



Plenary sitting

B8-0762/2016

7.6.2016

MOTION FOR A RESOLUTION

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 135 of the Rules of Procedure

on Tajikistan: situation of prisoners of conscience
(2016/2754(RSP))

Eric Andrieu, Nikos Androulakis, Francisco Assis, Zigmantas Balčytis, Hugues Bayet, Brando Benifei, José Blanco López, Vilija Blinkevičiūtė, Biljana Borzan, Soledad Cabezón Ruiz, Nicola Caputo, Andrea Cozzolino, Andi Cristea, Miriam Dalli, Viorica Dăncilă, Jonás Fernández, Monika Flašíková Beňová, Doru-Claudian Frunzulică, Eider Gardiazabal Rubial, Lidia Joanna Geringer de Oedenberg, Neena Gill, Michela Giuffrida, Enrique Guerrero Salom, Sylvie Guillaume, Sergio Gutiérrez Prieto, Richard Howitt, Cătălin Sorin Ivan, Liisa Jaakonsaari, Agnes Jongerius, Jude Kirton-Darling, Cécile Kashetu Kyenge, Marju Lauristin, Arne Lietz, Krystyna Lybacka, Louis-Joseph Manscour, Costas Mavrides, Marlene Mizzi, Sorin Moisă, Alessia Maria Mosca, Victor Negrescu, Momchil Nekov, Demetris Papadakis, Vincent Peillon, Pina Picierno, Tonino Picula, Miroslav Poche, Inmaculada Rodríguez-Piñero Fernández, Daciana Octavia Sârbu, Tibor Szanyi, Marc Tarabella, Claudia Țapardel, Elena Valenciano, Julie Ward, Flavio Zanonato, Damiano Zoffoli, Pier Antonio Panzeri, Victor Boștinaru, Knut Fleckenstein, Josef Weidenholzer
on behalf of the S&D Group

European Parliament resolution on Tajikistan: situation of prisoners of conscience (2016/2754(RSP))

The European Parliament,

- having regard to its previous resolutions on Tajikistan and Central Asia republics with regard, in particular to the one of 15 December 2011 on the state of implementation of the EU Strategy for Central Asia,
 - having regard to its resolution of 17 September 2009 on the conclusion of a Partnership and Cooperation Agreement between the European Communities and their Member States, of the one hand, and the Republic of Tajikistan, on the other hand,
 - having regard to the seventh round of the EU-Tajikistan Human Rights Dialogue held in Brussels on 11 June 2015, to the Council conclusions on the EU Strategy for Central Asia of 22 June 2015, to the conclusions of the EU Special Representative visit to Tajikistan the 18th September 2015, to the preliminary observations of the visit to Tajikistan by the United Nations Special Rapporteur on the right of freedom of opinion and expression on the 9th March 2016,
 - having regard to the International Covenant on Civil and Political Rights (ICCPR), guaranteeing the freedom of expression, freedom of assembly, the right of respect for the personal, private, and family life for individuals, the right of equality, and the ban on discrimination in the enjoyment of those rights,
 - having regard to the statement by the Spokesperson on Tajikistan's Supreme Court's sentencing deputy leaders Saidumar Hussaini and Mahmatali Hait of the Islamic Renaissance party to life imprisonment of 3 June 2016,
 - having regard to Rule 135 of its Rules of Procedure;
- A. whereas the EU-Tajikistan agreements stipulates that political freedom and respect for democratic principles and fundamental and human rights are the very basis of any partnerships ;
- B. whereas freedom of speech and access to media in Tajikistan has to be practiced according to the constitutional law of the country and it's political and ideological pluralism, including religion that has to be recognized in accordance with the Constitution of Tajikistan ;
- C. whereas the democratic space has been gradually diminishing in Tajikistan; whereas the two opposition parties that had been represented in the parliament since 1997 – the Islamic Renaissance Party of Tajikistan (IRPT) and the Communist Party – did not manage to gather necessary amount of votes in 2015 parliamentary elections, according to the official results by the government in elections that were deemed not in line to the international standards and unfair by international observers,

- D. whereas the European Parliament election observation delegation for the parliamentary elections in Tajikistan, 2 march 2015 highlighted in its statement significant shortcomings, including multiple voting and ballot-stuffing, as well as disregard of counting procedures meaning that a fair vote could not be guaranteed;
- E. whereas in early September 2015 the Islamic Renaissance Party of Tajikistan (IRPT) was shut down, banned by a court ruling and declared as “extremist” followed by the arrest of 13 members of the party on 16-18 September 2015,
- F. whereas in February 2016, the Supreme Court began hearing the cases against the 13 members of the Political Council of the IRPT, as well as four other individuals associated with the party, who were charged with “extremism” offenses because of their alleged involvement in armed attacks of September 2015; whereas these trials took place behind closed doors and little information was available about the process since it has been “classified” and all parties involved were prohibited from disclosing information; whereas independent monitors have not been granted access to the trial or IRPT members in detention, and many of the defendants have been represented only by state-appointed lawyers; whereas the press, the websites, the social media, the internet providers in Tajikistan have huge difficulties in an intimidating environment where self-censorship is widespread,
- G. whereas torture and ill-treatment in detention facilities remains problematic in the country; whereas in February 2015 the United Nations (UN) Special Rapporteur on torture raised concerns about ongoing torture/ill-treatment and impunity in the follow-up report to his February 2014 mission to Tajikistan; whereas in recent years several international human rights bodies and procedures such as the UN Special Rapporteur on torture, the Committee against Torture and the Human Rights Committee have recommended that Tajikistan should establish an independent investigatory body;
- H. whereas several lawyers, who applied to act as defence attorneys for IRPT defendants, have received death threats, and have been arrested, detained and imprisoned; whereas arrests of Burzugmehr Yorov, Nodira Dodajanova, Nuriddin Mahkamov, Shukhrat Kudratov, Firuz and Daler Tabarov have raised high concerns about compliance with international standards on the independence of lawyers, closed trials and limited access to legal representation; whereas also several journalists have been detained, harassed and intimidated;
1. Calls for the immediate and unconditional release of everyone, activists, lawyers, journalists imprisoned on politically motivated charges or involved in fake non political charges, former members of the Islamic Renaissance Party of Tajikistan (IRPT)
 2. Urges the Tajik authorities to authorize reinvestigation by international organizations of all reported violations against human rights and dignity during the detention of the above mentioned persons. In case of violations, responsible persons have to be treated according to the law in Tajikistan.
 3. Urges the Tajik authorities to grant access to independent legal service to all imprisoned and detained persons with the right to meet regularly their family members and appointed persons from international human rights organizations.
 4. Expresses its concern that the right of association and the right of forming political

parties have to be observed more closely as well as preparations made for the upcoming parliamentary elections in 2020 as observers also express their concern on the recent deteriorating human rights situation with an increase number of detentions and arrests

5. Stresses that political and economic relations with the EU are deeply linked with sharing values based on respect of human rights and fundamental freedoms as the ones envisaged by the Partnership and Cooperation Agreement
6. Urges the Tajik authorities to be careful not to mix legitimate fight against terrorism and religious extremism with clamping down on opposition, silencing civil society, hindering freedom of expression, hampering the independency of the judiciary and to allow peaceful opposition groups to operate freely and to let them exercise the freedom of assembly, association, expression, and religion, in accordance with international human rights norms and the Tajikistan's constitution;
7. Welcomes some positive steps taken by the Tajik Government such as the decriminalization of defamation and insult in 2012 and calls for the proper implementation on its Criminal Code;
8. Calls on the Commission, the Council and the External Action Service to make clear to the Tajik authorities that human rights violations taking place in the country could affect the relations with the EU in line with the agreements signed; further calls on the Council of the European Union and the External Action Service to raise these questions in all the relevant bilateral meetings with the Tajik authorities with regard, in particular, to the 8th round of the EU-Tajikistan Human Rights dialogue scheduled for this week;
9. Instructs its President to forward this resolution to the Council, the Commission, the EEAS, the High Representative/Vice-President for Foreign Affairs and Security Policy, the Parliament, the government, the President of Tajikistan Rahmon (as according to the Constitution he is the guarantor of the Constitution, laws, rights and freedoms of the persons and citizen) and to the President of the OSCE.