

Country/entity	Tajikistan
Region	Europe and Eurasia
Agreement name	Protocol on the Joint Commission for the Implementation of the Agreement on a Provisional Ceasefire and the Cessation of Other Hostilities on the Tajik-Afghan Border and within the Country
Date	1 Nov 1994
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 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)

Stage	Ceasefire/related
Conflict nature	Government
Peace process	Tajikistan peace process
Parties	(Signed) A. DOSTIEV, Head of the delegation of the Republic of Tajikistan (Signed) A. TURAJONZODAH, Head of the delegation of the Tajik opposition

Third parties	Signed by R. PIRIZ-BALLON, Special Envoy of the Secretary-General of the United Nations.
Description	Implements the Joint Commission, tasked to be principal body responsible for monitoring the implementation of the Ceasefire Agreement and sets out its composition, powers and functions, guarantees of security of the commission, its location and mandate, plus logistical support for its activities. Moreover, the Agreement mandates the role of the UN to verify any violations.

Agreement document	TJ_941101_ProtocolJointCommissionforImplementationProvisionalCeasefire.pdf (opens in new tab) Download PDF
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Groups

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

Women, girls and gender	No specific mention.
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Men and boys	No specific mention.
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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 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 No specific mention.

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	Page 5, Joint communiqué on the results of the third round of inter-Tajik talks on national reconciliation, 1 November 1994, para 3
	The parties confirmed their commitment to the spirit of the Tehran Agreement. In this regard, they paid attention to the need to provide additional security guarantees to the civilian population of the Karategin Valley by sending United Nations military observers to that area and by initiating action by international human rights organizations.
Traditional/ religious leaders	No specific mention.
Public administration	No specific mention.
Constitution	No specific mention.

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.

Human rights and equality

Human rights/RoL general Page 5, Joint communiqué on the results of the third round of inter-Tajik talks on national reconciliation, 1 November 1994, para 3

The parties confirmed their commitment to the spirit of the Tehran Agreement. In this regard, they paid attention to the need to provide additional security guarantees to the civilian population of the Karategin Valley by sending United Nations military observers to that area and by initiating action by international human rights organizations.

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 No specific mention.

Mobility/access

Page 1, III. Powers of the Joint Commission, Article 3.

The Joint Commission shall have the right to interpret the provisions of the Agreement on a provisional cease-fire and the cessation of other hostilities on the Tajik-Afghan border and within the country, and also to investigate possible violations of the Agreement by the Parties thereto. In its investigations, the Joint Commission shall have the right to request the submission, at the earliest possible time, of objective, complete and reliable information from any State body or official of the Republic of Tajikistan and also leaders and field commanders of the opposition. In the performance of their duties, the members of the Joint Commission should have free and unimpeded access to all officials of the Republic of Tajikistan and the leaders of the Tajik opposition.

Page 3, VI. Role of the United Nations in assisting the work of the Joint Commission, Article 6:

The Government of the Republic of Tajikistan and the Tajik opposition shall guarantee the safety and inviolability of the members of the Joint Commission in the performance of their duties. The members of the Joint Commission shall not be subject to detention or arrest and shall not be prosecuted for activities in which they engaged prior to their appointment to the Joint Commission or for acts relating to the performance of their duties as members of the Joint Commission. The Tajik Parties shall guarantee the inviolability of the official premises and living quarters in which the members of the Joint Commission and their families will work and live. The members of the Joint Commission shall have the right to safe and unimpeded travel within the territory of Tajikistan and, with the consent of the Islamic State of Afghanistan, in the territory of Afghanistan, in the areas where camps and bases of the Tajik opposition are situated. They will be accompanied by the United Nations observers. The members of the Joint Commission shall also have the right to maintain without hindrance all forms of communication with the Government of the Republic of Tajikistan and the leaders of the Tajik opposition.

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 No specific mention.

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
Guarantees**

No specific mention.

Ceasefire

Security sector→Ceasefire→Ceasefire provision

(Agreement deals in its entirety with implementing a Joint Commission monitoring the ceasefire agreement).

Page 1, I. Purpose of the Joint Commission, Article 1

The Joint Commission, established in accordance with paragraph 5 of the Agreement on a provisional cease-fire and the cessation of other hostilities on the Tajik-Afghan border and within the country for the duration of the talks (hereinafter referred to as the "Joint Commission"), shall, by the decision of the Government of the Republic of Tajikistan and the Tajik opposition, be the principal body responsible for monitoring the implementation of the Agreement.

Page 1, II. Composition of the Joint Commission, Article 2.

The Joint Commission shall be established on the basis of equality and shall be composed of three representatives of the Government of the Republic of Tajikistan and three representatives of the Tajik opposition. One representative of each Party shall serve as co-chairman of the Joint Commission.

Page 1, III. Powers of the Joint Commission, Article 3.

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Page 1-2, IV. Functions of the Joint Commission, Article 4.

The Joint Commission shall monitor the implementation by the Parties of the Agreement on a provisional cease-fire and the cessation of other hostilities on the Tajik-Afghan border and within the country; investigate cases of violations of the Agreement on the basis of objective information obtained during the investigation; and submit to the Government of the Republic of Tajikistan and the Tajik opposition, the United Nations and representatives of observers at the inter-Tajik talks proposals on ways of preventing such violations and of addressing their consequences.

Page 3, V. Functions of the Joint Commission, Article 5.

In the exercise of its functions, the Joint Commission shall cooperate with the United Nations Mission of Observers, the Conference on Security and Cooperation in Europe (CSCE) and the International Committee of the Red Cross (ICRC) in Tajikistan.

Page 3, VI. Role of the United Nations in assisting the work of the Joint Commission, Article 7

At the request of the Tajik Parties, which is contained in the Agreement, the United Nations shall, through the United Nations Mission of Observers in Tajikistan, assist the work of the Joint Commission. In accordance with the principle of independence and impartiality, United Nations observers shall monitor implementation of the Agreement

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.

Transitional justice

Transitional justice general	No specific mention.
Amnesty/pardon	No specific mention.
Courts	No specific mention.
Mechanism	No specific mention.

Prisoner release	<p>Page 5, Joint communiqué on the results of the third round of inter-Tajik talks on national reconciliation, 1 November 1994, para 4</p> <p>In view of the noncompliance with paragraph 4 of the Agreement within the established time-frame, the parties reaffirmed their commitment to release, through the good offices of the International Committee of the Red Cross, equal numbers of detainees, prisoners and prisoners of war (27 persons on each side) before midnight on 5 November 1994, in accordance with the lists exchanged at the inter-Tajik consultations in Tehran on 12-17 September 1994. The Agreement will become null and void in the event of the failure by either party to fulfill these obligations before 6 November 1994 (the lists of the persons to be released are contained in annexes 1 and 2). The issue of releasing other supporters of the opposition and prisoners of war of the Republic of Tajikistan will be discussed during subsequent rounds of talks.</p>
Vetting	No specific mention.
Victims	No specific mention.
Missing persons	No specific mention.
Reparations	No specific mention.
Reconciliation	<p>Page 5, Joint communiqué on the results of the third round of inter-Tajik talks on national reconciliation, 1 November 1994, para 1</p> <p>The third round of inter-Tajik talks on national reconciliation, held under United Nations auspices with the participation of observers from Afghanistan, the Islamic Republic of Iran, Kazakhstan, Pakistan, the Russian Federation, Uzbekistan, CSCE and the Organization of the Islamic Conference, took place in Islamabad from 20 October to 1 November 1994...</p> <p>Page 5, Joint communiqué on the results of the third round of inter-Tajik talks on national reconciliation, 1 November 1994, para 5</p> <p>The parties reaffirmed their commitment to the settlement of the conflict through political means. In this regard, they agreed, in accordance with the principle of rotation, to hold the next round of talks in early December 1994 in Moscow, where they will continue their efforts to reach national reconciliation and to resolve all the issues listed in the agenda of the talks.</p>

Implementation

UN signatory	Signed by R. PIRIZ-BALLON, Special Envoy of the Secretary-General of the United Nations.
Other international signatory	No specific mention.

**Referendum for
agreement**

No specific mention.

**International
mission/force/
similar**

Page 3, V. Functions of the Joint Commission, Article 5.

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Page 4, VIII. Logistical support for the Joint Commission activities, Article 9

The Government of the Republic of Tajikistan pledges to provide logistical support for the Joint Commission, including providing office space, living quarters and board for the members of the Joint Commission on the territory of the Republic while the opposition provides the same on the territory of Afghanistan. The parties, with United Nations assistance, appeal to the collective peace-keeping forces of the Commonwealth of Independent States stationed on the territory of Tajikistan and to the international community for financial and logistical support for the Joint Commission. A trust fund to support the work of the Commission, established on the basis of voluntary contributions, will be administered by the United Nations mission in Tajikistan.

Enforcement mechanism

Page 1, I. Purpose of the Joint Commission, Article 1

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Page 3, V. Guarantees of security, Article 6

The Government of the Republic of Tajikistan and the Tajik opposition shall guarantee the safety and inviolability of the members of the Joint Commission in the performance of their duties. The members of the Joint Commission shall not be subject to detention or arrest and shall not be prosecuted for activities in which they engaged prior to their appointment to the Joint Commission or for acts relating to the performance of their duties as members of the Joint Commission. The Tajik Parties shall guarantee the inviolability of the official premises and living quarters in which the members of the Joint Commission and their families will work and live. The members of the Joint Commission shall have the right to safe and unimpeded travel within the territory of Tajikistan and, with the consent of the Islamic State of Afghanistan, in the territory of Afghanistan, in the areas where camps and bases of the Tajik opposition are situated. They will be accompanied by the United Nations observers. The members of the Joint Commission shall also have the right to maintain without hindrance all forms of communication with the Government of the Republic of Tajikistan and the leaders of the Tajik opposition.

Page 3, VI. Role of the United Nations in assisting the work of the Joint Commission, Article 7

At the request of the Tajik Parties, which is contained in the Agreement, the United Nations shall, through the United Nations Mission of Observers in Tajikistan, assist the work of the Joint Commission. In accordance with the principle of independence and impartiality, United Nations observers shall monitor implementation of the Agreement by the Tajik Parties and shall investigate possible violations of the Agreement on a provisional cease-fire and the cessation of other hostilities. They shall assist the Joint Commission in drafting proposals on the prevention of such violations and shall submit such proposals to the Parties on their own initiative.

Page 3, VII. Location and duration of the mandate of the Joint Commission, Article 8

The Joint Commission shall have its headquarters in Dushanbe. The Joint Commission shall be established for the duration of the validity of the Agreement on a provisional cease-fire and the cessation of other hostilities on the Tajik-Afghan border and within the country.

Related cases No specific mention.

Source UN Peacemaker:

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