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The Law Society
of England and Wales

BY AIRMAIL

H.E. mr **Rustam Mengliev**

Minister of Justice of the Republic of Tajikistan

Ministry of Justice

734025 Dushanbe

Rudaki Avenue 25

TAJIKISTAN

Amsterdam, 15 August 2014

Subject: The arrest of lawyer Shukhrat Qudratov

Your Excellency,

We write to you on behalf of Lawyers for Lawyers and the Law Society of England and Wales. Lawyers for Lawyer is an independent and non-political Dutch foundation that is committed to ensure the proper functioning of the rule of law by pursuing freedom and independence of the legal profession. The Law Society is the professional body representing more than 166,000 solicitors in England and Wales. Its concerns include upholding the independence of the legal profession, the rule of law and human rights throughout the world.

Lawyers for Lawyers and the Law Society would like to express their grave concern about the arrest and detention of lawyer Shukhrat Qudratov. According to our information, Atty. Qudratov was detained on July 21 on bribe-related charges.

Atty. Qudratov is a prominent defense lawyer who had represented the former Minister of Industry, Zaid Saidov. The former Minister was recently convicted for a number of crimes including financial fraud, illegal confinement, polygamy, sexual relations with a minor and sentenced to 26 years of imprisonment.

Lawyers for Lawyers and the Law Society are concerned that the arrest of the lawyer may be related to his legal assistance and defence of the former Minister.

In March, Shukhrat Qudratov and another lawyer who defended the former Minister, Iskhok Tabarov, announced at a press conference that they had recently faced various threats and intimidation in connection with the case.

The lawyers reported that the pressure on them had significantly increased in relation to a lawsuit which they brought against the head of the State Finance Control and Anti-Corruption Agency, Fattokh Sayidov. They alleged that the head of the Agency threatened that if they did not drop the case, they would "share the dock" with their client, the former Minister.

In addition, we would like to recall that Atty. Qudratov is the second lawyer who defended the former Minister to be detained by the Tajik authorities.

In March, lawyer Fakhridin Zokirov was arrested by the State Finance Control and Anti-Corruption Agency on charges of fraud in banking transactions, which allegedly took place several years ago. He is still in pretrial detention.

We wish to draw to your attention the following.

Under the United Nations Basic Principles on the Role of Lawyers (1990), lawyers must not be identified with their clients' causes, and must be protected against attacks and intimidation, including prosecutions or administrative or other sanctions for action taken in accordance with their recognized professional duties.

Articles 16, 17 and 18 of the **United Nations Basic Principles on the Role of Lawyers (1990)** state:

16: Governments shall ensure that lawyers:

Are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference, and (..)

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.

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

18: 'Lawyers shall not be identified with their clients or their clients' causes as a result of discharging their functions.'

These principles are universally applicable. Therefore, the Tajik government is under an obligation to adequately protect and support its lawyers.

We respectfully urge that you:

1. Ensure the immediate release of lawyers Qudratov and Zakirov.
2. Guarantee in all circumstances that all human rights lawyers in Tajikistan are able to carry out their legitimate human rights activities without fear of reprisals, intimidation, threats and free of all restrictions.

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

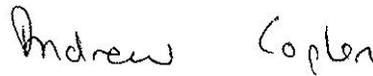
Sincerely,

Lawyers for Lawyers



Adrie van de Streek
Executive director

The Law Society of England and Wales



Andrew Caplen
President

Letters concerning the same topic were sent to:

- Minister of Justice of the Republic of Tajikistan

A copy of this letter was sent to:

- Human Rights Ombudsman of Tajikistan
- Ambassador for the Republic of Tajikistan in Brussels
- Netherlands mission to Tajikistan in Astana, Kazakhstan