



adcmemorial.org

With the support of the Pamiri diaspora activists

**Alternative Report
on Tajikistan's Implementation
of the International Convention on the Elimination of All Forms of Racial Discrimination
in Connection with the UN CERD Consideration of the Republic of Tajikistan's
12-13th Periodic Reports for 2017–2020**

For the 109th session of the UN CERD

11-28 April 2023

20 March, 2023

Comments on Tajikistan's implementation of previous recommendations of the UN CERD (2017)

In 2017, based on the results of its [93rd session](#) the UN CERD [called](#) the authorities of the RT to collect disaggregated data on the ethnic minorities and, in particular, to consider Pamiri and Yaghnobi as minority groups in the census and other statistical analysis. The CERD also recommended to adopt a comprehensive state program on support of Roma/Jughi, with special focus on the situation of women and girls. Promotion of minority languages, including Pamiri and Yaghnobi, in the spheres of education and media was considered of great importance by the Committee. Educational programs aimed at opposing prejudice towards ethnic minorities, including Pamiri and Jughi, were recommended as well. The Committee reiterated its recommendation on adoption of comprehensive anti-discrimination legislation containing the definition of different forms of discrimination in accordance with international standards.

In 2019, the UN CERD evaluated implementation of its urgent recommendations. Having taken note of the state [report](#) on measures to increase the representation of ethnic minorities in all spheres of public and political life, the Committee called on the authorities of Tajikistan to take further steps in this regard. However, at the same time the Committee regretted the unwillingness of the Tajikistan authorities to adopt an action plan to improve the situation of Mughat (Jughi) and encouraged the authorities to change their position, pointing out the urgent need to overcome discrimination of this ethnic minority, to ensure access to education for all children, especially girls, as well as to provide for equal rights for housing, access to public services and medical care.

Regarding the current state of implementation of the above mentioned recommendations, we note the following:

Recognition of minorities and collection of disaggregated data. The detailed data of the latest census (2020) have not been published, so it is not possible to assess the disaggregated ethnic composition of the population of Tajikistan and find out whether Pamiri and Yaghnobi are counted separately. Such information can't be found in open sources. The state report under review of the UN CERD does not contain any information about the Pamiri and Yaghnobi people at all, neither in the section on the representation of minorities in public administration or political sphere, nor in the section on education in minority languages.

Undoubtedly, the Pamiri peoples should be recognized at least as an ethnic, linguistic and religious minority, according to the definition of the UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (1992). Moreover, the question may be raised about defining them as indigenous peoples with the respective status and guarantees of the rights described in the UN Declaration on the Rights of Indigenous Peoples. This could serve to improve local self-government and autonomy of GBAO, the development of the local economy, environmental protection, preservation and development of Pamir languages and culture,

The situation of Mugat/Jughi. An action plan to improve the situation of Mugat (Jughi) has not been adopted, while this group remains marginal and often despised in public opinion. The ethnic majority of Tajikistan still knows very little about Mugat, and popular prejudices about them are wide spreading in the media. In recent years, however, some unbiased reports have appeared in the media, trying to objectively and sympathetically tell about the life of Mugat, their problems and traditions.

The vulnerability of Mugat has increased in recent years due to regional and global crises (the COVID19 pandemic, difficulties for labor migration which used to be a familiar way of earning for many Tajikistanis). In 2019, informing the Committee, the Tajikistan authorities [reported](#) about 1,329 Mugat schoolchildren in the country, which seems to be an extremely low proportion compared to the officially recognized total number of Mugat (12,000-13,000 people). The media quoted the [statement](#) of the Children's Ombudsman Rajabmoh Habibullo, who in July 2019 said at a press conference that all conditions have been created for the education of Mugat children and, according to her, the cause of their bad education and deplorable social situation is their own traditions, therefore the positive

measures recommended by the UN are redundant. Meanwhile, the problems of access to school education, attendance, transition from primary school to secondary school, obtaining vocational and higher education by representatives of the Mugat community are extremely relevant, especially for girls, as in places of compact residence of Mugat in a number of districts, the school attendance is too far from complete. Obviously, shifting the blame for this situation only to parents is counterproductive, and the lack of special support measures leaves Mugat in a vicious circle of structural discrimination and makes children victims of exploitation and harmful traditional practices.

Anti-discrimination legislation. The authors of this report welcome the adoption by Tajikistan of the Law on Equality and Elimination of All Forms of Discrimination (entered into force in July 2022). It should be noted, however, that in the definition of discrimination given in the law, there are neither such grounds of discrimination as sexual orientation and gender identity, nor the very concept of "gender". This reduces the protective potential of the law for such a vulnerable and [discriminated](#) group in Tajikistan as LGBTI+. It should be also noted that the anti-discrimination legislation was enforced in parallel with conducting the unprecedented [crackdown](#) on Pamiri minorities, which resulted in killing of at least 34 peaceful demonstrators, over 200 detentions and up to 1000 Pamiris end up becoming refugees in different European and North American countries.

The situation in the Gorno-Badakhshan Autonomous Oblast (GBAO) of Tajikistan: escalation of repression against the Pamiri peoples in 2021-2022

Pamiri in Tajikistan: from non-recognition to discrimination

The Pamiri are members of a number of peoples populating the vast highlands in eastern Tajikistan (Shughni, Rushan, Wakhi, Ishkashimi, Yazgulami, and others). They speak their own languages, can be identified by their appearance, have a distinct culture different from the ethnic majority, and are mainly Ismaili Shia Muslims, unlike the majority of the population, which is Sunni. There are almost 200,000 Pamiri in GBAO. In its alternative [report](#) for the UN CERD (2017), ADC Memorial reported that the biased treatment of Pamiri includes ethnic, cultural, linguistic, religious, and political aspects in light of these characteristics: They are identifiable both in terms of appearance and language, are considered "incorrect" Muslims, and are suspected of having separatist sentiments. The Pamiri representation in the national decision-making processes has been always weak since the independence of Tajikistan referring to their small number, which is ultimately affecting all aspects of their life and leading to discrimination. The Pamiri are not recognized as an ethnic minority de-jure, but are de-facto discriminated as non-Tajiks (in particular, they are not counted separately in censuses).

The Pamiri are also underrepresented in governance and key administrative bodies which predominantly include the law enforcement agencies in GBAO, as the leadership and the overwhelming majority of staff at security structures in GBAO are from other regions of Tajikistan. Our sources link the increase in their numbers with the high level of corruption and lawlessness, as well as with evidence of fabricated criminal cases, extortion (including from members of the business community), false confessions obtained through severe torture, prosecutorial bias in the justice system, and the crude and unethical behavior of security officers, particularly in relation to women. In addition to this, the approach and treatment of Pamiri people by law enforcement agencies is usually gone without considering the specifics of the local population, which led to numerous tensions in past.

The state does not support the study or wider use of Pamiri languages. Our sources noted that schools and even daycares are under growing pressure (security officers visit educational institutions and demand that teachers and students only use the Tajik language; institutions are subjected to various checks by the prosecutor's office and security agencies, which is not part of the latter's jurisdiction). Local television stations never broadcast in Pamiri languages. Besides, the official infosphere ignores events of importance to the Pamiri. For example, on December 13, Ismaili Shiite Muslims throughout the world celebrate the birth of their spiritual leader, Aga Khan IV, but local television stations in 2021 did not even mention this, even though they had it in previous years. Moreover, all the initiatives in Pamiri languages are denied approval by the local government. For instance, in 2015 when the first radio started broadcasting in the Shughni language, it was closed

under the pressure a month later. Initiatives to teach Pamiri languages in school or register the alphabet of Pamiri languages on the state level have been denied and the initiators usually face pressure from law enforcement agencies. Pamiri people who struggle to speak the plain Tajik language are usually discriminated and are limited in getting job in the government bodies.

Renaming of the original Pamirian toponyms in honor of public figures of the Soviet period and the current President of Tajikistan is sensitive for the population of GBAO, as it happens without the free, prior and informed consent of the locals.

GBAO is facing economic difficulties, its road and transportation systems are not developed (the roads are in terrible condition, there were no flights to or from other regions of Tajikistan in the last ten years), and its industrial infrastructure is in dire straits. In general, the Pamiri are more likely to migrate than residents of other regions because of unemployment (in the GBAO, the unemployment rate of workers aged 15 to 75 was 26.8, with a national average of 11.5, Statistical Agency Under the President of the Republic of Tajikistan, [2016 data](#)). Although GBAO comprises half of the territory of Tajikistan and has most of the country's resources, it remains the least developed region. No heavy industry and factories are built in the region for the last 30 years. Many lands with resources are given to Chinese companies who usually bring their own employees and don't recruit the local Pamiris. The prices for groceries and clothes are usually 20-40% higher compared to the rest of the country, which is explained by Tajik authorities by total dependence of GBAO on other districts of Tajikistan, yet no explanation is provided on developing local infrastructure. Many businesspersons complain about the pressure from the government, high taxation, and additional government subsidies to be paid, which ultimately lead to the closure of many small and medium business initiatives. For instance, for the last five years, the governmental company "Faroz" is asking the local petroleum stations to put 10-15% of additional cost to be paid to them in addition to taxation and other governmental subsidies, making the price of diesel and petroleum in GBAO as one the highest in the post-soviet region.

The population is concerned by the recent decree of the Tajik government "On the procedures for internal migration of the population from land-poor and densely populated mountainous regions to fallow valleys for 2022 to 2024" (published in December 2021). This decree proposes relocating over 900 families, including 50 families from Darwaz and Ishkoshim districts, GBAO to Khatlon Oblast, Tajikistan. It should be noted that the Yaghnobis, an ethnic minority relocated in Soviet times without proper support and respect for their identity, experienced the total loss of their language and culture.

Protests in GBAO have repeatedly been followed by a severe response from the authorities of an independent Tajikistan. One of the most dramatic cases occurred in 2012, when the Tajik security and military forces commenced the "[special military operation](#)" in Khorugh (the capital of GBAO) and its outskirts after the death of the Security Office's General deployed to GBAO from Dushanbe; ultimately resulting in killings of 22 Pamiris and detention of many. The Pamiri viewed this confrontation as a reprisal against them. After 2012, violent incidents involving security and law enforcement using lethal force against Pamiris residing in GBAO occurred systematically. In 2014, the special unit of the Ministry of Internal Affairs blocked a car in the town's center and [killed three local residents](#), which led to massive demonstrations and attacks on governmental buildings. Similar incidents of police violence happened in [2013](#) and [2018](#). Since then, the military presence in GBAO has been heightened and checkpoints have been set up. Some experts call this a state of "undeclared martial law" and believe that the State Committee for National Security (SCNS) has essentially been given the authority to manage the region.

Protests of November 2021 and escalation of repression

The cause of the mass protests of November 25 to 28, 2021 (which took place mainly in Khorugh, where hundreds of people came out on the square) was the death of 29-year-old local resident Gulbiddin Ziyobekov during a security operation. Two other young people (Gulnazar Murodbekov and Tutisho Amirshoyev) were killed during the demonstrations to demand the investigation of Gulbidin's death; about 17 protestors were [injured](#) from shots fired by the security forces into crowd of protesters, and five police officers and three security officers were hurt. Residents believe that the police use of firearms was illegal, excessive and without any justification.

The authorities reacted by shutting down the internet and mobile communications for over 100 days until 27 March 2021, ramping up the military presence in the region (over 3,500 soldiers and officers and a large amount of military equipment, including armored vehicles), blocking roads, increasing the number of checkpoints, and publishing more agitational materials in the media. Since GBAO appeared to be essentially under an information blockade, television broadcasts only present a one-sided view of the situation. Despite the agreement to grant amnesty to the protestors the authorities banned 66 demonstrators from leaving GBAO and put pressure on the members of civil society (they were forced to condemn the demonstration on television).

Complete internet shutdowns have been systematically happening in GBAO when there are demonstrations or security operations. Since Pamiris are concentrated in GBAO, shutdowns are targeted geographically on this remote region, highly reliant on internet and mobile communication due to isolated geography. These shutdowns, especially the last longest shutdown for almost four months have significantly impacted the socio-economic situation of Pamiris adding to their marginalization.

Because of the loss of connectivity, students in the older grades who plan to receive a higher education were not able to submit applications and/or take admissions tests. State quotas at universities in Russia, Kazakhstan, and Kyrgyzstan apply to children among remote communities including residents of GBAO. Many high school graduates receive stipends from universities in other countries and charitable organizations, but the process for completing all the paperwork begins long before the academic year and continued throughout it. Many applicants were deprived from the opportunity to study in university resulting in an academic gap year because of the absence of connectivity in GBAO.

In November, 2021 senior pupils were forced to leave GBAO for other regions of Tajikistan to take online tests and/or submit their applications, which was a major expense (for transportation and living expenses). Children from poorer families that could not afford a trip outside of the oblast were in a particularly vulnerable position, so their plans for a higher education were put at risk.

On November 28, 2021, the protestors dispersed after government representatives promised to meet their demands not to prosecute demonstrators, to conduct a quick, unbiased, and effective investigation into the deaths of G. Ziyobekov, G. Murodbekov, and T. Amirshoyev, and to restore internet connections and all types of communications services in GBAO. The three-day protest was released by binding an agreement with the government to create a joint civil society group known as “Commission 44” to investigate jointly with the official state led group the deaths of local residents and excessive use of force against the protesters sustaining injuries. On December 19, 2021, Faromuz Irgashev, head of Commission 44, released a video message addressing the threat to peace and stability in GBAO posed by the actions of law enforcement bodies and asked Rustam Emomali, the leader of the upper house of Parliament, to take the situation in Khorugh under his personal control.

However, on January 19, 2022, the activists released a statement that they had stopped cooperating with the authorities, since none of the promises made to GBAO residents were fulfilled. The government’s response was to ramp up pressure on the members of Commission 44 and other protestors, including immigrants from GBAO living abroad. For example, on May 28, 2022, 13 members of the Commission 44 and civil activists close to them were arrested on charges of illegally receiving funds and instructions from abroad for organizing mass protests in Khorugh and Rushon District in the GBAO after being interrogated at the local prosecutor’s office. They have been sentenced between 16 to 29 years in jail for fabricated incrimination and the Commission itself was named as a criminal group.

However, even after the situation in GBAO attracted the attention of international society, the persecution of activists continued, and no investigation into the November events was ever conducted. In addition, arrests of Pamiris started happening not just in Tajikistan, but in other countries as well.

Between November 2021 and August 2022, dozens of Pamiris disappeared in Russian Federation and ended up in Tajikistan, among them two influential Pamiri activists ([Amriddin Alovatshoev](#) and [Chorshanbe Chorshanbiev](#)) who were forcefully returned from Russia to Tajikistan under contested circumstances. Over 10 Pamiris were arbitrarily detained in Dushanbe and in Khorugh prior to May escalations and have been sentenced to long terms in jail.

Escalation in May 2022: many victims in Rushon District

“During the demonstration, security officers armed with automatic weapons were walking along roads in the center of Khorugh and loudly shouting offensive words at local young people, even though there were women and children on the street. The security officers provoked the local youth into a conflict. Officers who come from other regions of Tajikistan do not know or understand the customs and traditions of the Pamiris. They often contemptuously call Pamiris ‘Hans,’ like they did during the civil war in 1991 to 1997.” – N.M., resident of Khorugh

The next escalation of the situation in GBAO took place on May 14, 2022, when several hundred Khorugh residents gathered in one of the neighbourhoods for an assembly and handed over several demands to the local government. They requested the resignation of the local governor Alisher Mirzonabot and Khorugh Mayor Rizo Nazarzody, the removal of all checkpoints in Khorugh, and an end to the persecution of the Pamiris following the November protests. They declared that if the demands are not met, the protests will resume on May 16. The authorities refused to meet their demands, and by May 16, all the main roads in the GBAO had been closed and armored National Guard vehicles and masked people had appeared at checkpoints. In the evening, when protestors neared the central square, they came under the fire of rubber bullets. One person died, and six were injured. On May 17 few hundred residents of Rushon district (60 km north of Khorugh) [gathered](#) for protests in front of government buildings and started blocking the road in Vomar town (Rushon district) to prevent a convoy of military reinforcement to reach Khorugh.

On May 18, the Tajik government announced the start of an “anti-terrorism operation” in GBAO. On that day, the bloodiest clashes took place between government troops and local residents in Vomar, Rushon District.

It was difficult to get detailed information about the events in Vomar during those days, since the internet was disconnected in the region and Tajikistan media outlets like the Asia-Plus agency and others have said it was impossible to report on events because of government pressure. The Rushon District residents whom it was possible to contact, compared the situation with the events in Bucha (Ukraine) where mass murders committed by Russian troops were discovered. Local residents reported that the security officials rounded up men and took them from their homes and the hospital to a border command post, where they tortured these men and even killed them after interrogations (at least one victim of this kind is known by name). There were many reports of looting by security officers. There was unconfirmed information that seven people in a garden in Vomar were killed by shelling from a helicopter and that snipers shot demonstrators who tried to hide in a mountain village. According to activists who collected the data onsite, 39 people (33 in Rushon and 6 in Khorugh) were killed in connection with the May 2022 protests. Less than 30 of the victims could be buried, because the rest have to be found (there were reports from locals that the bodies of the deceased were thrown into the river).

The official media in Tajikistan were writing about something entirely different: “the special operation to neutralize armed fighters in Rushon District, Gorno-Badakhshan Autonomous Oblast has been completed”; no civilians suffered, only “terrorists” were killed or captured; weapons were previously brought in from abroad; “foreign mercenaries” were among the “fighters.” The Ministry of Internal Affairs reported that 8 people were killed and 70 were detained in Rushon district. However, in a “[Name-by-name” cycle of a report published](#) by Radio Liberty in Tajikistan, at least 34 were killed in Rushan district. The locals claim that over 200 Pamiris were detained in connection to the May events. There are significant differences concerning information about the number killed and wounded and the use of weapons by protesters in Rushan district (the Internal Affairs Ministry counts the types of pistols and machine guns seized, while social media posts say that the protestors did not have firearms).

Following the crackdown in Rushon district, Tajik security forces continued to wage the “special operation” in other parts of GBAO, mainly Khorugh resulting in the deaths of dozens people. Two informal leaders of the Pamiri were reportedly killed on June 12, some other were arrested. They were charged with involvement in a series of grave and especially grave crimes, including murder;

hooliganism; robbery; smuggling of drugs, weapons, and precious gems; creation of an organized criminal group; and inciting hatred on the basis of regionalism.

Although local activists identified and reported 40 local residents being killed and over 200 arrested over the course of the so-called operation, it is still not possible to confirm the accurate data [of the massive killings and crackdown on Pamiris in May 2022](#) due to the information blockade, repressions and lack of independent observers in the region.

Pamir after the end of the active phase of protests

“Security officers in the GBAO go around homes and organizations in Khorugh and the oblast and force people to lie about Gulbiddin’s murder and the demonstration in November 2021. Relatives are told to read a prepared text in their cells after being threatened with losing their jobs or prosecution. Young Pamiri men are detained under various pretexts and summoned for questioning to scare and overwhelm them. They are creating all the conditions to force people to leave with their families.” – T.S., resident of Khorugh.

A large military contingent and a large amount of military equipment, including armored vehicles, is now present in the region. The authorities have set up several checkpoints throughout the GBAO to inspect cars. Our sources reported that during inspections, law enforcement officers insulted and humiliated residents, including women, and extorted money from them, which provoked Pamiri to respond. They noted cases where law enforcement officers behaved rudely in public and knowingly violated traffic rules, including driving in a drunken state, which resulted in accidents in which local residents were injured and even killed. Many locals believe that the situation is worse than what they experienced during the civil war in the 1990s.

Pamiri are continuing to be persecuted abroad. Thus, up to twenty Pamiri diaspora activists were arrested in Russia or disappeared and were forcefully returned to Tajikistan. [Some of them](#) were the citizens of Russian Federation and had no Tajik citizenship but still kidnapped and forcefully returned to Tajikistan. The Russian and Tajikistani authorities have had nothing to say about the arrests, but the relatives of the detainees say that Tajikistan has requested the extradition of almost 350 Pamiri living in Russia. They could all be deported to Tajikistan, where their lives and liberty are in danger.

In August, 2022, the trials of Pamiri who participated in the protest actions started in a pretrial detention center in Dushanbe. The hearings were held behind closed doors, the defendants were deprived of appropriate legal assistance. On October 7, 2022, it was officially announced on the website of the Prosecutor General’s Office that criminal cases had been initiated against 109 people. At the time of writing this report, dozens of defendants were sentenced to various terms of imprisonment – from 5 years to long ones – 10, 11, 15, 18, 21, 30 years, up to life imprisonment. 9 members of the "Commission-44" were convicted, including Manuchehr Kholiknazarov, head of the Pamir Lawyers Association and member of the Civil Society Coalition against Torture and Impunity in Tajikistan (16 years of imprisonment), Faromuz Irgashev, lawyer (29 years of imprisonment), poet and activist Muyassar Sadonshoev (11 years of imprisonment), blogger and populariser of Pamir languages Khushruz Dzhumaev (8 years of imprisonment). Among those sentenced there are journalists, sportsmen, diaspora activists, relatives of emigrated opposition politicians. The authorities attributed the "main role" in organizing mass riots to Kholbash Kholbashev (life imprisonment), a retired general of the border troops, and civil activist and journalist Ulfathonim Mamadshoeva (21 years of imprisonment). The unjust sentences were condemned by leading international human rights organizations: FIDH, Human Rights Watch, Civil Rights Defenders, demanding to cancel them and immediately and unconditionally release all those convicted in these cases.

Because of the above, GBAO residents are in a state of constant tension: They fear for themselves and their family members and are afraid to leave their house or let their children out. Many of them find analogies with the past, during the civil war of 1993 to 1997 and the civil unrest of 2012. Emigration from the region has intensified; Pamiri are massively seeking asylum in European countries or trying to legalize themselves as labor migrants.

Recommendations to the authorities of Tajikistan

- Adopt and implement a government program of comprehensive support for the Mugat/Jughi minority – guarantee their ability to obtain personal documents, registration at place of residence, legalization of their housing, and access to medical and social assistance resources.
- Special attention should be paid to the rights of children, especially girls, by ensuring their access to quality education and providing protection against exploitation and harmful traditional practices.
- It is essential that educational programs be developed aimed at overcoming the alienation of Mugat/Jughi and their exclusion from Tajikistan society and at fighting harmful traditions, not through repression, but through education and persuasion.
- Civic organizations' programs to promote tolerance and solidarity with vulnerable population groups should be encouraged.

- Immediately stop repressions against the population of the Gorno-Badakhshan Autonomous Oblast of Tajikistan. An effective dialogue must be established between the authorities and the population, and there must be a transparent, effective, and speedy investigation into the circumstances under which people perished during the protests and security operations.
- Cancel the unjust sentences of convicted civil activists, journalists, leaders of local communities.
- Stop the persecution and arbitrary detention of Pamiri activists in Tajikistan and abroad.
- Provide mobile communications and ensure reliable internet access in all GBAO districts. Stop the unlawful practices of internet and mobile communication shutdowns, discriminately targeting Pamiris concentrated in the remote region of GBAO
- Special attention should be paid to ensuring the rights to education and medical care.
- Recognize the Pamiri peoples as a minority with ethnic, religious and linguistic specifics, and ensure the protection of their rights, in line with the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (1992).
- Develop and systematically implement educational programs to tell the people of Tajikistan about the unique features of Pamiri culture and the Ismaili religion in order to overcome negative stereotypes about the Pamiri.
- Government support is needed to preserve and develop the Pamiri languages: funding of academic research, periodicals and books, textbooks; the development and support of existing writing systems and the introduction of teaching tools in Pamiri languages into the curriculum; and radio and television broadcasts in Pamiri languages.
- Create more job opportunities for the local Pamiris and ensure the economic stability in the regions to stop the brain drain and massive forced immigration from the region. Stop harassing the local entrepreneurs and businesspersons.

The authors of this report also call the UN member states and the UN High Commissioner for Human Rights to initiate a Commission of Inquiry on the situation in GBAO and repressions against Pamiris, as all other local and international human rights mechanisms are denied the access to the region.