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2023 Country Report on Human Rights Practices: Tajikistan

EXECUTIVE SUMMARY

There were no significant changes in the human rights situation in Tajikistan during the year.

Significant human rights issues included credible reports of: arbitrary or unlawful killings, including extrajudicial killings; torture and cruel, inhuman, or degrading treatment by the government; harsh and life-threatening prison conditions; arbitrary arrest and detention; serious problems with the independence of the judiciary; political prisoners; transnational repression against individuals in another country; arbitrary or unlawful interference with privacy; punishment of family members for alleged offenses by a relative; serious restrictions on freedom of expression and media freedom, including violence or threats of violence against journalists, censorship, and the threat to enforce criminal libel laws to limit expression; serious restrictions on internet freedom; substantial interference with the freedom of peaceful assembly and freedom of association, including overly restrictive laws on the organization, funding, or operation of nongovernmental (NGO) and civil society organizations; restrictions of religious freedom; restrictions on freedom of movement; refoulement of refugees to a country where they could face torture or persecution, including serious harms such as a threat to life or freedom; inability of citizens to change their government peacefully through free and fair elections; serious and unreasonable restrictions on political participation; serious government corruption; serious government restrictions on and harassment of domestic and international human rights organizations; extensive gender-based violence, including domestic and intimate partner violence; crimes involving violence or threats of violence targeting lesbian, gay, bisexual,

transgender, queer, or intersex persons; and existence of the worst forms of child labor.

The government rarely took credible steps to identify, investigate, prosecute, and punish officials who may have committed human rights abuses.

Section 1.

Respect for the Integrity of the Person

A. ARBITRARY DEPRIVATION OF LIFE AND OTHER UNLAWFUL OR POLITICALLY MOTIVATED KILLINGS

There were several reports that the government or its agents committed arbitrary or unlawful killings, including extrajudicial killings, during the year. The Ministry of Internal Affairs was responsible for investigating such killings, but there were no such investigations.

In January, media reported on the death of Abduqahhor Roziqov in police custody in Kulob. Authorities said the cause of death was an amphetamine overdose, but Roziqov's relatives claimed he died due to abuse by police while in their custody. Authorities later arrested and prosecuted three police officers – Shamshod Sharifzoda, Zafar Kholov, and Jamshed Karomatov – in connection with Roziqov's torture. In August, the Khatlon Regional Court sentenced each of the three police officers to 14 years' imprisonment for torturing Roziqov in detention, but there were no separate charges brought against these officers or other officials for Roziqov's death.

B. DISAPPEARANCE

There were no reports of disappearances by or on behalf of government authorities.

C. TORTURE AND OTHER CRUEL, INHUMAN, OR DEGRADING TREATMENT OR PUNISHMENT, AND OTHER RELATED ABUSES

The constitution prohibited such practices, but there were credible reports that government officials employed them. While authorities took some limited steps to hold perpetrators accountable, reports of abuse and mistreatment of prisoners continued, and a culture of impunity and corruption weakened investigations and prosecutions. In some cases, judges dismissed defendants' allegations of abuse during their pretrial detention hearings or trials. Officials did not grant sufficient access to information to allow human rights organizations to investigate claims of abuse. According to the UN Human Rights Committee, authorities tortured defendants in pretrial detention in attempts to extract confessions.

A resident of the Rasht District told Radio Ozodi that police officers physically assaulted his son, age 16, during an interrogation on March 30 and threatened to rape him if he did not confess to a theft. Police officers denied this claim. The interrogation and assault reportedly occurred in the local prosecutor's office. Investigators of the Rasht District Prosecutor's Office reportedly investigated the theft as well as the allegations of the police threat of violence during the interrogation of a minor; however, there were no reports about the results of the investigation at year's end. The teenager's father also said the father was invited to the local government administration and asked not to press the case against the police officers.

Impunity was a significant and widespread problem throughout the security forces. There was a lack of impartial, independent investigative mechanisms to address impunity, although a few prosecutions led to a small number of convictions for abuse in recent years. In August, three police officers were found guilty of torturing Abduqahhor Roziqov while in custody.

Prison and Detention Center Conditions

Prison conditions were harsh and life threatening due to food shortages, gross overcrowding, physical abuse, lack of access to medical treatment, and inadequate sanitary conditions.

Abusive Physical Conditions: Gross overcrowding was a problem, with nearly all prisons exceeding their prescribed maximum population. Access to and quality of food, potable water, sanitation, heating, ventilation, lighting, and medical care were inadequate, with almost all prisoners needing supplemental food brought by relatives and friends for survival.

Abdusattor Pirmuhammadzoda, a prominent blogger serving a seven-year prison term, reported approximately 60 prisoners were kept in one cell and the water given to prisoners was not potable in the Khujand prison where he was incarcerated.

In June, the country's human rights ombudsperson reported that in 2022, a total of 61 individuals died in prison of "various" diseases. In the first four months of the year, prison officials in Khujand continued to refuse temporary release for urgent medical treatment to Shamil Khakimov. Khakimov had untreated glaucoma, open ulcers on his legs, and evidence of gangrene, severe hypertension, and heart disease. Khakimov was released as scheduled when his sentence was completed on May 16.

Administration: The Office of the Ombudsperson conducted prison visits throughout the year but resolved fewer than 2 percent of complaints of abuse. Nongovernmental organizations (NGOs) reported mistrust of the ombudsperson, due to the ombudsperson's loyalty to the president and frequent dismissal of human rights concerns. Pirmuhammadzoda also

claimed that he had been subjected to torture and other physical abuse from the first days of his arrest, but the authorities had not initiated an investigation or taken other corrective measures.

Incarcerated defense lawyer Buzurgmehr Yorov was reportedly transferred to a "punishment cell," akin to solitary confinement, after a letter he wrote commenting on the latest fraud case against him was made public.

Independent Monitoring: The Ministry of Justice restricted access to prisons and detention facilities for representatives of the international community and NGOs. Since 2004, the International Committee of the Red Cross did not have access to prisons due to the absence of an agreement with the government.

D. ARBITRARY ARREST OR DETENTION

Arbitrary arrests were common, and the law did not prohibit the practice. The law required police to prepare a detention report and inform the prosecutor's office of an arrest within 12 hours and file charges within 10 days. The law provided for the right of any person to challenge the lawfulness of their arrest or detention in court, but use of this provision was limited. Few citizens were aware of their right to appeal an arrest, and there were few checks on the power of police and military members to detain individuals.

Arrest Procedures and Treatment of Detainees

The law provided that police could detain a suspect for up to 12 hours before authorities had to decide whether to open a criminal case against the individual. If authorities did not file charges after 12 hours, the individual had to be released. Police often did not inform detainees of the arrest charges even if they were filed. If police filed criminal charges, they could detain an individual for 72 hours before presenting charges to a judge for an indictment hearing. Detainees suspected of crimes related to national security or extremism were held for extended periods without being formally charged. Detainees were entitled to challenge in court the legal basis of their detention but often were unable to obtain a criminal lawyer to defend them.

According to the law, family members were allowed access to prisoners after police filed charges, but authorities often denied prisoners access to visitors. The law stated that a lawyer was entitled to be present at interrogations at the request of the detainee or lawyer. In many cases, authorities did not permit lawyers to have timely access to their clients, and initial interrogations occurred without a lawyer present.

Arbitrary Arrest: The government generally provided a rationale for arrests, but detainees and civil society groups frequently reported that authorities falsified charges, inflated minor incidents, and used vague

charges such as “extremism” that were subject to broad interpretation to make politically motivated arrests.

Pretrial Detention: Defense lawyers alleged prosecutors often held suspects for lengthy periods, and pretrial detention lasted from one to three months but could extend as long as 15 months. Authorities were required to request an extension from a judge to detain an individual in pretrial detention after two, six, and 12 months.

E. DENIAL OF FAIR PUBLIC TRIAL

The law provided for an independent judiciary, but the government generally did not respect judicial independence. The executive branch exerted pressure on prosecutors, defense lawyers, and judges. Corruption and inefficiency were significant problems. According to numerous observers, police and judicial officials regularly accepted bribes in exchange for lenient sentencing or release.

Trial Procedures

The law provided for the right to a fair and public trial, but the judiciary generally did not enforce this right. During the first six months of the year, courts considered 5,543 cases and did not issue a single acquittal, Chairman of the Supreme Court Shermuhammad Shohiyon reported during an August 14 press conference. The Supreme Court did not report any acquittals in 2022. Lack of access to court proceedings for media, diplomatic representatives, and family members of criminal defendants was a serious problem throughout the year.

Although the law required that defendants be informed of the criminal charges against them within 10 days, defendants were not always promptly informed or granted a timely trial. At other times, criminal trials began and concluded on the same day, which suggested a predetermined outcome and lack of due process.

Courts generally allowed defendants to be present at their trial and to consult with an attorney during the trial, but defendants often were denied access to an attorney during the pretrial and investigatory periods, particularly in politically sensitive cases. Authorities filed politically motivated criminal charges against some defense lawyers to obstruct detainees’ access to legal counsel and to dissuade other lawyers from taking on similar cases.

The government provided attorneys at public expense when requested, but defendants and civil society members complained the government sometimes appointed attorneys in order to deny defendants’ access to the legal counsel of their own choice. Defendants and private attorneys said government-appointed attorneys often provided a poor defense. Human rights NGOs that provided funds for attorneys to work on politically sensitive cases defending journalists, civil society activists, and

human rights defenders reported fewer lawyers were willing to take on such clients due to government pressure and threats, including the prosecution and conviction of lawyers for providing legal counsel to members of the political opposition. International observers found many criminal cases in which defendants did not have legal representation.

The government labeled most human rights-related cases as sensitive, allowing the government to hold trials in a classified (closed) setting and prevent civil society members from gaining access. The law also provided for secret trials when there was a national security concern. Cases including a charge of "extremism" were included in this category, making most trials of human rights activists, journalists, and protesters closed to the public.

In July, the city court in Vahdat sentenced incarcerated lawyer Buzurgmehr Yorov to an additional 10 years in prison for large-scale fraud. Yorov's trial took place in Dushanbe's pretrial detention center behind closed doors, and his relatives were not allowed to hear the new verdict. Yorov did not have defense counsel representing him in the trial.

In January, the defense lawyer for imprisoned journalist Abdulloh Ghurbati withdrew from the case under "continual pressure" from authorities. Widespread reports indicated criminal defense lawyers were reluctant to take on cases seen as politically sensitive due to government pressure, including imprisonment for some lawyers such as Buzurgmehr Yorov and Manuchehr Kholiqnazarov, who defended political prisoners at trial and were subsequently prosecuted.

Political Prisoners and Detainees

Opposition parties and local and international observers reported the government selectively arrested and prosecuted political opponents. There was no definitive accounting of the number of political prisoners, but NGOs and opposition groups estimated there were approximately 400 political prisoners. The government also announced that as part of its operations to suppress protests in the Gorno-Badakhshon Autonomous Region (GBAO) in 2022, security services detained more than 70 individuals, while media and NGO observers reported that hundreds were arrested in connection with the protests. There were media reports of approximately 30 journalists, bloggers, civil society activists, dissidents, human rights lawyers, and their family members who reportedly had been imprisoned during the year for political reasons in connection with the 2022 unrest under vague, malleable charges – often used in politically motivated cases – such as extremism, terrorism, and calling for the overthrow of the constitutional order. The government did not permit access to political prisoners by human rights or humanitarian organizations.

On July 11, the Khatlon Regional Court sentenced Saidumar Saidov, age 31, to six years' imprisonment on charges of "membership in a banned extremist organization." Saidumar Saidov was the nephew of Islamic Renaissance Party of Tajikistan (IRPT) founding member Shamsiddin Said. Shamsiddin Said told the media that the apparent basis for his nephew's criminal conviction was leaving a social media comment under a publication about Said's son Abdullo, writing, "God, save my uncle from slander." The trial, however, was closed to all outside observers on grounds of "national security classification" and authorities made no official comment on the trial and sentencing. Saidov was detained in April and was not provided with a lawyer.

A law enforcement source in the GBAO told Radio Ozodi on April 14 the regional prosecutor's office opened a criminal case in absentia on charges of extremism against Sino Vazirbekov. The reported basis of the criminal case was that Sino had attended a protest against the government organized by the exile opposition political coalition National Alliance of Tajikistan in Berlin. Sino, in an interview with Radio Ozodi on April 17, confirmed he participated in the Berlin protest; however, he said he was not a supporter of any political group, including the National Alliance of Tajikistan, which was banned by the government as an extremist organization. Sino Vazirbekov had been living in Europe and had requested asylum.

F. TRANSNATIONAL REPRESSION

The government used intimidation and abused judicial procedures to engage in transnational repression against individuals both outside and inside the country's borders, targeting political opponents, civil society activists, human rights defenders, journalists, and their family members.

The government disclosed that in the first half of the year, 36 members of groups the government labeled "extremist" or "terrorist" organizations detained abroad – including 18 in Russia, 15 in Turkey, one in Germany, one in Uzbekistan, and one in Poland – were returned to the country. Several of these were civil society activists, human rights lawyers, journalists, and bloggers charged with extremism, terrorism, or calling for the violent overthrow of the constitutional order for expressing opinions critical of the government, for reporting on sensitive topics, for participating in peaceful protests, for their membership in civil society groups and political organizations, or for their association with individuals whom the government sought to silence or intimidate.

Extraterritorial Killing, Kidnapping, Forced Returns, or Other Violence or Threats of Violence: The government was alleged to have used threats of violence against individuals in other countries for politically motivated reprisal.

Threats, Harassment, Surveillance, and Coercion: Local authorities inside the country reportedly harassed or targeted relatives of perceived government critics who were in exile.

On October 1, the country's security services arrested several family members of opposition-affiliated individuals who had protested President Rahmon's meeting in Berlin with German Chancellor Olaf Scholz on September 30. The arrestees included Oishamo Abdulloeva, age 72, mother of exiled opposition leader Sharofiddin Gadoev. Abdulloeva was subsequently released but the electricity at her home was reportedly later cut off as punishment for her son's activities.

Radio Ozodi reported on April 21 that Samariddin Kurbonov, brother of exiled civil activist Ilhomjon Kurbonov, was detained in the Khatlon region. Samariddin Kurbonov was reportedly accused of receiving money from an unidentified foreign organization that was banned in the country and transferring the money to families of convicted opposition activists. Ilhomjon Kurnobov told Radio Ozodi his political activities abroad might have been the cause of his brother's detention. According to Ilhomjon, the pressure on his family and friends in the country intensified after he participated in a peaceful protest against the government in Berlin on March 25.

Misuse of International Law Enforcement Tools: There were numerous instances of Tajik civil society activists, bloggers, and dissidents residing in Russia being extradited by Russian authorities to the country for detention and prosecution. The Ministry of Internal Affairs of Tajikistan announced in August that more than 1,000 citizens were wanted for allegedly committing crimes under laws on terrorism and extremism, which were used to criminalize political expression, membership in nonviolent political groups, and participation in peaceful protest, all of which were protected rights under the constitution. During the first six months of the year, 32 citizens were detained abroad and more than 130 were voluntarily returned to the country. The ministry reported 150 members of extremist or terrorist organizations who participated in hostilities abroad voluntarily returned to the country.

Abdullo Shamsiddin, the son of IRPT leader and cofounder Shamsiddin Saidov, was deported from Germany to Tajikistan in January, despite residing in Germany since 2009, requesting political asylum, and facing a credible threat of political persecution if he returned to the country due to his father's prominence in the leading opposition party, which the government banned in 2015 for "extremism." German authorities declined to comment on the reason for his deportation, but an IRPT representative told media it was likely due to Shamsiddin's failure to correctly register with Germany's migration authorities. Upon his return, he was arrested and charged with "public calls for violent change of the constitutional

order," for which he was convicted and sentenced to seven years' imprisonment in March.

On July 21, Belarusian authorities extradited Nizomiddin Nasriddinov, an activist and member of the banned political opposition party Group 24, to Tajikistan after he lost his appeal against extradition. Belarusian authorities detained Nasriddinov at the request of Tajikistan's government on January 8 while he was attempting to enter Belarus from Germany, where he had received asylum and resided since 2015. In Tajikistan, a criminal case was initiated against Nasriddinov for publicly calling for extremist activity or justifying extremism, and in September he was sentenced to 8.5 years' imprisonment.

G. PROPERTY SEIZURE AND RESTITUTION

In June, independent news sites *Pamir Daily News* and *Bomdod* reported the administration of the GBAO seized the Serena Khorugh Inn, which the Aga Khan Development Network (AKDN) had owned and operated for more than 20 years. Other news outlets and representatives of the AKDN later confirmed the report. The hotel was seized after an unusually speedy judicial process claiming the initial transfer of the land from the government to the AKDN had been done in error. The court ruling only addressed land ownership, but security officials moved to seize the hotel building and property as well, without legal justification or financial restitution. Senior leadership of the AKDN and their legal counsel reported the court case "made no logical sense." The government moved to expropriate other AKDN properties in the GBAO in the year, including a park, a private school, a medical center, and a land parcel on which the AKDN's University of Central Asia was situated in the GBAO's regional capital.

H. ARBITRARY OR UNLAWFUL INTERFERENCE WITH PRIVACY, FAMILY, HOME, OR CORRESPONDENCE

While the constitution and laws generally prohibited many of these actions, there were numerous reports that the government failed to respect these prohibitions.

The constitution stated the home was inviolable. With certain exceptions, it was illegal to enter a home by force or deprive a person of a home. The law stated police could not enter and search a private home without the approval of a judge. Authorities could carry out searches without a prosecutor's authorization in exceptional cases. The law stated courts had to be notified of such searches within 24 hours. Police frequently ignored these laws and infringed on individuals' right to privacy, including by conducting personal searches without a warrant.

Section 2.

Respect for Civil Liberties

A. FREEDOM OF EXPRESSION, INCLUDING FOR MEMBERS OF THE PRESS AND OTHER MEDIA

The constitution and law provided for freedom of speech, including for members of the press and other media, but the government restricted these rights for all persons, including members of the press and other media. The lack of an effective, independent judiciary, rule of law, and functioning democratic political system undermined freedom of expression.

Freedom of Expression: Authorities curbed freedom of expression through detentions, prosecutions, the threat of heavy fines, the passage of strict and overreaching slander legislation, and the forced closure of media outlets.

Independent media faced significant and repeated government threats. Although some media published political commentary and investigatory material critical of the government, journalists believed authorities considered certain topics off limits, including financial improprieties of persons close to the president or reporting on banned groups such as the IRPT and Group 24.

Opposition politicians had no access to state-run television. The government gave opposition parties minimal broadcast time to express their political views, while the president's party had numerous opportunities to broadcast its messages.

Private broadcasters were prohibited from entering into cooperation agreements with foreign media and could not publish or broadcast without the state committee's approval. Additionally, private broadcasters were required to involve state media in all commercial projects that generated income. Failure to comply with these regulations could result in the outlet losing its broadcasting license.

Violence and Harassment: Journalists faced harassment and intimidation by government officials.

On April 14, three police blocked Voice of America correspondent Nurangez Rustamzoda from reporting on the Eid al-Fitr celebration at the Central Mosque of Dushanbe. The police did not identify themselves and physically prevented Rustamzoda from doing her work, although she showed her identification, official accreditation, and authorization from the Committee on Religious Affairs to report from the site. The police officers harassed Rustamzoda and tried to drive her away using obscene language. When she tried to use her phone to capture sound and images of the police behavior, they grabbed her phone, shoved her, and went through her phone trying to delete photos. One of the officers threatened Rustamzoda with arrest and detention for 15 days if she did not leave immediately, while also snatching her ID documents out of her hands and

instructing his colleagues to photograph them. On April 17, Rustamzoda sent to the Ministry of Foreign Affairs and to the Executive Office of the President a statement noting the violation of her rights and harassment endured at the hands of police. She had received no reply at year's end.

Censorship or Content Restrictions for Members of the Press and Other Media, Including Online Media: Journalists regularly practiced self-censorship to avoid retribution from officials, according to media reports and journalists.

The law required television and state-affiliated radio editorial offices to clear the texts of their reports in foreign languages, including Russian, with the leadership of the State Television and Radio Broadcasting Committee to ensure the texts complied with state policy.

Newspaper publishers reported the government controlled the distribution of materials, requiring all newspapers and magazines with circulations exceeding 99 recipients to register with the Ministry of Culture. The government controlled all major printing presses and the supply of newsprint. Independent community radio stations experienced delays in registration and licensing that prevented them from broadcasting. The government restricted the issuance of new broadcasting licenses, in part through an application process described as excessively complex. The government continued to deny the BBC a renewal of its license to broadcast on FM radio.

Libel/Slander Laws: The law criminalized public insult, defamation, and slander, including on the internet, against the president and other state officials. An offense could be punished by up to five years in prison. The UN Human Rights Council special rapporteur noted that the criminal and civil penalties for libel and slander were used to harass journalists and critics, restricting public discussion of issues such as corruption and the business networks of the president's family.

National Security: Authorities frequently cited laws against terrorism or laws protecting national security to arrest and punish critics of the government and to deter criticism of government policies and officials.

On March 6, the State Committee for National Security in Panjakent arrested local journalist Khurshed Fozilov on charges of public calls for violent change of the constitutional order and membership in banned organizations. Fozilov's work focused on socioeconomic issues, highlighting the problems of ordinary citizens and the government's shortcomings in providing basic services. His trial was closed to media, diplomatic representatives, and family. In May, he was sentenced to seven years in prison.

In March, the Khujand City Court sentenced Manuchehr Komiljonzoda to five years' imprisonment for allegedly disseminating materials containing

"extremist" or terrorist-affiliated content to his 1,430 followers on Instagram. The trial was closed, and the government did not specify which extremist organizations Komiljonzoda's posts promoted or how the content violated the country's laws.

Internet Freedom

The government restricted and disrupted access to the internet, censored online content, monitored private online communications without appropriate legal authority, blocked access to certain websites, levied civil and criminal punishments for online expression, disrupted communications prior to planned demonstrations, and abused legal authorities to justify these actions.

Authorities blocked some websites and news portals that published information critical of the government, using temporary blackouts of all internet services to suppress criticism. According to Human Rights Watch (HRW), authorities periodically cut access to mobile and messaging services when statements critical of the president, his family, or the government appeared online.

In the face of extensive government surveillance of internet activity, including emails, individuals and groups often self-censored their views while using the internet.

Opposition news agencies and websites located outside the country remained blocked by the government. The State Communications Service, the official communications regulator, routinely denied it was involved in blocking these sites, but the government periodically stated it implemented a law that allowed interruption of internet content and telecommunications "in the interest of national security."
On June 14, the Supreme Court banned the online publication *Pamir Daily News* under the law on countering extremism, blocking access to its website and Telegram channel within the country. The ban also stipulated the possibility of criminal prosecution for individuals who worked with *Pamir Daily News* or disseminated its materials.

On June 21, the Supreme Court, upon request from the Prosecutor General's Office, categorized the information website *New Tajikistan 2* as "extremist," banning its activities in the country. *New Tajikistan 2* belonged to the banned opposition movement Group 24. According to a statement from the Prosecutor General's Office, all sites and pages on Telegram, Facebook, YouTube, and Instagram of the 20 individuals associated with *New Tajikistan 2* were also blocked and banned in the country.

The law gave police the right to track individuals' internet activity in the country, an ability police used regularly. According to the law, security agencies could monitor internet traffic and had access to information about which internet sites individuals visited and the type of information

the individuals sought. The law criminalized the use of the "like" or "share" function on social media regarding "terrorism" and "extremism-related" topics, with a penalty of up to 15 years in prison. The law criminalized public calls for the commission of terrorist crimes or publicly justifying terrorist activities, including those made via the internet, but the government generally used these laws to criminalize free expression, legitimate media reporting, criticism of the government, and membership in peaceful political groups.

B. FREEDOMS OF PEACEFUL ASSEMBLY AND ASSOCIATION

The government limited the freedoms of peaceful assembly and association by requiring local government permission to hold peaceful protests or to register civil society organizations, which were routinely and arbitrarily denied without explanation. Tax authorities and other regulatory agencies intimidated civil society or forced the closure of NGOs through frequent and arbitrary inspections, politicized court proceedings, and threats and harassment from the security services pushing NGOs to dissolve themselves.

Freedom of Peaceful Assembly

The constitution provided the right to freedom of peaceful assembly, but the government required that individuals obtain permission from the government to stage public demonstrations. Individuals considering staging peaceful protests often reportedly chose not to do so for fear of government reprisal.

Freedom of Association

The constitution provided for freedom of association, but the government restricted this right. Membership in some political parties or opposition groups was criminalized and served as the basis for several criminal convictions. The law required all "public associations" to post detailed financial reports on their websites and imposed other burdensome reporting requirements. Civil society organizations reported a noticeable increase in the number and intensity of registration and tax inspections by authorities during the year.

In January, a Dushanbe court, on the recommendation of the Ministry of Justice, issued a decision to close the NGO Independent Center for Human Rights Protection (ICHRP). The government stated the ICHRP was closed because it failed to submit timely financial statements and violated several financial and labor regulations. ICHRP representatives said that the speed of the closure (after a one-day hearing) and verbal warnings they received from government officials made it clear the alleged violations were merely a pretext to support the government's premeditated decision to shut down the ICHRP. NGO representatives cited the ICHRP's provision of legal aid to politically sensitive defendants,

such as journalist Abdulloh Ghurbati, as the main reason for the government's actions.

In August, the Ministry of Justice reported that more than 700 NGOs were dissolved in the prior 18 months, twice the number of NGOs closed in the three preceding years. Most of these NGOs were closed due to inactivity and lack of funds, but a significant number were closed under pressure from the government via regulatory audits, tax inspections, and administrative and criminal proceedings. There were also widespread reports of security services intimidating NGO staff and threatening them or their family members with criminal prosecution unless they "self-liquidated" their organizations. Many NGOs chose to shut down rather than risk such outcomes.

C. FREEDOM OF RELIGION

See the Department of State's *International Religious Freedom Report* at https://www.state.gov/religiousfreedomreport/.

D. FREEDOM OF MOVEMENT AND THE RIGHT TO LEAVE THE COUNTRY

The law provided for freedom of foreign travel, emigration, and repatriation, but the government imposed some restrictions.

In-country Movement: The government prohibited foreigners, except diplomats and international aid workers, from traveling within a 15-mile zone along the borders with Afghanistan and China without permission from the Ministry of Foreign Affairs. Officials did not always enforce the restrictions along the western border with Afghanistan. The government required travelers (including international workers and diplomats) to obtain special permits to visit the GBAO. The government enforced a policy barring Afghan refugees and asylum seekers from residing in major cities such as the capital, Dushanbe.

Foreign Travel: Citizens, in some cases, did not have the right to leave the country due to arbitrary and inconsistent restrictions. At times, border security guards placed arbitrary restrictions on citizens wishing to travel abroad.

The Ministry of Education required prior approval for all students wishing to study abroad. Civil society organizations asserted this approval was a restriction of citizens' rights to freedom of movement inside and outside the country.

E. PROTECTION OF REFUGEES

The government sometimes cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees and

asylum seekers. Some asylum seekers were refused entry or summarily deported, and others were jeopardized by conflicting laws and corruption.

Access to Asylum: The law provided for the granting of asylum and refugee status, and the government had established a system for providing protection to asylum seekers and refugees. The refugee status determination process and related judicial procedures did not fully comply with international standards. The criminal code criminalized illegal border crossing, in contrast to the Refugee Law, which stated undocumented entry was not a crime. These conflicting legal provisions meant asylum seekers ran the risk of arrest and deportation without access to asylum procedures. This meant asylum seekers had to enter the country legally with valid travel documents and a visa obtained in advance.

The government provided asylum seekers with temporary certification while processing asylum applications through the National Refugee Status Determination Commission. Upon granting refugee status, the government provided refugee identification cards as a proof of legal stay. Numerous sources reported that officials often requested bribes, in some cases exceeding $2,000, to issue temporary asylum certificates and permanent refugee cards. Formal notifications of administrative and legal decisions provided little insight into the rationale for adjudications. According to the law, government-recognized refugees had socioeconomic rights on par with citizens. Refugees, the vast majority of whom were Afghans, however, often faced discrimination, harassment, and extortion from police and other officials.

The land border remained closed throughout the year to asylum seekers from Afghanistan, and the government refused entry to many, but not all, new arrivals.

Refoulement: National security concerns dominated decisions related to the protection and human rights of asylum seekers and refugees, which often heightened the risk of deportation of asylum seekers and refugees. UNHCR reported that 12 Afghan asylum seekers and refugees were deported to Afghanistan on October 13. These deportations occurred without any prior notice or due process, rendering the affected individuals unable to seek redress through judicial procedures.

Freedom of Movement: Refugees were not permitted to live in the GBAO and major urban areas, including Dushanbe, Khujand, and Bokhtar; this restricted their ability to find work and go to school.

Employment: There were credible reports that the government imposed restrictions on refugees' ability to work in the formal sector even after their status as refugees was official.

Access to Basic Services: The government continued to place significant restrictions on registered asylum seekers and refugees, and officials prohibited them from residing in all major cities in the country. Security officials regularly monitored populations of refugees and asylum seekers. Police subjected them to raids if they believed the asylum seekers resided in prohibited areas. Refugees and asylum seekers were therefore often unable to access basic services including education and health care.

Durable Solutions: The law provided a process for naturalization, requiring refugees to renounce their refugee status and apply for a temporary residence permit to be able to continue the process of naturalization. UNHCR and NGOs that worked with asylum seekers and refugees reported that this process was so risky and onerous that to date there were no recorded cases of asylum seekers or refugees completing the naturalization process in the country. This left refugees on unequal standing with nonrefugee foreigners when applying for citizenship.

F. STATUS AND TREATMENT OF INTERNALLY DISPLACED PERSONS (IDPS)

Not applicable.

G. STATELESS PERSONS

As of October, a total of 60,026 stateless persons and persons with undetermined nationality had been identified and registered by UNHCR and its partners. The government, UNHCR, and NGO partners were able to confirm nationality or issue identification documents to 57,098 persons, with the remaining 2,928 still in process to resolve their situation.

Section 3.

Freedom to Participate in the Political Process

The law provided citizens the ability to choose their government in free and fair elections based on universal suffrage, but the government restricted this right by criminalizing genuine opposition parties that enjoyed broad popular support, such as the IRPT. The president and his supporters dominated the government and took steps to eliminate genuine pluralism in the interest of consolidating power. The president's political party, the People's Democratic Party of Tajikistan, dominated both houses of parliament, and its members held most government positions. The president had broad authority, which he exercised throughout the year, to appoint and dismiss officials.

ELECTIONS AND POLITICAL PARTICIPATION

Abuses or Irregularities in Recent Elections: The country separately held parliamentary and presidential elections in 2020. The Election Assessment Mission sent by the Organization for Security and Cooperation in Europe's

Office of Democratic Institutions and Human Rights described "systemic infringements on fundamental political rights and freedoms" that "left no space for a pluralistic political debate," and stated that genuine opposition had "been removed from the political landscape." The report also assessed that "long-standing transparency and accountability challenges… undermined the integrity and credibility" of the elections. Neither vote was fair or free of abuses and irregularities because of the country's restrictive political environment.

Political Parties and Political Participation: The government enforced bans on the IRPT, Group 24, and the National Alliance of Tajikistan, all of which were peaceful political parties or movements banned on dubious political grounds under legislation on countering extremism. Religiously affiliated political parties were banned.

Participation of Women and Members of Marginalized or Vulnerable Groups: The law did not limit participation of women or members of minority groups in the political process, and to some extent they participated. Women were underrepresented in decision-making processes at all levels of political institutions. Cultural practices discouraged participation by women in politics, although the government and political parties made some efforts to promote involvement by women.

Section 4.
Corruption in Government

The law provided criminal penalties for corruption by officials, but the government did not implement the law effectively. Officials frequently engaged in corrupt practices with impunity. The government acknowledged a problem with corruption and took some steps to combat it, including prosecuting lower-level officials for taking bribes.

Corruption: High-level corruption pervaded the country's most lucrative economic sectors and petty corruption frequently affected ordinary individuals seeking basic public services such as education, health care, and identification documents. The Agency for Financial Control and Combating Corruption reported in August that authorities opened 142 corruption cases against employees of state and commercial banks during the first six months of the year, the most of any single sector. A total of 246 corruption cases comprising 1,329 instances of corruption were also identified in other sectors during the same period. The estimated financial cost of these identified cases of corruption was 169.8 million Tajikistan Somoni ($15.4 million).

Reports from local media and academic experts indicated that the corruption cases identified by the government likely represented a small percentage of overall corruption in the country. The anti-corruption agency did not investigate high-level corruption implicating President

Rahmon's family and inner circle, who were widely reported to control the most important companies in the country and used their political power to restrict or eliminate market competition.

Media reported that in recent years, most cases of bribe-taking by officials had been reclassified as fraud, and officials found guilty were released by paying a symbolic fine, which in most cases was significantly lower than the bribes the officials allegedly received.

For additional information concerning corruption in the country, please see the Department of State's *Investment Climate Statement* for the country, and the Department of State's *International Narcotics Control Strategy Report*, which includes information on financial crimes.

Section 5.

Governmental Posture Towards International and Nongovernmental Monitoring and Investigation of Alleged Abuses of Human Rights

Government restrictions hampered efforts by domestic human rights groups to monitor and report on human rights. Domestic NGOs and journalists were careful to avoid public criticism of the president or other high-ranking officials and refrained from discussing matters connected to banned political groups such as the IRPT. Human rights NGOs faced significant pressure from the government, including through government investigations for alleged registration problems and administrative irregularities, and several were forcibly closed during the year (see section 2.b., Freedom of Association).

The United Nations or Other International Bodies: The government facilitated high-level visits from UN agencies, including UN Special Rapporteur on Freedom of Religion or Belief Nazila Ghanea in April. The government, however, did not always grant these visitors access to political prisoners or sensitive areas such as the GBAO.

Government Human Rights Bodies: The Office of the Human Rights Ombudsperson, which reported to parliament, made little effort to respond to complaints from the public. In the first six months of the year, the Office of the Ombudsperson received 871 complaints from legal entities and individuals on human rights violations, out of which only 32 were positively resolved. The Ombudsperson's Office met with NGOs to discuss specific human rights cases and problems within the country, but no government action resulted.

The government's Office for Constitutional Guarantees of Citizens' Rights, which was part of the presidential administration, continued to investigate and answer citizens' complaints but staffing inadequacies and

inconsistent cooperation from other governmental institutions hampered the office's effectiveness.

Section 6.

Discrimination and Societal Abuses

WOMEN

Rape and Domestic Violence: The law criminalized rape, which was punishable by up to 20 years' imprisonment. There was no separate statute for spousal rape, nor for the rape of men. Police usually advised women not to file charges but registered cases at the victim's insistence. Observers believed most cases were unreported because victims wished to avoid humiliation and social stigmatization.

There was no law specifically criminalizing domestic violence, which was widely considered to be a "private matter." Violence against women, including spousal abuse, remained a widespread problem. HRW reported that violence against women was "pervasive" and reflected a failure to investigate reports of domestic violence in rural areas. Women underreported violence against them due to fear of reprisal or an expectation of an inadequate response by police and the judiciary, resulting in virtual impunity for the perpetrators. Authorities wishing to promote traditional gender roles frequently dismissed domestic violence as a "family matter."
The government's Committee for Women's Affairs had limited resources to assist domestic violence survivors, but local committee representatives referred women to crisis shelters for assistance.

The Ministry of Internal Affairs registered domestic violence incidents as general violence and hooliganism, with a special notation in paperwork indicating domestic violence.

Authorities seldom investigated reported cases of domestic violence and prosecuted few alleged perpetrators. The Ministry of Internal Affairs was authorized to issue administrative restraining orders, but police often gave only warnings, short-term detentions, or fines for committing "administrative offenses" in cases of domestic violence.

In May, Shahlo Davlatova alleged that senior police officer Dilumrod Shodizoda raped her in his office after seeking to extort $30,000 as a bribe to drop a criminal case against her for an illegal foreign exchange transaction. There was no criminal investigation into the alleged rape or extortion and the Ministry of Internal Affairs denied the allegations. Shodizoda was later relieved of his position as head of the investigative department of the Khujand police for abuse of office.

Other Forms of Gender-based Violence or Harassment: Religious ceremonies made de facto polygyny and underage marriage possible despite the illegality of these practices. NGOs estimated that up to 10 percent of men practiced polygyny and that 9 percent of girls in the country were married before age 18. Unofficial second and third marriages were increasingly common, with neither the wives nor the children of the subsequent marriages having legal standing or rights.

No specific statute banned sexual harassment in the workplace. Other articles of the criminal code, such as petty hooliganism, could be used to address sexual harassment. The government did not provide data on sexual harassment cases.

The Committee for Women and Family Affairs operated a call center for survivors of sexual harassment in the workplace through which a specialist could provide legal and psychological assistance to the survivors.

Human rights activists noted that survivors of sexual harassment in most cases preferred to remain silent due to fear and public shame. Women reporting sexual harassment faced retaliation from their employers as well as scrutiny from their families and communities.

Discrimination: The law provided for men and women to receive equal pay for equal work, but cultural barriers restricted women's professional opportunities. The law protected women's rights in marriage and family matters, but families often pressured girls to marry against their will. Religious marriages were common substitutes for civil marriages due to the high marriage registration fees associated with civil marriages and the power afforded to men under religious law. Women whose marriages were recognized only by religious authorities and children born under religious marriages did not have the same rights in marriage or divorce as civil marriages recognized by the state.

The Law on Equality and Elimination of All Forms of Discrimination adopted in 2022 did not include provisions for discrimination based on gender and sexual orientation.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization by government authorities. Women often faced barriers with respect to their sexual and reproductive health and rights, according to the United Nations. Many women, especially in rural areas, lacked information about and access to contraception.

Intimate partner violence remained a significant problem impacting women's autonomy, including on sexual and reproductive health. Stereotypes related to gender roles and the taboo nature of

conversations about sex prevented women and girls from obtaining information on reproductive health and access to services.

Survivors of sexual violence had a legal right to protection and social services, including access to emergency contraception. Postexposure prophylaxis was rarely available. Survivors often experienced challenges in gaining access to these services due to the services' concentration in urban areas, lack of economic resources at the institutional and household levels, cultural stigmas, and taboos surrounding sexual violence.

SYSTEMIC RACIAL OR ETHNIC VIOLENCE AND DISCRIMINATION

The constitution provided for equal protection under the law for all citizens, regardless of ethnic or national origin. There was no major ethnicity-related violence within the country and no official preference or discrimination against minority ethnic groups. The law stipulated, "national minorities within the framework of this law are free to observe their traditions, celebrations and rituals."

CHILDREN

Education: Free and universal public education was compulsory until age 16 or completion of the ninth grade. UNICEF reported school attendance generally was good through the primary grades, but girls faced disadvantages, as parents often gave priority in education to their sons, whom they regarded as future breadwinners.

Child Abuse: The Committee on Women and Family Affairs and regional child rights protection departments were responsible for addressing problems of violence against children. While the law provided children with the right to live free from violence, child abuse was not explicitly criminalized. Reliable statistics on the prevalence of child abuse were very difficult to find, as most abusers were family members and victims were afraid to come forward.

Child, Early, and Forced Marriage: The legal minimum age for marriage of men and women was 18. In exceptional circumstances, which a judge was required to determine, such as in the case of pregnancy, a couple could apply to a court to lower the age to 17. Underage religious marriage, which did not require official civil registration, was more widespread in rural areas.

The law expressly prohibited forced marriages of girls younger than 18 or entering a marriage contract with a girl younger than 18. Families, however, often pressured girls to marry against their will. Early marriage carried a fine or prison sentence of up to six months, while forced marriage was punishable by up to five years' imprisonment. Because couples could not register a marriage when one of the would-be spouses

was younger than 18, many couples simply had a local religious leader perform the wedding ceremony. Without a civil registration certificate, the bride had few legal rights.

Sexual Exploitation of Children: The law prohibited the commercial sexual exploitation of children and child pornography. The law prohibited the buying and selling of children and included a provision that qualified acts of child exploitation as human trafficking. The minimum age of consensual sex was 16. According to an NGO working with victims of domestic violence, sexual exploitation, and sex trafficking, there were several cases in which families, or third parties forced children into commercial sexual exploitation in nightclubs and in private homes.

A person convicted of sexual abuse of minors could be sentenced to seven to 25 years in prison. Those convicted of sexual abuse of children were deprived for life of the right to work in all organizations and institutions related to the upbringing and education of children. In general, cases of child rape were very rarely disclosed, with victims' relatives hiding the facts due to social stigma.

ANTISEMITISM

There were no reports of antisemitic incidents. The country's small Jewish community – estimated by the World Jewish Congress as 200 to 600 persons – had a place of worship and faced no overt pressure from the government or other societal pressures.

TRAFFICKING IN PERSONS

See the Department of State's *Trafficking in Persons Report* at https://www.state.gov/trafficking-in-persons-report/.

ACTS OF VIOLENCE, CRIMINALIZATION, AND OTHER ABUSES BASED ON SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, OR SEX CHARACTERISTICS

Criminalization: Consensual same-sex sexual conduct was legal in the country, with the same age of consent as for opposite-sex relationships.

Authorities detained 27 persons in April, May, and June in different regions. In June they were reportedly sentenced to five to eight years for promoting pornography. The subjects were allegedly detained on suspicion of engaging in homosexual relations but were charged with promoting pornography since homosexuality was not criminalized. This group of individuals had allegedly communicated in a closed chat on the Internet, sent each other photographs and videos of an intimate nature, became acquainted, and had same-sex relations.

Violence and Harassment: Throughout the country there were reports that lesbian, gay, bisexual, transgender, queer, or intersex (LGBTQI+) individuals faced physical and psychological abuse, harassment, extortion,

and exploitation for revealing their LGBTQI+ status to their families or for being suspected of being LGBTQI+. Police, other law enforcement officials, and individuals threatened LGBTQI+ persons with public beatings.

LGBTQI+ persons were victims of police harassment, with many police officers threatening to arrest LGBTQI+ community members for going against the "social order," a crime that did not actually exist. LGBTQI+ representatives claimed police extorted money from LGBTQI+ persons by threatening to tell employers or families of the individuals' activities.

In some cases, local authorities subjected LGBTQI+ persons to sex trafficking and blackmail. Hate crimes against members of the LGBTQI+ community reportedly went unaddressed. LGBTQI+ representatives claimed health-care providers discriminated against and harassed LGBTQI+ persons.

Discrimination: The law did not prohibit discrimination by state and nonstate actors based on sexual orientation, gender identity or expression, or sex characteristics. Some senior government officials maintained that implementing legal protections for LGBTQI+ persons conflicted with local moral values, that LGBTQI+ identities were all "pathologies of character," and that the LGBTQI+ community was "mentally ill."
Government authorities reportedly maintained a registry of hundreds of persons in the LGBTQI+ community as part of a drive to promote "moral behavior" and protect vulnerable groups in society.

Availability of Legal Gender Recognition: It was difficult for transgender persons to obtain new official documents from the government. The law allowed for changing gender in identity papers only if a medical provider authorized the document. Many doctors refused to issue such a document because they were afraid of reprisals from the government or due to their own beliefs.

Involuntary or Coercive Medical or Psychological Practices: There were credible reports of families subjecting their LGBTQI+ children to coercive medical, psychological, and religious practices to "correct" or "cure" their sexual identity. According to a report by the International Rehabilitation Council for Torture Victims, there were widespread instances of police blackmailing, extorting, and raping LGBTQI+ individuals, including cases of "corrective" rape.

Restrictions of Freedom of Expression, Association, or Peaceful Assembly: Widespread cultural norms stigmatizing LGBTQI+ individuals often deterred those individuals from openly identifying as LGBTQI+ or speaking publicly on LGBTQI+ topics. Civil society organizations working to assist LGBTQI+ individuals maintained a low profile due to open hostility from the government and the public on LGBTQI+ matters. The pressure

on LGBTQI+ NGOs restricted the ability of those NGOs to operate in public. LGBTQI+ individuals were constrained from open, peaceful assembly by safety concerns. LGBTQI+ advocacy and health groups reported harassment from government officials and clergy, including violent threats as well as obstruction of their activities by the Ministry of Health.

PERSONS WITH DISABILITIES

The law on social protection of persons with disabilities applied to individuals with physical, sensory, cognitive, and mental disabilities. The law prohibited discrimination against persons with disabilities in employment, education, access to health care, and provision of other state services, but the government generally did not enforce the law effectively.

The law required government buildings, schools, hospitals, and transportation, including air travel, to be accessible to persons with disabilities. The government did not provide any information about the enforcement of those provisions. Authorities attempted to apply accessibility standards to newly built government buildings.

Many children with disabilities were prevented from attending school because doctors did not deem them “medically fit.” Children deemed “medically unfit” were segregated into special state-run schools specifically for persons with physical and mental disabilities. Doctors decided which subjects the students were capable of studying. Directors of state-run schools could change at their own discretion the requirements for students to pass to the next grade.

The group-living and medical facilities provided by the government for persons with disabilities were in poor condition.

OTHER SOCIETAL VIOLENCE OR DISCRIMINATION

HIV and HIV-related stigma and discrimination were commonplace. Affected groups included sex workers, men who had sex with men, individuals who injected drugs, and transgender individuals. Those living with HIV and AIDS were often denied necessary services, were often unable to find support from their communities due to social discrimination, and were often harassed by members of the community and police.

Section 7.

Worker Rights

A. FREEDOM OF ASSOCIATION AND THE RIGHT TO COLLECTIVE BARGAINING

The law provided for the right to form and join independent unions but required registration for all NGOs, including trade unions. The law provided that union activities, such as collective bargaining, be free from interference except "in cases specified by law," but the law did not define such cases. Collective bargaining contracts covered 90 percent of workers in the formal sector.

Workers had the right to strike, but the law required prior official authorization for meetings and other mass actions, which limited trade unions' ability to organize meetings or demonstrations. The law provided for the right to organize and bargain collectively, but it did not specifically prohibit antiunion discrimination. The government did not effectively enforce the law, although penalties for violations were commensurate with penalties under other laws involving denials of civil rights.

Workers joined unions, but the government used informal means to exercise considerable influence over organized labor, including influencing the selection of labor union leaders. The government-controlled Federation of Trade Unions of Tajikistan was the country's only national-level union and did not effectively represent worker interests. There were reports the government compelled some citizens to join state-endorsed trade unions and impeded the formation of independent unions. There were no reports of threats or violence by government entities toward trade unions; however, government influence discouraged and impeded workers from attempting to form independent unions and fully exercising or demanding their rights.

Most workers' grievances were resolved with mediation between employees, with support from their union, and the employer. Multiple observers reported that citizens were reluctant to strike due to fear of government retaliation.

Labor NGOs not designated as labor unions played a minimal role in worker rights, as they were restricted from operating fully and freely.

B. PROHIBITION OF FORCED OR COMPULSORY LABOR

See The Department of State's *Trafficking in Persons Report* at https://www.state.gov/trafficking-in-persons-report/.

C. PROHIBITION OF CHILD LABOR AND MINIMUM AGE FOR EMPLOYMENT

The law prohibited all the worst forms of child labor. The minimum age for children to work was 16, although children could work at age 15 with permission from the local trade union. By law, children younger than 18 could work no more than six hours a day and 36 hours per week. The law applied only to contractual employment; children as young as seven could participate in household labor and agricultural work, which was

separately classified as family assistance. Penalties for violations were commensurate with other serious crimes but the government did not effectively enforce the law. Many children under the age of 15 worked. Children younger than 10 worked in bazaars or sold goods on the street. The highest incidences of child labor were in the domestic and agricultural sectors and some children performed hazardous work in these sectors.

Enforcement of child labor laws was the responsibility of the Prosecutor General's Office, Ministry of Justice, Ministry of Social Welfare, Ministry of Internal Affairs, and appropriate local and regional governmental offices. Unions were responsible for reporting any violations in the employment of children. Citizens could bring unresolved cases involving child labor before the prosecutor general for investigation. There were few reports of violations because most children worked under the family assistance exception. There were reports that military recruitment authorities kidnapped children younger than 18 from public places and subjected them to compulsory military service to fulfill local recruitment quotas.

The government did not provide the information needed to assess the prevalence of child labor in the country's cotton sector.

D. DISCRIMINATION (SEE SECTION 6)

E. ACCEPTABLE CONDITIONS OF WORK

Wage and Hour Laws: The government set a minimum monthly wage that was below the poverty line.

The legal workweek was 40 hours and the law mandated overtime payment, with the first two hours paid at time-and-a-half and the remainder at double the normal rate, but there was no legal limit to compulsory overtime.

The State Inspectorate for Supervision of Labor, Migration, and Employment under the Ministry of Labor, Migration, and Employment had overall responsibility for enforcing labor law. The Ministry of Finance enforced financial aspects of labor law, and the Agency of Financial Control of the Presidential Administration oversaw other aspects of labor law. Resources, including the number of inspectors, inspections, and remediation to enforce the law were inadequate. The state inspectorate had the authority to make unannounced inspections and initiate penalties, but inspections and penalties were rare. Nearly 50 percent of inspections were conducted in Dushanbe, limiting enforcement of labor law outside the capital. Workers seldom filed complaints about labor rights violations for fear of retaliation from their employer.

Inspections in the manufacturing sector occurred only when based on specific complaints, pursuant to a 2018 presidential decision suspending routine labor-related inspections in that sector to support "entrepreneurship." The state inspectorate conducted both announced

and unannounced inspections in other sectors. Trade unions could issue mandatory instructions for investigation to the state oversight service.

Penalties issued for labor violations were typically insufficient to deter future violations.

Occupational Safety and Health: Occupational safety and health (OSH) standards were appropriate in the main industries in the country but were sporadically enforced. The penalties for OSH violations were commensurate with those of similar crimes. The law provided workers the right to remove themselves from hazardous working conditions without fear of loss of employment, but workers seldom exercised this right. No industrial accidents that caused death or serious injury to workers were officially reported, although most experts agreed such accidents regularly occurred. Farmers and agricultural workers, accounting for more than 60 percent of employment in the country, continued to work under difficult conditions, including the use of pesticides and herbicides without proper protective equipment and the operation of heavy machinery under unsafe circumstances.

Wage, Hour, and OSH Enforcement: The government did not effectively enforce wage and hour laws. Penalties for violations were commensurate with those for similar crimes, but the regulation was not enforced. The government did not pay its employees for overtime work. Overtime payment was inconsistent in all sectors of the labor force.

The State Inspectorate for Supervision of Labor, Migration, and Employment was responsible for enforcing OSH standards. The government did not enforce these standards, partly because of corruption and the low salaries paid to inspectors. Penalties were never applied against violators.

Wages in the agricultural sector were the lowest among all sectors, and many workers received payment in kind. The government's failure to ensure and protect land tenure rights limited its ability to protect agricultural workers' rights.

The informal sector accounted for up to 60 percent economic production and approximately half of the labor force. There was no system to monitor or regulate working conditions in the agricultural and informal sectors. Informal workers were not covered by wage, hour, and OSH laws.

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Austrian Red Cross
Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD)

Wiedner Hauptstraße 32, 1041 Wien
T +43 1 589 00 583
F +43 1 589 00 589
info@ecoi.net

Contact
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