

BY AIR/PRIORITY MAIL

His Excellency Mr. Rustam Shoemurod
Minister of Justice of the Republic of Tajikistan
Ministry of Justice
25 Rudaki Avenue
7 34025 Dushanbe
Tajikistan

10 June 2020

Subject: Continued detention of Buzurgmehr Yorov

Dear Minister Shoemurod,

We, the undersigned nongovernmental organizations, urge you to implement the recommendations of the United Nations Working Group on Arbitrary Detention and ensure the immediate release of Buzurgmehr Yorov. A prominent lawyer, Mr. Yorov has spent four years and nine months in detention. According to his family, he recently recovered from a serious illness and was unable to receive proper medical care from prison authorities. He remains at risk of contracting COVID-19, which has already resulted in the death of several prisoners.

Mr. Yorov was arrested on 28 September 2015 by officials from the police unit for Combatting Organized Crime. The arrest occurred shortly after Mr. Yorov took on legal representation of recently detained members of an opposition party. On 6 October 2016 he was found guilty of "arousing national, racial, local or religious hostility" under Article 189 of the Criminal Code, "fraud" (Article 247), "public calls for violent change of the constitutional order of the Republic of Tajikistan" (Article 307), "public calls for undertaking extremist activities (Article 307-1) and forgery (Article 340). He was sentenced to 23 years in prison by the Dushanbe City Court. On 16 March 2017 the Supreme Court increased his sentence by two years for "disrespecting" the court and insulting government officials. In August 2017 another three years was added to his sentence after he was found guilty of "insulting the leader of the nation". In the mass amnesty of December 2019, Mr. Yorov's total sentence of 28 years was reduced by six years. He is currently scheduled for release in 2037.

On 12 June 2019 the United Nations Working Group on Arbitrary Detention (the "WGAD") – an independent panel of five human rights experts from around the world - issued an opinion calling for the release of Mr. Yorov. In its opinion, the WGAD found that the Government of Tajikistan had committed numerous violations of international law in arresting and detaining Mr. Yorov. It had determined that Tajikistan had denied Mr. Yorov his right to a fair trial and violated his freedom of expression and freedom of assembly. Despite this opinion, Mr. Yorov remains detained.

In accordance with paragraph 20 of its methods of work, the WGAD requested the source and the Government to provide it with information on action taken in follow-up to the recommendations made in the opinion, including:

- a) Whether Mr. Yorov has been released and, if so, on what date;
- b) Whether compensation or other reparations have been made to Mr. Yorov;
- c) Whether an investigation has been conducted into the violation of Mr. Yorov's rights and, if so, the outcome of the investigation;

- d) Whether any legislative amendments or changes in practice have been made to harmonize the laws and practices of Tajikistan with its international obligations in line with the present opinion; and
- e) Whether any other action has been taken to implement the opinion. The Government was also invited to inform the WGAD of any difficulties it may have encountered in implementing the recommendations made in the opinion and whether further technical assistance was required, for example through a visit by the WGAD.

To date none of the measures proposed in the WGAD's opinion of 12 June 2019 have been implemented. Mr. Yorov remains imprisoned on grounds found by the WGAD to be in contravention of international law.

On the anniversary of the WGAD opinion of 12 June 2019, Lawyers for Lawyers and Freedom Now respectfully urge you to:

- Immediately and unconditionally release Buzurgmehr Yorov; and
- Guarantee that all the measures requested by the WGAD in its opinion of 12 June 2019 are implemented without delay.

Thank you for your attention to this urgent matter. We will continue to monitor this case closely.

Yours sincerely,

Lawyers for Lawyers



Sophie de Graaf
Executive Director

Freedom Now



Maran Turner
Executive Director