

URGENT ACTION

INDEPENDENT JOURNALIST MUST BE IMMEDIATELY RELEASED

On 11 July, independent journalist and comedian Khairullo (Khayrullo) Mirsaidov was sentenced to 12 years' imprisonment on charges that include embezzlement, forgery and providing false testimony. His defence team has appealed the decision. Khairullo Mirsaidov is a prisoner of conscience and should be immediately and unconditionally released.

On 11 July, Khudzhand City Court sentenced independent journalist and comedian **Khairullo (Khayrullo) Mirsaidov** to 12 years in prison, despite the fact that the most serious charge against him – “inciting national, racial, regional or religious enmity” – was dropped for lack of evidence. The severity of the sentence was met with shock and consternation by his family, colleagues, friends and supporters and the international community. All had expected a much lighter, even conditional sentence, especially given the dropping of the most serious charge of “inciting national, racial, regional or religious enmity.”

While during the trial Khairullo Mirsaidov ‘admitted’ to some of the charges against him relating to misappropriation of funds and forgery of documents, he maintained that his arrest and trial were in retaliation for his criticism of the local authorities in Khudzhand. Amnesty International has reason to believe his admission to charges in relation to misappropriation of funds and forgery of documents was not genuine. Following the court’s decision, Khairullo Mirsaidov’s family paid 124,000 Tajikistani somoni (approximately 13,500 USD) to the Tajikistani authorities to cover financial damages under his sentence.

Khairullo Mirsaidov has since 5 December 2017 been held in SIZO 1, a pre-trial detention facility in Khudzhand, the main city of Soghd Region in northern Tajikistan. He was detained on charges of embezzlement or misappropriation of state funds under Article 245 (4-6) of the Tajikistani Criminal Code; forgery of documents, stamps, signatures under Article 340 (1); making deliberately false accusations under Article 346 (2); and inciting national, racial, regional or religious enmity under Article 189 (2).

The Prosecutor’s Office of Soghd Region instigated criminal proceedings against Khairullo Mirsaidov after he published an open letter in November 2017 addressed to the President and the Prosecutor General of Tajikistan, as well as to the Chairman of Soghd Region, containing corruption allegations against local officials in Khudzhand.

Please write immediately in Tajik, Russian, English or your own language:

- Calling on the authorities to immediately and unconditionally release Khairullo Mirsaidov as he is a prisoner of conscience, held solely for the peaceful exercise of his rights to freedom of expression;
- Reminding them of their international obligation to ensure that the human right to freedom of expression is respected and protected in Tajikistan.

PLEASE SEND APPEALS BEFORE 3 SEPTEMBER 2018 TO:

Prosecutor General
Yusuf Rakhmon
Prosecutor General’s Office
126 A. Sino Avenue
Dushanbe 734043, Tajikistan
Fax: +992 372 21 02 59
Email: secretariat@prokuratura.tj
Salutation: Dear Prosecutor General

President of Tajikistan
Emomali Rakhmon
80 Rudaki Avenue
Dushanbe 734023, Tajikistan
Fax: +992 372 21 68 00
Email: mail@president.tj
Salutation: Dear President Rakhmon

And copies to:
Minister of Foreign Affairs
Sirodjidin Aslov
33 Sheroz
Dushanbe 734001, Tajikistan
Fax: +992 372 21 02 59
Email: info@mfa.tj

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

Over the last three years, the space for free expression and particularly for peaceful dissent has shrunk dramatically in Tajikistan, and fear of reprisals for any form of criticism, or apparent criticism, of the authorities has permeated Tajikistani society. National security and counter terrorism concerns – real and perceived – dominate the political agenda and official discourse to the detriment of respect for human rights. The authorities invoke national security concerns to justify ever harsher restrictions on the freedoms of expression and association, arguing that these measures are necessary to ensure stability. Independent media outlets and individual journalists who are critical of the authorities, or cover issues considered by the authorities as sensitive and pertaining to national security, have faced intimidation and harassment by police and the security services.

Following his visit to Tajikistan in March 2016, the UN Special Rapporteur on the right to freedom of opinion and expression noted that “a climate of fear has descended upon key sectors of civil society, stifling free expression in ways that will only lead to resentment and insecurity... The pressures on the political environment of Tajikistan extend across the spectrum of activities, from independent media, the internet and mobile communication, to civil society, lawyers and religious people...new laws and practices have permitted a crackdown on political alternatives as part of a process of intimidation, detention and closed criminal proceedings.”

The right to freedom of expression, which includes the right to seek, receive and impart information, is protected under Article 19 of the International Convention for Civil and Political Rights (ICCPR), to which Tajikistan acceded to in 1999.

Name: Khairullo (Khayrullo) Mirsaidov

Gender m/f: M

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