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Tajikistan

Country:

Tajikistan

Year:

2018

Freedom Status:

Not Free

Political Rights:

7

Civil Liberties:

6

Aggregate Score:

11

Freedom Rating:

6.5

Overview:

Political rights and civil liberties in Tajikistan are severely curtailed by the government of President Emomali Rahmon, which sustains a campaign of repression against political opposition, dissent, and criticism.

Political Rights and Civil Liberties:

POLITICAL RIGHTS: 1 / 40

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

President Emomali Rahmon was first elected in 1994, during Tajikistan's 1992–97 civil war, and has been in power ever since. The president is elected for a seven-year term. Amendments ratified in 2016 removed presidential term limits and further consolidated Rahmon's power. In the last presidential election in 2013, Rahmon was reelected to a fourth term with 83.6 percent of the vote. Organization for Security and Co-operation in

Europe (OSCE) observers noted that the election “lacked a real choice” and failed to meet international standards.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

The People’s Democratic Party (PDP), led by the president, consistently dominates legislative elections. The bicameral Supreme Assembly is comprised of an upper house, the National Assembly, and a lower house, the Assembly of Representatives. The 34-member National Assembly is comprised of 25 members elected by local assemblies and 8 appointed by the president; an additional 1 seat is held for each living former president. The 63-member Assembly of Representatives is elected by popular vote. Members of each body serve five-year terms.

Ahead of the 2015 elections, the government directed an extensive anti-opposition campaign through state media and the persecution of many candidates, particularly those of the IRPT, leading to the disenfranchisement of the country’s most significant opposition force. The PDP won 51 of 63 lower-house seats, and small, mostly progovernment parties took the remainder. According to OSCE monitors, the elections were marred by serious violations and failed to meet democratic standards.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

The Central Commission for Election and Referenda (CCER) is subservient to the government, and enforces laws in inconsistent and nontransparent ways.

B. POLITICAL PLURALISM AND PARTICIPATION: 0 / 12

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

The government consistently marginalizes independent or opposition parties, which have become completely excluded from the political process. In 2015, the Justice Ministry revoked the IRPT’s legal registration based on a technicality and the Supreme Court declared the IRPT a terrorist organization, criminalizing membership in or expression of support for the group. The constitutional amendments passed in a 2016 referendum banned faith-based political parties, effectively preventing the IRPT from reforming.

Harassment of former IRPT members continued in 2017, and included the two-day detention of the father of an activist who attended an OSCE conference on human rights in Warsaw. Additionally, one of two lawyers sentenced to over 20 years in prison for defending IRPT members in court had his sentence extended twice, to total 28 years.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

Years of unrelenting repression of opposition activities have left opposition forces unable to compete, and in many cases even participate, in elections. The incumbent

administration uses its near-absolute control over the media, an extremely high threshold for number of signatures required to run for office, and the exclusion of Tajikistani migrant workers—who comprise between 20 and 45 percent of the electorate—from the nomination process for the presidency and parliament, to cement its dominance over the electoral process. Many IRPT members and their relatives were beaten, harassed, and imprisoned before the 2015 elections, with some reportedly tortured in custody.

B3. Are the people’s political choices free from domination by the military, foreign powers, religious hierarchies, economic oligarchies, or any other powerful group that is not democratically accountable? 0 / 4

Political power in Tajikistan is controlled almost exclusively by Rahmon’s extended family, leaving citizens with few avenues to exercise meaningful political choices or participate in political processes.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

No segment of the population has full political rights or electoral opportunities. Women remain underrepresented in the political system, both as voters and in elected positions.

C. FUNCTIONING OF GOVERNMENT: 1 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

Following the 2015 elections, the president’s ruling party cemented a virtually unopposed position in determining and implementing policy. Officials from the president’s native Kulob District are dominant in government. In January 2017, President Rahmon strengthened his family’s grip on power by installing his son, Rustam Emomali, as Dushanbe’s mayor. He replaced Mayor Mahmadsaid Ubaidulloev, who had been in power for 19 years.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Patronage networks and regional affiliations are central to political life, corruption is pervasive, and laws designed to prevent it are routinely ignored. Major irregularities have been reported at the National Bank of Tajikistan and the country’s largest industrial company, the state-owned TALCO Aluminum.

C3. Does the government operate with openness and transparency? 1 / 4

Public officials are not required to disclose financial information, and government decision-making and budgetary processes lack transparency.

CIVIL LIBERTIES: 10 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 2 / 16

D1. Are there free and independent media? 0 / 4

Independent journalists face harassment and intimidation. Civil libel charges are often used to cripple newspapers that criticize the government. The government controls most printing presses, newsprint supplies, and broadcasting facilities, effectively denying independent media access to them. Authorities block some critical websites and news portals, and use temporary full blackouts of internet services and messaging to suppress criticism.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 0 / 4

The government imposes strict restrictions on religious freedom, and limits religious activities to state-approved venues. In 2017, Tajikistan continued to prosecute individuals for alleged membership in banned religious organizations, including Christian groups. Minors are banned from attending religious services in mosques. A law passed in August that discourages religious clothing is widely perceived as an effort to limit the wearing of hijabs.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

The government exercises significant influence over the administration of education institutions.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Authorities frequently monitor private communications, often without authorization. In July 2017, a law was passed that allows authorities to monitor citizens' online behavior, and imposes fines and prison sentences for visiting "undesirable websites" or posting "inappropriate comments".

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 2 / 12**E1. Is there freedom of assembly? 0 / 4**

The government strictly limits freedoms of assembly. Local government approval is required to hold demonstrations, and officials often refuse to grant permission.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 1 / 4

Nongovernmental organizations (NGOs) must register with the Ministry of Justice and are vulnerable to closure for minor technicalities. NGOs must disclose funding from foreign sources to the Ministry of Justice. Foreign funds must be logged in a state registry before organizations can access them, and the government has oversight of operations supported by the funds.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

Citizens have the legal right to form and join trade unions and to bargain collectively, but unions are largely subservient to the authorities.

F. RULE OF LAW: 2 / 16**F1. Is there an independent judiciary? 1 / 4**

The judiciary lacks independence. Many judges are poorly trained and inexperienced, and bribery is widespread.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Court proceedings rarely follow the rule of law, and nearly all defendants are found guilty. Arbitrary arrests are common.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

People in Tajikistan are subject to abuses by security forces and have no meaningful opportunity for recourse. Detainees are frequently beaten in custody to extract confessions. Overcrowding and disease contribute to often life-threatening conditions in prisons.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Discrimination against ethnic minorities is not a significant problem. However, discrimination, harassment, and violence against LGBT (lesbian, gay, bisexual, and transgender) people is common, and there is no legislation against discrimination based on sexual orientation or gender identity. LGBT people frequently face abuse by security forces.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 4 / 16**G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4**

Citizens can travel freely but must register their permanent residence with local authorities. The right to choose institutions of higher education is formally protected, but schools and universities are plagued by corruption. Students interested in studying Islamic theology are forbidden from attending schools outside the country.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Tajikistan's generally dysfunctional economic environment affects everything from peasant farms to large enterprises. Officials from the president's native Kulob District dominate

government, and family members maintain extensive business interests in the country, offering them great influence over the private sector.

By law, all land belongs to the state, which allocates use rights primarily for agricultural purposes in a process plagued by corruption and inefficiency.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Sexual harassment, discrimination, and violence against women are common, but cases are underreported and seldom adequately investigated. Reports indicate that women sometimes face societal pressure to wear headscarves.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Despite some government efforts to address the issue, Tajikistan remains a source and transit country for sex trafficking. Child labor, particularly on cotton farms, remains a serious problem. The scarcity of economic opportunity has forced many to seek work abroad.

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