

Country/entity	Tajikistan
Region	Europe and Eurasia
Agreement name	Protocol on Political Issues
Date	18 May 1997
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/conflict level	Intrastate/intrastate conflict

Tajikistani Civil War (1992 - 1997)

Ethnic marginalization formed a key feature in the Tajikistani Civil war when liberal democrat and Islamic groups from the Garm and Gorno-Badakhshan took up arms against the government of President Rahmon Nabyev. Members of Nabyev's government were predominantly from the regions of Leninabad and Kulyab. Anti-government protestors took to the street following the 1991 presidential elections, which caused the government to hand out arms to pro-government militias. Following clashes, anti-government factions captured the President and forced him to resign at gun-point. A new government under the Kulyabi native, Emomali Rahmonov, who fended off democratic and Islamist militias. Eventually, with support from Islamist factions in Afghanistan, the opposition united under the United Tajik Opposition umbrella. In 1994, the UN deployed a peacekeeping force to monitor the 1994 ceasefire agreement. A peace agreement was signed in 1997 and completely removed the Leninabad 'old guard' from power.

Close
Tajikistani Civil War (1992 - 1997)

Stage	Framework/substantive - partial
Conflict nature	Government
Peace process	Tajikistan peace process
Parties	(Signed) E. RAKHMONOV, President of the Republic of Tajikistan (Signed) A. NURI, Leader of the United Tajik Opposition

Third parties	(Signed) G. MERREM Special Representative of the Secretary-General
Description	Agreement provides for concrete agreement on political issues addressed earlier, namely: that the President and the Commission on National Reconciliation should adopt a ‘reciprocal forgiveness and amnesty law’; that 25% of the members of the Central Election Commission should be UTO members during the transition period; for reform of government in accordance with a UTO quota; and that all prohibitions and restrictions on the activity of political parties and movements of the UTO be lifted after the completion of phase two of the implementation of the protocol on military issues.

Agreement document	TJ_970518_ProtocolonPoliticalQuestions.pdf (opens in new tab) Download PDF
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Groups

Children/youth	No specific mention.
Disabled persons	No specific mention.
Elderly/age	No specific mention.
Migrant workers	No specific mention.
Racial/ethnic/ national group	No specific mention.
Religious groups	No specific mention.
Indigenous people	No specific mention.
Other groups	No specific mention.
Refugees/displaced persons	No specific mention.
Social class	No specific mention.

Gender

Women, girls and gender No specific mention.

Men and boys No specific mention.

LGBTI No specific mention.

Family No specific mention.

State definition

Nature of state (general) No specific mention.

State configuration No specific mention.

Self determination No specific mention.

Referendum Page 2, ANNEX I, para 2

...

The Central Electoral Commission on Elections and the Holding of a Referendum shall be established for a transitional period with the inclusion in its membership of 25 per cent of the representatives of the United Tajik Opposition and shall conduct the elections and referendum before the beginning of the work of the new professional Parliament and the establishment of the new Central Electoral Commission of the Republic of Tajikistan.

State symbols No specific mention.

Independence/secession No specific mention.

Accession/unification No specific mention.

Border delimitation No specific mention.

Cross-border provision No specific mention.

Governance

Political

institutions (new or reformed) Governance→Political institutions (new or reformed)→General references
Page 2, ANNEX I, para 3

The reform of the Government shall be carried out by incorporating representatives of the United Tajik Opposition into the structures of the executive branch, including ministries, departments, local government bodies and judicial and law-enforcement bodies on the basis of a quota. The candidates put forward shall be appointed in accordance with a proposal by the United Tajik Opposition following consultations between the President and the Chairman of the Commission on National Reconciliation.

Elections

Page 2, ANNEX I, para 2

The Central Electoral Commission on Elections and the Holding of a Referendum shall be established for a transitional period with the inclusion in its membership of 25 per cent of the representatives of the United Tajik Opposition and shall conduct the elections and referendum before the beginning of the work of the new professional Parliament and the establishment of the new Central Electoral Commission of the Republic of Tajikistan.

Electoral commission

Page 2, ANNEX I, para 2

The Central Electoral Commission on Elections and the Holding of a Referendum shall be established for a transitional period with the inclusion in its membership of 25 per cent of the representatives of the United Tajik Opposition and shall conduct the elections and referendum before the beginning of the work of the new professional Parliament and the establishment of the new Central Electoral Commission of the Republic of Tajikistan.

Political parties reform	<p>Governance→Political parties reform→Other political parties reform</p> <p>Page 2 (of pdf)</p> <p>4. The bans and restrictions on activities by the political parties and movements of the United Tajik Opposition and the mass information media shall be lifted by the authorities of Tajikistan after the completion of the second phase of the implementation of the Protocol on Military Questions. The political parties and movements of the United Tajik Opposition shall function within the framework of the Constitution and the laws in force of the Republic of Tajikistan and in accordance with the norms and guarantees set forth in the general agreement on the establishment of peace and national accord in the country.</p> <p>The President of the Republic of Tajikistan and the leader of the United Tajik Opposition, who are committed to the highest national interests of the Tajik people, unanimously agreed that the previous negotiation process and the agreements concluded during it constitute a solid basis for bringing the political situation in the Republic to the level of peaceful, creative development. In this context, the next serious step forward was taken in solving the problems on the agenda of the inter-Tajik talks - a protocol on political questions was signed, which includes agreements on such basic issues as the adoption of the reciprocal-pardon act and the amnesty act; the inclusion of 25 per cent of the representatives of the United Tajik Opposition as members of the Central Electoral Commission for a transitional period; reforming the Government by including Opposition representatives in it on the basis of a quota; lifting the bans on activities by the political parties and movements of the United Tajik Opposition and the mass information media after the completion of the second phase in the implementation of the Protocol on Military Questions.</p>
Civil society	<p>Page 2-3, ANNEX I, para 4</p> <p>4. The bans and restrictions on activities by the political parties and movements of the United Tajik Opposition and the mass information media shall be lifted by the authorities of Tajikistan after the completion of the second phase of the implementation of the Protocol on Military Questions. The political parties and movements of the United Tajik Opposition shall function within the framework of the Constitution and the laws in force of the Republic of Tajikistan and in accordance with the norms and guarantees set forth in the general agreement on the establishment of peace and national accord in the country.</p>
Traditional/religious leaders	No specific mention.
Public administration	No specific mention.
Constitution	No specific mention.

Power sharing

Political power sharing

Power sharing→Political power sharing→Executive coalition
State level
Page 2, ANNEX I, para 3

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Territorial power sharing

No specific mention.

Economic power sharing

No specific mention.

Military power sharing

No specific mention.

Human rights and equality

Human rights/RoL general

No specific mention.

Bill of rights/similar

No specific mention.

Treaty incorporation

No specific mention.

Civil and political rights

No specific mention.

Socio-economic rights

No specific mention.

Rights related issues

Citizenship

No specific mention.

Democracy

No specific mention.

Detention procedures

No specific mention.

Media and communication

Rights related issues→Media and communication→Media roles
Page 2-3, ANNEX I, para 4

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4. The bans and restrictions on activities by the political parties and movements of the United Tajik Opposition and the mass information media shall be lifted by the authorities of Tajikistan after the completion of the second phase of the implementation of the Protocol on Military Questions. The political parties and movements of the United Tajik Opposition shall function within the framework of the Constitution and the laws in force of the Republic of Tajikistan and in accordance with the norms and guarantees set forth in the general agreement on the establishment of peace and national accord in the country.

Mobility/access

No specific mention.

Protection measures

No specific mention.

Other

No specific mention.

Rights institutions

NHRI

No specific mention.

Regional or international human rights institutions

No specific mention.

Justice sector reform

Criminal justice and emergency law No specific mention.

State of emergency provisions No specific mention.

Judiciary and courts Page 2, ANNEX I, para 3

The reform of the Government shall be carried out by incorporating representatives of the United Tajik Opposition into the structures of the executive branch, including ministries, departments, local government bodies and judicial and law-enforcement bodies on the basis of a quota. The candidates put forward shall be appointed in accordance with a proposal by the United Tajik Opposition following consultations between the President and the Chairman of the Commission on National Reconciliation.

Prisons and detention No specific mention.

Traditional Laws No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction No specific mention.

National economic plan No specific mention.

Natural resources No specific mention.

International funds No specific mention.

Business No specific mention.

Taxation No specific mention.

Banks No specific mention.

Land, property and environment

Land reform/rights No specific mention.

**Pastoralist/
nomadism rights** No specific mention.

Cultural heritage No specific mention.

Environment No specific mention.

**Water or riparian
rights or access** No specific mention.

Security sector

**Security
Guarantees** No specific mention.

Ceasefire No specific mention.

Police Page 2, ANNEX I, para 3

The reform of the Government shall be carried out by incorporating representatives of the United Tajik Opposition into the structures of the executive branch, including ministries, departments, local government bodies and judicial and law-enforcement bodies on the basis of a quota. The candidates put forward shall be appointed in accordance with a proposal by the United Tajik Opposition following consultations between the President and the Chairman of the Commission on National Reconciliation.

Armed forces No specific mention.

DDR No specific mention.

**Intelligence
services** No specific mention.

**Parastatal/rebel
and opposition
group forces** No specific mention.

**Withdrawal of
foreign forces** No specific mention.

Corruption No specific mention.

Crime/organised crime No specific mention.

Drugs No specific mention.

Terrorism No specific mention.

Transitional justice

Transitional justice general No specific mention.

Amnesty/pardon Transitional justice→Amnesty/pardon→Amnesty/pardon proper
Page 1, ANNEX I, para 1

The president and the commission to adopt reciprocal pardon act in the first days of the commission's operation,

Page 2, ANNEX I, para 1

...The parties also reached agreement on the following basic political questions:

The President and the Commission on National Reconciliation shall adopt the reciprocal-pardon act as the first political decision to be taken during the initial days of the Commission's work. No later than one month after the adoption of the reciprocal-pardon act, the amnesty act shall be adopted.

Courts No specific mention.

Mechanism No specific mention.

Prisoner release No specific mention.

Vetting No specific mention.

Victims No specific mention.

Missing persons No specific mention.

Reparations No specific mention.

Reconciliation No specific mention.

Implementation

UN signatory (Signed) G. MERREM Special Representative of the Secretary-General

Other international signatory No specific mention.

Referendum for agreement No specific mention.

International mission/force/similar No specific mention.

Enforcement mechanism No specific mention.

Related cases No specific mention.

Source UN Peacemaker:
<http://peacemaker.un.org/>
