

**To the Leader of the Nation, President of the Republic of Tajikistan,  
His Excellency Mr. Emomali Rahmon**

**Civil society organizations express deep concern at the death and numerous injuries of civilians during arbitrary detention and peaceful protests in Gorno-Badakhshan Autonomous Oblast of the Republic of Tajikistan and calls on the authorities of Tajikistan to conduct a thorough investigation**

Civil society in Tajikistan expresses its concern about the recent events in Khorog, GBAO Tajikistan, where at the result of clashes between representatives of law enforcement agencies and local residents, 3 civilians were killed and more than 16 injured, both among the population and among law enforcement officials.

The cause of the disagreement was the tragic death of a 29-year-old resident of the village of Tavdem, Roshtkala District, of GBAO Ziebekov Gulbiddin. Ziebekov Gulbiddin was reportedly injured by GBAO law enforcement officers along with two other residents of that village on 25 November 2021, at 11:30 p.m. local time, one of whom, Tutisho Amirshoev, died as a result of his injury.

According to eyewitnesses, the detention of G. Ziebekov took place in a public place near a grocery store, where law enforcement officials blocked the road, opened fire, despite the presence of other people who were ordered to face the wall and raise their hands, At the slightest movement, shots were fired in the air or on the ground. The injured Ziebekov was forced into a car and taken in the direction of the district center Roshtkala. The young man's body was later released to his relatives. His face was destroyed by a shot in the chin.

According to the official information, Ziebekov, who was allegedly wanted on suspicion of committing crimes under articles 181, 3 ("Hostage-taking by an organized group") and 189, 3 ("Incitement of national, racial, local or religious hatred") of the Criminal Code of the Republic of Tajikistan, was wounded while resisting arrest and on the way to Khorog shot himself in the mouth and died.

The same day, the residents of the area, accompanied by the relatives of the victim, brought the body of the deceased to the building of the Khukumat of GBAO in Khorog, demanding to

investigate the incident and bring the perpetrators to justice. Soon, a spontaneous rally was held near the Khukumat's building with the participation of residents of Khorog and other districts of the region. During the rally, a fight broke out between protesters and law enforcement officials, who opened fire against the protesters, resulting in the death of another resident of the region, and injuries to several others of varying severity.

On the same day, communication across GBAO was restricted and all Internet networks were shut down. By the morning of November 26, 2021, information about the death of another person appeared in social networks and to date there is information about the deaths of the following individuals: Gulbiddin Ziyobekov, Tutisho Amirshoev and Gulnazar Amirbekov.

The GBAO Prosecutor's Office opened a criminal case in connection with the November 25, 2021 events and the shooting in the center of Khorog. Also, according to regional media reports, security measures have been tightened in the administrative center and there is no access to the Internet. In addition, according to local residents, roads on the outskirts of the city have been blocked.

In the evening of November 26, 2021, the heads of law enforcement and security agencies came out with an appeal to use force to disperse the rally, if the protesters do not leave the square. On November 27, 2021, the protest continued in the central square of the city of Khorog, directly in front of the building of the City Administration, while the bodies of the deceased one were taken for burial. As a result of the ongoing clashes several more people, including representatives of law enforcement and security agencies were injured. Rallies in support of the population of Khorog in GBAO continued in front of the buildings of the embassies of the Republic of Tajikistan outside the country.

We welcome the establishment of a special working group with the participation of all interested parties to investigate the death of Ziebekov Gulbidin and others, as well as the assurances that an open investigation will be conducted. We call on the country's authorities to be consistent in their commitments and to take all necessary efforts to peacefully resolve the conflict and prevent future human rights violations.

International instruments, of which Tajikistan is a part, provide clear rules and procedures for the observance of human rights in criminal justice activities. Thus, article 6 (1) of the International

Covenant on Civil and Political Rights<sup>1</sup> enshrines the right to life as an inalienable right of every human being, which must be protected by law. Arbitrary deprivation of life is unacceptable.

UN Human Rights Committee emphasized that one should consider not only the use of force as such but also whether a governmental operation was conducted and planned appropriately and whether it reduced to a minimum the risk to the lives of its participants. In each case of deprivation of life an obligation arises for the state to ensure a detailed and independent investigation of the death. The burden of proof in such cases is on the state because only the member state has access to relevant information and it should in good faith investigate all claims on violation of the Convention.

Basic reasons for use of force and firearms by law enforcement officials<sup>2</sup> state that whenever the use of force or firearms is inevitable, law enforcement officials should: a) show restraint in such use of force and act depending on how serious the offence is and on the lawful goal which should be achieved; b) bring to the minimum the possibility of causing harm and injuries and protect human life; c) secure provision of medical and other aid to the injured or victims as soon as possible; d) ensure that relatives or close friends of the injured or victims are notified as soon as possible. Law enforcement officials should not use firearms against people.

Special Rapporteur on Promotion of the Truth, Justice, Reparation and Guarantees of Non-Recurrence of Violations Pablo de Greiff determined that practically in all cases, without exception, one of the first demands of victims concerns recognition of the fact that they were wronged. This entails not only the right to seek for reparation in order to diminish suffering but also to reinstate those rights of the victim that were grossly violated, letting beneficiaries understand that the state cares about their interests. Reparation is conducive to consolidation of trust. Recognition and trust are necessary conditions and means of justice, while the reparations contribute to trust building by proving how seriously various institutions now treat violation of rights.

In view of the above stated, the representatives of civil society recommend the State the following:

1. Immediately cease the excessive use of force and firearms against civilians in the city of Khorog, GBAO.

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<sup>1</sup> The ICCPR entered into force for Tajikistan on April 4, 1999, and under Article 10 of the Constitution of the Republic of Tajikistan is part of the legal system of the Republic of Tajikistan

<sup>2</sup> Adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, Cuba, 27 August-7 September 1990

2. Conduct a prompt, impartial and effective investigation into all civilian deaths and injuries, including the justification and necessity of the use of force and firearms by law enforcement agencies on 25 November 2021, during the detention of G. Ziebekov, and against the participants of the spontaneous protests on 25 and 27 November 2021 in the town of Khorog.
3. Bring to justice those responsible for the deaths of civilians in the town of Khorog.
4. Inform the public about the investigation process and the measures taken in a timely manner.
5. To recognize the constitutional right of every person to hold a peaceful assembly and to express their opinion on the most important public issues and to refrain from any form of harassment of persons who have participated in peaceful assemblies and demonstrations, both in and outside the city of Khorog.
6. Restore all forms of communication in Gorno-Badakhshan Autonomous Oblast.
7. Take political, socio-economic and legal measures to support the restoration of trust, mutual relations and cooperation between the parties in order to prevent the recurrence of conflict.
8. Provide psychological assistance to the population of Khorog, especially women and children, and provide access to trained psychologists in the city's health centers.
9. Provide assistance in establishing a Center for Independent Monitoring of the situation in the city of Khorog which will include representatives of public organizations.
10. Take the necessary measures for the socio-economic development of the region, including attracting investment in the social spheres, infrastructure development, job creation for young people and women, and social support for vulnerable groups.

**THE TEXT IS OPEN FOR SIGNATURE TO PUBLIC ORGANIZATIONS, INTERNATIONAL AND NATIONAL NGOS. IF YOU WANT TO SIGN AN APPLICATION, PLEASE SEND THE NAME OF YOUR ORGANIZATION BY E-MAIL: [notorturetjk@gmail.com](mailto:notorturetjk@gmail.com)**

**Contact persons from civil society:**

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1. Public organization "Office of Civil Freedoms"
  2. Public organization "The world of law"
  3. Public Foundation "Legal Initiative"
  4. Public organization "Public health and human rights"
  5. Public Foundation "Nota Bene"
  6. Public Organisation "Right and Prosperity"
  7. Public organization "Human Rights Center"
  8. Public organization "Independent Center for Human Rights Protection"
  9. Public organization "Association of Pamir Lawyers"

**Supplemented**

10. Association of "People's Assessors of the Republic of Tajikistan"
11. Public Foundation "Your Choice"
12. Farrukh Khonkhodjaev, Ph.D., Master of Political Science, independent researcher
13. Public organization Youth with disabilities and parents of children with disabilities "Shohsanam"
14. Central Asia Consulting. INC
15. Public organization "Dakhr"
16. Public organization "Start kudakon"
17. Public organization "Nomus va Insof"
18. Public organization "Kuhkhai Pomir"
19. Public organization SPC "Sarchashma"
20. Public organization "Imkon"
21. Public organization "Our World"
22. Sheroz Sharipov, journalist
23. Public organization "Beginning"
24. Public organization "Rasonanigor"
25. Farrukh Akhrorov
26. Public organization "Journalism and Democracy"
27. Public organization "Union of parents of soldiers of the Sughd region"
28. Public organization "Zanoni Shark"