



To: Mr. Vladimir Cebotari, Minister of Justice of the Republic of Moldova

Cc: Mr. Corneliu Gurin, General Prosecutor of the Republic of Moldova

7 August 2015

### **Regarding the case of Mr. Sobir Valiev**

We, the Norwegian Helsinki Committee and the Association for Human Rights in Central Asia, are writing to express our concern with regard to the possible extradition to Tajikistan of Tajik-born Sobir Valiev, now a naturalized citizen of Kyrgyzstan. We are of the conviction that Mr. Valiev, a peaceful opposition activist, is at severe risk of being subjected to torture if returned to Tajikistan, and as such, in line with Moldova's international obligations, cannot be extradited to Tajikistan. We are therefore calling on you to ensure that Moldova upholds its international obligations and secures Mr. Valiev from forced return to Tajikistan.

The Convention and Protocol Relating to the Status of Refugees, to which Moldova is a signatory, oblige Moldova to secure the principle of non-refoulement. Furthermore, Moldova is bound by the United Nations Convention against Torture, according to which, a person cannot be expelled to "another state where there are substantial grounds for believing that he would be in danger of being subjected to torture". The widespread use of torture in Tajikistan is well documented through thorough research conducted by our partners in the NGO Coalition against Torture Tajikistan. The nature of the charges against Mr. Valiev furthermore gives us substantial grounds for believing that he is at severe risk of torture if returned to Tajikistan.

Amnesty International has documented that persons detained on charges relating to national security issues and extremism are at particular risk of torture in Tajikistan. Having charged him under Article 307 of the Criminal Code of the Republic of Tajikistan, namely "Public Calls for Forcible Changing the Constitutional System of the Republic of Tajikistan", it is clear that the Tajik authorities view Mr. Valiev as relevant to national security issues. Mr. Valiev is furthermore the deputy head of the outlawed and extremist-ruled opposition group "Group 24". Thus his case is both related to national security and extremist issues. It is therefore beyond any doubt that an extradition of Mr. Valiev to Tajikistan would put him at particular risk of torture. Such an extradition would then constitute a grave violation of Moldova's international commitments.

Mr. Valiev was detained by Moldovan authorities in the Chisinau Airport on 11 August 2015, at the request of Tajik authorities. He is being held in Penitentiary 13 of the Police Commissariat of Chisinau. Sobir Valiev is a peaceful opposition figure, and we are convinced that the charges against him are politically motivated and put forward in order to dispose of an outspoken opposition activist and to intimidate the Tajik regime's remaining opponents. The charges against Mr. Valiev correspond to the ongoing political suppression of the opposition and clampdown on fundamental freedoms in President Rakhmon's current Tajikistan. We hereby urge you to take the necessary steps in order to ensure the principle of non-refoulement and secure Mr. Valiev from extradition or other forced return to Tajikistan.

We thank you for your attention to the case addressed in this letter and look forward to your response.

Sincerely



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