

NGOs urge Tajikistan to release independent journalist and human rights defender Khurshed Fozilov.



*Khurshed Fozilov
A photo from the journalist's
Facebook page*

Oslo, Brussels, Stockholm, Dublin, Warsaw, 24 March 2023

The government of Tajikistan should immediately release independent journalist and human rights defender Khurshed Fozilov and cease the reprisals against independent journalism in the country, the Norwegian Helsinki Committee (NHC), International Partnership for Human Rights (IPHR), Civil Rights Defenders (CRD), Helsinki Foundation for Human Rights (HFHR) and Front Line Defenders (FLD) said in a joint statement on 24 March 2023.

According to media reports¹, on 6 March 2023, 37-year-old Khurshed Fozilov was detained by the regional department of the State Committee for National Security in Penjikent, where he has been working since January of this year. The journalist is held in a detention facility in Khujand, according to family members.

¹ <https://www.rferl.org/a/tajikistan-detained-journalist-charged-constitution/32317488.html>, <https://asiaplustj.info/ru/news/tajikistan/laworder/20230313/zaderzhannii-tadzhikskii-zhurnalists-obvinyatsya-v-prizivah-k-izmeneniyu-konstitutsionnogo-stroya>

A week later, the authorities reportedly initiated a criminal case against Fozilov under paragraph Art. 307 part 2, d (Public calls for a violent change of the constitutional order of the Republic of Tajikistan using the media or the Internet) of the Criminal Code. They have not provided any further public information about his alleged wrongdoing. If found guilty, the journalist could face up to eight years in prison.

The regional journalist and human rights defender worked with domestic and international media outlets. He mostly wrote on the issues faced by the people in the Zarafshan Valley, frequently criticizing local government.

This is not the first time that Tajikistani authorities have persecuted journalists under Article 307 of the Criminal Code. In September 2022, Mamadsulton Mavlonazarov, a 72-year-old journalist, was sentenced to seven years in prison, inter alia, under Article 307 part 2 after he criticized military operations in GBAO. Charges under the same article were also brought against journalists Zavqibek Saidamini and Abdusattor Pirmukhammadzoda, who had previously called for the release of journalists Daler Imomali and Avazmad Ghurbatov, and were both sentenced to seven years in prison.

These cases form part of a crackdown on dissenting voices in Tajikistan. The country was downgraded this month from 'repressed' to 'closed' by the CIVICUS Monitor, a global research collaboration that rates and tracks fundamental freedoms in 197 countries and territories. '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.

NHC, IPHR, CRD, HFHR and FLD urge the Tajikistani authorities to:

- Ensure that all legal proceedings against Fozilov are conducted openly and transparently.
- Release Fozilov to house arrest pending trial since he is a journalist and not accused of committing any violent crime;
- Ensure his unobstructed right to access a legal representative, and ensure his physical and psychological safety;

- Refrain from designating of the case as "secret", so that law enforcement agencies do not bring additional trumped-up charges against Fozilov;
- Make public the facts of the case through an indication of which of Fozilov's social media posts are alleged to qualify under paragraph "d", part 2 of Art. 307. If the law enforcement agencies lack evidence, then they should immediately release Fozilov;
- Protect independent journalists and media workers against harassment and intimidation and refrain from using threats of civil and criminal prosecution as a tool to suppress critical reporting;
- Respect Tajikistan's international obligations to allow freedom of expression and freedom of media.