

BY AIRMAIL

Ambassade de la République Kirghize
Rue de l'Abbaye 47
1050 BRUXELLES
BELGIUM

Amsterdam, 15 August 2011

Subject: Ms. Tatiana Tomina

Dear Sir/Madam,

I herewith send you a copy of the letter that was sent today to the General Prosecutor of the Kyrgyz Republic, the Osh Oblast Prosecutor's Office and the Minister of Internal Affairs, concerning the situation of lawyer Ms. Tatiana Tomina.

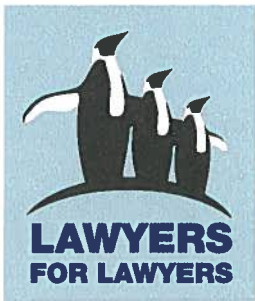
On behalf of the President of Lawyers for Lawyers, Phon van den Biesen,

Sincerely,

Lawyers for Lawyers

Mrs. Adrie van de Streek
Executive Director

(Secr)



BY AIRMAIL

Kubatbek Baibolov
General Prosecutor
72, Orozbekova Street
BISHKEK 723500
KYRGYZ REPUBLIC

Amsterdam, 15 August 2011

Subject: Ms. Tatiana Tomina

Dear Sir,

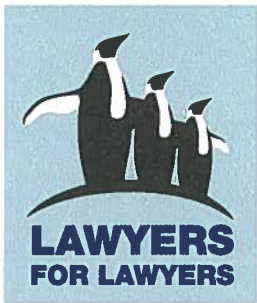
With reference to our letter in November 2010 regarding the obstructions and violent attacks on lawyer Mr. Tahir Asanov, regarding his defense of suspects of the violence in Uzbek in June 2010, the Lawyers for Lawyers Foundation (*Stichting Advocaten voor Advocaten*) now asks your close attention for the position of **Ms. Tatiana Tomina**.

Lawyers for Lawyers is an independent Dutch foundation committed to helping lawyers around the world, who are hindered or threatened in practicing their profession freely. Lawyers for Lawyers closely follows the situation of human rights lawyers in various countries around the world, in particular in Kyrgyzstan including the situation of Tatiana Tomina.

Tatiana Tomina is a lawyer from the Human Rights Advocacy Centre in Osh and has been the victim of threats and physical violence for at least four times within a year, the most recent incidents being last week. Ms. Tomina, like Mr. Tahir Asanov, is representing an ethnic Uzbek on trial in relation to the 2010 ethnic violence cases.

Lawyers for Lawyers has been informed that on August 2, 2011, four women physically attacked Ms. Tomina at the Osh City Court. The women started beating her in the presence of the court employees, visitors, and several convoy police officers. One of the attackers hit Ms. Tomina hard with a heavy bag and the others punched and kicked her. In addition, victims' relatives verbally attacked her repeatedly. The women ripped Ms. Tomina's briefcase with case materials from her hands, yelled that she was a "defender of murderers," "sell-out," and "prostitute," and threatened her with more physical violence. A judge approaching the scene quickly retreated into his office without stopping the attack. Court clerks also didn't intervene to stop the attack. Finally, one of the convoy police officers told the women to leave the building. Later that day, a Human Rights Watch researcher witnessed the same group of women verbally attacking Ms. Tomina at the Osh pretrial detention facility, where she was to attend a hearing for another ethnic Uzbek client charged with a crime not related to the June 2010 violence. Police officers who were present did very little to stop the verbal abuse.

On August 3, Ms. Tomina went to the Osh City Police Department for a client, an ethnic Uzbek who was in a police line-up. The victim's relatives began verbally attacking Ms.



Tomina, with one of them threatening: "You will not live to see this case to go to court" and "I will kill you!" When Ms. Tomina tried to get the attention of an investigator who was witnessing the threats, he told her, "It's not our [police] problem."

Lawyers for Lawyers is greatly concerned that Tatiana Tomina is being targeted for her legitimate activities as a lawyer. For this reason, we draw your attention to the United Nations' *Basic Principles on the Role of Lawyers* adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders (1990). Paragraph 16 of these Principles reads:

"Governments shall ensure that lawyers (a) are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference; (b) are able to travel and to consult with their clients freely both within their own country and abroad; and (c) shall not suffer, or be threatened with, prosecution or administrative, economic or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics."

Paragraph 17 furthermore stipulates that:

"Where the security of lawyers is threatened as a result of discharging their functions, they shall be adequately safeguarded by the authorities."

These principles apply universally. In accordance with paragraphs 16 and 17 of the *Basic Principles*, the protection of the legal profession is primarily the responsibility of governments. In view of its mandate, however, your office also has a duty to uphold the rule of law in your country.

In view of the above, Lawyers for Lawyers calls upon your office:

- 1) to put an end to all acts of violence, intimidation, hindrance, harassment and improper interference against Ms. Tomina;
- 2) to immediately provide full protection for Ms. Tomina and her clients;
- 3) to take immediate action to ensure that continuation of all trials relating to the June violence will be conducted in an orderly, fair and transparent manner.

Lawyers for Lawyers thanks you for your attention to this very important matter. We are confident of your good will and sense of justice and will continue to monitor this case closely.

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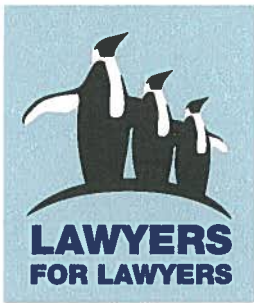
Sincerely,

Lawyers for Lawyers

P/O 

Mrs. Adrie van de Streek
Executive Director

Secr



BY AIRMAIL

His Excellency Zarylbek Rysaliev
Minister of Internal Affairs
Frunze Street, 469
BISHKEK 720040,
KYRGYZ REPUBLIC

Amsterdam, 15 August 2011

Subject: Ms. Tatiana Tomina

Your Excellency,

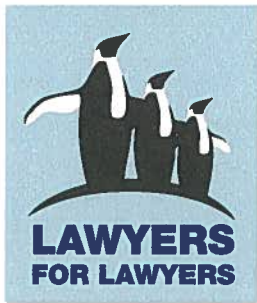
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"Where the security of lawyers is threatened as a result of discharging their functions, they shall be adequately safeguarded by the authorities."

These principles apply universally. In accordance with paragraphs 16 and 17 of the *Basic Principles*, the protection of the legal profession is primarily the responsibility of governments. The Kyrgyz government has a duty to adequately safeguard the safety of lawyers if their security is threatened as a result of doing their legitimate job.

In view of the above, Lawyers for Lawyers calls upon your government:

- 5) to put an end to all acts of violence, intimidation, hindrance, harassment and improper interference against Ms. Tomina;
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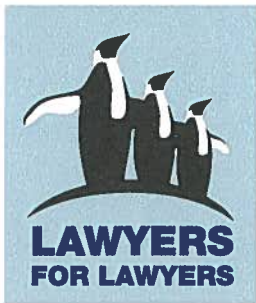
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Executive Director

A copy of this letter was sent to the Embassy of the Kyrgyz Republic in Brussels.



BY AIRMAIL

Marat Alymbekov
Prosecutor
Osh Oblast Prosecutor`s Office
162a, K.Datki Street
OSH 714018,
KYRGYZ REPUBLIC

Amsterdam, 15 August 2011

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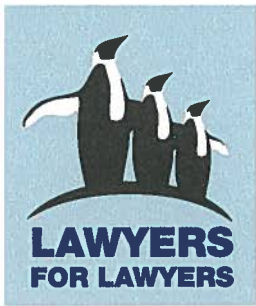
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p/a Geede Lubken

Mrs. Adrie van de Streek
Executive Director

Sec