



FREEDOM NOW

The Honorable Jim Risch, Chairman
The Honorable Bob Menendez, Ranking Member
U.S. Senate Committee on Foreign Relations
423 Dirksen Senate Office Building
Washington, DC 20510

November 19, 2020

Dear Chairman Risch and Ranking Member Menendez,

We write to you with concern about the increase in repression and despotism by the Government of Tajikistan towards its citizens.

Despite receiving U.S. assistance in areas such as democracy and human rights, Tajikistan has repeatedly spurned these values. In 2014, the Government of Tajikistan initiated a widespread crackdown on peaceful political opposition and individual expression. The extreme measures taken by the government to stifle democratic plurality and repress the fundamental freedoms of its citizens have only escalated now that President Rahmon has fully consolidated power.

The U.S. is well positioned to raise these issues with Tajikistan given the relationship between the two countries. As members of the C5+1 platform, both countries are working to improve Central Asia by addressing terrorist threats, improving trade flows, and confronting environmental challenges. Moreover, the U.S. has provided foreign assistance to Tajikistan—\$46 million in 2020—to help the country recover from a devastating civil war and address ongoing economic challenges.

The U.S. can play a critical role in ensuring compliance with basic international norms in Tajikistan, and members of congress have a number of options for deliberative U.S. action that can help promote respect for human rights. As a first step, we strongly urge the U.S. Senate Foreign Relations Committee to hold a hearing or briefing on Tajikistan. This will give you and your colleagues the opportunity to hear firsthand from experts and civil society members about the climate of repression.

We also recommend the following three actions to curtail Tajikistan's commission of human rights violations and promote respect for international law.

1. Support targeted sanctions for Tajik government officials complicit in gross human rights violations

The U.S. government can hold Tajik government officials accountable for human rights abuses through its sanction powers. The Global Magnitsky Human Rights Accountability Act grants the U.S. President the authority to deny entry to, revoke a visa from, block property of, and prohibit U.S. persons from entering into transactions with any foreign person “responsible for extrajudicial killings, torture, or other gross violations of internationally recognized human rights.” Additionally, Section 7031(c) of the Department of State, Foreign Operations, and Related Programs Act of 2020 allows the U.S. State Department to bar foreign officials and their immediate family members from entry into the U.S. if there is credible information these officials have been directly or indirectly involved in gross violations of human rights.

It is a well-documented fact that Tajik officials are responsible for the politically-motivated imprisonment and mistreatment of individuals in the country. Currently, there are more than 100 political opposition members detained. Other individuals subject to malicious detention include human rights lawyer Buzurgmehr Yorov and journalist Daler Sharipov whose cases you raised with President Rahmon in your letter of June 29, 2020.

Once detained, individuals are subjected to treatment and conditions that endanger their lives. Allegations of torture are common, and local organizations have documented cases of broken bones and ruptured organs as a result of beatings by police and prison officials.

We urge you to support the imposition of Global Magnitsky and 7031(c) visa restrictions on Tajik government officials involved in the detention and mistreatment of political prisoners. Officials complicit in these practices include members of the Ministry of Interior, the State Committee for National Security, the Department of Corrections as well as Ministry of Justice, including judges and prosecutors directly involved in politically motivated trials. We can provide specific details about such individuals in follow up communications.

2. Encourage the U.S. State Department to end its certification of Tajikistan as compliant with the Jackson-Vanik amendment

Tajikistan is in violation of U.S. standards on the freedom of emigration, and the U.S. government should condition trade relations with Tajikistan on its agreement to discontinue the practice of interfering with the rights of its citizens to emigrate. Under Title IV of the Trade Act of 1974, certain nonmarket-economy countries are denied permanent normal trade status with the United States unless they fulfill freedom of emigration conditions as contained in Section 402—the so-called Jackson-Vanik amendment. Each year the Secretary of State must report to Congress that countries subject to the Jackson-Vanik amendment are in compliance with the freedom of emigration conditions. Although certified by the State Department, Tajikistan has restricted the emigration of government critics and their relatives abroad in addition to using various tactics to dismantle and repress the expatriate dissident community.

Tajikistan has a well-documented pattern of denying individuals permission to exit the country. In one case, in August 2018 authorities physically removed 10-year old Fatima Davlyatova from

an airplane bound for Poland where she was about to reunite with her mother, an opposition activist living abroad. In another example, human rights lawyer Fayzinisso Vohidova was stopped in May 2017 by border guards as she was transiting to neighboring Kyrgyzstan. The guards told Ms. Vohidova that she had no right to leave Tajikistan.

Even once abroad, individuals sought by the Tajik government are forcibly returned through extradition procedures and the INTERPOL red notice system. In March 2020, opposition activist Hizbullo Shovalizoda was extradited from Austria to Tajikistan. In June, he was sentenced unlawfully by a Tajik court to 20 years in prison on extremism charges following a closed trial. An Austrian court has since ruled his extradition should have never taken place.

We urge you to raise the issue of Tajikistan's non-compliance with the Jackson-Vanik amendment with Secretary of State Pompeo and other U.S. State Department officials. Tajikistan should not be certified in 2021 unless it can demonstrate that it is no longer interfering with the rights of its citizens to leave the country nor engaging in acts of transnational repression to force their return.

3. Condition further foreign assistance on tangible human rights improvements

The U.S. Congress appropriated \$46 million for Tajikistan in fiscal year 2020. However, Tajikistan has failed to use these funds to make noticeable improvements in the lives of its citizens. Unless Tajikistan is able to demonstrate tangible human rights improvements, including the release and rehabilitation of political prisoners, the U.S. Congress should withhold or considerably draw back future foreign assistance – excluding democracy and governance programming – to Tajikistan.

We recommend you take immediate steps to hold Tajikistan, a U.S. ally in the region, to account. It is necessary to send President Rahmon an unequivocal message that continued human rights abuses of Tajik citizens will not be tolerated.

Sincerely,

Freedom Now
Freedom House