy chairman Saidumar Husaini, deputy chairman Mahmadali Hayit, and assistant deputy chairman Rahmatullo Rajab. All were accused, without credible evidence, of participation in an alleged coup and then sentenced in June 2016 to terms ranging from life in prison to 26 years following a closed trial and allegations they had been tortured in pre-trial custody. Hayit is currently serving a life sentence. In May 2018, the UN Working Group on Arbitrary Detention released an opinion in which it found the detention of Hayit to be in violation of Tajikistan's international human rights obligations and called for his immediate release.

Authorities have also targeted other political groups, such as the peaceful political movement Group 24, whose members called for democratic reforms, and as a result was declared "extremist" by Tajikistan's Supreme Court.

Also, in 2013, businessman and former government official turned opposition figure, Zayd Saidov, was sentenced to 29 years in prison on specious charges after he attempted to form an opposition party known as "New Tajikistan."

The harassment and imprisonment of Hayit's lawyers is indicative of a broader trend in Tajikistan. Since 2014, authorities have arrested and detained at least six human rights lawyers – Buzurgmehr Yorov, Nuriddin Makhkamov, Shukhrat Kudratov, Fakhriddin Zokirov, Jamshed Yorov, and Dilbar Dodojonova – as well as Firuz and Daler Tabarov, sons of Iskhok Tabarov, another prominent lawyer. Zokirov was released after two periods of imprisonment. Jamshed Yorov was released on 30 September 2016 and fled Tajikistan due to continuing harassment and fear of re-arrest. Buzurgmehr Yorov and Nuriddin Makhkamov have been sentenced on politically-motivated charges to 28 and 21 years imprisonment. In May 2017, shortly after she had posted on Facebook an appeal to President Rahmon to halt his persecution of her imprisoned colleague Yorov, authorities interrogated leading rights lawyer Fayzinisso Vohidova and prevented her from leaving the country.

In December 2017, authorities arrested Khayrullo Mirsaidov, a well-known independent journalist and head of a local comedy troupe in Tajikistan's northern Sughd region. The regional Prosecutor General's office arrested him on charges of embezzlement; incitement of interethnic, national, or

religious hatred; forgery; and providing false testimony after he voluntarily appeared at the Prosecutor General's office for questioning. The charges were brought after Mirsaidov appealed to Tajikistan's president to crack down on corruption by local authorities. On 11 July 2018, Mirsaidov was sentenced to 12 years in prison. He has since been released from prison, yet we continue to remain concerned about respect for freedom of expression in the country.

Disturbingly, Tajikistan's campaign against freedom of expression and association has extended beyond the country's borders. The government has sought the extradition of critics living abroad in Greece, Turkey, Belarus, Moldova, Russia, and other countries, using the Interpol system to issue red notices against members of opposition groups. In some instances where extradition has not been successful, the government has even resorted to kidnapping. For example, youth activist Maksud Ibragimov was detained in Russia in October 2014 on an extradition request, but later released. In January 2015, he was abducted outside a police station and forced on a plane to Dushanbe, where he was later sentenced to 17 years on charges of extremism.

Of particular concern is the many individuals imprisoned on politically-motivated charges who are subjected to ill-treatment, torture and terrible conditions of detention. In September 2017, Buzurgmehr Yorov was beaten by prison guards so badly that he suffered injuries so extensive that he has trouble walking. Zayd Saidov, who suffers from disabilities and from a severe gastro-intestinal disorder, is allegedly being held under the "strict regime" in prison, which requires intrusive "check-ins" with guards every 2 hours; he has also been able to access the food or medicine needed to manage his condition. Additionally, Hayit who suffers from liver and kidney problems, has been denied regular access to his family and his lawyers and the necessary medication and nutritious food that they supply him.

Member states that have participated in the United Nations Human Rights Council's Universal Periodic Review of Tajikistan, the UN Working Group on Arbitrary Detention, the UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, the UN Special Rapporteur on the independence of judges and lawyers, and the UN Special Rapporteur on the situation of human rights defenders have all publicly expressed their concerns about arbitrary detention in the country and have urged the Tajik government to respect the fundamental human rights of its citizens.

We urge the Tajik government to comply with its international obligations. Specifically, we request that the government:

- Release and rehabilitate Yorov, Hayit, Saidov, and all other persons imprisoned on politically-motivated charges in the country;
- Cease torture and all cruel and inhuman treatment of detainees immediately and ensure that the perpetrators be held accountable;
- Grant Yorov, Hayit, Saidov and all other persons imprisoned on politically-motivated charges suffering in prison immediate and continuing access to necessary medical treatment, medication, and nutritious food; and
- End the harassment of family members of prisoners.

Sincerely,

Fair Trials International
Freedom Now
Global Advocates Foundation
Human Rights Watch
University of Exeter – Central Asian Political Exiles Project