



<b>Country/entity</b>	Tajikistan
<b>Region</b>	Europe and Eurasia
<b>Agreement name</b>	Protocol on Refugee Issues
<b>Date</b>	13 Jan 1997
<b>Agreement status</b>	Multiparty signed/agreed
<b>Interim arrangement</b>	Yes
<b>Agreement/conflict level</b>	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 Nabiyev. Members of Nabiyev'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)

<b>Stage</b>	Framework/substantive - partial
<b>Conflict nature</b>	Government
<b>Peace process</b>	Tajikistan peace process
<b>Parties</b>	(Signed) Talbak NAZAROV, Head of the delegation of the Government of the Republic of Tajikistan  (Signed) Khoja Akbar TURAJONZODAH, Head of the delegation of the United Tajik Opposition

**Third parties** (Signed) Gerd Dietrich MERREM, Special Representative of the Secretary-General of the United Nations for Tajikistan

The parties also expressed their gratitude for their assistance to the UNHRC, OSCE, donor countries and the Aga Khan Foundation.

**Description** Commits to mutual efforts to ensure ‘the voluntary return, in safety and dignity, of all refugees and displaced persons to their homes.’ Calls on OSCE and UNHCR to become involved. Government commits to reintegration. Reinvigorates a Joint Commission on refugees.

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**Agreement document** [TJ\\_970113\\_ProtocolOnRefugees.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** Groups→Refugees/displaced persons→Substantive (Entire agreement deals with refugee repatriation)

Page 1-2, ANNEX III:

To step up mutual efforts to ensure the voluntary return, in safety and dignity, of all refugees and displaced persons to their homes, and to complete this process within 12 to 18 months from the date of signature of this Protocol. With a view to ensuring their safety, honour and dignity, the Parties also call upon the United Nations, the Organization for Security and Cooperation in Europe (OSCE) and the Office of the United Nations High Commissioner for Refugees (UNHCR) to provide assistance in order to ensure the safety of returning refugees and displaced persons and to establish and expand their presence at places where such persons are living.

2. The Government of the Republic of Tajikistan assumes the obligation to reintegrate returning refugees and displaced persons into the social and economic life of the country, which includes the provision to them of humanitarian and financial aid, assistance in finding employment and housing and the restoration of all their rights as citizens of the Republic of Tajikistan (including the return to them of dwellings and property and guaranteed uninterrupted service), and not to institute criminal proceedings against returning refugees or displaced persons for their participation in the political confrontation and the civil war, in accordance with the legislative acts in force in the Republic.

3. The Parties have decided to resume the work of the Joint Commission on problems relating to refugees and, within one month from the date of signature of this Protocol, with the assistance of UNHCR, to draw up a statute of the Commission.

4. The Parties have decided to instruct the Joint Commission, with the participation of representatives of local hukumats (executive committees) and the United Tajik Opposition for the period during which this Protocol is being implemented, to visit on a regular basis, in accordance with a separate timetable, refugee camps in the Islamic Republic of Afghanistan, places in the Commonwealth of Independent States (CIS) where there are concentrations of refugees and districts in the Republic of Tajikistan to which refugees and displaced persons intend to return. Similar visits shall be organized by the Joint Commission to places where displaced persons live in large numbers. The above-mentioned timetable shall be agreed by the Joint Commission within one month from the date of signature of this Protocol.

5. The Parties appeal to the Governments of the CIS States to consider issuing temporary identity documents to refugees from Tajikistan and to assist UNHCR in carrying out additional measures to ensure the safety of refugees and to defend their honour and dignity.

**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.

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## **State definition**

**Nature of state (general)** No specific mention.

**State configuration** No specific mention.

**Self determination** No specific mention.

**Referendum** No specific mention.

**State symbols** No specific mention.

**Independence/secession** No specific mention.

**Accession/unification** No specific mention.

**Border delimitation** No specific mention.

**Cross-border provision** Page 2, ANNEX III:  
  
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## **Governance**

**Political institutions (new or reformed)** No specific mention.

**Elections** No specific mention.

**Electoral commission** No specific mention.

**Political parties reform** No specific mention.

**Civil society** No specific mention.

**Traditional/religious leaders** No specific mention.

**Public administration** No specific mention.

**Constitution** No specific mention.

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## **Power sharing**

**Political power sharing** No specific mention.

**Territorial power sharing** No specific mention.

**Economic power sharing** No specific mention.

**Military power sharing** No specific mention.

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## **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.

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**Rights related issues**

**Citizenship** Rights related issues→Citizenship→Citizens, specific rights  
Page 1, ANNEX III, 2:

2. The Government of the Republic of Tajikistan assumes the obligation to reintegrate returning refugees and displaced persons into the social and economic life of the country, which includes the provision to them of humanitarian and financial aid, assistance in finding employment and housing and the restoration of all their rights as citizens of the Republic of Tajikistan (including the return to them of dwellings and property and guaranteed uninterrupted service), and not to institute criminal proceedings against returning refugees or displaced persons for their participation in the political confrontation and the civil war, in accordance with the legislative acts in force in the Republic.

**Democracy** No specific mention.

**Detention procedures** No specific mention.

**Media and communication** No specific mention.

**Mobility/access** Page 1, ANNEX III, 1:

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Page 1, Article 2:

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**Protection measures** No specific mention.

**Other** No specific mention.

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## **Rights institutions**

**NHRI** No specific mention.

**Regional or international human rights institutions** No specific mention.

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## **Justice sector reform**

**Criminal justice and emergency law** No specific mention.

**State of emergency provisions** No specific mention.

**Judiciary and courts** No specific mention.

**Prisons and detention** No specific mention.

**Traditional Laws** No specific mention.

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**Socio-economic reconstruction**

**Development or socio-economic reconstruction** No specific mention.

**National economic plan** No specific mention.

**Natural resources** No specific mention.

**International funds** Page 2, ANNEX III:

6. The Parties express their sincere gratitude to the United Nations, UNHCR, OSCE, donor countries and the Aga Khan Foundation for their assistance and at the same time make an urgent appeal to them and to the International Monetary Fund, the World Bank, the European Development Bank, the Islamic Bank and the Aga Khan Foundation to provide additional and substantial financial and material support to refugees and displaced persons and to the Joint Commission on problems relating to refugees, and also for the purpose of rehabilitating the national economy destroyed by the war and improving the well-being of the population.

**Business** No specific mention.

**Taxation** No specific mention.

**Banks** No specific mention.

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## **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.

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## **Security sector**

**Security  
Guarantees** No specific mention.

**Ceasefire** No specific mention.

**Police** No specific mention.

**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.

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## Transitional justice

**Transitional justice general** No specific mention.

**Amnesty/pardon** Transitional justice→Amnesty/pardon→Amnesty/pardon proper  
Page 1, ANNEX III:

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**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.

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## Implementation

**UN signatory** (Signed) Gerd Dietrich MERREM, Special Representative of the Secretary-General of the United Nations for Tajikistan

**Other international signatory** No specific mention.

**Referendum for agreement** No specific mention.

**International mission/force/similar**

No specific mention.

**Enforcement mechanism**

Page 1, ANNEX III:

3. parties have agreed to resume the work of the Joint Commission on problems relating to refugees and draw up the statute of the commission within one month of signing, with UNHCR assistance

**Related cases**

No specific mention.

**Source**

UN Peacemaker:

<http://peacemaker.un.org/>

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