



23 July 2018

Federica Mogherini
High Representative of the European Union for Foreign Affairs and Security Policy
European Commission
Berlaymont 1049
Brussels

Dear Ms. Mogherini,

We write to you with great concern regarding the human rights situation in Tajikistan and the continued repression of civil society.

As you are aware, since 2014, the Tajik government has been pursuing a widespread crackdown to dismantle and discredit the country's peaceful political opposition. While there is no complete list of political prisoners in the country, local activists have reported that between 100 and 200 opposition members are presently behind bars. 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. Some of his lawyers were also arrested, tried and sentenced on false charges. Another was forced to flee the country.

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 – Shukhrat Kudratov, Fakhridin Zokirov, Buzurgmehr Yorov, Jamshed Yorov, Nuriddin Makhkamov, 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.

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 trumped-up charges of extremism.

Members 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.

In May 2018, the 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.

The European Union has made significant investments in Tajikistan. Between 2014 and 2020 it will provide €251 million in development aid for projects related to education, health, and rural development. As Tajikistan's third largest trade partner, economic support of the European Union is crucial. This relationship would deepen if Tajikistan is added to the Generalized Scheme of Preferences Plus (GSP+) scheme. In considering whether to grant GSP+ status to Tajikistan, the European Union is in the unique position of ensuring that Dushanbe commits to, and implements, basic human rights standards. Dushanbe must understand that the European Union will not grant GSP+ status to Tajikistan unless and until it remedies the human rights violations inflicted upon those prisoners unjustifiably behind bars.

We are aware that the European Union has been closely monitoring the situation and has raised a number of these cases with the Tajik government. For example, the European Union drew attention to the critical findings of the UN Special Rapporteur on the right to freedom of opinion and expression following his visit to Tajikistan in March 2016, and urged the Tajik government to take concrete measures to lift restrictions on the media and independent journalists. Additionally, during the enhanced dialogue on human rights held in Dushanbe in October 2017, the European Union raised the case of Buzurgmehr Yorov and urged the Tajik government to ensure that no pressure is exerted on family members of the political opposition, including those living abroad.

We are grateful for these actions. However, the Tajik government continues to imprison hundreds of individuals subjecting many of them 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.

We urge you to take additional steps to ensure that the Tajik government complies with its international obligations. Specifically, we request that you:

- Continue to seek the release of Yorov, Hayit, Saidov, Mirsaidov and all other persons imprisoned on politically-motivated charges in the country.
- Forcefully emphasize the illegality of torture and all cruel and inhuman treatment of detainees and seek guarantees from the Tajik government that any such abuse of detainees cease immediately and the perpetrators be held accountable;
- As a humanitarian step, seek guarantees from the Tajik government that Yorov, Hayit, Saidov and all other persons imprisoned on politically-motivated charges suffering in prison be granted immediate and continuing access to necessary medical treatment, medication, and nutritious food;
- Seek permission from the Tajik government to visit Yorov, Hayit, Saidov, Mirsaidov, and others in prison;
- Seek guarantees from the Tajik government that it will end the harassment of family members of prisoners;
- Place on hold any GSP+ negotiations until the Tajik government releases all political prisoners;
- Consider placing individual travel ban or asset freeze sanctions on Tajik officials who have committed torture and other gross human rights abuses; and
- Use available diplomatic, development aid and trade tools and condition a closer bilateral relationship with Tajikistan on the measurable improvement of its human rights record.

Sincerely,

Civil Rights Defenders
Freedom Now
Human Rights Watch
Norwegian Helsinki Committee

cc:

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