



TAJIKISTAN

BACKGROUND

Since the end of the five-year civil war in 1997, Tajikistan has made progress on several fronts, including reducing the percentage of people living below the poverty line from over 80 percent in 1999 to 31.3 percent in early 2014.¹ However, Tajikistan remains Central Asia's poorest country, and is heavily reliant on remittances from migrant workers abroad, especially in Russia. As a result, the economic slowdown in Russia and other Central Asian countries has resulted in an estimated 33 percent drop in the US dollar value of remittances², significantly impacting the Tajik economy.

Over the last decade, the Tajik Government has undertaken a number of policy and legislative reforms to bring its legislation into line with international standards, including the creation of a framework for an effective justice system. However, the implementation of these reforms remains challenging due to a lack of national capacities and resources. Furthermore, in the absence of a unified legal aid system, many people, particularly in marginalized communities, face difficulties accessing justice. Corruption also continues to be perceived as widespread, although the Government's efforts to fight corruption are resulting in gradual improvements, with Tajikistan's Corruption Perceptions Index

¹ The World Bank, "Tajikistan Overview". Available from <http://www.worldbank.org/en/country/tajikistan/overview> (accessed 21 June 2016)

² The World Bank, "Tajikistan Overview". Available from <http://www.worldbank.org/en/country/tajikistan/overview> (accessed 21 June 2016)

score increasing from 22/100 in 2013 to 26/100 in 2015.³

In early September 2015, national security entities in and around the capital Dushanbe faced an armed attack, resulting in more than 20 deaths. There were also serious political consequences, with the leading opposition party – the Islamic Renaissance Party of Tajikistan – being designated a terrorist group and numerous members of the party arrested.

Tajikistan's geographic location also presents external security risks. Concerns are primarily focused on Tajikistan's proximity to, and insecure border with Afghanistan, but in 2014–2015, tensions also re-emerged on Tajikistan's border with the Kyrgyz Republic. The tensions between Tajiks and Kyrgyz in the Fergana Valley were provoked by disputes over transport links, access to water and border demarcations. To address this, the international community and the UN are providing support to both countries in cross-border cooperation to promote sustainable peace and development

ASSISTANCE AND IMPACT

With access to justice a major challenge, one of UNDP's priorities is working to improve and expand legal aid. In 2015, 11,206 people, including 7,021 women and 865 people with disabilities, received legal aid services, with over 85 percent of recipients reporting positive outcomes. UNDP also worked to improve the long-term viability of these services, facilitating a discussion between the Government and civil society organizations on state support for free legal aid. As a result, the concept of state guaranteed legal aid was developed and adopted, and a new state agency providing free legal aid was created. A transition strategy for the gradual takeover of the existing, donor-funded system of free legal aid by the government budget was also developed.

Some of UNDP's most successful programming in Tajikistan in recent years has been supporting the work of the Ombudsman's Office to promote human rights. In addition to assisting with the development of the Ombudsman's new Strategy for 2016–2020, UNDP provided trainings to Ombudsman's Office staff on a range of topics, including the rights of persons with disabilities, gender issues, and the international standards for documenting and collecting evidence for torture cases. In addition to the training, a successful study visit was conducted to the Finnish Ombudsman's Office in Helsinki with the participants having since developed a number of specific recommendations that are now being implemented. Furthermore, to extend the reach of the Ombudsman's Office, six regional consultation centres provided advice and legal aid to over 2,000 people across the country, while outdoor legal information sessions were also held in a number of locations on family legislation, labour law, and human rights, reaching an additional 5,200 people.

“Our office is less than 10 years old, but thanks to UNDP's assistance – in training, funding, and technical assistance – we've been able to grow very rapidly. We're able to support human rights in many different ways now, from free legal aid to prison visits.”

– **Mr. Alizoda Zarif**, Human Rights Commissioner (Ombudsman) in the Republic of Tajikistan

UNDP is also supporting Tajikistan with accession to the CRPD. As part of this process, a large study on the costs and benefits of accession was carried out and a ministerial-level conference held with the participation of over 100 representatives of the Government and civil society, along with a visiting delegation from Kazakhstan.

³ Transparency International, “Corruption Perceptions Index 2015”. Available from <https://www.transparency.org/cpi2015/#results-table> (accessed 22 July 2016)

CRPD accession has now been approved at the ministerial level, and is expected to go to the Government for final approval in the near future. Complementing this, efforts were made to improve public awareness and perceptions of disability, with seven TV programmes on disability broadcast a total of 18 times on national television.

Improving access
for people with
disabilities



Photo by: UNDP Tajikistan

In efforts to boost inclusive governance, UNDP supported a set of Policy Dialogue platforms, bringing civil society and NGO representatives together with government stakeholders. Two policy dialogues were conducted at the national level, and two at the regional (oblast) level, in Khujand and Kurgan-Tyube. Additionally, UNDP supported Tajikistan's first National Rule of Law Forum, which brought together over 150 participants, including government officials, donors, civil society, lawyers and academics, to discuss key issues relating to the rule of law in Tajikistan, and to make concrete recommendations for law and policy changes.

In view of Tajikistan's vulnerability to external security risks, enhancing border management capacities remains critical. Since the beginning of 2015, UNDP training on subjects such as border management skills, counter narcotics, engine mechanics, gender sensitivity, disaster risk reduction and other topics associated with integrated border management have been provided to 322 Tajik and Afghan border and customs officials, including 28 females. To ensure greater donor coordination and more efficient

use of available technical and financial resources going forward, UNDP has consolidated its border management programmes funded by the EU (Afghanistan) and the Japan International Cooperation Agency (Tajikistan) under one management umbrella.



Border commanders
from Tajikistan and
Afghanistan meet at
Langar

Photo by: UNDP Tajikistan

In the Fergana Valley, UNDP offices in both Tajikistan and the Kyrgyz Republic cooperated to conduct a community-level conflict analysis and establish a monitoring system. Based on the results of this monitoring, dialogue was started in conflict-prone cross-border communities, which helped to identify community initiatives with a potential to reduce tensions. 17 small-scale community infrastructure projects (e.g. irrigation water, social infrastructure) were selected and six of them have already been implemented to improve the access of local communities to natural resources and promote joint management of common goods. A larger Cross-border Cooperation for Sustainable Peace and Development programme was also launched, bringing together five UN agencies from Tajikistan and the Kyrgyz Republic.

To address tensions between border communities, and the risk radicalization and violent extremism more generally, UNDP supported and contributed to a UNICEF produced report looking at the reasons behind the marginalization and exclusion of adolescents and youth in Tajikistan. This report will allow for a better understanding of the issues impacting this at-risk group, something vital for all development agencies seeking to mitigate risks and understand the drivers of marginalization and exclusion.

With corruption and transparency still significant concerns, UNDP has been working to improve the openness of the Tajik authorities and institutions. To this end, UNDP supported the establishment of mmk.tj, a website that includes a free, publicly

available database of Tajik laws and regulations. UNDP also provided support for a section of the Ministry of Justice website to be dedicated to providing information on notaries, their location and services, and relevant laws and regulations.



11,206 people received legal aid services, up from 8,505 people in 2014



340 Afghan and 84 Tajik border and customs and drug control officers provided with border management training



In the Tajik-Kyrgyz border area, 6 small-scale community infrastructure projects have been implemented to improve intercommunity relations



National and Regional Rule of Law Policy Dialogue Platforms expanded

Key results

CHALLENGES, LESSONS LEARNED AND THE WAY FORWARD

Continuing economic uncertainty is expected to be a significant challenge. The reduced flows of remittances and returning workers have put pressure on the local employment market and is contributing to increased social tensions. Despite some positive developments in recent years, Tajikistan also continues to make significant progress in the areas of democratic governance and the rule of law.

Continuing challenges are expected in the area of border security, with risks that drug trafficking and violence in Afghanistan may spread across the border. Further efforts will be needed to reduce tensions between Tajik and Kyrgyz communities in the Fergana Valley region where there are still incidents occurring.

To address these border security challenges, UNDP has high hopes its new expanded peacebuilding programme can make significant progress. A

number of planning and coordination events involving members of the two UN country teams have already taken place, with the Peace and Development Advisor in Tajikistan playing a leading role. In addition to existing initiatives to encourage intercommunity dialogue and cooperation, UNDP will facilitate the sharing of best practices, national expertise and experience in the areas of cross-border cooperation and mine action. UNDP will also continue to support efforts to reduce the risk of home-grown violent extremism amongst youths.

To improve rule of law and access to justice, UNDP will continue pushing for state financing of legal aid services and supporting efforts to train and support government staff to provide these services. Support will also be provided to ongoing reforms, including the Judicial and Legal Reform Programme 2015–2017. Furthermore, a new programme will aim to provide technical support to the Ministry of Justice in reviewing and strengthening the legislative and institutional frameworks of Civil Registration Offices

for more simplified, effective and accessible service provision. The feasibility of preserving and digitising the national archives is also being considered, and research is being coordinated by UNDP to assess the scope of this important task. After the review, UNDP will assist in aligning these frameworks with international standards and best practices.

Finally, UNDP will work to improve the quality of local development and governance by working with local authorities to improve capacity and facilitate participatory planning and monitoring in line with the National Development Programme (2016-2030), the Mid-Term Development Strategy (2016-2020)⁴ and the SDGs. This will be complemented by support for the newly established Local Development Committee.

⁴ Expected to be endorsed during the next Parliamentary Session in fall 2016.