

Tajikistan

The human rights situation in Tajikistan is fragile. Despite reforms on paper—including a new election law and a moratorium on capital punishment—the government continues to put pressure on political opposition, independent media, and independent religious groups. The political climate has deteriorated as President Emomali Rakhmonov attempts to consolidate power in advance of 2005 parliamentary and presidential elections.

Political Opposition

Hizbi Demokrati-Khalkii Tojikiston (the People's Democratic Party of Tajikistan), led by President Rakhmonov, dominates political life. Under 1997's power-sharing arrangement, opposition parties are guaranteed 30 percent of top government posts. In January 2004, Rakhmonov replaced senior government officials from other political parties with members of his own party, reducing the other parties' share of top posts to 5 percent.

Rakhmonov's opponents are vulnerable to prosecution on politically-motivated charges. In January 2004, the Supreme Court sentenced Shamsuddin Shamsuddinov, deputy chairman of Nahzati Islomi Tojikiston (the Islamic Renaissance Party, IRP)—which participates in the power-sharing government—to sixteen years in prison on charges of polygamy, organizing an armed criminal group during the civil war, and illegally crossing the border. Three other IRP members were given lengthy prison terms for alleged complicity in Shamsuddinov's armed group. Shamsuddinov, who has maintained his innocence since his arrest in May 2003, alleges he was beaten and tortured with electric shocks while awaiting trial.

Other opposition parties enjoy limited resources and popular support. In principle, they are allowed to exist. In practice, the parties face significant obstacles in registering with the Ministry of Justice. In early 2004, the ministry refused to register the charter of the Taraqqiyot (Tajikistan Development) party, citing violations of the Law on Political Parties. In March, four party members went on a six-day hunger strike in protest. The Vakhdat (Unity) party also encountered difficulties registering.

Electoral Reform

Tajikistan has a history of flawed elections. Neither the 1999 presidential vote nor the 2000 parliamentary elections met international standards. The June 2003 presidential referendum (allowing Rakhmonov to stand for another two seven-year terms as president) was also marred by allegations of vote fraud.

The government has come under increasing pressure to reform the electoral system. In November 2003, the Socialist and Socialist Democratic parties organized the Coalition for Fair and Transparent Elections. The IRP and the Democratic Party joined the coalition in calling for an overhaul of national election law. The Organization for Security and Cooperation in Europe (OSCE) and United Nations also advocated electoral reform. In July 2004, the president signed a new election law. The amended law has drawn criticism from the United States, European Union, and opposition parties, however. The introduction of a U.S.\$500 registration fee for each election candidate is particularly troubling. Critics fear it will prevent opposition politicians from running in upcoming parliamentary elections.

Freedom of Expression

Freedom of expression remains under threat in Tajikistan, despite the growing popularity of independent newspapers. While independent newspapers and magazines are technically legal, state-run publishing houses refuse to print them, making production difficult or impossible. The state-controlled printing house Sharq-i-Ozod in Dushanbe decided in November 2003 to stop publishing *Ruzi Nav* (New Day), a major independent newspaper. No explanation was given.

The independent printing house Jiyonkhon continued to print *Ruzi Nav* and other independent newspapers in Dushanbe, including *Nerui Sukhan* (Power of the Word), *Odamu Olam* (People and the Word), and *Najot* (Salvation), a publication of the IRP. In August 2004, authorities closed the Jiyonkhon printing house for alleged tax violations. Other independent and state-owned printing houses have refused to take on publication of the four papers. A printing press in neighboring Kyrgyzstan offered to carry *Ruzi Nav*, and it issued one print run in November. However, the papers were confiscated by Tajik transportation tax police upon arrival in Dushanbe. *Ruzi Nav* is filing charges.

Obtaining official registration is the main obstacle for independent television and radio stations. In September 2003, the State Radio and Television Committee refused to grant the Asia Plus news agency a television broadcast license, stating that the agency lacked the necessary technical equipment and qualified personnel. Asia Plus claims that the committee never examined its equipment or personnel.

Harassment of independent and opposition journalists is a serious concern, although physical attacks on journalists have declined. There have been at least twelve cases of harassment of journalists since January 2004, according to the National Association of Independent Media in Tajikistan. Mavluda Sultonzoda, a reporter for *Ruzi Nav*, received numerous anonymous telephone calls threatening her and her family with violence unless she stopped writing articles critical of President Rakhmonov. Turko Dikayev, an Asia Plus correspondent, reported receiving similar calls. In July 2004, unidentified assailants attacked Rajab Mirzo, an editor for *Ruzi Nav*.

Capital Punishment

Tajikistan's use of the death penalty has long been of international concern. In 2003, four men—Rachabmurod Chumayev, Umed Idiyev, Akbar Radzhabov, and Mukharam Fatkhullojev—were

sentenced to death for membership in a criminal gang. The cases of Mr. Chumayev and Mr. Idiyev were considered by the U.N. Human Rights Committee as potential breaches of the International Covenant on Civil and Political Rights. Despite the requests by the Committee to the Tajik government issued on January 22, 2004, and on April 13, 2004, to stay the men's executions while it examined their claims, all four were executed in April 2004. On April 30, 2004, President Rakhmonov introduced a proposal to outlaw the death penalty. As of November, the resulting bill has been approved by both houses of Parliament, but awaited Rakhmonov's signature.

Religious Freedom

The Tajik Constitution guarantees freedom of religion. In practice, government officials monitor, and interfere with, the activities of religious groups. All religious organizations must register with the State Committee on Religious Affairs. Independent religious groups considered extremist or politicized—including the banned group *Hizb ut-Tahrir*, or Party of Liberation—face government scrutiny and harassment. During 2003, approximately 160 suspected Hizb ut-Tahrir members were arrested and thirty-four were convicted on subversion charges. In 2004, more than seventy alleged members of Hizb ut-Tahrir were arrested. In September, twenty suspected members were convicted: nine received prison sentences from thirteen to fifteen years for crimes including: “organizing a criminal group, inciting national, racial, religious and ethnic strife.” The rest were given short prison terms. Some of those detained on suspicion of involvement in Hizb ut-Tahrir allege beatings, sexual violence, and electric shocks in police custody.

Human Trafficking

Human trafficking is a significant problem in Tajikistan. According to the International Organization for Migration, Tajikistan is a major country of origin for trafficked women and children. Tajik authorities have undertaken some positive steps to curb trafficking, including the creation of new anti-trafficking department in the Ministry of Internal Affairs. In August 2003, Parliament adopted a bill criminalizing human trafficking, with sentences from five to fifteen years. In December 2003, a Tajik woman was sentenced to fourteen years in prison, and her property confiscated, following conviction for trafficking women into the sex industry in the United Arab Emirates. Four members of a trafficking group were convicted in April 2004, and another fourteen cases have been opened by the Ministry of Internal Affairs.

Key International Actors

Russia has been a dominant influence on Tajikistan's economy and military since the country's independence in 1991. Tajikistan continues to host Russian soldiers under Moscow's direct control. During 2004, Presidents Putin and Rakhmonov negotiated the partial withdrawal of Russian troops by 2006. Tajikistan owes approximately U.S. \$300 million to Russia, and its fragile economy is dependent upon remittances sent home by Tajik migrant workers in Russia. Russia has promised to forgive a large portion of Tajikistan's debt in return for permanent rights to maintain a military base on Tajik soil.

Tajikistan has assumed a heightened importance for the United States government since the 2001 military operation in Afghanistan. The U.S. military provides technical assistance and training to Tajik armed forces. The U.S. contributed \$50.7 million in assistance during 2004. While the majority of U.S. non-military economic assistance to Tajikistan is in the form of humanitarian aid, it increasingly funds democratization, law enforcement, and market development efforts. The February 2004 State Department country practices report is critical of the Rakhmonov administration's record of torture and ill-treatment of detainees, its suppression of political opposition, and violations of free speech.

On October 11, 2004, Tajikistan became the final Central Asian state to sign a Partnership and Cooperation Agreement (PCA) with the European Union. While the PCA contains human rights conditionality, E.U. policy toward Tajikistan continues to be defined primarily by security and terrorism concerns. Tajikistan receives more E.U. aid per capita than any other Central Asian country. During 2003, the E.U. provided €10 million in humanitarian aid. In 2004, it scaled down its aid projects to about €8 million, while focusing more on reconstruction loans.

In August 2004, OSCE voiced concern over the closure of the Jiyonkhon printing press and the attack on newspaper editor Rajab Mirzo, and called on the Tajik authorities to respect media freedom in the run-up to elections. The OSCE advised the government on the conditions necessary for free and fair elections and campaign finance regulations. The widely criticized final version of the election law did not reflect its recommendations.