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Country/ entity	Tajikistan
Region	Europe and Eurasia
Agreement name	Protocol on Refugee Issues
Date	13 Jan 1997
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/ conflict level	Intrastate/intrastate conflict ( Tajikistani Civil War (1992 - 1997) )
Stage	Framework/substantive - partial
Conflict nature	Government
Peace process	Tajikistan peace process
Parties	(Signed) Talbak NAZAROV, Head of the delegation of the Government of the Republic of Tajikistan  (Signed) Khoja Akbar TURAJONZODAH, Head of the delegation of the United Tajik Opposition
Third parties	(Signed) Gerd Dietrich MERREM, Special Representative of the Secretary-General of the United Nations for Tajikistan  The parties also expressed their gratitude for their assistance to the UNHRC, OSCE, donor countries and the Aga Khan Foundation.
Description	Commits to mutual efforts to ensure ‘the voluntary return, in safety and dignity, of all refugees and displaced persons to their homes.’ Calls on OSCE and UNHCR to become involved. Government commits to reintegration. Reinvigorates a Joint Commission on refugees.

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## Groups

Children/  
youth No specific mention.

Disabled  
persons No specific mention.

Elderly/age No specific mention.

Migrant  
workers No specific mention.

Racial/  
ethnic/  
national  
group No specific mention.

Religious  
groups No specific mention.

Indigenous  
people No specific mention.

Other  
groups No specific mention.

Refugees/  
displaced  
persons

Groups→Refugees/displaced persons→Substantive  
(Entire agreement deals with refugee repatriation)

Page 1-2, ANNEX III:

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

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

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

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

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

Social class No specific mention.

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## Gender

Women, girls and gender No specific mention.

Men and boys No specific mention.

LGBTI No specific mention.

Family No specific mention.

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## State definition

Nature of state (general) No specific mention.

State configuration No specific mention.

Self determination No specific mention.

Referendum No specific mention.

State symbols No specific mention.

Independence/ secession No specific mention.

Accession/ unification	No specific mention.
Border delimitation	No specific mention.
Cross- border provision	Page 2, ANNEX III:  5. The Parties appeal to the Governments of the CIS States to consider issuing temporary identity documents to refugees from Tajikistan and to assist UNHCR in carrying out additional measures to ensure the safety of refugees and to defend their honour and dignity.

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## **Governance**

Political institutions (new or reformed) No specific mention.

Elections No specific mention.

Electoral commission No specific mention.

Political parties reform No specific mention.

Civil society No specific mention.

Traditional/religious leaders No specific mention.

Public administration No specific mention.

Constitution No specific mention.

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## **Power sharing**

Political power sharing	No specific mention.
Territorial power sharing	No specific mention.
Economic power sharing	No specific mention.
Military power sharing	No specific mention.

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## **Human rights and equality**

Human rights/RoL general	No specific mention.
Bill of rights/similar	No specific mention.
Treaty incorporation	No specific mention.
Civil and political rights	No specific mention.
Socio-economic rights	No specific mention.

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## Rights related issues

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

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

Democracy No specific mention.

Detention procedures No specific mention.

Media and communication No specific mention.

Mobility/  
access

Page 1, ANNEX III, 1:

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Page 1, Article 2:

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Protection  
measures

No specific mention.

Other

No specific mention.

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## Rights institutions

NHRI

No specific mention.

Regional or  
international  
human  
rights  
institutions

No specific mention.



## **Justice sector reform**

Criminal justice and emergency law      No specific mention.

State of emergency provisions      No specific mention.

Judiciary and courts      No specific mention.

Prisons and detention      No specific mention.

Traditional Laws      No specific mention.

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## **Socio-economic reconstruction**

Development or socio-economic reconstruction      No specific mention.

National economic plan      No specific mention.

Natural resources      No specific mention.

International Page 2, ANNEX III:  
funds

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

Business No specific mention.

Taxation No specific mention.

Banks No specific mention.

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## **Land, property and environment**

Land reform/  
rights No specific mention.

Pastoralist/  
nomadism  
rights No specific mention.

Cultural  
heritage No specific mention.

Environment No specific mention.

Water or  
riparian  
rights or  
access No specific mention.

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## Security sector

Security Guarantees No specific mention.

Ceasefire No specific mention.

Police No specific mention.

Armed forces No specific mention.

DDR No specific mention.

Intelligence services No specific mention.

Parastatal/  
rebel and  
opposition  
group  
forces No specific mention.

Withdrawal  
of foreign  
forces No specific mention.

Corruption No specific mention.

Crime/  
organised  
crime No specific mention.

Drugs No specific mention.

Terrorism No specific mention.

## Transitional justice

Transitional justice general No specific mention.

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

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Courts No specific mention.

Mechanism No specific mention.

Prisoner release No specific mention.

Vetting No specific mention.

Victims No specific mention.

Missing persons No specific mention.

Reparations No specific mention.

Reconciliation No specific mention.

## Implementation

UN signatory	(Signed) Gerd Dietrich MERREM, Special Representative of the Secretary-General of the United Nations for Tajikistan
Other international signatory	No specific mention.
Referendum for agreement	No specific mention.
International mission/force/similar	No specific mention.
Enforcement mechanism	Page 1, ANNEX III:  3. parties have agreed to resume the work of the Joint Commission on problems relating to refugees and draw up the statute of the commission within one month of signing, with UNHCR assistance
Related cases	No specific mention.
Source	UN Peacemaker:  <a href="http://peacemaker.un.org/">http://peacemaker.un.org/</a>

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