I. Introduction

1. Lawyers for Lawyers ('**L4L'**) welcomes the opportunity to submit written information to the UN Human Rights Council for the fourth-cycle UPR review of Tajikistan. This report is based on information collected through ongoing research and direct engagement with and reports from lawyers from Tajikistan other local and international stakeholders.

2. This submission will focus on the following issues:
    a. Harassment and criminal prosecution of lawyers
    b. Improper interference by law enforcement agencies with the rights of lawyers
    c. Institutional independence of the legal profession

3. This submission outlines Lawyers for Lawyers' finding that Tajikistan has not adequately implemented any recommendations pertaining to the protection of lawyers and the right to a fair trial it accepted during its third-cycle UPR review in November 2021. Lawyers in Tajikistan continue to face intimidation, hindrance, harassment or improper interference in the exercise of their professional function. In addition, access to the legal profession remains severely restricted. Since the previous UPR, Lawyers for Lawyers has also received new information about veiled threats and pressure exerted on the family members of lawyers who have faced reprisals for their human rights work.

4. Relevant third cycle UPR[i] recommendations not yet implemented include the following:

    a. Refrain from imposing restrictions on civil society and human rights defenders (123.143-Poland);

    b. Guarantee that human rights defenders can freely exercise their activities, without risk of reprisals (123.163-France);

    c. Strengthen the legal framework to ensure access to information and the exercise of freedom of expression and association, particularly by civil society and human rights defenders, ensuring that they can express themselves freely, without fear of reprisals (123.67-Costa Rica).

    d. Implement the 11 recommendations from the previous cycle on the right to a fair trial, the independence of the judiciary and measures to protect lawyers (123.135-Australia);[ii]

    e. Develop transparent procedures to prevent and address arbitrary detentions and ensure the right to a fair trial, including unhindered access to legal representation, free from the threat of government interference (123.137-Canada);

    f. Ensure that lawyers are guaranteed full independence and safety, in law and in practice, to carry out their legitimate duties without any harassment, undue interference or fear of arbitrary criminal prosecution or other retaliatory measures (123.166-Norway).

II. Harassment and criminal prosecution of lawyers

5. Lawyers for Lawyers has long been concerned about attempts to harass and disrupt the work of lawyers in Tajikistan, particularly those who work on cases that involve human rights or are of politically sensitive nature.[iii] The right of lawyers to perform their professional activities without

hindrance and the corresponding rights of their clients to a fair trial (including the right to prepare an adequate defence, the right to counsel of one's own choosing, and the right to lawyer-client confidentiality) are often not respected. This contravenes UN Basic Principles on the Role of Lawyers.

6. While Tajikistan has engaged significantly with various international human rights mechanisms in recent years, it rarely responds to communications by special procedure mandate holders.[iv] During country visits between 2022-2023, various UN Special Rapporteurs observed practices inconsistent with international obligations. One mandate holder noted that 'there appears to be a significant disconnect between the desire of the Government of Tajikistan to be more positively perceived by the international community and its understanding of what is newfound desire to engage with the global human rights architecture involves'.[v] This can also be illustrated by Tajikistan's rejection of a recommendation in the 2021 UPR to 'duly address allegations of systematic persecution against opposition figures, journalists, lawyers and human rights defenders' (123.149-*Ukraine*), stating that 'it believes that its national legislation is in line with international standards on the rights to freedom of expression, association and peaceful assembly'.[vi]

7. However, the increase in the number of arrests, arbitrary detention and unlawful criminal prosecution of lawyers in Tajikistan that have taken place since the 2021 UPR stands in stark contrast to the safety guaranteed to lawyers under the ICCPR and UN Basic Principles. Following her visit to Tajikistan in November - December 2022, Mary Lawlor, the UN Special Rapporteur on the situation of human rights defenders said in a statement:

   "*Some officials in the Tajik government are trying to engage positively with human rights defenders, and there has been some legislative progress. However, many of those who peacefully defend the rights of others are under increasing pressure. The situation of human rights defenders is deteriorating. Lawyers, journalists and others are being targeted for their human rights work. They have been confronted with a range of difficulties ranging from onerous administrative burdens to harassment, threats, criminalisation, closed unfair trials and imprisonment," Lawlor said. "A climate of corruption, the fear of persecution and a stranglehold on human rights defenders working on difficult issues have forced some to leave the country."*[vii]

8. Based on the definitions of terrorism and extremism in the legislation of Tajikistan, lawyers who defend clients charged with the crimes of terrorism or extremism risk criminal prosecution for the same or similar crimes. The Human Rights Committee and the Working group on Enforced or Involuntary Disappearances referred to reported harassment and intimidation of lawyers who took up politically sensitive cases.[viii] UN experts in their statement of 4 July 2023 said: "We would like to remind the Government that criminalising the legitimate peaceful work of human rights defenders is incompatible with Tajikistan's international human rights obligations. Conflating human rights defenders with extremists and terrorists is a very dangerous practice".[ix]

9. During the 14th round of the annual Human Rights Dialogue (HRD) held in Dushanbe in December 2023 between the European Union (EU) and Tajikistan, the EU reiterated its concerns about serious human rights violations, including the insufficient investigations into human rights violations by law enforcement agencies during the events in the GBAO in 2021-2022 and urged the government of Tajikistan to 'immediately and unconditionally release human rights defenders, journalists and activists that remain imprisoned'.[x] In January 2024, the European Parliament adopted a resolution which called on Tajikistan to cease its harassment of independent lawyers representing government critics, particularly Buzurgmehr Yorov and Manucher Kolikhnazarov (discussed below).[xi]

10. The cases listed below illustrate a pattern of lawyers' being persecuted in Tajikistan for their activities in defense of their clients and lawyers' identification with their clients and clients' causes.

Buzurgmehr Yorov ('Yorov'), the renowned human rights lawyer, has now been unlawfully detained for more than eight years. He gained recognition by taking on high-profile cases representing individuals prosecuted on politically motivated charges. After various prosecutions that ignored international due process standards, Yorov was found guilty of forgery and "arousing national, racial, local or religious hostility and extremism" on 6 October 2016. On 30 April 2019 the United Nations Working Group on Arbitrary Detention (the "**WGAD**") adopted an opinion calling for his release, finding that the government of Tajikistan had committed numerous violations of international law in arresting and detaining Mr Yorov. He had particularly been denied the right to a fair trial as well as the right to freedom of expression and assembly.[xii]

On 10 July 2023 he was (allegedly) sentenced to an additional ten years in prison on charges of suspected fraud. These charges were allegedly related to complaints made by a fellow prisoner regarding legal services Yorov promised but did not provide. However, the exact details of the charges remain unclear as the trial was largely closed to the public, including Yorov's lawyer, and held in the prison facility where Yorov is detained.[xiii] Yorov's lawyer reportedly experienced undue pressure from Tajik authorities, as he had no adequate access to the case file and was barred from attending hearings. For these reasons, it was reportedly extremely difficult to find a lawyer willing to represent Yorov in this new case. The court allegedly ordered that Yorov spend the first two years of the new sentence in a closed prison, and the remaining eight in a penal colony in the Yavan region. There are grave concerns about the conditions of Yorov's confinement and the complete lack of transparency around the procedures and charges against him.[xiv] On 28 September 2025, it had been 10 years since Yorov was wrongfully detained.[xv]

Manuchehr Kholiknazarov ('Kholiknazarov') is a prominent human rights lawyer.[xvi] He heads the Lawyers Association of Pamir which is a member of the Civil Society Coalition against Torture and Impunity in Tajikistan and Commission 44. This Commission was set up in the Gorno-Badakhshan Autonomous region (the '**GBAO'**) to investigate police brutality there in November 2021 which led to the death of several civilians and the injury of many more. GBAO has been in a state of high alert since May 2022 when protesters announced they would start an indefinite protest unless the regional leader resigned, and a proper investigation was launched into police brutality the previous November. On 18 May 2022 the Interior Ministry announced the start of an "anti-terrorist operation" in the region.[xvii]

On 28 May 2022, at least 13 members of Commission 44 were detained and interrogated by security services in GBAO. While some were released, Kholiknazarov, Irgashov and four other member of Commission 44 were transferred to the detention centre of Tajikistan's State Committee of National Security in Dushanbe on 6 June 2022. It is unknown whether they were given any access to legal assistance. [xviii] On 9 December 2022, Kholiknazarov was convicted and sentenced to 16 years in prison by the Supreme Court of Tajikistan. His trial was reportedly held behind closed doors in a pre-trial detention centre, and he did not have access to lawyers or the evidence against him. According to the statement of the Prosecutor General's Office released on 26 January 2023, the Supreme Court found him guilty of establishing a criminal association and extremist organization. The statement contained no further details about the charges.[xix] According to information received, Kholiknazarov's health is deteriorating in detention. He suffers from blood pressure problems and spine injuries. He is in urgent need of proper medical treatment. Family visits are reportedly restricted. On 14 March 2023, the Chamber of the Supreme Court of Tajikistan allegedly started considering Kholiknazarov's appeal but no changes to the decision were reported.[xx]

Faromuz Irgashov ('Irgashov') is a Pamiri human rights lawyer, a former member of the GBAO local parliament and an unregistered candidate for the 2020 presidential election. He was also a leading member of Commission 44. He was arrested at the same time as Kholiknazarov and also charged with being a member of a criminal organization. At his trial on 9 December 2022, he was sentenced to 30 years in prison. As with Kholiknazarov, the exact charges on which he was sentenced were unclear. The trial was held behind closed doors, and he did not have access to a lawyer, or the evidence used against him. The Prosecutor General's Office statement released

on 26 January 2023, stated that the Supreme Court found Irgashov guilty of the following crimes: establishment of a criminal association, attempted murder, terrorism and organization of extremist activities. The statement contained no further details about the charges. According to the information received, Irgashov is only permitted visits by his mother, visits by other relatives are restricted.[xxi]

11. In communications sent to Tajikistan through the UN Special Procedures on 13 July 2022, 4 October 2022, and 12 May 2023, various Special Rapporteurs repeatedly expressed their concern over the alleged violations perpetrated against lawyers Kholiknazarov and Irgashov, as well as other human rights defenders.[xxii] In response to the requested information on the safeguarding of their human rights, Tajikistan stated: 'As can be seen from the criminal case file, the rights of […] Mr Kholiknazarov and Mr Irgashov under national law and the international legal instruments recognized by Tajikistan […] were respected and guaranteed both during the pretrial investigation and in court'. Tajikistan further asserted that the individuals concerned were prosecuted for ordinary criminal offences unrelated to their human rights work, had access to lawyers of their choice, and suffered no infringement of their rights. It also maintained that human rights defenders and lawyers in Tajikistan operate without fear of restrictions or prosecution.[xxiii]

12. These statements starkly contrast with the information received and described above. It directly defies the observations of numerous UN experts and information transmitted by civil society organisations, including reports gathered by Lawyers for Lawyers.

III. Improper interference by law enforcement agencies with the rights of lawyers

13. As stressed in a previous submissions, lawyers from Tajikistan have reported insufficient measures are taken by prison personnel to guarantee the confidential nature of meetings with their clients. Moreover, Article 11(4) of the Law On Advokatura revokes lawyer-client privilege for terrorism, extremism, or money laundering cases and forces lawyers to report related information to government agencies or otherwise risk prosecution. This law remains in place and has not been amended to comply with international legal standards. The apparent use of anti-terrorism and anti-extremism legislation to target human rights defenders and critical voices, as stated by UN experts and reiterated by the European Parliament,[xxiv] leads us to believe that the continued existence of this provision in the Law on Advokatura effectively hampers Tajikistan's ability to guarantee the right to access and communicate in confidence with a lawyer.

14. Following a visit to Tajikistan in April 2023, the Special Rapporteur on freedom of religion or belief noted that 'many [religious] prisoners reportedly do not have access to lawyers or were pressured into pleading guilty, while most lawyers are unwilling to take up the cases of religious detainees because of the risks to the lawyer'.[xxv] In addition, it has been reported that lawyers are sometimes barred from attending trials in violation of due process, or if present, forced to sign non-disclosure agreements.[xxvi]

15. Lawyers in Tajikistan reportedly also experience hindrance in relation to their work due to arbitrary financial targeting by the Tax authorities. Lawyers in Tajikistan must register as members of lawyers' unions and regional departments or as independent lawyers' cabinets (as private entrepreneurs) under Law on Advokatura and the Tajik Tax Code. Different tax rates apply to different legal entities and districts (6% for regional cabinet; 40% for regional collegium). According to information received, the Tax Committee responsible for the implementation of the tax regulations applicable to lawyers and law offices does not operate independently and sometimes arbitrarily uses tax laws to obstruct the work of lawyers by setting additional requirements.

IV. Institution independence of the legal profession

16. In 2015 the Law on Advokatura (the 'Law') established a unified self-governing Bar Association representing a unified self-governing Bar Association in Tajikistan. However, there are concerns that the institutional independence of the legal profession in Tajikistan is not fully guaranteed. Following the introduction in 2015 of the Law, lawyers were obliged to re-sit exams set by the Ministry of Justice to enter the newly established Bar Association.[xxvii] It has been reported that, as a result of changes introduced by the Law there has been a dramatic drop in the number of practicing lawyers.[xxviii] The small number of practicing lawyers in Tajikistan is worrying, with only 823 registered lawyers for a population of 9,3 million. In some regions, the number of lawyers is so low that some towns have no lawyers at all. [xxix] While recent initiatives have reportedly contributed to a 6% increase in licensed women advocates in Tajikistan,[xxx] this does not alter the broader concern regarding the continued insufficiency of the legal profession's overall capacity and accessibility nationwide.

V. Recommendations

17. Lawyers for Lawyers calls on UN member states to make the following recommendations to Tajikistan during its fourth cycle Universal Periodic Review:

    a. Take immediate measures to ensure that sufficient safeguards are in place, both in law and in practice, to guarantee the full independence and safety of lawyers and their effective protection against any form of retaliation in connection with their professional activity.

    b. Refrain from any actions that may constitute harassment, persecution, or undue interference in the work of lawyers, including their criminal prosecution on improper grounds such as the expression of critical views or the nature of the cases that the lawyer is involved in.

    c. Immediately and unconditionally release all lawyers detained for their professional activities and dismiss all charges against them.

    d. In consultation with the Bar Association and with individual lawyers, reform the Law On Advokatura to properly safeguard the lawyer-client principle, and remove any role for the Ministry of Justice in the governance of the legal profession, including in the Qualification Commission.

    e. In consultation with the Bar Association, take measures to enable a marked and sustainable increase in the number of individuals qualifying to practice as lawyers, including in rural areas.

    f. Continue to implement in legislation as well as practice recommendations of the previous UPR cycles to ensure the protection of lawyers against undue interference in their work.

    g. To take measures to ensure that law enforcement agencies in Tajikistan cease any illegitimate interference with lawyers' activities. Cases of improper and illegal interference with the work of lawyers should be punishable under national law.

[i] Report of the Working Group on the Universal Periodic Review: Tajikistan A/HRC/WG.6/39/TJK/2 (24 August 2021). Report of the Working Group on the Universal Periodic Review: Tajikistan Addendum A/HRC/49/12/Add.1 (29 December 2021).
[ii] Report of the Working Group on the Universal Periodic Review: Tajikistan, A/HRC/WG.6/25/L.8 (20 May 2016). It concerns recommendations [115.78], [115.79], [115.81], [118.35], [118.36], [118.37], [118.38], [118.39], [118.40], [118.67], and [118.69].
[iii] See, for example, Joint submission by L4L and the International Bar Association's Human Rights Institute on Tajikistan to the UPR in 2021, at <https://lawyersforlawyers.org/wp-content/uploads/2021/03/UPR-Tajikistan-L4L-and-IBA-March-2021-final-version.pdf>.
[iv] OHCHR, "Tajikistan: human rights defenders face increasing threats in climate of fear, says UN expert" (9 December 2022); OHCHR, ÜN expert urges Tajikistan to leave past behind and uphold freedom of religion and belief" (20 April 2023).
[v] UN Special Rapporteur on Minority Issues, Fernand de Varennes, Report on Visit to Tajikistan (A/HRC/55/51/Add.2) para 16.

[vi] Report of the Working Group on the Universal Periodic Review, 49th session, Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review, A/HRC/49/12/Add.1 (29 December 2021).
[vii] United Nations Special Rapporteur on the situation on human rights defenders, Mary Lawlor, End of Mission Statement: Preliminary observations and recommendations (Dushanbe, 9.December 2022), available at <www.ohchr.org/en/press-releases/2022/12/tajikistan-human-rights-defenders-face-increasing-threats-climate-fear-says>.
[viii] Report of the Working Group on the Universal Periodic Review Tajikistan, A/HRC/WG,6/39/TJK/2 (24 August 2021).
[ix] Press release of the Special Procedures of the Human Rights Council, 'Tajikistan: UN experts deplore criminal proceedings against human rights defenders' (4 July 2023) available at <www.ohchr.org/en/press-releases/2023/07/tajikistan-un-experts-deplore-criminal-proceedings-against-human-rights>.
[x] 'Tajikistan: 14th Human Rights Dialogue with the EU' – European Union External Action Service (14 December 2023), available at: <www.eeas.europa.eu/eeas/tajikistan-14th-human-rights-dialogue-eu_en#:~:text=During%20the%20Human%20Rights%20Dialogue,women%27s%20rights%20and%20non%2Ddiscrimination.>.
[xi] European Parliament Resolution of 18 January 2024, 'Tajikistan: state repression against the independent media' (2024/2506(RSP)), available at: <www.europarl.europa.eu/doceo/document/TA-9-2024-0039_EN.html>.
[xii] United Nations Human Rights Council, Opinions adopted by the Working Group on Arbitrary Detention at its 84th session, 23 April – 3 May 2019: Opinion No. 17/2019 concerning Buzurgmehr Yorov (Tajikistan), A/HRC/WGAD/2019/17.
[xiii] Lawyers for Lawyers 'Continued detention of Tajik lawyer Buzurgmehr Yorov, 28 September 2023 available at <https://lawyersforlawyers.org/en/continued-detention-of-tajik-lawyer-buzurghmehr-yorov/>.
[xiv] International Commission of Jurists, 'Lawyer Buzurgmehr Yorov must immediately be released in line with UN decision' (14 July 2023) available at <www.icj.org/tajikistan-lawyer-buzurgmehr-yorov-must-immediately-be-released-in-line-with-un-decision/>.
[xv] Lawyers for Lawyers, 'Lawyer wrongfully held for a decade – Free Buzurgmehr Yorov' (29 September 2025) <https://www.lawyersforlawyers.org/lawyer-wrongfully-held-for-a-decade-free-buzurgmehr-yorov/>.
[xvi] In recognition of his work in advance of human rights defence, he was awarded the Martin Ennals Award in 2024: <https://www.martinennalsaward.org/hrd/manuchehr-kholiqnazarov/>.
[xvii] Lawyers for Lawyers, 'Statement on the arrest of the lawyers Manuchehr Kholiknazarov and Faromuz Irgashov' (31 October 2022) available at <https://lawyersforlawyers.org/en/statement-on-the-arrest-of-the-lawyers-manuchehr-kholiknazarov-and-faromuz-irgashov/>.
[xviii] Ibid.
[xix] UN Special Rapporteur on Human Rights Defenders 'Tajikistan: alleged arbitrary detention, enforced disappearance and criminalization of nine human rights defenders (joint communication) 20 July 2023 available at <https://spcommreports.ohchr.org/TMResultsBase/DownLoadPublicCommunicationFile?gId=28026>.
[xx] Ibid.
[xxi] Special Procedures, Communication AI TJK 1/2023 (12 May 2023) available at <https://spcommreports.ohchr.org/TMResultsBase/DownLoadPublicCommunicationFile?gId=28026>.
[xxii] Special Procedures, Communication AI TJK 1/2023 (12 May 2023) available at <https://spcommreports.ohchr.org/TMResultsBase/DownLoadPublicCommunicationFile?gId=28026>; Communication AL TJK 3/2022 (4 October 2022) available at <https://spcommreports.ohchr.org/TMResultsBase/DownLoadPublicCommunicationFile?gId=27560>; Communication AL TJK 2/2022 (13 July 2022) available at <https://spcommreports.ohchr.org/TMResultsBase/DownLoadPublicCommunicationFile?gId=27423>.
[xxiii] Permanent Mission of the Republic of Tajikistan to the UN Office and other International Organisations in Geneva, Official reply to communication AL TJK 3/2022 (received on 15 May 2023) pp. 5-10, available at: <https://spcommreports.ohchr.org/TMResultsBase/DownLoadFile?gId=37600>.
[xxiv] The Special Procedures of the Human Rights Council. Tajikistan: UN experts deplore criminal proceedings against human rights defenders. 4 July 2023 available at <www.ohchr.org/en/press-releases/2023/07/tajikistan-un-experts-deplore-criminal-proceedings-against-human-rights> ; European Parliament, Resolution of 18 January 2024 on Tajikistan: state repression against the independent media (2024/2506(RSP)), available at: <www.europarl.europa.eu/doceo/document/TA-9-2024-0039_EN.html>.
[xxv] UN Special Rapporteur on freedom of religion or belief, Nazila Ghanea, Report on visit to Tajikistan: 11 to 20 April 2023 (A/HRC/55/47/Add.1) para 69.
[xxvi] UN Special Rapporteur on Minority Issues, Fernand de Varennes, Report on Visit to Tajikistan: 9 to 20 October 2023 (A/HRC/55/51/Add.2) para 75.
[xxvii] Lawyers for Lawyers and the International Bar Association, 'Joint UPR submission Tajikistan' (25 March 2021) available at <https://lawyersforlawyers.org/en/joint-upr-submission-tajikistan/>.
[xxviii] Lawyers for Lawyers and the International Bar Association, 'Joint UPR submission Tajikistan' (25 March 2021) available at <https://lawyersforlawyers.org/en/joint-upr-submission-tajikistan/>.
[xxix] Lawyers for Lawyers 'Lawyers' Day in Tajikistan' (26 May 2023) available at <https://lawyersforlawyers.org/en/lawyers-day-in-tajikistan-3/>.
[xxx] UNDP, 'Young Women Lawyers Drive a 6% Increase in Women Advocates in Tajikistan' (25 March 2026) <www.undp.org/tajikistan/stories/young-women-lawyers-drive-6-increase-women-advocates-tajikistan>.