



The Law Society of  
Upper Canada

Barreau  
du Haut-Canada

February 4, 2016

His Excellency Mr. Emomali Rahmon  
President of the Republic of Tajikistan  
Rudaki Avenue, 80  
Dushanbe 734023  
Republic of Tajikistan

Office of the Treasurer

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Your Excellency

**Re: Detention of human rights lawyer Buzurgmehr Yorov**

I write on behalf of the Law Society of Upper Canada\* to voice our grave concern over the detention of human rights lawyer Buzurgmehr Yorov in Tajikistan. When serious issues of apparent injustice to lawyers and the judiciary come to our attention, we speak out.

Buzurgmehr Yorov is a civil and criminal lawyer and the chairman of the Bar Association of Dushanbe. It is our understanding that Buzurgmehr Yorov was arrested and detained on 28 September 2015. The authorities charged him with fraud-related charges, related to an incident which allegedly occurred in July 2010, when Yorov had purportedly received US\$4,000 from a resident of the city of Istaravshan.

Reports indicate that Buzurgmehr Yorov had just begun representing 13 members of the Islamic Renaissance Party of Tajikistan (IRPT) at the time of his arrest. The IRPT members had been arrested and charged by authorities on 16 September 2015. On 29 September 2015, the Supreme Court of Tajikistan banned the IRPT and declared it a terrorist organization. Prior to that date, the IRPT was the only Islamic political party legally registered in Central Asia.

Human Rights Watch notes that Buzurgmehr Yorov's arrest occurs in the context of a worsening government crackdown on lawyers who take on politically sensitive cases. Human Rights organizations believe that his arrest and detention are a direct result of his representation of members of the IRPT.

The Law Society of Upper Canada urges Your Excellency to consider Articles 16 and 23 of the United Nations' *Basic Principles on the Role of Lawyers*.

Article 16 states:

Governments shall ensure that lawyers (a) are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference; (b) are able to travel and to consult with their clients freely both within their own country and abroad; 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.

Moreover, Article 23 states:

Lawyers like other citizens are entitled to freedom of expression, belief, association and assembly. In particular, they shall have the right to take part in public discussion of matters concerning the law, the administration of justice and the promotion and protection of human rights and to join or form local, national or international organizations and attend their meetings, without suffering professional restrictions by reason of their lawful action or their membership in a lawful organization.

The Law Society urges the government of Tajikistan to:

- a. release Buzurgmehr Yorov immediately;
- b. provide Buzurgmehr Yorov with regular access to his lawyer, family, physician and medical care;
- c. guarantee all the procedural rights that should be accorded to Buzurgmehr Yorov and other human rights lawyers and defenders in Tajikistan;
- d. put an end to all acts of harassment against Buzurgmehr Yorov as well as other human rights lawyers and defenders in Tajikistan;
- e. guarantee in all circumstances the physical and psychological integrity of Buzurgmehr Yorov;

- f. ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments.

Yours very truly,

Janet E. Minor  
Treasurer

*\*The Law Society of Upper Canada is the governing body for more than 49,000 lawyers and 7,400 paralegals in the province of Ontario, Canada. The Treasurer is the head of the Law Society.*

*The mandate of the Law Society is to govern the legal profession in the public interest by upholding the independence, integrity and honour of the legal profession for the purpose of advancing the cause of justice and the rule of law.*

cc:

Mr. Shomurod Rustam  
Minister of Justice of the Republic of Tajikistan  
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Dushanbe 734025  
Republic of Tajikistan

Mr. Aslov Sirojiddin Muhridinovich  
Minister of Foreign Affairs of the Republic of Tajikistan  
Sheroz Street, 33  
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Republic of Tajikistan

H.E. Mr. Mahmamin Mahmaminov  
Permanent Representative of Tajikistan to the United Nations  
216 East 49<sup>th</sup> Street, 4<sup>th</sup> Floor  
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Alex Neve, Secretary General, Amnesty International Canada

Mary Lawlor, Executive Director, Front Line Defenders

Vincent Forest, Head of European Union Office, Front Line Defenders

Kenneth Roth, Executive Director, Human Rights Watch

Adrie van de Streek, Executive Director, Lawyers for Lawyers

David F. Sutherland, Chair, Lawyers' Rights Watch Canada

Yves Berthelot, President, Observatory for the Protection of Human Rights Defenders

Michel Forst, Special Rapporteur on the situation of human rights defenders, Office of the United Nations High Commissioner for Human Rights

Gabriela Knaul, Special Rapporteur of the Human Council on the independence of judges and lawyers, Office of the United Nations High Commissioner for Human Rights

Sarah Smith, Human Rights and Rule of Law Policy Adviser, The Law Society of England and Wales