

Kyrgyz Republic: lawyers Erkin Sadanbekov and Kantemir Turdaliev harassed

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Lawyers for Lawyers is concerned over recent reports that two lawyers and their families suffered arbitrary harassment by Kyrgyz security forces. On different occasions, Erkin Sadanbekov and Kantemir Turdaliev were forcibly taken to court while on sick leave. These unlawful interferences with their legitimate activities are allegedly in retaliation for their representation of defendants in the Kempir-Abad case.

Erkin Sadanbekov and Kantemir Turdaliev each represent individuals who are part of a group of 25 defendants in the Kempir-Abad case. This concerns a group of individuals arrested on charges related to their participation in peaceful protests in Kempir-Abad in 2022, against a controversial land swap agreement with Uzbekistan. Some of them risk up to 20 years of imprisonment for allegedly 'attempting to violently overthrow the government'.

According to information received, Erkin Sadanbekov and Kantemir Turdaliev were forcibly taken to court by officers of the GNKB (State Committee for National Security) on two separate occasions last month. On 14 May, Sadanbekov was confronted by GNKB officers while receiving medical treatment at the doctor's office. He was then escorted to court despite having previously obtained a sick leave certificate exempting him from attending court sessions. A week later, on 21 May, GNKB officers also took Turdaliev to court, interrupting his appointment at the hospital for high blood pressure and similarly failing to acknowledge his sick leave certificate. While searching for Sadanbekov, GNKB officers allegedly also caused significant distress to his family members by unexpectedly calling his wife and children.

Lawyers for Lawyers believes that the events described above constitute undue pressure on lawyers Sadanbekov and Turdaliev, as well as Sadanbekov's family, in relation to their legitimate professional activities. According to our information, a group of lawyers representing defendants in the Kempir-Abad case jointly appealed to the GKNB head Kamchybek Tashiev and Prosecutor General on this matter.

Lawyers play a vital role in upholding the rule of law and protecting human rights. Their work is indispensable for public confidence in the administration of justice and to ensure access to justice for all. In this regard, the UN Basic Principles on the Role of Lawyers state that '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' [16]. They also hold that 'where the security of lawyers is threatened as a result of discharging their functions, they shall be adequately safeguarded by the authorities' [17]. The fundamental role of lawyers has also been recognised in article 17(1) of the Law on the Bar of the Kyrgyz Republic and on Advocate Activity. Article 29(2) of the same law prohibits any undue interference with legitimate advocacy activities.

In view of the above, Lawyers for Lawyers urges the Kyrgyz authorities to:

- Take immediate measures to cease any harassment or intimidation of Mr Sadanbekov and Mr Turdaliev and their family members;
- Take prompt actions to ensure that any interferences with lawyers' legitimate activities are adequately investigated and those responsible are held accountable in accordance with international and domestic standards;
- Guarantee the safety of all Kyrgyz lawyers and ensure unhampered access to medical services as well as respect for medical leave certificates as obtained through official channels;
- Refrain from any actions that may constitute harassment, persecution, or undue interference in the work of lawyers, including disciplinary or criminal proceedings on improper grounds, such as the nature of the cases in which the lawyers are involved.