



The State Department web site below is a permanent electro information released prior to January 20, 2001. Please see [y](#) material released since President George W. Bush took office. This site is not updated so external links may no longer func [us](#) with any questions about finding information.

NOTE: External links to other Internet sites should not be c endorsement of the views contained therein.



## U.S. Department of State

### Country Report on Human Rights Practices for 1997

Released by the Bureau of Democracy, Human Rights, and Labor, January 30, 1998.

---

#### TAJIKISTAN

Tajikistan remains in the hands of a largely authoritarian government, although it has established some nominally democratic structures. The Government's narrow base of support limits its ability to control the entire territory of the country. The Government of President Emomali Rahmonov, comprised largely of natives of the Kulob region, continued to dominate the State.

Tajikistan took a significant step toward national reconciliation after its 1992 civil war, with the signing of a comprehensive peace accord in June, and the inauguration of a Commission on National Reconciliation in July in Moscow. An amnesty agreement and accord on exchange of prisoners also were signed; the Commission on National Reconciliation met in Moscow in July, before moving to Dushanbe in September. Despite the agreement, the United Nations Mission of Observers to Tajikistan (UNMOT) reported two cease-fire violations in August. Under the peace accords, the opposition is allotted 30 percent of government positions but as of year's end, the Government still had not given the opposition any positions. The judiciary is not independent.

Internal security is the responsibility of the Ministries of Interior, Security, and Defense. The Russian Army's 201st Motorized Rifle Division, part of a Commonwealth of Independent States (CIS) peacekeeping force established in 1993, remained in the country. The Russian Border Guard Force (RBF) reports to Moscow, has primary responsibility for guarding the border with Afghanistan, and is comprised mostly of Tajiks with some Russians and a limited number of other Central Asians, although the officer corps remains principally Russian. Some regions of the country remained effectively outside the Government's control, and government control in other areas existed only by day, or at the

sufferance of local opposition commanders. Opposition forces based near Kofarnihon, east of Dushanbe, carried out a variety of attacks during the year. Some members of the security forces and government-aligned militias committed serious human rights abuses. The armed opposition also committed serious human rights abuses, including abductions and murders. There have been credible reports of threatening, extortion and abuse of civilian populations by both government and United Tajik Opposition units.

The economy continued to be extremely depressed, and government revenue remains highly dependent on the government-owned aluminum and government-dominated cotton industries. Economic reform has been halting. Most Soviet-era factories operate at a minimal level, if at all, while privatization has moved ahead only slowly. As much as one-third of the total population is unemployed or significantly underemployed according to government estimates. Inflation increased during 1997, and the exchange rate declined substantially as the Government failed to maintain fiscal and budgetary discipline. Many, but not all, wages and pensions are being paid. However, because most yearly salary percentage increases are still meager and do not keep up with inflation, the sums remain extremely low and not enough to support adequate nutrition without supplemental income. Gross domestic product increased marginally, but remained as low as \$200-\$400 per person, according to official statistics. There were serious shortages of natural gas for heating and industry, largely as a result of continued disputes with Uzbekistan over natural gas purchases. Wheat acreage and the total harvest continued to increase dramatically as privatized farmers responded to their own and market needs for increased production, although state farm harvests continue to be mediocre.

The Government's human rights record improved slightly, due principally to the reduced level of violence and the absence of widespread military conflict; however, serious problems remain.

The Government limits citizens' right to change their government. Some members of the security forces were responsible for killings and beatings, and often abused detainees. These forces were also responsible for threats, extortion, looting, and abuse of civilians. Certain battalions of nominally government forces operated quasi-independently under their various leaders, who generally have government positions. These forces committed similar abuses. The government prosecuted few perpetrators for these abuses. Prison conditions remain life threatening, and the Government continued to use arbitrary arrest and detention. Basic problems of rule of law persist. There are often long delays before trials, and the judiciary is subject to political and paramilitary pressure. The authorities infringe on citizens' right to privacy. There has been public criticism of corrupt or criminal actions by Ministry of Interior employees, several dozen of whom were removed from their positions during the year.

The Government severely restricts freedom of the press, restricts freedom of speech, and dominates the electronic media. No genuine opposition media appeared during the year, and the Government suspended and harassed independent local television stations. The authorities strictly control freedom of assembly and association for political organizations. Freedom of assembly is hindered. Two new political parties were allowed to register, bringing the total to 11; the 3 opposition parties and a branch of the fourth affiliated with the armed opposition remained suspended. The Government cooperated to a limited extent with the Organization on Security and Cooperation in Europe (OSCE) in Dushanbe, but did not establish a human rights ombudsman as recommended by the OSCE. The Government also did not establish its own ombudsman, despite its statement in 1996 that it would do so. Violence against women is a problem.

Several armed clashes among ostensible government supporters occurred, resulting in civilian deaths, abuse, and property damage. The general weakness of government control and continuing decline in social order led to an increase in crime and violence, including politically-inspired violence.

The armed opposition committed numerous serious abuses. Opposition forces were responsible for

killings, kidnapings, abuse, threats, and extortion, including against civilians.

Following the collapse of the Soviet Union and the independence of Tajikistan in 1991, regional, political, and religious tensions led to a brief but violent civil war in 1992-93. A low scale guerrilla war continued until late 1996, led by a coalition of regionally based, democratic and Islamic groups, with a political base and refugee population in northern Afghanistan, against the winners of the civil war, a loose coalition of also regionally based, but more politically traditional, that is Communist, elements. By June a series of accords had been signed ending the civil strife and pointing to elections in 1998.

## **RESPECT FOR HUMAN RIGHTS**

### **Section 1 Respect for the Integrity of the Person, Including Freedom From:**

#### **a. Political and Other Extrajudicial Killing**

Extrajudicial killings numbered in the scores but it was difficult to attribute responsibility in many individual cases. Some killings were committed by competing government forces for varying motives, both political and economic; some by the opposition; and some by independent warlords.

For example commanders under Presidential Guard chief Ghaffar Mirzoyev have reportedly carried out a number of killings in the Tursunzade area since they took control of it from mutinous forces in August. In one case, a religious leader with ties to the Tajik opposition and his son were killed by a hand grenade thrown into their house in early November.

In April an assassination attempt in Khujand slightly wounded the President and killed two members of his entourage. The grenade thrown at the President and defensive action by security forces also wounded 70 other persons. Government forces arrested a large number of civilians and some officials, in some cases using the assassination attempt to arrest opponents without any evidence of their involvement. Many of those arrested are still in jail. While some have been tried and sentenced, most are still being investigated. A number of local officials, businessmen, and professional figures were killed during the year for a variety of political, economic, and ethnic reasons. Few suspects, if any, have been identified. The Government has investigated some of the higher profile cases, but without positive results. The competence of those efforts as well as their independence are questionable. A number of murders have been essentially concealed with official news noting only that someone died.

At about 3:00 a.m. on October 16, gunmen attacked the headquarters of the Presidential Guards and killed 14 persons; some guards were shot and killed while they slept. Some of the attackers also were killed, but responsibility for the attack remained unclear at year's end.

In January an extended series of clashes between two groups seeking to control Tursunzade resulted in the death of at least several persons, and perhaps a significantly higher number, some of them unarmed bystanders. These killings do not appear to be connected with the government-opposition conflict, but reflect the lack of governmental control and the seizure of local authority by regional strongmen. Approximately 20 people were killed in clashes between followers of rival government officials in August. In the aftermath of this fighting between opposing elements within the government forces in southern Tajikistan, especially in the wake of the failed mutiny by renegade government Colonel Mahmud Khudoberdiev, there were widespread reports of killings of personnel belonging to or supporting Khudoberdiev's losing side, and of ethnic Uzbeks, although it is unclear whether the latter killings were politically motivated or resulted from the absence of law and order.

Several Russian army officers, soldiers, and staff were killed during the year. The Russian forces and the Government have generally blamed the opposition in these cases, charges that the opposition has denied. On February 18, six ethnic Russians, including two off duty U.S. Embassy security guards were killed. The alleged perpetrators, who belonged to the United Tajik Opposition, confessed in the presence of United Nations personnel. Opposition leaders denied that they had any responsibility for the attack. In September an ethnic Russian music teacher and her son were killed in her apartment. "Death to Russians" and "Allahu Akbar" were scrawled in blood on the wall.

Poor prison conditions and lack of food and adequate medical treatment resulted in a significant number of deaths in custody, although the situation improved over 1996 (see Section 1.c.).

There have been no developments in, among other outstanding cases, the 1996 murders of the mufti of Tajikistan and members of his family; Muhammad Osimi, a respected senior academic; and a prominent member of Parliament.

#### b. Disappearance

There were a number of disappearances during the year. The bodies of a number of persons who were kidnaped and killed were later found.

On February 4, 5, and 6, hostages eventually totaling 16 persons, including Minister of Security Saidamir Zuhurov, four UNMOT representatives, and four journalists, were seized by independent opposition commander Bahrom Alimardonovich Sodirov. The hostages were held from February 4 to February 17. In August two sons of former mufti Amonullo Nematzoda, the head of the Islamic Center of Tajikistan, were taken hostage and held for ransom. Nematzoda was taken hostage and released in October. A number of militia personnel were taken hostage at various times; some were killed.

Two French citizens, Franck Janvier-Dupuy, the director of the European Union's technical assistance program, and Karine Mane were kidnaped in mid-November in Dushambe and held hostage in proposed exchange for the leader of the February kidnaping incident. Mane died during a government-led rescue attempt.

The Government has not been active in investigating disappearances from previous years due to insufficient resources, political pressure, and a lack of professionalism. There were no developments in the 1996 disappearance of Zafar Rahmonov, the opposition cochairman of the Joint Commission on cease-fire observation.

There have been no reports of disappearances tied to forcible conscription.

#### c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits such practices, but in practice the Government violates such prohibitions. Security officials, particularly those in the Ministry of Interior, regularly beat detainees in custody, and use systematic beatings to extort confessions. There were credible allegations that security forces illegally detained, mistreated, and beat members of opposition parties or their relatives (see Section 1.d.). There were no reports of rape or threat of rape of women in prison or detention.

Prison conditions remain harsh and life threatening. Prisons are generally overcrowded, unsanitary, and disease-ridden, producing serious threats to many prisoners' health, although there was slight improvement in food and medical care reflecting ICRC assistance. This problem reflects in part the self-

funded status of most prisons, under which before 1992 prisoners grew much of their own food or made goods for sale. The general collapse of governmental programs and of the economy also caused the virtual disappearance of these programs. Conditions in most prisons improved somewhat in 1997, due primarily to the efforts of international relief groups and the International Committee of the Red Cross (ICRC). Some food production is resuming.

A major cause of the April uprising in a Khujand prison were reports that the Government planned to transfer prisoners to Dushanbe, away from their families and food source. Twenty-six prisoners were shot and killed when government forces retook the prison.

Family members are allowed access to prisoners only after a guilty verdict, in accordance with the law. The ICRC has succeeded in getting permission for access to convicted prisoners but not those in pretrial detention (where most abuses occur) despite written assurances from senior government officials (see Section 4). The ICRC has been able to establish a program to provide food for both guards and prisoners in many institutions.

#### d. Arbitrary Arrest, Detention, or Exile

The Criminal Code has not been significantly amended since independence, and it therefore retains many of the defects inherited from Soviet times. The Government continued to arbitrarily arrest and detain citizens. Revision of the Criminal Code is a high priority of the Majlisi Oli (parliament), however, because of the size and complexity of the code, the small parliamentary staff, and limited time in session for the Majlisi, progress has been slow. The system allows for lengthy pretrial detention and provides few checks on the power of procurators and police to arrest persons. Public order, which broke down during the civil war, has yet to be fully restored, and the virtual immunity from prosecution of armed militia groups has further eroded the integrity of the legal system.

Police legally may detain persons without a warrant for a period of 72 hours, and the procurator's office may do so for a period of 10 days after which the accused must be officially charged. At that point, the Criminal Code permits pretrial detention for up to 15 months. The first 3 months of detention are at the discretion of the local procurator, the second 3 months must be approved at the regional level, and the Procurator General must sanction the remaining time in detention. The Criminal Code maintains that all investigations must be completed 1 month before the 15-month maximum in order to allow the defense time to examine government evidence. There is no requirement for judicial approval or for a preliminary judicial hearing on the charge or detention. In criminal cases, detainees may be released and restricted to their place of residence pending trial. Once a case is entered for trial, the law states that it must be brought before a judge within 28 days. However, it is common for cases to languish for many months before the trial begins.

Politically motivated arrests apparently have increased, especially in the north following the April 30 assassination attempt on the President, and in the south following the August military clash between government factions. Arrests numbered in the scores. There are credible allegations of illegal government detention for questioning of members of opposition political parties or their relatives. In most cases, the security officers, principally personnel from the Ministry of Internal Affairs and Ministry of Security, do not obtain arrest warrants and do not bring charges. Those released sometimes claimed that they were mistreated and beaten during detention.

Opposition sources maintain that security forces detained dozens of persons unlawfully without charge. Since the law precludes visits to persons in pretrial detention, it is not possible to assess these allegations. There could be as many as several hundred political detainees, but the absence of ICRC or

other access to these persons makes any estimate uncertain.

The Constitution states that no one can be exiled without a legal basis; no laws have been passed so far setting out any legal basis for exile. There were no reports of the use of forced exile.

e. Denial of Fair Public Trial

The 1994 Constitution states that judges are independent and subordinate only to the Constitution and the law; it prohibits interference in their activities. However, judicial officials at all levels of the court system are heavily influenced by both the political leadership and, in many instances, armed paramilitary groups. Under the Constitution, the President has the right, with confirmation by the Parliament, to both appoint and dismiss judges and prosecutors. In one case involving Abdulhafiz Abdullajonov, the brother of a political opponent of the President, who was arrested in early summer, narcotics charges appear fabricated. The judge was removed after ruling against the Government's case; the Government has since claimed that the judge took a bribe and was re