

URGENT ACTION

OPPOSITION MEMBERS' LAWYER AT RISK OF TORTURE

Buzurgmekhr Yorov, a lawyer representing members of the arbitrarily banned Islamic Renaissance Party of Tajikistan (IRPT), has been arrested on fraud charges and is at risk of torture and ill treatment. The timing indicates that the charges are likely to be politically motivated and designed to deny the arrested members of the IRPT access to legal counsel.

Following the arrest on 16-17 September of 13 high-ranking members of the Islamic Renaissance Party of Tajikistan (IRPT), on 28 September officers of the Tajikistani Police Unit for Combating Organised Crime arrested **Buzurgmekhr Yorov**, a lawyer representing several of the IRPT members. Buzurgmekhr Yorov has been arrested on charges of fraud and forgery. These charges are not related to the IRPT or its activities, but during his arrest police seized documents relating to the IRPT cases he is working on and so the criminal proceedings against him are likely to be politically motivated and designed to deny the arrested members of the IRPT access to legal counsel. It is also likely to deter other lawyers from taking up their cases.

Buzurgmekhr Yorov is at risk of torture and other ill-treatment, which are often used by law enforcement officials in Tajikistan to secure "confessions" and other incriminating evidence, and also of an unfair trial. In an interview with a journalist published on 28 September, Buzurgmekhr Yorov explained that one of his clients, the deputy leader of the IRPT Umarali Khisainov (aka Saidumur Khusaini), told him he had been beaten and that his head was covered with a bag while he was being held by the Police Unit for Combating Organized Crime. The same police unit that has now arrested Buzurgmekhr Yorov. The seizure of papers relating to Buzurgmekhr Yorov's legal work on behalf of the arrested members of the IRPT leadership is also illegal interference in the confidential relationship between client and lawyer, in violation of Principle 22 of the UN Basic Principles on the Role of Lawyers.

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

- Expressing concern that the allegations made against Buzurgmekhr Yorov are likely to be politically motivated and linked to his legal representation of members of the IRPT;
- Urging the authorities to ensure that he is protected from torture and other ill-treatment, and that the criminal proceedings against him fully comply with international fair trial standards, including that he is given immediate access to a lawyer of his choice;
- Calling on the authorities to ensure that all lawyers in Tajikistan are able to perform their professional duties without intimidation, hindrance, harassment or improper interference in accordance with the UN Basic Principles on the Role of Lawyers.

PLEASE SEND APPEALS BEFORE 12 NOVEMBER 2015 TO:

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

Prosecutor General

Yusuf Rakhmon
126 A. Sino Avenue
Dushanbe 734043, Tajikistan
(Mark faxes and emails, "Please forward to Prosecutor General")
Fax: +992 372 21 02 59
Email: sekretariat@prokuratura.tj

Salutation: Dear Prosecutor General

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

The Tajikistani law enforcement officers arrested 13 high-ranking members of the Islamic Renaissance Party of Tajikistan (IRPT) on 16-17 September and removed passports from a further 50 members, allegedly to prevent them from travelling abroad (see Urgent Action here: <https://www.amnesty.org/en/documents/EUR60/2465/2015/en/>). In an official statement, the Office of the Prosecutor General accused them of involvement in “criminal groups” responsible for organizing attacks on government buildings in the capital Dushanbe and the districts of Vakhdat and Rudaki on 4 September. The authorities alleged that the attacks were led by the then Deputy Minister of Defence Abdukhalim Nazarzoda, who was later killed in a security operation. They further alleged that he had acted under the orders of Mukhiddin Kabiri, the exiled IRPT leader. Mukhiddin Kabiri has denied any links to the violent events on 4 September, and accused the authorities of fabricating evidence against himself and IRPT members.

Members of the IRPT and other opposition groups in Tajikistan and in exile have been subjected to an increasing level of harassment by the Tajikistani authorities in recent years. From the late 1990s until this year, the IRPT was a legally registered political party that participated in elections, winning seats in the country's parliament. Following the 1 March 2015 election, from which opposition groups were effectively excluded, the party lost its two remaining parliamentary seats. On 28 August, the IRPT received an order from the Ministry of Justice to cease its activities by 7 September on the basis that it lacked sufficient popular support to qualify as a registered party. On 29 September, the IRPT was designated as a “terrorist organization” by the Prosecutor General, later confirmed by a decision of the Supreme Court of Tajikistan, on the grounds that several of its members had allegedly long been involved in groups promoting “extremism”, and that it had used the media, including its newspaper Salvation, to spread “extremist ideas” and promote religious hatred.

Torture and other ill-treatment continue to be used routinely in Tajikistan despite the adoption of an Action Plan to implement recommendations made by the UN Committee against Torture in 2013. Criminal prosecutions of law enforcement officials suspected of torture are rare, and frequently are terminated or suspended before completion.

Lawyers are repeatedly denied access to their clients in detention, often for several days at a time. Individuals perceived to be threats to national security, including members of religious movements and Islamist groups or parties, are at particular risk of incommunicado detention, torture and other ill-treatment. Lawyers are also at risk of harassment, intimidation and punitive arrest. Earlier this year, human rights lawyer Shukhrat Kudratov was sentenced to nine years in prison on charges of fraud and bribery. Shukhrat Kudratov claims these charges were politically motivated and linked to his work as part of the defence team of Zaid Saidov, Tajikistan's former Minister of Energy and Industry and a member of the opposition. Zaid Saidov was himself convicted in 2013 and sentenced to 26 years in prison.

The UN Basic Principles on the Role of Lawyers state that: “governments shall ensure that lawyers ... are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference” (principle 16), “lawyers shall not be identified with their clients or their clients' causes as a result of discharging their functions” (principle 18) and “governments shall recognize and respect that all communications and consultations between lawyers and their clients within their professional relationship are confidential” (principle 22).

Name: Buzurgmekhr Yorov (Бузургмехр Равшанович ЁРОВ)
Gender m/f: m