

# Tajikistan: Human rights defenders and journalists sentenced to long prison terms on politically motivated charges

*“Human rights defenders are not the enemy”*

*Mary Lawlor, UN Special Rapporteur on the Situation of Human Rights Defenders,  
9 December 2022*

**Helsinki Foundation for Human Rights (HFHR), International Partnership for Human Rights (IPHR) and World Organisation against Torture (OMCT) are dismayed at the lengthy prison sentences handed down to several Tajikistani human rights defenders and journalists following politically motivated, non-transparent and unfair trials. They were all convicted on criminal charges reportedly related to participation in a criminal group and extremism, which were initiated in apparent retaliation for their human rights activities and journalistic work around the Tajikistani government’s repressive policies in the restive Gorno Badakhshan Autonomous Region (GBAO). We call on the Tajikistani authorities to release the defenders and journalists immediately and unconditionally.**

When presenting the conclusions of her visit to Tajikistan at a press conference in Dushanbe on 9 December 2022, UN Special Rapporteur on the Situation of Human Rights Defenders Mary Lawlor stated: “Human rights defenders are not the enemy, they are also working towards peaceful, just and fair societies and should not be conflated with actual extremists and terrorists.”.

Sadly, on the very same day as Lawlor made this important statement and called for an end to the persecution of human rights defenders in the country, Tajikistan’s Supreme Court handed down lengthy prison sentences to several human rights activists who were targeted for their efforts to monitor, document and assist victims of the government’s crackdown in GBAO. Among those convicted were human rights lawyer Manuchehr Kholiknazarov, the director of the Pamir’s Lawyers Association who was *sentenced*, to 15 years in prison, and human rights defender and journalist Ulfatkhonim Mamadshoeva who was convicted to 21 years in prison. The trial, at which these convictions were issued began on 20 September 2022, was held behind closed doors and did not meet international fair trial standards. Not all the defendants had access to lawyers of their own choice, and both the press and relatives of the defendants were banned from attending the hearings, which limited public access to information about these court cases. There were allegations that the defendants were subjected to psychological pressure, including threats against family members and reports that some of defendants had previously been subjected to torture and ill-treatment when in pre-trial detention in Khorog, GBAO.

When arrested, Manuchehr Kholiknazarov was a member of Commission 44, an independent investigation body composed of representatives of local civil society and law enforcement bodies which was set up to investigate the events following mass protests on 25-28 November 2021 in GBAO which followed

the death of Gulbiddin Ziyobekov.<sup>1</sup> In addition, he was an observer in the Joint Investigation Group led by the General Prosecutor's office to look into the GBAO events. However, following the second wave of protests in GBAO in May 2022, which was met with a new wave of mass arrests and a heavy-handed response by authorities, the situation changed significantly for Kholiknazarov and his colleagues.

On 28 May 2022, Kholiknazarov and 13 other members of Commission 44 were arrested and interrogated by the GBAO prosecutor's office. He was accused of allegedly "receiving money from the banned National Alliance of Tajikistan" and subsequently charged with "participation in a criminal association" (Article 187 of the Criminal Code) and "publicly calling for violent change of the constitutional order" (Article 307, part 2 of the Criminal Code). He was placed in pre-trial detention and, at the end of June 2022, he was transferred to the pre-trial detention centre of the State Security Service (SCNS) in Dushanbe. The charges against Kholiknazarov are manifestly unfounded and it is believed that they were brought in retaliation for his human rights work.

Journalist and human rights defender Ulfatkhonim Mamadshoeva was charged with publicly calling for violent change of the constitutional order (Article 307, part 2 of the Criminal Code) on 19 May 2022. On 24 May 2022 Tajikistani state TV broadcast a video entitled "The punishment of traitors has been proved. Criminals behind bars!", showing Mamadshoeva "confessing" to taking an active part in organising the GBAO protests. Human rights defenders are concerned that Mamadshoeva was forced to confess that she had organised the protests in Khorog and incriminate others.

In addition to Manuchehr Kholiknazarov, several other civil society members of Commission 44 were also sentenced to long prison terms at the trial on 9 December: activist Muzaffar Muborakshoyev and Khursand Mamadshoev (the brother of Ulfatkhonim Mamadshoeva), were sentenced to 29 and 18 years respectively and poet and blogger Khushruz Jumayev, was sentenced to eight years behind bars. Another member of Commission 44, lawyer Faromuz Irgashev was sentenced to 30 years in prison. The exact articles of the Criminal Code under which the defendants were convicted are not known, as their lawyers were required to sign non-disclosure agreements, but the charges are believed to have been linked to participation in a criminal association and extremism. Two other members of Commission 44 were sentenced to 18 years in prison in June 2022.

The human rights defenders convicted on 9 December were among at least 20 human rights activists and journalists who were arrested as part of a widening campaign against dissenting voices launched by the Tajikistani government in response to mass protests held in GBAO in November 2021 and again in May 2022. Those arrested had all spoken out about allegations of serious human rights violations characterizing the government's so-called 'special' or 'anti-terrorist' operations in this region, including reports of the disproportionate use of force against mostly unarmed civilians, extrajudicial killings, torture and ill-treatment, arbitrary detentions and repressive measures targeting civil society and the wider population of GBAO.

The latest sentences form part of a pattern of a crackdown on independent voices in Tajikistan. Independent journalists *Abdullo Gurbati* and *Daler Imomali* were convicted in October 2022 to long prison sentences for expressing their critical opinions on issues that the authorities deemed as sensitive, including, in the case of Imomali, suggesting that a media group was deployed to GBAO to ensure more transparent coverage of the events in November 2021. On 4 October, Abdullo Gurbati was sentenced by Shokhmansur District Court to seven and a half years in prison for allegedly publicly insulting an of-

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1 See <https://www.iphronline.org/joint-statement-gbao-may-22.html> <https://www.iphronline.org/tajikistan-civicus-2021-2022.html> for more information

ficial, minor assault of an authority, and participation in an extremist group's activities. On 17 October 2022, the same court sentenced Daler Imomali to 10 years in prison after finding him guilty of illegal entrepreneurship, premeditated false denunciation, and participation in a banned organization. They were detained since 15 June 2022. Both trials were held behind closed doors and thus failed to meet international fair trial standards.

During her press conference on 9 December 2022, Mary Lawlor concluded: "My meetings in the last two weeks showed that the crackdown on independent journalists working with human rights defenders started in 2016 and peaked in 2021, after the events in GBAO. Those with whom I met stated that it was easier to work during the civil war than now." This illustrates how difficult the situation currently is for human rights defenders in the country, with the verdicts handed down on 9 December being part of this alarming trend.

## **Recommendations:**

We urge the Tajikistani authorities to

- Immediately and unconditionally release the human rights defenders and activists convicted on 9 December, as well other individuals who are currently behind bars on charges initiated because of their peaceful exercise of the freedoms of assembly, association and expression including in connection with the events in the GBAO in Tajikistan.
- Undertake to swiftly implement both the preliminary and forthcoming recommendations from the UN Special Rapporteur on the protection of Human Rights Defenders following her visit to Tajikistan in December 2022;

We also urge the international community to raise concerns about these convictions and the ongoing crackdown on human rights defenders with the Tajikistani authorities, both publicly and in bilateral meetings. We urge the international community to take all steps possible to ensure the effective protection of human rights defenders working in the country, as outlined in the EU Guidelines on human rights defenders and in accordance with relevant international human rights standards.