

Tajikistan: Human rights defender Manuchehr Kholiqnazarov must be immediately released

Nowruz celebrations for the Persian New Year this March gave no cause for rejoicing for Manuchehr Kholiqnazarov and his family, as he remains behind bars serving a 16-year-long prison sentence in retaliation for his human rights work.

Today, International Partnership for Human Rights (IPHR), World Organisation against Torture (OMCT), in the framework of the Observatory for the Protection of Human Rights Defenders, Human Rights Watch (HRW), Helsinki Foundation for Human Rights (HFHR), Norwegian Helsinki Committee (NHC), Frontline Defenders, International Federation for Human Rights (FIDH), in the framework of the Observatory for the Protection of Human Rights Defenders, and Freedom Now call for the immediate and unconditional release of **Manuchehr Kholiqnazarov**.

“Manuchehr is a prominent human rights lawyer, a fighter against injustice and exceptional advocate for victims of human rights abuses – his conviction is shameful and every day that he spends behind bars reflects even more badly on the human rights record of Tajikistan.” Brigitte Dufour, Director IPHR

On 9 December 2022 Tajikistan’s Supreme Court found Manuchehr Kholiqnazarov guilty under articles 187, part 2 (participation in a criminal organisation) and 307 (3), part 2 (participating in the activities of a banned organisation due to its extremist activities) of the Criminal Code sentencing him to 16 years’ imprisonment in a strict regime penal colony.

Manuchehr Kholiqnazarov is the Director of the Lawyers Association of Pamir (LAP), one of the few civil society organisations in Tajikistan’s Gorno Badakhshan Autonomous Region (GBAO) that works to promote and protect human rights. As a member of several important platforms, such as the Civil Society Coalition against Torture and Impunity, the Public Council on Police Reform, and the Coalition on Housing Rights, Kholiqnazarov has helped countless victims of human rights violations and strengthened rule of law and democratic structures in the GBAO. Furthermore, Kholiqnazarov and his organisation had been working for many years to create a platform for dialogue between state bodies and civil society institutions, where the most pressing problems of the region, including in the field of human rights were discussed.

On 25-28 November 2021, mass protests erupted in Khorog, GBAO, over the extrajudicial killing of a young man, Gulbiddin Ziyobekov. After the protests settled, Kholiqnazarov joined the “Commission 44”, consisting of representatives of local civil society and law enforcement agencies, to investigate the events.¹ Given his professional experience, he was included in the Joint Investigation Team headed by the Prosecutor General’s Office. Despite some criticism of its passive approach, the Joint Investigation Team achieved some results, including the exhumation and re-examination of Gulbiddin Ziyobekov’s body in December 2021. In addition to his role in the Joint Investigation Team, Kholiqnazarov worked with victims of indiscriminate use of firearms by law enforcement during the protests, and in March 2022 the Civil Society Coalition against Torture and Impunity assigned four lawyers to work with the victims and their relatives.

Yet, all efforts to fight impunity for the November 2021 violence were derailed in May 2022 amid a renewed crackdown on protests in Khorog and Rushan District of GBAO.

On 28 May 2022, Kholiqnazarov was arrested along with a dozen members of Commission 44 for alleged “participation in a criminal association” and “publicly calling for violent change of the constitutional order”. Their trial began on 20 September 2022, and was held behind closed doors at a detention facility of the State Committee for National Security (SCNS) in Dushanbe.

On 21 October 2022, the United Nations Special Rapporteur on Human Rights Defenders issued a communication to the government of Tajikistan expressing concern about the alleged arbitrary detention of Kholiqnazarov and his colleagues.

However, despite all appeals, on 9 December 2022 the Supreme Court of Tajikistan sentenced Manuchehr Kholiqnazarov to 16 years in prison.

“For many years, Manuchehr and his team from the Lawyers Association of Pamir provided assistance to victims of human rights violations and peacefully promoted human rights, the rule of law and access to justice in GBAO. His detention is arbitrary and he must be released immediately and unconditionally”. Gerald Staberock, Secretary General, OMCT

Lawyer Association of Pamir (LAP)

The Lawyers’ Association of Pamir (LAP) was registered as a public organisation in 2010. LAP was one of the few CSOs in GBAO that worked to promote human rights and fundamental freedoms. It focused particularly on incorporating international human rights standards into national legislation and law enforcement practices, and on strengthening the principles of democratisation and tolerance. In January 2021 the organisation received notification of a fine for failing to register grants with the Investment Committee and a six per cent fee. The organisation challenged this decision in court, arguing that they had received a foreign grant as opposed to a foreign investment and therefore were not required to pay the fee. In August 2022 the case was sent for additional review. However, LAP was liquidated at the end of 2022 without any court review – they were simply notified by the Ministry of Justice that the organisation had been closed down.

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

Shrinking space for Civil Society

In Tajikistan, the environment for human rights defenders and civil society activists has deteriorated sharply in recent years.² The Tajikistani authorities have threatened, intimidated and prosecuted NGOs, activists and lawyers in order to get them to drop or refrain from working on issues perceived as politically sensitive. Many groups have been subjected to intrusive inspections of their activities by the Tax Committee, national security services and other state bodies.

In another case of liquidation of an NGO, Somoni District Court in Dushanbe ruled in January 2023 to liquidate the Independent Centre for Human Rights Protection (ICHRP) – one of the country's most prominent and effective human rights organisations which provided free legal aid to prosecuted journalists, victims of torture and of forced evictions. The Ministry of Justice had accused the ICHRP of several alleged violations of its statutes and national law after conducting an inspection of the organisation. In addition to being time-consuming and stressful for the targeted organisations, such inspections have often resulted in warnings and sanctions over alleged violations of the law.

“By closing down civil society organisations and criminalising the much-needed work of human rights defenders, the authorities of Tajikistan continue their campaign to remove and silence any remaining critical voices in the country. We demand that all civil society groups are allowed to work unhindered and that authorities drop all bogus charges against Kholiqnazarov and other rights defenders,” said Berit Lindeman, Secretary General of the Norwegian Helsinki Committee.

In March 2023, Tajikistan was downgraded from “repressed” to “closed” by the CIVICUS Monitor, a global research project that rates and tracks fundamental freedoms in 197 countries. ³ ‘Closed’ is the worst rating a country can receive by the CIVICUS Monitor. In reality, it means that an atmosphere of fear prevails in Tajikistan, where people are routinely imprisoned and attacked for exercising their fundamental rights of freedom of association, free assembly and expression. According to the report, People Power Under Attack 2022, repressive measures taken by the authorities in response to mass protests in GBAO led to the downgrade.

² For more information see <https://www.iphronline.org/tajikistan-continuous-crackdown-on-civil-society.html>

³ <https://monitor.civicus.org/country-rating-changes/tajikistan/>