

BY EMAIL

His Excellency Mr Rustam Shoemurod
Ministry of Justice
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Dushanbe
Tajikistan

Amsterdam 29 March 2021
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Subject: ongoing detention and judicial harassment of Abdulmajid Rizoev.

Your Excellency,

Lawyers for Lawyers is an independent and non-political foundation that seeks to promote the proper functioning of the rule of law by pursuing freedom and independence of the legal profession. Lawyers for Lawyers has Special Consultative status with the UN Economic and Social Council since 2013.

Lawyers for Lawyers is concerned about the ongoing detention and judicial harassment of Mr. Abdulmajid Rizoev.

Abdulmajid Rizoev is a lawyer, human rights defender and former employee of the Young Lawyers Association Amparo, which was forcibly liquidated in 2012. As part of his human rights activities, he monitors human rights violations in the armed forces of Tajikistan during conscription and military service, and provides legal advice to conscripts and soldiers, including those who have been subjected to physical and psychological violence. In recent years, he has also actively defended the rights of Dushanbe residents, whose houses are subject to demolition in connection with the implementation of new construction projects.

According to our information, Abdulmajid Rizoev was detained at his office in Dushanbe and was then transferred to a temporary detention facility on 18 November 2020. Prior to his arrest, he had been working as a legal representative for the residents of a house in the center of Dushanbe, who had been evicted by the construction company carrying out the demolition works. One day before Abdulmajid Rizoev's arrest, the construction company filed a legal complaint against him, alleging that his activities were obstructing the company's work.

Prior to his arrest, Abdulmajid Rizoev wrote an appeal to the mayor of Dushanbe. In his appeal, he alleged that the construction company's activities were not in compliance with relevant national laws which stipulate the requirements for demolition of residential buildings and the procedures for compensating residents. It has been reported that Abdulmajid Rizoev also alleged that the construction

company was engaged in corruption. Abdulmajid Rizoev also filed complaints to the Committee for Architecture and Construction, the Prosecutor's Office of the Shokhmansur District and to the Court of the Shokhmansur District. Abdulmajid Rizoev has reportedly received numerous threats from individuals associated with the construction company and the prosecutors for the case.

On 8 February 2021, the first hearing in the trial against Abdulmajid Rizoev took place before the Shokhmansur District Court. The lawyer has been accused of “public calls for performance of an extremist activity made using the mass media or the Internet” under Part 2, Article 307.1 of the Criminal Code of Tajikistan. During the trial, the prosecution has alleged that some of the lawyer’s posts and reposts on Facebook amount to “extremist” activity. If convicted, Abdulmajid Rizoev could face up to 10 years’ imprisonment. According to our information, Abdulmajid Rizoev is currently being held at the detention centre #1 in Dushanbe.

Lawyers for Lawyers fears that the ongoing detention and judicial harassment of Abdulmajid Rizoev is connected to, and serve to curb his legitimate activities as an attorney.

We would like to draw your attention to the United Nations Basic Principles on the Role of Lawyers¹, and more in particular Article 16 and 23, which read:

16. Governments shall ensure that lawyers (a) are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference; (..) 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.

23. Lawyers like other citizens are entitled to freedom of expression, belief, association and assembly. In particular, they shall have the right to take part in public discussion of matters concerning the law, the administration of justice and the promotion and protection of human rights and to join or form local, national or international organizations and attend their meetings, without suffering professional restrictions by reason of their lawful action or their membership in a lawful organization. In exercising these rights, lawyers shall always conduct themselves in accordance with the law and the recognized standards and ethics of the legal profession.

In view of the above, Lawyers for Lawyers respectfully urge you to immediately:

- Drop all charges against Abdulmajid Rizoev unless credible evidence is presented in proceedings that respect fair trial guarantees and put an end to all acts of harassment against Abdulmajid Rizoev, including at the judicial level;

¹ The UN Basic Principles on the Role of Lawyers provide a concise description of international norms relating to the key aspects of the right to independent counsel. The Basic Principles were unanimously adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders in Havana, Cuba on 7 September 1990. Subsequently, the UN General Assembly “welcomed” the Basic Principles in their ‘Human rights in the administration of justice’ resolution, which was adopted without a vote on 18 December 1990 in both the session of the Third Committee and the plenary session of the General Assembly.



- Guarantee in all circumstances that all lawyers in Tajikistan are able to carry out their legitimate professional activities without fear of reprisals and free of all restrictions including judicial harassment.

Thank you for your attention to this very important matter. We are confident that the government of Tajikistan will give this case the attention it deserves and we will continue to monitor this case closely.

Yours sincerely,

Lawyers for Lawyers