



Human Rights Council, 33rd session

Agenda Item 6: Universal Periodic Review Tajikistan (22 September 2016)

Statement of Lawyers for Lawyers

Lawyers for Lawyers (L4L) welcomes Tajikistan's decision to accept some of the recommendations made at the Universal Periodic Review relating to the administration of justice and the independence of the legal profession and call on the Government of Tajikistan to implement the recommendations to refrain from and prevent any executive interference with lawyers' conduct of their professional duties.

In order to 'ensure lawyers freedom to exercise their professional duties we call to guaranty unhindered access of lawyers to their clients, freedom to represent their clients without threats from state or other actors and that such threats are promptly investigated not only in paper and legislation but in practice.

In order to 'ensure the free, fair and open conduct of trials in accordance with international standards including access to Legal Counsel in pre-trial custody' we call upon the Government of Tajikistan to stop the practice of giving lawyers one-time access permission paper to see their clients and ensure free access to clients.

We are deeply concerned that the Government did not accept a recommendation related to 'make the necessary amendments to the law on "Advokatura" of 2015 in order to remove any obstacle to the independence of the profession of a lawyer...'. The Qualification Commission of lawyers is still located within the Ministry of Justice and is mandated to include several representatives of the Ministry. This permits executive government to exercise inappropriate influence over the admission and disbarment of lawyers. Nevertheless, we encourage Government of Tajikistan to provide exclusive control to the Union of Lawyers over lawyer's admission to and removal from practice.

Finally, we urge the Government to release the lawyers that have been prosecuted in relation to their professional activities as attorneys, and moreover to have respect for the right to a fair trial for the lawyers that are currently subjected to criminal offences as a result of their clients and type of the work they conduct.

We are glad to provide support in the realization of these recommendations and will look for collaboration with the Government to that end,

Thank you Mr President.

Statement delivered by:

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