
PODCAST: WHO WILL DEFEND TAJIKISTAN'S DEFENDERS?

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Authorities in Tajikistan have been cracking down on perceived political opponents for several years now. The fate of such people often seems a foregone conclusion before their cases even come to trial. But once in the courtroom, these defendants often had competent legal representation from a handful of lawyers who were always willing to take up their cases and use every opportunity to show to the court -- and to the world, when it listened -- the absurdity of the charges against their clients.

But lately it is those attorneys who are on trial.

To get a clearer picture of what is happening with the people who defend those whom the government has branded as criminals, RFE/RLs Turkmen Service, known locally as Azatlyk, assembled a majlis, a panel, to discuss why lawyers now find themselves on trial.

Azatlyk Director Muhammad Tahir moderated the session. He brought in two people who know very well what has been happening in Tajikistan lately: the Central Asia researcher for Human Rights Watch (HRW), Steve Sverdlow, and Marius Fossum, the regional representative for Central Asia from the Norwegian Helsinki Committee.

I know them both personally, and it is an important issue, so I was happy to join in the conversation also.

We often talk about the crackdown on the opposition and on NGOs, but it's really impossible for civil society in any of these countries in Central Asia, or in general, to function without lawyers -- without lawyers that can fulfill their profession, Swerdlow said at the start of the discussion.

Four lawyers in Tajikistan have been taken into custody; one of them is already in prison.

Fossum said, The common thing is that all the charges [against them] appear trumped up and in retaliation for these attorneys representing the opposition.

Buzurgmehr Yorov is one of those attorneys. He was defending members of the Islamic Renaissance Party of Tajikistan (IRPT), a group that held places in the government from the end of the 1990s until March 2015, when the party lost the last two seats it had in parliament. Tajik authorities then moved quickly to cancel the IRPTs registration. Leading members of the party were detained after being connected to an alleged mutiny by a deputy defense minister, although the IRPTs connections to the deputy minister were tenuous at best.

Yorov and his law firm Sipar agreed to defend them. As Swerdlow recalled, Yorov himself was soon taken into custody on fraud charges.

[Yorov] was actually arrested the day that he told the public that one of his clients -- Saydumar Husaynov, the first deputy chairman of the IRPT -- was being tortured...in prison.

That was on September 28. The next day, the IRPT was officially declared an extremist group.

Another lawyer on trial with Yorov is Nuriddin Makhkamov, also from the Sipar law firm and also facing charges of fraud. Dilbar Dodojonova of the Sipar law firm is currently under house arrest while she awaits her trial on defamation charges.

The trial of Yorov and Makhkamov opened on May 10. Yorov wanted to appear in court wearing the standard apparel lawyers in Tajikistan wear when they are in courtrooms. The court told him he could not, so Yorov has been coming to his trial dressed in an undershirt.

Other attorneys willing to take on cases for opposition figures are facing similar obstacles. Two sons of attorney Iskhok Tabarov have been jailed, though Tabarov himself is not currently facing

any charges.

Tajik authorities are moving to ensure that, in the future, perceived government opponents will never have access to legal defense from people such as Yorov, Makhkamov, Dodojonova, and others.

As Swerdlow noted, a new regulation requires all lawyers in Tajikistan to retake the bar exam, so that means people who have been practicing 15 years, 20 years.

Fossum added that the test sometimes has little to do with knowledge of the law and seems designed to remove lawyers who authorities might consider undesirable -- or, put differently, those who are competent and could slow judicial processes that aim to put critics and other potential opponents behind bars.

Reports have reached us that you have to answer questions about history, culture, about Tajikistan. EurasiaNet reported that one of the questions was: When did the first train run in Tajikistan? Fossum said.

Representatives of the U.S. Embassy and the office of the Organization for Security and Cooperation in Europe in Tajikistan are attending the Yorov and Makhkamov trials. Journalists have been permitted to attend also under the condition they do not make any audio or video recordings of the proceedings.

It was noted during the discussion that the trials of IRPT members and the attorneys who would defend them come as Tajikistan enters difficult economic times and prepares to hold a referendum on May 22 that would change the constitution to allow President Emomali Rahmon to stay in power indefinitely. Another change would lower the age of eligibility to be elected president from 35 to 30. President Rahmons son Rustam Emomali will turn 30 in 2017. The next presidential election is set for 2020.

HRW released a report about the trials, detentions, and imprisonment of lawyers in Tajikistan. It can be found [here](#).

The majlis discussion looked more closely at the cases of the lawyers mentioned in this text and others who are either on trial or already in prison, as well as the situation with opposition members. There was also talk about what international organizations and individual governments

are doing or could do to stem the Tajikistan governments campaign against what authorities see as potential troublemakers.

Kaynak/Source: