

United Nation Human Rights Committee

Tajikistan

126th Session, 1-26 July 2019

JOINT SUBMISSION OF THE HUMAN RIGHTS VISION FOUNDATION, EURASIAN DIALOGUE INSTITUTION AND TAJIK FREETHINKERS FORUM

This report has been prepared by a number of NGOs and civil society activists, both inside and outside Tajikistan. With this report, we aim to provide members of the UN Human Rights Committee and all interested persons with information on the actual situation with the implementation of the International Covenant on Civil and Political Rights (ICCPR) in Tajikistan. We hope that our analysis of legislation, practices and concrete examples of human rights violations will be useful for the members of the Committee and will help to form the most complete and objective opinion on the implementation of civil and political rights in our country. NGOs involved in the preparation of this report. During the preparation of the report were used: reports of international organizations and NGOs, media information, national legislation, practical experience. The human rights situation in Tajikistan deteriorated significantly during the reporting period:

- The opposition was completely eliminated;
- Hundreds of opposition members were convicted on trumped-up politically motivated charges for long terms including life sentences;
- The independent media has been practically closed down;
- Dozens of journalists left the country because of the threat to their freedom and life;
- Advocacy – as an independent professional group lawyers as an essential element of civil society have come under the control of the Ministry of Justice;
- Several lawyers have been convicted in connection with their attempt to protect members of the opposition.

Content:

1. Article 5. Prohibition of misuse of restrictions
2. Article 7. Prohibition of torture
3. Article 9. Prohibition of arbitrary detention
4. Article 10. Conditions of detention
5. Article 12. Freedom of movement
6. Article 22. The right to freedom of association

1. Article 5. Prohibition of misuse of restrictions

Since 2010, the government of Tajikistan has restricted or grossly violated the most basic civil and political rights of its citizens, contrary to the Constitution and the International Covenant on Civil and Political Rights.

In places of deprivation of liberty, prisoners have been tortured, denied medical care, visits to relatives provided for by law, and the provision of necessary medicines. There are cases of forced deprivation of life that are not investigated or made public. Relatives of the deceased prisoners are prohibited from examining the bodies and burying them in accordance with religious traditions. Some relatives manage to examine the bodies.¹ There is ample evidence of signs of torture and violent death on the bodies of the dead prisoners.

We believe that this is a deliberate deprivation of the right to life and the unofficial application of the prohibited death penalty to political prisoners sentenced to long and life imprisonment. Political prisoners were deprived of the right to use telephones and radio. In May 2019, a 28-year member of the leadership of the Islamic Renaissance Party of Tajikistan, Rahmatullo Rajab, was ill - treated and placed in a punishment cell after discovering a portable radio receiver.

Head of the government of Tajikistan Emomali Rahmon on 12 May 2018 in his television speech violated several articles of the Constitution, the Criminal Code of Tajikistan and the ICCPR. On 15 May 2018, the former representative of the Islamic Revival Party of Tajikistan Kiyomiddin Goziev, who was kidnapped in Saint Petersburg on 30 November 2017 was sentenced to 25 years for "betraying the madhab and moving to Shiism" and "treason", "espionage".² Thus, the citizen's right to freedom of thought, belief, religion was violated, the presumption of innocence was disregarded. Public incitement to religious hatred was carried out against Goziev. Goziev was killed in prison in May 2019, according to the authorities, by fanatics of ISIS allegedly for his transition to Shi'ism.

During the period covered in this report, the Tajik government regularly violated the regulations concerning the due arrest procedure, illegal custody; the right to humane treatment, and fair legal procedure in court. A policy of collective responsibility has applied to Islamic Renaissance Party of Tajikistan members since the party was outlawed in 2015. The prisoners did not have access to lawyers and mass media were restricted in their access to political prisoners. When it came to those opposed to the authorities and their families, the Article 24 of the Tajik Constitution (freedom of movement) was broken, as well as Article 12 of the International Convention of Civil Political Rights. Travel for family members is restricted, leaving the country might be forbidden including traveling for treatment or family reunification.

The official media have been stigmatizing and persecuting religious women. Local police and the activists of the ruling party organize surprise inspections in the streets and at the market places and apply psychologic and physical violence against women wearing hijabs, making them to take off the headwear, detaining them, and humiliating the said women in public places and at

police stations. There were also cases of criminal proceedings against social networks users for spreading videos of police violence against the women in hijabs. In numerous cases women patients wearing hijab were refused treatment in public health clinics. Women in hijabs have restricted access or are denied entrance to educational establishments and administrative buildings. Thus, they are discriminated, denied the right for education and other basic civil rights.

The government violates the immunity of private and family life, as well as the principle that separates religion from state. The rites regulation law (tanzim) was introduced in 2007. The citizens are persecuted at their homes, in the places of recreation, at cafes and restaurants.. The law regulates the possible expenses the number of guests at family and private parties, funerals and memorials. Professional and university parties, school proms etc. are restricted or forbidden by this law. There were cases in which the family were denied access to the body of their relative who perished under unclear circumstances Access to bodies of political prisoners who died in prison may be denied. Sometimes the relatives are denied the right to know if the prisoner is still alive or where he has been buried by the government. People are being humiliated. The virginity of brides is checked prior to wedding

The Tajik government restricts the citizens' access to information, lead to the closure of uncontrolled mass media (Ozodagon). Reporters who try to be independence of the government are stigmatized in the social networks by numerous trolls who advocate for the government. The reporters are also attacked from the governmental sites. The access to the internet is routinely restricted, social networks, messengers, independent sites and browsers are blocked.

The Tajik government violate Article 12 of the Constitution (Private property). The authorities break into private homes without the owner's agreement and without a proper warrant from the court. During this year the homes of two leaders of Tajik opposition who now reside as political refugees in Europe - Mirzorakhim Kuzov and Muhiddin Kabiri - were confiscated (the homes of his sons, sister and brother were also confiscated). Even those who bought the houses from the building company owned by Muhiddin Kabiri family had their homes confiscated.

The Tajik government restricts the citizens' access to information, lead to the closure of uncontrolled mass media (Ozodagon). Unloyal reporters are being stigmatized in the social networks by numerous trolls who advocate the government. The reporters are also attacked from the governmental sites. The access to the Internet is routinely restricted, social networks, messengers, independent sites and browsers are blocked.

Civic activists Shakhlo Ibragimova and Dilnoza Mukhiddinov who collected signatures under the petition against the internet tariff escalation in April 2018 have been attacked by the trolls on the social networks. The authorities claim that they have nothing to do with the violation of the constitutional right to access the information. The internet was unblocked for several hours before the President of EU Donald Tusk arrival to Tajikistan in May 2019.³ However, independent sites Akhbor com, Asia Plus, News.tajinfo org and many others are still blocked. The right for peaceful demonstrations and protest meeting have become almost non-existent. Any attempts of protest result in violence, arrests and criminal proceedings.

1. The body of another IRPT member killed at Kirpichniy — party founder Said Kiemitdin Gozi — was buried without ceremony by the government <https://eurasianet.org/tajikistan-opposition-party-accuses-government-of-prison-bloodshed-coverup>

2. President Emomali Rahmon alluded to Gozi in a speech last May during which he took a swipe at both the IRPT and Iran, with which Dushanbe has been engaged in a long-running spat. <https://eurasianet.org/tajikistan-authorities-pin-fresh-deadly-prison-riot-on-islamic-state>

3 Tajikistan: Internet grinds to a halt after president's criticism. <https://eurasianet.org/tajikistan-internet-grinds-to-a-halt-after-presidents-criticism>

2. Article 7 of the ICCPR. Prohibition of Torture

The use of torture and other ill-treatment and punishment by law enforcement officials, prison officials and military units continues. Since then, more than 200 cases of torture and ill-treatment have been officially reported. Torture was applied not only to men, but also to women and minors. As a result of the use of torture by law enforcement agencies recorded cases of death.⁴

Bullying (hazing) in the army remains a major problem. All allegations of torture and ill-treatment are not investigated promptly, thoroughly and impartially. The mechanism of emergency response to the publication of the media about the facts of torture does not work. In most cases, complaints are dismissed on an expedited basis, investigations are delayed or terminated. Under the Istanbul Protocol, there is no independent mechanism for investigating cases of torture.

In 2012, the Criminal Code was amended to include Article 143.1 "torture". Law enforcement agencies are reluctant to investigate cases of torture in their ranks. The punishment is mainly imposed on guilty junior officers, and the heads of institutions where torture occurs are not held accountable. The penalties for the crimes of torture do not correspond to the gravity of the crime. Although Article 143.1 provides for several aggravating circumstances involving torture for which a sentence of up to 15 years' imprisonment may be imposed, in practice the vast majority of penalties are imposed for up to 5 years, and even then these penalties are often reduced or suspended.

There is no legislative mechanism for the rehabilitation of victims of torture, including medical care and psychological rehabilitation. Victims of torture and ill-treatment usually do not receive fair and adequate compensation for the damage caused. The law does not provide for compensation for victims of torture.⁵

Recommendations:

- Ratify the optional Protocol to the Convention against torture and establish a national preventive mechanism;
- Ensure that all detainees have access to legal protection from the moment of detention;
- Provide human rights expert groups, representatives of international human rights organizations and lawyers with unrestricted access to places of detention for monitoring without prior notice;
- Amend national legislation to exclude perpetrators of torture and other forms of ill-treatment from the list of persons subject to amnesty;
- At the legislative level, strengthen criminal liability for torture, as well as to remove non-custodial measures from punishment;
- In view of the constant and systematic use of torture and degrading treatment, it is necessary to establish a permanent commission of inquiry into torture;
- Establish alternative mechanisms for documenting the traces of torture;
- Adopt a law on the medical, social and psychological rehabilitation of victims of torture;
- Determine the amount and manner of compensation to victims of torture;
- Make a declaration recognizing the competence of the Committee against Torture to receive and consider individual communications in accordance with Article 21 of the Convention Against Torture.

4. [https://www.refworld.org/cgi-bin/texis/vtx/rwmain?page=search&docid=571611fd15&skip=0&query=Manonov.Action for freedom from torture in Tajikistan.](https://www.refworld.org/cgi-bin/texis/vtx/rwmain?page=search&docid=571611fd15&skip=0&query=Manonov.Action%20for%20freedom%20from%20torture%20in%20Tajikistan)

.After 25 years of independence, Tajikistan is a bastion of torture and repression <http://theconversation.com/after-25-years-of-independence-tajikistan-is-a-bastion-of-torture-and-repression-64945>
. <http://www.hfhr.pl/en/actions/international-education/tajikistan/ongoing-projects/action-for-freedom-from-torture-in-tajikistan/>

3. Article 9 of the ICCPR. The Right to Liberty and Security of Person. The Prohibition of Arbitrary Detention.

Under the pretext of fighting crime, the Tajik authorities began to further restrict and violate the human right to liberty and security of person. There are frequent cases of arbitrary detention of citizens. Law enforcement agencies frequently summon citizens for interrogations, conduct voluntary searches in their homes and offices, restrict their freedom for an indefinite period, extract documents and other private and official information without any legal grounds or a relevant court decision.

The higher authorities do not properly respond to complaints from citizens and organizations about violations of a kind and in the vast majority of cases ignore them, encouraging their agents to continue using such illegal methods of conducting inquiries and investigations.

On 28 September 2015, officers of the Organized Crime Control Department (Directorate for Combating Organized Crime of the Ministry of Internal Affairs of the Republic of Tajikistan), without a court order and prior to the commencement of a criminal case, seized the documentation of the Sipar RT Bar Association and all legal agreements concluded between lawyers Buzurgmehr Yorov and Jamshed Yorov with their defendants, despite them being a lawyer's secret.⁵

Search and seizure of property are widely used without a proper court decision. Criminal process principles such as competitiveness and equality of parties in court are ignored, so almost all warrants of the inquiry bodies to use arrest as a preventive measure, are granted by the courts without due investigation and presentation of evidence, often without informing the defense side and summoning the attorney to the court. Often, the arrest warrant for a suspect contains only a few words about the gravity of the crime committed. The evidence, that is to be provided according to the Art. 102 -111 of the Code of Criminal Procedure is not available to the court.

On September 19, 2015, the Supreme Court of the Republic of Tajikistan authorized two months arrest for the detained members of the High Council of the IRPT. The trial took place without the participation of detainee's lawyers. The warrants contained confused data as to the proofs and the names of the suspects and no relevant information was submitted to the court to validate the arrest.⁶

To prosecute dissidents outside the country, the Tajik authorities, together with law enforcement agencies of other countries, such as Russia, Turkey, Ukraine, Belarus, widely use politically motivated requests to Interpol, practicing all forms of deportation, extradition and even kidnapping citizens. During this period, several dissidents were abducted and illegally deported to Tajikistan. Here are the most well-known cases:⁷

- Ehsan Odinaev, a blogger wanted by the Tajik Interior Ministry, found via Interpol. He disappeared without a trace on 19 May 2015 in St. Petersburg, Russia;
- Maksud Ibrahimov, leader of the NGO Youth of Tajikistan for Transformations. He suffered an attempt on his life in Moscow at the end of 2014. He was deprived of the citizenship of the Russian Federation, kidnapped in Moscow 20 January 2015. Convicted in Tajikistan for 17 years in prison.
- Abdunazar Sohibnazar, dissident. Abducted in Belarus on 29 July 2017. Convicted in Tajikistan for 20 years in prison.
- Abdurahim Vosiev, dissident. 01/17/2017 kidnapped in Russia. Convicted in Tajikistan to 20 years in prison.
- Naimjon Sameev, former head of the Islamic Renaissance Party of Tajikistan. Kidnapped in Grozny on 30 November 2018. Taken to Dushanbe 3 December 2018. In Tajikistan, he

made a video statement about his “voluntary” repatriation. Convicted in Tajikistan for 15 years.

- Kiyomiddin Goziev, a former activist of the IRPT. In November 2017, abducted in St. Petersburg, Russia. Convicted in Tajikistan in May 2018 to 25 years in prison. He was killed and beheaded under unexplained circumstances on 19 May 2019 during the riots in the correctional colony of Vahdat.
- Sharofiddin Gadoev, a political refugee in the Netherlands, leader of the Reforms and Development in Tajikistan movement. Kidnapped on 13 February 2018 in Moscow. Released at the request of the international community.
- Amrullo Magzumov, a former activist of the Islamic Renaissance Party of Tajikistan. Kidnapped in Moscow Airport Vnukovo on 16 May 2019. Illegally was extradited to Tajikistan.

In March 2018, the UN Committee on Unlawful Detentions considered complaints from political prisoners Zaid Saidov and Mahmadali Hayitt and declared their detention unreasonable and conducted in violation of domestic and international norms, and also demanded their immediate release and compensational payment. The authorities of Tajikistan still have not responded properly.⁸ On 24 May 2019, a similar decision was published by the UN Committee on Unlawful Detention in relation to the arrested lawyer and political prisoner Buzurgmehr Yorov.⁹

The decision insists on unconditional and immediate implementation of the UN Committee recommendations concerning political prisoners Zaid Saidov, Mahmadali Hayit and Buzurgmehr Yorov, who are being tortured. Their lives in custody are threatened with real and increasing danger.¹⁰

5. Buzurgmehr Yorov

<https://humanrightscommission.house.gov/defending-freedom-project/prisoners-by-country/Tajikistan/Buzurgmehr-Yorov>

6. Trial of IRPT Members Begins in Tajikistan In less than a year the IRPT has gone from sitting in Parliament to a closed-door trial. <https://thediplomat.com/2016/02/trial-of-irpt-members-begins-in-tajikistan/>

7. 2018 Tajikistan: the use of international system to target dissidents abroad <https://excas.net/2018/01/tajikistan-dissidents-abroad/>

8. Tajikistan: UN Declares Detention of Opposition Leader Arbitrary; Calls for Release <http://www.freedom-now.org/news/tajikistan-un-declares-detention-of-opposition-leader-arbitrary-calls-for-release/>

9. Tajikistan: UN Declares Detention of Opposition Politician Zayd Saidov in Violation of International Law <http://www.freedom-now.org/news/tajikistan-un-declares-detention-of-opposition-politician-zayd-saidov-in-violation-of-international-law/>

10. Tajikistan: Freedom Now Files Petition with UN on behalf of Buzurgmehr Yorov <http://www.freedom-now.org/news/tajikistan-freedom-now-files-petition-with-un-on-behalf-of-buzurgmehr-yorov/>

4. Article 10 of the ICCPR. Conditions of Detention

Although the country has a law “On the Procedure and Conditions of Detention of Suspects and Defendants” from 2011, (with additions dated March 15, 2016, No. 1282; May 14, 2016, №1312) and the Code of Execution of Criminal Penalties, the conditions of detention of suspects, accused, defendants and convicts still remain a relevant issue, as their practical implementation is still not been made clear to the public.

The penitentiary system is not transparent; representatives of the International Committee of the Red Cross (ICRC) have been denied access to the pre-trial detention centers and other places of detention. There are no means of exercising public control over the observance of human rights in closed institutions. Lawyers cannot easily meet with their clients without the written permission of the investigating authorities or of the head of the penitentiary institution. The institutions do not comply with elementary standards of sanitation and hygiene, therefore, the level of infectious diseases is high.

In the temporary detention centers of the country, prisoners are not fed. Food is brought to them by relatives. In the remand prisons, the food does not meet medical standards. Medical services are not properly provided. There are no specialized doctors, treatment facilities or medicines provided to inmates. Frequently, inmates complaining of illness and discomfort do not only receive any medical care but are also subjected to torture and harassment by wardens when seeking medical help.¹¹

Extortion is widespread among the penitentiary system staff. For a bribe, a person can be transferred to a more comfortable cell. The detainees in remand prisons, as well as the prisoners in the correctional facilities of the Ministry of Justice of the Republic of Tajikistan, are forced to make repairs of the cells at their own expense.

Such rights as the right to the correspondence of detainees with relatives or other persons, sending and receiving telegrams, and the right to free food are being denied to them. There are no televisions and refrigerators in the cells. Often there are not even fans; norms of sanitary space per person in cells are violated, cells are overcrowded, and detainees sometimes sleep on the concrete floor. In violation of international standards of detention, prisoners are forced to work on the grounds of detention centers and prisons. Contrary to their right, prisoners are not asked for their written consent before being filmed, photographed, videoed or interviewed.

The law provides for punishment in the form of restrictions on personal freedom, but, in actual practice no record is kept of such punitive measures. There is no mechanism in the country to oversee execution of such punishment. There are no special institutions like correction centers. Prisoners are widely subjected to torture, especially political prisoners, yet they have no recourse for lodging a direct complaint with the public prosecutor’s office or the human rights

ombudsman about torture or mistreatment. All prisoner complaints and letters are rigorously censured. There has been no incidence of anyone facing criminal charges for torture directly as a result of any prisoner's statement. Family members do have the right to lodge a complaint about the torture or mistreatment of their relation in detention.

The authorities and investigating bodies are reluctant to prosecute cases of torture in closed institutions. Either the proceedings tend to drag on, or charges are quickly dismissed. In March 2019 the wife of Mahmadali Hayit filed a complaint with the Office of the Prosecutor General about her husband being tortured.¹² The authorities confined their inquiry to hearing a mere oral statement from the head of the Ministry of Justice's Directorate of Correctional Affairs, Mansurjon Umarov, who denied any record of such facts. No criminal charges were brought, and no investigation was carried out. Nothing was reported by the authorities in the media, nor was any information provided about any inquiry.

Over 7-8 November 2018 and on 19 May 2019 there were two violent incidents in Tajik prisons that cost the lives of at least 70 prisoners dead and left at least 200 others injured.¹³⁻¹⁴ The investigations into what happened have been secret and closed, with the public at large denied any chance of learning about the true causes and results of the revolt in the penal colonies.

Recommendations:

- Compel the Chief Directorate for the Execution of Criminal Sentences within the Ministry of Justice to restore prisoners' right to unrestricted mobile phone contact with their lawyers, family, and the media;
- Bring in unannounced visits to be carried out to closed and semi-closed institutions by monitoring groups under the Human Rights Ombudsman and by independent public bodies;
- Set up a mechanism for public monitoring of human rights in closed and semi-closed institutions;
- Bring inmates' and detainees' conditions of detention into compliance with recognized international standards;
- Set up a public commission of inquiry to look into the deadly riots at the Khujand and Vahdat colonies and publish a full account in the media.

11. The wife of Tajik political prisoner Rahmatullo Rajab went on a hunger strike demanding his immediate release from the punishment cell

<https://ozodandishon.org/2019/05/25/the-wife-of-tajik-political-prisoner-rahmatullo-rajab-went-on-a-hunger-strike-demanding-his-immediate-release-from-the-punishment-cell/>

12. Tajikistan: Release Gravely Ill Activist Political Prisoner Says Guards Beat Him, Refused Him Medicine <https://www.hrw.org/news/2019/03/20/tajikistan-release-gravely-ill-activist>

13. Tajikistan's Prison Riot: More Than Meets the Eye <https://thediplomat.com/2019/05/tajikistans-prison-riot-more-than-meets-the-eye/>

14. What Really Happened at Khujand Prison in Tajikistan? It's likely to never be clear, but claims by the Islamic State to be behind the riot make the question critical. <https://thediplomat.com/2018/11/what-really-happened-at-khujand-prison-in-tajikistan/>

5. Article 5 of the ICCPR. The right to freedom of movement and to choose one's place of residence.

Although the law provides for citizens' right to freedom of movement and the free choice of one's place of residence, as well as to travel outside the republic or travel back to it (Art.24 of the Constitution), in actual point of fact this right is often grossly violated. In the main, it is the family of dissidents or people in the opposition whose rights are infringed upon most frequently. The authorities do not issue them external passports, and block their efforts to leave the country by every means available, including threats and blackmail. Special services resort to deliberately distorted interpretations of the legal provisions to prevent citizens from exercising their right to leave Tajikistan. Appeals and complaints by the injured parties are not dealt with in due and proper fashion. None of those responsible for obstructing people's rights to elect their own place of residence or to travel have been brought to justice.

In 2015 the authorities confiscated essential travel documents from Mizhgona Zainiddinova, fiancé to Islamic Renaissance party of Tajikistan leader Muhiddin Kabiri, and her children.¹⁵ Ibrahim Tillosoda, four-year-old grandson (as of 2018) to the opposition leader, was suffering from Stage III cancer and needed treatment abroad. However, the authorities forcibly detained him and restricted his right to meet with or be reunited with his family, thereby exerting pressure on opposition activists abroad. It was only following a broad public campaign and international intervention that Ibrahim Tillosoda and his mother were finally able to leave the country in late 2018 for treatment. There was another similar case that involved preventing the mother and daughter of Tajik civil society activist Shabham Khudoidodova from leaving the country for over two and a half years.¹⁶ At present, the authorities are still illegally detaining a large group of people related to members of the opposition, virtually holding them hostage as they are banned from leaving the country. Among them are the family of human rights defender and political refugee Jamshed Yorov.

Recommendations:

- Set up a special working group to examine submissions and complaints by persons whose rights have been denied; conduct due and proper investigations and bring the guilty parties to justice;
- Bring the list of persons banned from travel into conformity with international law and the country's constitution concerning limits or bans on travel outside Tajikistan

15. Tajikistan: Lift Travel Ban on Critically Ill Child Allow 4-Year-Old with Cancer to Travel Abroad for Treatment
<https://www.hrw.org/news/2018/07/27/tajikistan-lift-travel-ban-critically-ill-child>

16. #FreeFatima: how the Tajik regime treats the children of political exiles as hostages
<https://www.opendemocracy.net/en/odr/free-fatima-tajik-regime-children-political-exiles-hostages/>

6. Article 22 ICCPR. Right of Association.

Despite provisions of the Constitution of the country for the right of association, and despite laws like the statute “On Political Parties”, or “On Freedom of Conscience and Religious Associations”, or “On Non-Governmental Organizations” that re-enforce this right, during the period under review the government has been observed to exert unjustifiable pressure and control over existing non-governmental organizations. Citizens' rights and freedoms have been curbed as a result of their affiliation with such public associations. This is particularly true of members of opposition parties and of former members of the IRPT.¹⁷

The government has stepped up its control over how NGO's are financed. As NGOs have insufficient access to media coverage, their work is predominantly kept out of the public eye. State-backed citizens' groups like “Avangard” have been created by the government to put out propaganda through the state-owned media, urging short shrift for dissident views and fostering ideological, ethnic, and religious strife, as well as calling for violence against activists for the opposition and members of their families.¹⁸

The government is even cracking down on efforts to set up NGOs that might escape their control outside of Tajikistan's borders. Representatives of one such Tadjik NGO in Russia by the name of “Tajikistan Youth for Change” were subjected to attempts on their life and abduction. On 6 April 2013 Zaid Saidov and the group for initiative that he headed announced their intention to create a centrist political party called “New Tajikistan”. However, shortly afterwards Zaid Saidov was arrested and accused by Tajik authorities of committing a series of crimes, including some premeditated and involving corruption while he was still in public service or financial, to do with his business activities.¹⁹ Other members of the same group met with similar treatment, including some journalists: i.e. Temur Varki and Mavjuda Sokhibhazarova, who have since emigrated. Some other members of “New Tajikistan” remain under constant surveillance

by special services in the country and are unofficially blacklisted from work.

On 16 September 2015 Counsel Buzurgmekhr Yorov announced the creation of a civil society committee to defend the human rights and freedoms of families of detained IRPT activists.²⁰ Within days, on 28 September, Buzurgmekhr Yorov was arrested on trumped up charges, and in 2017, after three court trials, was sentenced to 29 years in prison. Committee members were interrogated and warned about the dire consequences that would follow any attempt to set up or participate in any association that opposed official government policy or challenged individual civil servants.

On 29 September 2015, in violation of civil court proceedings precepts, the Tajikistan Supreme Court banned the Islamic Renaissance Party of Tajikistan activities and declared it an extremist and terrorist organization.²¹ Deliberations took place in camera; there was no participation by counsel for the defense or by representatives of the NGO; no independent media were allowed access; procedural deadlines were ignored; representatives of the organization were not apprised of the proceedings and were thus deprived of the chance to appeal the court's decision. The main leadership of the organization were arrested and subsequently given extended prison sentences, while Mahmatali Hayit and Khisainov Saidumar, IRPT deputy heads, were given life sentences. The joint civil judges decision for the Tajik Supreme Court, dated 29 November 2015, found that the IRPT leadership had already been recognized as terrorists and extremists before their criminal trial had begun and before their sentence had acquired legal effect, thus that no guarantee of presumed innocence until proven guilty could apply and they would not be granted a fair trial.²²

17. Tajikistan: Placing pressure on political exiles by targeting relatives <https://fpc.org.uk/tajikistan-placing-pressure-political-exiles-targeting-relatives/>

18. Tajik Students, Educators Claim They're Pressured To 'Troll' Government Critics <https://www.rferl.org/a/tajik-students-educators-claim-they-re-pressured-to-troll-government-critics/29936072.html>

19. Tajikistan: Long Sentence a Blow to Free Expression 26 years for Opposition Figure in Politically Motivated Case <https://www.hrw.org/news/2014/02/07/tajikistan-long-sentence-blow-free-expression>

20. Tajikistan: Human rights lawyer, Buzurgmehr Yorov, sentenced to a further three years' imprisonment <https://www.article19.org/resources/tajikistan-human-rights-lawyer-buzurgmehr-yorov-sentenced-to-a-further-three-years-imprisonment/>

21. Trouble in Tajikistan Analysts say the banning of a moderate Islamist party could unravel the country's post-civil war order. <https://www.aljazeera.com/indepth/features/2015/11/trouble-tajikistan-151104085616528.html>

22. UN expert deplors harsh sentencing of Tajikistan opposition leaders and warns of radicalization <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20064&LangID=E>