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2024 Country Reports 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; torture and cruel, inhuman, or degrading treatment or punishment; transnational repression against individuals in another country; serious restrictions on freedom of expression and media freedom, including violence or threats of violence against journalists, and censorship; restrictions of religious freedom; trafficking in persons, including forced labor; and significant presence of any of the worst forms of child labor.

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

Section 1.

Life

a. Extrajudicial Killings

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

In May, the Military Prosecutor's Office released the body of Solehjon Soliev, a member of the military, to his family. Initially, the Military Prosecutor's Office declared the death a result from natural causes and later produced a document indicating Soliev died from a heart attack. Family members, however, claimed the body was covered in bruises and had open wounds, and there was dried blood on his head. The government had not initiated an investigation by year's end.

b. Coercion in Population Control

There were no reports of coerced abortion or involuntary sterilization by government authorities.

Section 2.

Liberty

a. Freedom of the Press

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. Registration and licensing procedures for media outlets to operate in the country remained opaque and undemocratic. Independent media were required to obtain several official authorization documents, including a certificate from the State Committee on National Security of Tajikistan. According to the Committee to Protect Journalists only two significant independent media voices remained in the country: Asia-Plus, a privately owned news agency, and Radio Ozodi, the Tajik-language service of Radio Free Europe/Radio Liberty. Both outlets faced harassment and threats, and their websites were subjected to partial shutdowns.

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.

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.

Physical Attacks, Imprisonment, and Pressure

Journalists faced harassment and intimidation by government officials.

In June, media reported Ahmadshoh Komilzoda, a journalist and first deputy chairman of the Democratic Party of Tajikistan, was arrested and held in a temporary detention center, and a criminal case was opened against him. Komilzoda's house was reportedly searched, and his computer, notes, and mobile phone were confiscated.

Censorship by Governments, Military, Intelligence, or Police Forces, Criminal Groups, or Armed Extremist or Rebel Groups

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 Islamic Renaissance Party of Tajikistan (IRPT) and Group 24.

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 foreign-language reports, 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.

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 criminal and civil penalties for libel and slander were used to harass journalists and critics, restricting public discussion of matters such as corruption and the business networks of the president's family.

Citing ties to terrorism and extremism, in May, the Supreme Court published a list of 29 organizations, movements, trends, groups, and associations that were prohibited in the country. The Supreme Court stated persons were criminally liable for providing support to, financing, and promoting the ideas of these organizations. The Supreme Court also prohibited promoting the activities of these organizations using media and the internet (including via "likes," reposts, etc.). Some of the banned organizations included the IRPT, al-Qa'ida, the Taliban, Group 24, Pamir Daily News, New Tajikistan-2, Salafia, Ansarullah, Vilayat Khorasan-ISIS, and Jehovah's Witnesses, the only non-Islamic religious organization.

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.

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."

b. Worker Rights

Freedom of Association and Collective Bargaining

The law provided for the right to form and join independent unions but required registration for all nongovernmental organizations (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 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. Penalties for violations were commensurate with penalties for analogous violations such as civil rights violations, but the government did not effectively enforce the law.

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 workers from 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 workers 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.

Forced or Compulsory Labor

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

Acceptable Work Conditions

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.

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 such as negligence. The state inspectorate had the authority to make unannounced inspections and initiate penalties, but inspections and penalties were rare.

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 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.

OSH inspections in the manufacturing sector occurred only when based on specific complaints. 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. Resources, including the number of OSH inspectors, frequency of inspections, and remediation to enforce the law were inadequate. Nearly half of all inspections were conducted in Dushanbe, limiting enforcement of labor law outside the capital. Workers seldom filed complaints regarding labor rights violations due to fear of retaliation from their employer. Corruption also hindered enforcement. Penalties issued for labor violations were typically insufficient to deter future violations.

Penalties for violations of wage and hour laws were commensurate with those for similar crimes, but penalties were never applied against violators. The government did not pay its employees for overtime work. Overtime payment was inconsistent in all sectors of the labor force.

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 of 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.

c. Disappearance and Abduction

Disappearance

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

Prolonged Detention without Charges

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.

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. In some instances, 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. There was a functioning bail system.

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

d. Violations in Religious Freedom

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

e. Trafficking in Persons

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

Section 3.

Security of the Person

a. Torture and Cruel, Inhuman, or Degrading Treatment or Punishment

The constitution prohibited such practices, but there were credible reports government officials employed them. According to the UN Human Rights Committee, authorities tortured defendants in pretrial detention in attempts to extract confessions. While authorities took some 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.

In June, Sharifa Kholmatova and Dilorom Ashurova, residents of the city of Konibodom, reported they were physically assaulted in the local police office at the Department of Internal Affairs after their relative Sharifjon Ashurov was arrested for allegedly killing his brother. After their release, they told media they faced pressure from police officers. “They hit me, and I screamed and perhaps my brother having heard my screams, lied, and confessed,” said Sharifa Kholmatova, sister of Sharifjon Ashurov. Dilorom Ashurova, wife of Sharifjon Ashurov, said her husband was in such bad condition after the interrogation that he could not even sit.

There was a lack of impartial, independent investigative mechanisms to address impunity, although a few prosecutions had led to a small number of convictions for abuse in recent years. In February, the Khatlon Regional Court found police major Fakhriddin Hakimzoda and police captain Shamsiddin Saidzoda, officers of the Hamadoni District Department of Internal Affairs, guilty of abuse of power and fined them 56,000 Tajikistani somoni ($5,270). They were detained in October 2023 after local resident Nurmuhammad Abdurasulov filed a police report saying they had beaten him. The court also ruled the police officers would be ineligible to work in law enforcement agencies for two years after their conviction.

b. Protection of Children

Child Labor

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 per 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 were separately classified as family assistance. Penalties for violations were commensurate with those for analogous crimes, but the government did not effectively enforce the law. Many children younger than 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 to the prosecutor general for investigation. There were few reports of violations because most children worked under the family assistance exception. There were reports 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.

Child Marriage

The legal minimum age for marriage 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. Official statistics for 2018-22 showed underage marriages with court permission rose steadily during those years.

The law expressly prohibited forced marriages of girls younger than 18 or entering a marriage contract with a girl younger than 18. Early marriage carried a fine or prison sentence of up to six months, while forced marriage was punishable by up to five years' imprisonment. Women's rights activists said families nevertheless often pressured girls to marry against their will. 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. In the case of separation or death of the spouse, women without a civil registration certificate had no right to inheritance or division of jointly acquired property.

c. Protection to 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.

Provision of First Asylum

The law provided for the granting of asylum and refugee status, and the government had 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 had to enter the country legally with valid travel documents and a visa obtained in advance or risk arrest and deportation without access to asylum procedures. Some asylum seekers were refused entry or summarily deported. Access to the country was only granted to holders of valid visas, and asylum seekers were not permitted to lodge asylum applications at the border.

The government provided asylum seekers with temporary certification while processing asylum applications through the National Refugee Status

Determination Commission. The government recognized the majority of asylum seekers who lodged asylum applications as refugees. Upon granting refugee status, the government provided refugee identification cards as a proof of legal stay. Numerous sources reported 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, often faced discrimination, harassment, and extortion from police and other officials, however.

The land border remained closed throughout the year to asylum seekers from Afghanistan, and the government refused entry to new arrivals without a valid Tajik visa. Nevertheless, UNHCR reported almost 4,000 new arrivals during the year.

d. Acts of Antisemitism and Antisemitic Incitement

The country had a small Jewish community, estimated by the World Jewish Congress as 200 to 600 persons. There were no reports of antisemitic incidents.

e. Instances of Transnational Repression

The government used intimidation and abused judicial procedures to engage in transnational repression, targeting political opponents, civil society activists, human rights defenders, journalists, and their family members.

The government disclosed that during the year, several members of groups the government labeled “extremist” or “terrorist” organizations detained abroad were returned to the country from Russia, Turkey, Germany, Uzbekistan, and Poland. The government did not provide details on these individuals. According to International Partnership for Human Rights, some of these individuals 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, or 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, or Coercion

Authorities inside the country reportedly harassed or targeted relatives of perceived government critics who were in exile.

On March 23, authorities summoned several relatives of Faridun Shamsiddin, one of the suspects in the attack on Crocus City Hall in Moscow, and detained them for a week before releasing them. Shamsiddin's relatives said authorities warned them not to communicate with media.

Misuse of International Law Enforcement Tools

There were credible reports the government misused or attempted to misuse international law enforcement tools for politically motivated purposes against civil society activists, bloggers, and dissidents located outside the country.

In August, the General Prosecutor's Office reported Suhrob Zafar and Nasimjon Sharifov, opposition activists and members of Group 24, an organization banned in the country, were in Dushanbe after disappearing in Turkey earlier in the year. The General Prosecutor's Office did not disclose the charges against them, nor did it provide details on how they were brought from Turkey to the country. According to Group 24 members, the two activists were charged with "calling to forcefully change the constitutional structure using the internet."

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